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THE STATUTES,

Passed in the SIXTH Session of the FOURTEENTH
Parliament

OF

The United Kingdom of *Great Britain* and *Ireland*;

9° & 10° VICTORIÆ.

PUBLIC GENERAL ACTS.

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2. An Act to authorize Grand Juries in *Ireland*, at the Spring Assizes of the present Year, to appoint Extraordinary Presentment Sessions; to empower such Sessions to make Presentment for County Works, and to provide Funds for the Execution of such Works; and also to provide for the more prompt Payment of Contractors for Works under Grand Jury Presentments in *Ireland*. 11
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116. An Act to apply the Sum of Eight millions three hundred fifty-six thousand one hundred and seventy-three Pounds Seventeen Shillings and Eleven-pence out of the Consolidated Fund, and Monies in the Exchequer, to the Service of the Year One thousand eight hundred and forty-six, and to appropriate the Supplies granted in this Session of Parliament. *Page 746*
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DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

- i. **A**N Act for lighting with Gas the Town of *Downpatrick* in the County of *Down*. *Page 754*
- ii. An Act for lighting with Gas the Town and Parish of *Radcliff* and the Township of *Pilkington*, or Parts thereof, in the County Palatine of *Lancaster*. *Ibid.*
- iii. An Act for better assessing and collecting the Poor Rates, Lighting and Watching and Church Rates, in the Parish of *Aylesbury*, and the Highway Rates in the Township of *Aylesbury* and Hamlet of *Walton* respectively, in the County of *Buckingham*. *Ibid.*
- iv. An Act for granting more effectual Powers for lighting with Gas the Town of *Bury* and the Neighbourhood thereof in the Parish of *Bury* in the County Palatine of *Lancaster*. *Ibid.*
- v. An Act to enable the United Company of Proprietors of the *Ellesmere and Chester* Canal to raise a further Sum of Money. *Ibid.*
- vi. An Act for building a Bridge across the River *Medway* at *Rochester* in the County of *Kent*, with Approaches thereto; for taking down the present Bridge; and for amending the Acts relating to the same. *755*
- vii. An Act for repairing, improving, and maintaining certain Roads leading from the Borough of *New Woodstock* to *Roll-right Lane*, and other Roads connected therewith, in the County of *Oxford*. *Ibid.*
- viii. An Act for lighting with Gas the Town of *Middleton* and its Vicinity in the County of *Lancaster*. *Ibid.*
- ix. An Act for inclosing Lands in the Parish of *Willingham* in the County of *Cambridge*, and for draining and embanking certain Fen Lands and Low Grounds in the said Parish. *Ibid.*
- x. An Act to enable the Company of Proprietors of the *Manchester and Salford* Waterworks to raise a further Sum of Money. *Ibid.*
- xi. An

- xi. An Act for altering, amending, and enlarging the Powers and Provisions of the several Acts passed in relation to the *Monkland Navigation*. Page 755
- xii. An Act for enabling the Trustees of the *Enfield Chase Road* to make a Deviation or Alteration of the said Road from a Point near the Sixteenth Milestone in the Parish of *North Mims* to the Town of *Hatfield* in the County of *Hertford*. *Ibid.*
- xiii. An Act for constructing a Wet Dock and other Works on the South Side of the River *Wear* at *Sunderland-near-the-Sea* in the County Palatine of *Durham*. *Ibid.*
- xiv. An Act to amend and enlarge some of the Provisions of the Acts relating to the *Great Western Railway Company*, and to confirm the Purchase of certain Railways by the said Company. 756
- xv. An Act for enabling the *Taunton Gas Light and Coke Company*, incorporated by the *Taunton Gas Act, 1845*, to borrow additional Money for the Purposes of the Company, and for confirming a Purchase made by them; and for other Purposes. *Ibid.*
- xvi. An Act for improving and maintaining the Port and Harbour of *Helensburgh* in the County of *Dumbarton*. *Ibid.*
- xvii. An Act for better supplying with Water the City and Neighbourhood of *York*. *Ibid.*
- xviii. An Act to incorporate the Members of the Most Honourable and Loyal Society of Ancient *Britons*, commonly called *The Welsh Charity School*, and to enable them the better to carry on their charitable Designs. *Ibid.*
- xix. An Act for better supplying with Water the Town and Environs of *Boston* in the County of *Lincoln*. *Ibid.*
- xx. An Act for establishing a Cemetery at *Birmingham* in the County of *Warwick*. *Ibid.*
- xxi. An Act to enable the Company of Proprietors of the *Glasgow Waterworks* to introduce an additional Supply of Water to the City and Suburbs of *Glasgow*. *Ibid.*
- xxii. An Act for providing an enlarged Site for rebuilding the Coal Market in the City of *London*, and for widening the Avenues in the Vicinity thereof, and for effecting other Improvements in the said City. *Ibid.*
- xxiii. An Act for enabling the Parliamentary Trustees on the River *Clyde* and Harbour of *Glasgow* to acquire a Portion of the Lands of *Stobcross* and adjacent Grounds, and to construct thereon a Wet Dock or Tidal Basin, with certain additional Wharfs and other Works. 757
- xxiv. An Act for improving and maintaining the Harbour or Port of *Sligo* in the County of *Sligo*. *Ibid.*
- xxv. An Act for constructing a Pier, and forming necessary Approaches thereto, in the Parish of *Weston-super-Mare* in the County of *Somerset*. *Ibid.*
- xxvi. An Act for amending certain Acts of the Forty-third and Fiftieth Years of the Reign of His late Majesty King *George the Third*, relating to the Port and Harbour of the Town and County of the Town of *Southampton*. *Ibid.*
- xxvii. An

- xxvii. An Act for establishing a general Cemetery for the Interment of the Dead in the Neighbourhood of the Towns of *Plymouth, Devonport, and Stonehouse*, in the County of *Devon*. Page 757
- xxviii. An Act for altering, amending, and enlarging the several Acts relating to the Improvement of *Birkenhead, Cloughton-cum-Grange, and Part of Oxton*, in the County of *Chester*. *Ibid.*
- xxix. An Act for improving the Borough of *Leicester*. *Ibid.*
- xxx. An Act for paving, lighting, watching, watering, cleansing, regulating, and otherwise improving the Town of *Southport* in the County Palatine of *Lancaster*, and for establishing and regulating a Market and Market Places therein. *Ibid.*
- xxxi. An Act for extending the Limits of the Burgh of *Helensburgh* in the County of *Dumbarton*, for lighting and cleansing the same, for establishing a Police therein, and for other Purposes relating thereto. *Ibid.*
- xxxii. An Act to erect and constitute the Parishes of *Old and New Monkland*, and Parts of the Parishes of *Bothwell and Shotts*, in the County of *Lanark*, into One Police District, for the Establishment of an efficient Police Force therein, and for other Purposes relating thereto. 758
- xxxiii. An Act for incorporating the *Gravesend and Milton* Waterworks Company, and for more effectually supplying the Inhabitants of the Town and Parishes of *Gravesend and Milton-next-Gravesend* and the Parish of *Northfleet* in the County of *Kent* with Water. *Ibid.*
- xxxiv. An Act for granting more effectual Powers for supplying with Water the Town of *Bury*, and the several Townships of *Walmersley-cum-Shuttleworth, Bury, and Elton*, all in the Parish of *Bury* in the County Palatine of *Lancaster*. *Ibid.*
- xxxv. An Act to amend the Provisions of Two several Acts passed in the Third and Eighth Years of His Majesty King *George the Fourth*, for supplying with Water the Town of *Liverpool* and *Harrington and Toxteth Park* in the County Palatine of *Lancaster*. *Ibid.*
- xxxvi. An Act for better supplying with Water the Town and Borough of *Sunderland*, and the Neighbourhood thereof, in the County of *Durham*. *Ibid.*
- xxxvii. An Act for better supplying with Gas the Town and Borough of *Sunderland*, and the Neighbourhood thereof, in the County of *Durham*. *Ibid.*
- xxxviii. An Act for incorporating the *Rotherham* Gas Light and Coke Company, and for better supplying the Parish of *Rotherham* in the West Riding of the County of *York* with Gas. *Ibid.*
- xxxix. An Act to enable the *Bilston* Gas Light and Coke Company to light with Gas the Town of *Bilston*, and certain other Townships, Parishes, and Places, in the County of *Stafford*. *Ibid.*
- xl. An Act for better supplying with Gas the Townships of *Bilston with Harrogate* and *Pannal*, and certain Parts of the Townships of *Knareborough* and *Scriven with Tentergate*, adjacent thereto or intermixed therewith, all in the West Riding of the County of *York*. *Ibid.*
- xli. An Act for constructing and maintaining an Arcade between *Argyle Street* and *Great Clyde Street* in the City of *Glasgow*,
to

- to be called "The *Union Arcade*," and for altering the Site of an intended Foot Passenger Bridge across the *Clyde* at *Glasgow*.
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- xlii. An Act for the better and more effectual ascertaining, assessing, collecting, and levying the Poor Rate, and all other Rates and Assessments, in the Parish of *Carshalton* in the County of *Surrey*, and for the better Management of the Business and Affairs of the said Parish; and for other Purposes relating thereto. *Ibid.*
- xliii. An Act to incorporate the Members of the Institution called "The Royal Asylum of the *Saint Ann's Society*," and to enable them the better to carry on their charitable Designs. *Ibid.*
- xliv. An Act for forming and regulating "The Electric Telegraph Company," and to enable the said Company to work certain Letters Patents. *Ibid.*
- xlv. An Act for incorporating the "*Caledonian Insurance Company*;" for enabling the said Company to sue and be sued, to take and to hold Property; for confirming the Rules and Regulations of the said Company; and for other Purposes relating thereto. *Ibid.*
- xlvi. An Act for maintaining the Road from *Deanburn* in the County of *Haddington*, through *Greenlaw* in the County of *Berwick*, to *Cornhill* in the County of *Durham*, with Branches from *Carfrae Mill* through *Lauder*, from *Orange Lane* to *Swinnton*, and from *Coldstream* to *Mount Pleasant*, all in the County of *Berwick*; and for maintaining the Bridge over the River *Tweed* at *Coldstream*. *Ibid.*
- xlvii. An Act to enlarge the Term and Powers of an Act made in the Sixth Year of the Reign of His Majesty King *George* the Fourth, for repairing and maintaining the Road from *Whiteburn*, upon the Turnpike Road from *Edinburgh* to *Greenlaw*, passing through *Thornydike* and *Westruther* to *Choicelee*, upon the Turnpike Road from *Greenlaw* to *Dunse*, all in the County of *Berwick*. *Ibid.*
- xlviii. An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for maintaining and regulating the Market in the Parish of Sidmouth in the County of Devon*. 760
- xlix. An Act for more effectually supplying Water to the Inhabitants of the Town of *Bolton*, and several Townships and Places adjoining or near thereto, in the County of *Lancaster*. *Ibid.*
- i. An Act for the better supplying with Gas the Royal Burgh of *Dundee*, Suburbs thereof, and Places adjacent, in the County of *Forfar*. *Ibid.*
- ii. An Act to authorize certain Alterations in the Line of the *Syston and Peterborough* Branch of the *Midland* Railway, and the Formation of certain other Branch Railways in connexion therewith. *Ibid.*
- iii. An Act for making a Railway from *Maldon*, through *Witham* to *Braintree*, all in the County of *Essex*. *Ibid.*
- liii. An Act for making a Railway from the *Eastern Union* Railway in the Parish of *Bentley* to the Town of *Hadleigh*, all in

- in the County of *Suffolk*, to be called "The *Eastern Union and Hadleigh Junction Railway*." Page 760
- liv. An Act for making a Branch Railway from the *London and Brighton Railway* to or near to the Town of *East Grinstead* in the County of *Sussex*. *Ibid.*
- lv. An Act to enable the *South-eastern Railway Company* to make and maintain a Railway from the Town of *Rye* to the Mouth of *Rye Harbour*. *Ibid.*
- lvi. An Act to enable the *South-eastern Railway Company* to construct an additional Station at *Ashford* in the County of *Kent*; and for other Purposes. *Ibid.*
- lvii. An Act to amend and enlarge the Powers of the Acts relating to the *Edinburgh, Leith, and Granton Railway*. 761
- lviii. An Act for enabling the *Newcastle and Darlington Junction Railway Company* to make a Railway from or near *Thirsk* to *Malton*, with a Branch to *Hemsley*. *Ibid.*
- lix. An Act for enabling the *York and North Midland Railway Company* to extend the Line of the *Whitby and Pickering Railway* to or near *Castleton*. *Ibid.*
- lx. An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company* to alter their Line near *Kilmarnock*, and to make Branches to *Linwood, Swinlees*, and the *Kilmarnock and Troon Railway*. *Ibid.*
- lxi. An Act to amend the Acts relating to the *Glasgow, Paisley, Kilmarnock, and Ayr Railway*; and to authorize the Formation of Branches from *Busby* to *Irvine*, and from *Irvine* to the Harbour thereof, with a subsidiary Branch to *Perceton Coal-works*. *Ibid.*
- lxii. An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company* to make a Branch from their Railway near *Blair* to *Strathaven*; and to amend the Acts relating to such Railway. *Ibid.*
- lxiii. An Act for making Railways from the *Brighton, Lewes, and Hastings Railway* to *Eastbourne*, to *Hailsham*, and to *Seaford* and *Newhaven*, and certain Deviations from the Line of the said Railway, all in the County of *Sussex*. *Ibid.*
- lxiv. An Act to authorize the *South-eastern Railway Company* to make a Railway from *Tunbridge Wells* to join the *Rye and Ashford Extension* of the *Brighton, Lewes, and Hastings Railway* near *Hastings*. *Ibid.*
- lxv. An Act for enabling the *York and North Midland Railway Company* to make certain Branch Railways in the East Riding of the County of *York*; and for other Purposes. *Ibid.*
- lxvi. An Act for enabling the *York and North Midland Railway Company* to make certain Branch Railways in the East Riding of the County of *York*; and for other Purposes. 762
- lxvii. An Act to empower the *London and Birmingham Railway Company* to make a Branch Railway from *Rugby* to the *Syston and Peterborough Railway* near *Stamford*. *Ibid.*
- lxviii. An Act for making a Branch Railway from the *Brighton and Chichester Railway* to the Town of *Littlehampton* in the County of *Sussex*. *Ibid.*

- lxix. An Act for making a Branch Railway from the *Brighton and Chichester* Railway to the Town of *Steyning* in the County of *Sussex*. Page 762
- lxx. An Act to enable the *Edinburgh and Glasgow* Railway Company to alter the Line of the *Glasgow Junction* Railway, and to form a Branch to *South Queensferry*. Ibid.
- lxxi. An Act for making a Railway from *London* to *York*, with Branches therefrom providing for the Counties of *Hertford, Bedford, Huntingdon, Northampton, Rutland, Nottingham*, and the Three Divisions of the County of *Lincoln* a Railway Communication with *London* and *York*, to be called "The *Great Northern* Railway." Ibid.
- lxxii. An Act to enable the *Edinburgh and Northern* Railway Company to purchase the Ferry across the River *Tay* between *Ferry-Port-on-Craig* and *Broughty*. Ibid.
- lxxiii. An Act to empower the *North British* Railway Company to construct certain Branch Railways in connexion with the *Hawick* Branch of the *North British* Railway. Ibid.
- lxxiv. An Act to authorize the Construction of several Branch Railways and other Works in connexion with the *North British* Railway. Ibid.
- lxxv. An Act to enable the *Scottish Midland Junction* Railway Company to make certain Branch Railways; and to amend the Act relating to such Railway. Ibid.
- lxxvi. An Act for making a Railway from the *Eastern Counties* Railway at *Marks Tey* near *Colchester* to the Town of *Sudbury* in the County of *Suffolk*, and the Town of *Halstead* in the County of *Essex*, with a Branch Railway from the *Eastern Union* Railway to the *Hythe* at *Colchester*. 763
- lxxvii. An Act for making a Railway from the *Scarborough* Branch of the *York and North Midland* Railway at *Norton* near *Multon* to the *Bridlington* Branch of the *Hull and Selby* Railway at *Great Driffield*, with a Branch therefrom. Ibid.
- lxxviii. An Act to enable the *Arbroath and Forfar* Railway Company to raise an additional Sum of Money; and to amend the Acts relating to the said Company. Ibid.
- lxxix. An Act to enable the *Edinburgh and Northern* Railway Company to alter their Line of Railway near to *Dysart*, to make a Branch Railway from *Kinghorn* to the Harbour of *Pettycur*, and for other Purposes relating to the said Company. Ibid.
- lxxx. An Act to empower the *Manchester and Birmingham* Railway Company to make a Branch Railway to *Bollington*. Ibid.
- lxxxi. An Act for making a Railway from *Glasgow* to *Dumbarton* and *Lochlomond*, and with Branches to *Helensburgh* and other Places, to be called "The *Caledonian and Dumbartonshire Junction* Railway." Ibid.
- lxxxii. An Act for making a Railway from *Oxford* to the *London and Birmingham* Railway at *Bletchley* in the County of *Buckingham*. Ibid.
- lxxxiii. An Act for making a Railway from the *Croydon and Epsom* Railway at *Epsom* to the Town of *Portsmouth*, to be called "The *Direct London and Portsmouth* Railway." Ibid.

- lxxxiv. An Act for making a Railway from *Harecastle* to join the *Manchester and Birmingham* Railway at or near the *Sandback* Station thereon. Page 763
- lxxxv. An Act for making a Railway from the *Manchester and Birmingham* Railway at *Macclesfield* to the *Trent Valley* Railway at *Colwich*, with Branches. *Ibid.*
- lxxxvi. An Act for making a Railway from the *Manchester and Birmingham* Railway at *Macclesfield* to join the *Birmingham and Derby* Line of the *Midland* Railways, with a Branch to *Stoke-upon-Trent*. 764
- lxxxvii. An Act for making a Railway from *Belfast* to *Downpatrick*, with Branches to the Towns of *Holywood*, *Newtownards*, *Bangor*, and *Donaghadee*, all in the County of *Down*. *Ibid.*
- lxxxviii. An Act for making a Railway from *Great Grimsby* by *Louth* and *Alford* to *Boston* all in the County of *Lincoln*, to be called "The *East Lincolnshire* Railway." *Ibid.*
- lxxxix. An Act for enabling the *York and North Midland* Railway Company to make a more direct Line of Railway between *York* and *Leeds*. *Ibid.*
- xc. An Act for making a Railway, to be called "The *Liverpool, Manchester, and Newcastle-upon-Tyne Junction* Railway," with a Branch to the Town of *Hawes*. *Ibid.*
- xc. An Act for making a Railway from the *Chester and Birkenhead* Railway to the *Manchester and Birmingham* Railway, with Branches therefrom, to be called "The *Birkenhead, Lancashire, and Cheshire Junction* Railway." *Ibid.*
- xcii. An Act for making a Railway from the *Leeds and Bradford Extension* Railway to the *Lancaster and Carlisle* Railway, with a diverging Line therefrom to *Lancaster*, to be called "The *North-western* Railway." *Ibid.*
- xciii. An Act for making a Railway from the Line of the *Syston and Peterborough* Railway in the Parish of *Helpstone*, near to the Town of *Stamford*, to the Line of the *Wisbech* Branch of the *Lynn and Ely* Railway at or near to the Town of *Wisbech*, to be called "The *Boston, Stamford, and Birmingham* Railway." *Ibid.*
- xciv. An Act for improving and maintaining the Harbour of *Port Ellen* in the County of *Argyll*. *Ibid.*
- xcv. An Act for enabling the *Newcastle and Darlington Junction* Railway Company to make a Railway from the Line of the *Great North of England* Railway to or near to *Boroughbridge*. 765
- xcvi. An Act for enabling the *Newcastle and Darlington Junction* Railway Company to make a Railway from the Line of the *Great North of England* Railway to *Bedale*. *Ibid.*
- xcvii. An Act to empower the *Eastern Union* Railway Company to complete the *Eastern Union* Railway from the Junction thereof with the Line of the *Eastern Counties* Railway at *Ardleigh* to *Colchester*. *Ibid.*
- xcviii. An Act for making certain new Lines and Deviations in the Line of the *Great Grimsby and Sheffield Junction* Railway, and for constructing a Branch therefrom to the Town of *Caistor*, all in the Parts of *Lindsey* in the County of *Lincoln*. *Ibid.*
- xcix. An

- xcix. An Act for enabling the *Great Grimsby and Sheffield Junction* Railway Company to make an Extension from the *Market Rasen* Branch from the *Great Grimsby and Sheffield Junction* Railway to communicate with the City of *Lincoln*, and also a Branch to the Town of *Barton-upon-Humber*, and other Works connected therewith. Page 765
- c. An Act to authorize the *Great Grimsby and Sheffield Junction* Railway Company to make an Extension from their Line of Railway in the Parish of *Bole* in the County of *Nottingham*, to the Town of *Newark-upon-Trent* in the same County. *Ibid.*
- ci. An Act for establishing a Steam Communication across the River *Humber* in connexion with "The *Great Grimsby and Sheffield Junction* Railway." *Ibid.*
- cii. An Act to empower the *Midland* Railway Company to make a Railway from *Pye Bridge* to the *Clay Cross* Station of the *Midland* Railway, and a Branch in the Parish of *Crich*. *Ibid.*
- ciii. An Act for making a Railway from *Aberdeen* to *Inverness*, with Branches to *Banff*, *Portsoy*, *Garmouth*, and *Burghead*, to be called "The *Great North of Scotland* Railway." *Ibid.*
- civ. An Act to enable the *Ballochney* Railway Company to improve the Gauge of their Rails. 766
- cv. An Act for making a Railway Communication between the City of *Bristol* and the proposed *South Wales* Railway in the County of *Monmouth*, with a Branch Railway therefrom. *Ibid.*
- cvi. An Act for amending an Act passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Third, for making and maintaining a navigable Communication between *Stowmarket* and *Ipswich* in the County of *Suffolk*, so as to enable the Trustees of such Act to lease the said Navigation; and for other Purposes connected therewith. *Ibid.*
- cvi. An Act to enable the *Slamannan* Railway Company to make a Railway to *Borrowstouness*, with Branches to the *Edinburgh* and *Glasgow* Railway. *Ibid.*
- cvi. An Act for making a Pier from the *Common Hard* at the Eastern or *Portsmouth* Side of the Harbour of *Portsmouth* in the Parish of *Portsea* in the County of *Southampton*. *Ibid.*
- cix. An Act for enabling the Trustees of the *Liverpool* Docks to construct additional Wet Docks and other Works, and to raise a further Sum of Money; and for extending and amending the Acts relating to the Docks and Harbour of *Liverpool*. *Ibid.*
- cx. An Act for constructing Docks and other Works at *Coble Dean* in the County of *Northumberland*, and in the Borough and County of *Newcastle-upon-Tyne*, to be called "The *Northumberland* Docks." *Ibid.*
- cx. An Act for better supplying with Water the Inhabitants of the City of *Lincoln*, and certain Parishes and Places adjacent thereto in the County of *Lincoln*. 767
- cxii. An Act for the better supplying with Water the Town and Borough of *Warrington*, or Parts thereof, in the Counties of *Lancaster* and *Chester*, and the Townships of *Latchford* and *Appleton* in the last-mentioned County. *Ibid.*
- cxiii. An Act for supplying with Water the Hamlets or Places of *High* and *Low Harrogate*, in the several Townships of *Knareborough*, *Pannal*, *Bilton-with-Harrogate*, and *Scriven-with-*

- Tentergate*, in the Parishes of *Knaresborough* and *Pannal* in the West Riding of the County of *York*. Page 767
- cxiv. An Act for better supplying with Gas the Town and Borough of *Stafford*, and the several Parishes and Townships of *Saint Mary* and *Saint Chad* in *Stafford*, *Castle Church*, *Hopton*, and *Coton*, and *Tillington*, all in the County of *Stafford*. *Ibid.*
- cxv. An Act for lighting with Gas and supplying with Water the Town of *Hurtlepool* and the Neighbourhood thereof in the County of *Durham*. *Ibid.*
- cxvi. An Act for better supplying with Gas and Water the Town and Parish of *Kendal* in the County of *Westmoreland*. *Ibid.*
- cxvii. An Act for lighting with Gas the Parish and Borough of *Great Grimsby* in the County of *Lincoln*. *Ibid.*
- cxviii. An Act for supplying and lighting the Town of *Hamilton* and Places adjacent thereto with Gas. *Ibid.*
- cxix. An Act for better paving, lighting, cleansing, regulating, and improving the Town of *Burnley* in the County Palatine of *Lancaster*, and for better supplying the Inhabitants thereof with Water. *Ibid.*
- cxx. An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of Liverpool to open and widen certain Streets and Places, and otherwise to improve the same; and to enable the said Mayor, Aldermen, and Burgesses to appropriate certain Lands, Tenements, and Hereditaments for public Purposes, and also to erect public Buildings*. 768
- cxxi. An Act for lighting with Gas the Borough of *Newcastle-upon-Tyne*, and for varying and extending the Powers of the several Acts for regulating and improving the said Borough. *Ibid.*
- cxxii. An Act for paving the Footways in the Town of *Sittingbourne* in the Parish of *Sittingbourne* in the County of *Kent*, and for lighting the Streets, and for the Removal and Prevention of Nuisances and Annoyances within the said Parish. *Ibid.*
- cxxiii. An Act for widening, altering, and improving certain Streets within the City of *York*; and for other Purposes. *Ibid.*
- cxxiv. An Act for paving, cleansing, draining, and improving the Town of *Bromsgrove*, for opening a new Street therein and in the Parish of *Stoke Prior*, both in the County of *Worcester*, and for the better assessing and collecting the Poor, Church, and Highway Rates within the Parish of *Bromsgrove*. *Ibid.*
- cxxv. An Act for regulating the Repair and Maintenance of the Roads and Streets within the Town of *Leith*, and the Assessments payable in respect thereof. *Ibid.*
- cxxvi. An Act for more effectually regulating the *Salford* Hundred Court, for extending the Jurisdiction and Powers of the said Court, and for establishing and constituting it as a Court of Record. *Ibid.*
- cxxvii. An Act for the Improvement of the Sewerage and Drainage of the Borough of *Liverpool*, and for making further Provisions for the sanatory Regulation of the said Borough. *Ibid.*
- cxxviii. An

- cxviii. An Act for improving the Drainage of the Vallies of the *Rye and Derwent*, in the North and East Ridings of the County of *York*. Page 769
- cxix. An Act for making a Railway from *Exeter* to *Exmouth*, to be called "The *Exeter and Exmouth* Railway." *Ibid.*
- cxx. An Act for making a Railway from the *Polloc and Govan* Railway to the River *Clyde* and Harbour of *Glasgow*, with Branches, to be called "The *General Terminus and Glasgow Harbour* Railway." *Ibid.*
- cxixi. An Act for amending the Acts relating to the *London and South-western* Railway Company; and to authorize the said Company to enter into Contracts and to complete Arrangements with certain other Railway Companies. *Ibid.*
- cxixii. An Act for enabling the *Norfolk* Railway Company to purchase or lease the *Lowestoft* Railway, Harbour, and Navigation. *Ibid.*
- cxixiii. An Act to enable the *Dundee and Arbroath* Railway Company to make a Railway from their Line at *Broughty* to *Broughty Ferry Castle*, and another Railway from their Line at *Geordies Burn* to the *Arbroath and Forfar* Railway at *Almerie-closs*. *Ibid.*
- cxixiv. An Act for making a Railway from *Kintore* to *Alford*, to be called "The *Alford Valley* Railway." *Ibid.*
- cxixv. An Act for making a Railway from *Dyce* to *Fraserburgh*, with a Branch to *Peterhead*, to be called "The *Great North of Scotland (Eastern Extension)* Railway." *Ibid.*
- cxixvi. An Act to enable the *Edinburgh and Northern* Railway Company to extend their Line of Railway from *Cupar* to *Newport*. *Ibid.*
- cxixvii. An Act for making a Railway from the Town of *Oban* to *Crianlarich*, in the County of *Perth*, with a Branch to *Lock-bmond*, to be called "The *Scottish Grand Junction* Railway." *Ibid.*
- cxixviii. An Act to enable the *Edinburgh and Northern* Railway Company to make a Railway from their Line at *Thornton* to *Dunfermline*. 770
- cxixix. An Act to enable the *Edinburgh and Northern* Railway Company to make a Railway from *Newburgh* to the *Scottish Central* Railway at *Hilton*. *Ibid.*
- cxli. An Act to enable the *Great Leinster and Munster* Railway Company to extend their Railway to *Clonmel*. *Ibid.*
- cxlii. An Act for making a Railway from and out of the *Glasgow, Barrhead, and Neilston Direct* Railway near to *Pollokshaws* to the Town of *Strathaven*. *Ibid.*
- cxliii. An Act to enable the *Glasgow, Barrhead, and Neilston Direct* Railway Company to make Branch Railways to *Thornliebank* and *Househill*; and to amend the Act relating to such Railway. *Ibid.*
- cxliiii. An Act to enable the *Glasgow, Paisley, and Greenock* Railway Company to make a Branch Railway to the River and Frith of *Clyde* at or near *Greenock*, and a Pier or Wharf in connexion therewith. *Ibid.*
- cxliv. An Act for extending the Time for taking Lands, and for completing the Undertaking called "The *Thames Haven* Dock and

- and Railway," authorized to be made by Two Acts passed in the Seventh Year of the Reign of His late Majesty and the Sixth Year of the Reign of Her present Majesty. *Page 770*
- cxlv. An Act to enable the *Bridgewater and Taunton* Canal Company to make a Railway from *Bridgewater* to the *Bristol Channel* at or near *Stolford* in the County of *Somerset*, with Branches therefrom, and to make a Harbour at or near *Stolford*. *Ibid.*
- cxlvi. An Act for constructing Docks, Walls, Warehouses, and other Works at *Toxteth Park* in the County of *Lancaster*, to be called "The *Herculaneum* Docks." *Ibid.*
- cxlvii. An Act to authorize the Sale of the *Monkland* Navigation to the Company of Proprietors of the *Forth and Clyde* Navigation. *771*
- cxlviii. An Act for making a Railway from the Borough of *Cork* through *Blackrock* to the Town of *Passage West*. *Ibid.*
- cxlix. An Act to enable the *Leeds and Thirsk* Railway Company to make a Railway from *Northallerton* to the *Stockton and Hartlepool* Railway. *Ibid.*
- cl. An Act to enable the *Scottish Central* Railway Company to make a Branch Railway by *Alloa Ferry* to *Tillicoultry*. *Ibid.*
- cli. An Act to enable the *Slamannan* Railway Company to make Branch Railways to *Bathgate* and *Jawcraig*. *Ibid.*
- clii. An Act to empower the *London and Birmingham* Railway Company to enlarge their Stations in *London*; and for other Purposes. *Ibid.*
- cliii. An Act for enabling the *Leeds and Thirsk* Railway Company to make certain Deviations in the Line of the *Saint Helens* Branch of the said Railway. *Ibid.*
- cliv. An Act to enable the *Leeds and Thirsk* Railway Company to alter and extend the Line of Part of their Railway; and for other Purposes. *Ibid.*
- clv. An Act for making a Railway from or near the *Ambergate* Station of the *Midland* Railway, through *Nottingham*, to *Spalding* and *Boston*, with Branches therefrom, and for enabling the Company to purchase the *Nottingham* and *Grantham* Canals. *Ibid.*
- clvi. An Act to empower the *Midland* Railway Company to make several Branches from the *Erewash Valley* Railway. *Ibid.*
- clvii. An Act to empower the *Midland* Railway Company to make a Railway from the *Midland* Railway at *Clay Cross* to join the *Nottingham and Lincoln* Railway, with Branches. *Ibid.*
- clviii. An Act for making a Railway from *Ferryhill* near *Aberdeen* to *Aboyne*, to be called "The *Deeside* Railway." *772*
- clix. An Act for making a Railway from the *Glasgow, Barrhead, and Neilston Direct* Railway to the Town of *Kilmarnock*, with certain Branches therefrom, to be called "The *Glasgow, Kilmarnock, and Ardrossan* Railway," and to purchase the *Ardrossan* Railway and Harbour. *Ibid.*
- clx. An Act to enable the *Wilsontown, Morningside, and Coltness* Railway Company to make a Branch to the *Caledonian* Railway. *Ibid.*

- clxi. An Act to enable the *Wilsontown, Morningside, and Coltness* Railway Company to improve their Line, and to make Branch Railways to *Shotts* and *Climpy*. Page 772
- clxii. An Act to enable the *Wilsontown, Morningside, and Coltness* Railway Company to make a Branch Railway to the Town of *Bathgate*. Ibid.
- clxiii. An Act to empower the *Midland* Railway Company to make a Railway from *Nottingham* to *Mansfield*. Ibid.
- clxiv. An Act for making a Railway from *Knaresborough* to or near to the City of *York*, to be called "The *East and West Yorkshire Junction* Railway." Ibid.
- clxv. An Act for making a Railway from the *Edinburgh and Glasgow* Railway to the *Scottish Central* Railway, to be called "The *Stirlingshire Midland Junction* Railway." Ibid.
- clxvi. An Act for making a Railway from the *Great Western* Railway at *West Drayton* to *Uxbridge* in *Middlesex*. Ibid.
- clxvii. An Act for making a Railway from *Wexford* to *Carlow*. Ibid.
- clxviii. An Act for extending and altering some of the Provisions of the Acts relating to the *Great Leinster and Munster* Railway. Ibid.
- clxix. An Act to empower the *Norfolk* Railway Company to make a Railway Communication between the *Dereham* Branch of the *Norfolk* Railway and the Towns of *Wells* and *Blakeney* in the County of *Norfolk*. 773
- clxx. An Act for making a Railway from *Royston* to *Hitchin*. Ibid.
- clxxi. An Act for making a Railway from *Reading* to *Guildford* and *Reigate*. Ibid.
- clxxii. An Act for making a Railway from *Chesterford* to *Newmarket*, with a Branch to *Cambridge*. Ibid.
- clxxiii. An Act to enable the *London and South-western* Railway Company to make a Branch Railway to *Farnham* in the County of *Surrey* and *Alton* in the County of *Southampton*. Ibid.
- clxxiv. An Act to enable the *London and South-western* Railway Company to make a Branch Railway to *Chertsey* and *Egham* in the County of *Surrey*. Ibid.
- clxxv. An Act to enable the *London and South-western* Railway Company to make a Branch Railway to *Hampton Court Bridge* in the County of *Surrey*. Ibid.
- clxxvi. An Act for making a Railway from the *Scottish Central* Railway at *Dunblane* by *Doune* to *Callander*, to be called "The *Dunblane, Doune, and Callander* Railway." Ibid.
- clxxvii. An Act for making a Railway from *Skipton* to *York*, to be called "The *Wharfedale* Railway." Ibid.
- clxxviii. An Act for making a Railway from *Stotfield* and *Lossiemouth* Harbour to *Elgin*, *Rothes*, and *Craigelluchie*, to be called "The *Morayshire* Railway." Ibid.
- clxxix. An Act to enable the *Monkland and Kirkintilloch* Railway Company to make Branch Railways to *Chapel Hall* and the *Glasgow, Garnkirk, and Coatbridge* Railway. Ibid.
- clxxx. An Act to enable the *Scottish Central* Railway Company to make a Branch Railway to *Denny* in the County of *Stirling*. 774

- clxxx. An Act for making a Railway from the *Yeovil* Branch of the *Bristol and Exeter* Railway to or towards the Town of *Creekerne* in the County of *Somerset*; and for amending the Acts relating to the *Bristol and Exeter* Railway. Page 774
- clxxxii. An Act for vesting the *Aylesbury* Railway in the *London and Birmingham* Railway Company. *Ibid.*
- clxxxiii. An Act to enable the *Saint Helens* Canal and Railway Company to make a Railway from the Township of *Eccleston* to the Township of *Garston*, with Branches therefrom, and Docks at *Garston* aforesaid, all in the County of *Lancaster*. *Ibid.*
- clxxxiv. An Act for making a Harbour and Docks at *Heysham* on *Morecambe Bay* in the County of *Lancaster*, and a Railway in connexion therewith. *Ibid.*
- clxxxv. An Act to empower the *Wakefield, Pontefract, and Goole* Railway Company to make Three several Branch Railways. *Ibid.*
- clxxxvi. An Act for erecting the Town or Village of *Ardrossan* and Places adjacent in the County of *Ayr* into a Burgh of Barony; for paving, lighting, and cleansing the same; for establishing a Police therein; and for other Purposes relating thereto. *Ibid.*
- clxxxvii. An Act for enabling the *Sheffield, Ashton under Lyne, and Manchester* Railway Company to provide additional Station Room at *Sheffield*, and also to make a Branch Railway to *Dukinfield*, and to purchase and maintain a Branch already made from their Main Line to *Glossop*; and for other Purposes. *Ibid.*
- clxxxviii. An Act to enable the *Glasgow, Paisley, and Greenock* Railway Company to make a Branch Railway to the *Polloc and Govan* Railway; and to amend the Acts relating to the said Railway. *Ibid.*
- clxxxix. An Act to enable the *Scottish Central* Railway Company to make certain Terminal Branches and other Works at the City of *Perth*. 775
- cx. An Act for making a Railway from the *Edinburgh and Northern* Railway at *Markinch* to *Anstruther Easter*, with a Branch to the *Kirkland* Works, to be called "The *East of Fife* Railway." *Ibid.*
- cxci. An Act to enable the *Scottish Central* Railway Company to make a Branch Railway to *Crieff* in the County of *Perth*. *Ibid.*
- cxcii. An Act for making a Railway from the *Manchester and Birmingham* Railway at *Cheadle* in the County of *Chester* to or near to the *Ambergate* Station of the *Midlands* Railway in the County of *Derby*, to be called "The *Manchester, Buxton, Matlock, and Midlands Junction* Railway." *Ibid.*
- cxciii. An Act for enabling the *Grand Junction* Railway Company to make a Branch Line of Railway from *Huyton* to *Warrington*; and for amending the former Acts relating to the said Company. *Ibid.*
- cxniv. An Act for making a Railway from the Town of *Mallow* to the Town of *Fermoy*. *Ibid.*
- cxv. An Act for making a Railway from the City or Borough of *Limerick* to the Borough of *Ennis*, with Branches to the Towns of *Clare* and *Killaloe*, and to join the *Great Southern and Western* Railway. *Ibid.*
- cxvi. An

- cxvi. An Act to enable the *Great Southern and Western Railway Company* to extend their Railway from their present Terminus in the City of *Cork* to the River *Lee* in the same City. Page 775
- cxvii. An Act for making a Railway from the *Great Southern and Western Railway* at the Townland of *Carne* or *Curraghane* to the Town of *Mountmellick*. *Ibid.*
- cxviii. An Act for completing a Railway Communication between the Town of *Clonmel* and the *Great Southern and Western Railway* at or near the Town of *Thurles*. *Ibid.*
- cxix. An Act for making a Railway from *Dublin* to *Dundrum* and *Rathfarnham*, to be called "The *Dublin, Dundrum, and Rathfarnham Railway*." 776
- cc. An Act for making a Railway from the Town of *Mallow* to the Town of *Killarney*, to be called "The *Killarney Junction Railway*." *Ibid.*
- cci. An Act for making a Railway from the *Glasgow, Barrhead, and Neilston Direct Railway* to the *Caledonian Railway*. *Ibid.*
- ccii. An Act for making a Railway from *Stirling* to *Dunfermline*, with Branches to *Tillicoultry* and to *Alloa Harbour*, to be called "The *Stirling and Dunfermline Railway*." *Ibid.*
- cciii. An Act to enable the *Midland Railway Company* to make a Railway from *Burton-upon-Trent* to *Nuneaton*, with Branches, and to purchase the *Ashby-de-la-Zouch Canal*. *Ibid.*
- cciv. An Act to consolidate the *London and Birmingham, Grand Junction, and Manchester and Birmingham Railway Companies*. *Ibid.*
- ccv. An Act to enable the *Eastern Counties Railway Company* to make a Railway from *Epping* to a Point of Junction with the *Colchester Line* of the *Eastern Counties Railway* at or near the *Ilford Station* thereon. *Ibid.*
- ccvi. An Act to enable the *Wishaw and Coltness Railway Company* to make a Branch Railway from the *Wishaw and Coltness Railway* to *Murdieston*, with a Branch to *Goodockhill*. *Ibid.*
- ccvii. An Act for enabling the *Newcastle and Berwick Railway Company* to make a certain Branch Railway in the County of *Northumberland*. *Ibid.*
- ccviii. An Act for making a Railway and Branch Railway, to be called "The *Waterford, Wexford, Wicklow, and Dublin Railway*." *Ibid.*
- ccix. An Act for making and maintaining a Railway from *Templemore* to *Nenagh*. 777
- ccx. An Act to enable the *Midland Great Western Railway of Ireland Company* to make a Deviation in the authorized Line of the said Railway, and also a Branch Railway to the River *Liffy*. *Ibid.*
- ccxi. An Act to enable the *Kilmarnock and Troon Railway Company* to let on Lease their Railway to the *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company*; and to authorize the said *Glasgow, Paisley, Kilmarnock, and Ayr Railway Company* to alter Parts of the said *Kilmarnock and Troon Railway*, and to construct certain Branch Railways in connexion therewith. *Ibid.*
- ccxii. An Act for empowering the *Wakefield, Pontefract, and Goole Railway Company* to construct a Jetty and other Works, and

- and to provide a Station, Coal Staiths, and other Conveniences, at the Port of *Goole*; and for other Purposes relating to the said Port. Page 777
- ccxiii. An Act for extending the Line of the *Dublin and Kingstown* Railway to the *Bridge of Bray* in the County of *Dublin*. *Ibid.*
- ccxiv. An Act to provide for the Repair of the Parish Church of *South Leith* in the County of *Edinburgh*, and for the Administration of the Property and Revenues thereof; to alter the existing Mode of electing a Minister to the Second Charge of the said Church and Parish; to confirm the Proceedings of the Heritors of the said Parish relating to the Purchase of a suitable House as a Manse; and to effect other Objects in connexion with the said Church and Parish. *Ibid.*
- ccxv. An Act to enable the *Chard Canal* Company to convert into a Railway the Portion of the *Chard Canal* from *Creech Saint Michael* to *Ilminster*, all in the County of *Somerset*. *Ibid.*
- ccxvi. An Act for lighting with Gas the Town and Borough of *Stockton* and other Places in the Counties of *Durham* and *York*. *Ibid.*
- ccxvii. An Act for better supplying with Gas the City of *Worcester* and the Suburbs thereof. *Ibid.*
- ccxviii. An Act for regulating the Markets and Fairs in the Borough and Town of *Yeovil* in the County of *Somerset*. 778
- ccxix. An Act for providing Market Places and for regulating the Markets and Fairs in the Borough of *Manchester* in the County Palatine of *Lancaster*. *Ibid.*
- ccxx. An Act for more effectually supplying with Water the City of *Bath*, and several Parishes and Places adjacent thereto. *Ibid.*
- ccxxi. An Act for better supplying with Water the Town and Borough of *Newport* in the County of *Monmouth*. *Ibid.*
- ccxxii. An Act for supplying with Water the City of *Bristol* and certain Parishes adjacent thereto in the Counties of *Gloucester* and *Somerset*. *Ibid.*
- ccxxiii. An Act to amend the Acts relating to the *Witham* Navigation, and to reduce the Tolls on the said Navigation. *Ibid.*
- ccxxiv. An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make a Railway from *Mullingar* to *Athlone*. *Ibid.*
- ccxxv. An Act for better assessing and collecting the Poor Rates, Highway Rates, Borough Rates, County Rates, Lighting, Watching, and Cleansing Rates, and all other Parochial Rates, on small Tenements, in the Parish of *Aston juxta Birmingham* in the County of *Warwick*. *Ibid.*
- ccxxvi. An Act for better raising and more securely constituting the Fund for the Relief of Widows and Children of Burgh and Parochial Schoolmasters in *Scotland*. *Ibid.*
- ccxxvii. An Act for more effectually maintaining and repairing certain Roads in the Counties of *Banff*, *Aberdeen*, and *Elgin*. 779
- ccxxviii. An Act to enable the *Dundee and Perth* Railway Company to alter their Line at *Inchyra* and *Lairwell*, and to extend the same towards the Penitentiary at *Perth*. *Ibid.*
- ccxxix. An

- ccxxix. An Act to enable the *Caledonian Railway Company* to make Branch Railways from the *Castleary Branch* of the *Caledonian Railway* to the *Glasgow, Garnkirk, and Coatbridge Railway*. Page 779
- ccxxx. An Act for enabling the *Sheffield, Ashton-under-Lyne, and Manchester Railway Company* to make Branch Railways from or in connexion with their Main Line of Railway to *Whaley Bridge* and *Hayfield*, to be called "The *Whaley Bridge and Hayfield Branches*." Ibid.
- ccxxxi. An Act for vesting in the *Grand Junction Railway Company* and the *Manchester and Leeds Railway Company* the *North Union Railway*, and all the Works, Property, and Effects appertaining thereto. Ibid.
- ccxxxii. An Act for making a Railway from *Birmingham* to *Lichfield*, to be called "The *Birmingham, Lichfield, and Manchester Railway*." Ibid.
- ccxxxiii. An Act for making a Railway from the *Oxford and Bletchley Junction Railway* to *Buckingham* and *Brackley*. Ibid.
- ccxxxiv. An Act to enable the *London and Croydon Railway Company* to construct a Branch to *Deptford*; and for amending the Acts relating to such Railway. Ibid.
- ccxxxv. An Act for enabling the *Newcastle and Darlington Junction Railway Company* to purchase the *Durham and Sunderland Railway* and the *Wearmouth Dock*. Ibid.
- ccxxxvi. An Act for making a Railway from the *Great Western Railway* at *Maidenhead* in *Berkshire* to the Town of *High Wycombe* in the County of *Buckingham*. Ibid.
- ccxxxvii. An Act for making a Railway from *Johnstone* to the *Bridge of Weir*, with a Branch to *Kilbarchan*, to be called "The *Ayrshire and Bridge of Weir Railway*." 780
- ccxxxviii. An Act for making a Railway from *Ashburton* in the County of *Devon* to join the *South Devon Railway*. Ibid.
- ccxxxix. An Act for extending the Line of the *South Wales Railway*, and for making certain Alterations of the said Railway, and certain Branch Railways in connexion therewith. Ibid.
- ccxl. An Act for making a Railway from *Gloucester* to the *Monmouth and Hereford Railway*, and to the *South Wales Railway* at *Awre*, to be called "The *Gloucester and Dean Forest Railway*." Ibid.
- ccxli. An Act for enabling the *Hull and Selby Railway Company* to lease and also to sell their Railway to the *York and North Midland* and *Manchester and Leeds Railway Companies*, or one of them; and to authorize the raising of additional Money by both or either of the last-mentioned Companies for those and other Purposes. Ibid.
- ccxlii. An Act for enabling the *Great North of England Railway Company* to lease and also to sell their Railway to the *Newcastle and Darlington Junction Railway Company*; and to authorize the raising of additional Money by the said last-mentioned Company for those and other Purposes. Ibid.
- ccxliii. An Act for vesting the *Leicester and Swannington Railway* in the *Midland Railway Company*. Ibid.
- ccxliv. An Act for carrying into effect certain Arrangements between the *London and Birmingham Railway Company* and the

- the Company of Proprietors of the *Birmingham* Canal Navigations, and for granting certain Powers to the said respective Companies. Page 780
- ccxlv. An Act for making a Railway from *Newry* in the Counties of *Armagh* and *Down* to *Rostrevor* in the County of *Down*, with a Branch to *Warrenpoint* in the same County. *Ibid.*
- ccxlv. An Act for making a Railway from *Preston* in the County Palatine of *Lancaster* to *Clitheroe* in the same County Palatine. *Ibid.*
- ccxlvii. An Act to authorize the widening and Enlargement of Part of the Line of the *York and North Midland* Railway, or the Construction and Maintenance of a Railway adjoining thereto. 781
- ccxlviii. An Act to empower the *London and Birmingham* Railway Company to extend their Line at *Leamington*, and to enlarge their Stations at *Coventry* and *Rugby*; and for other Purposes. *Ibid.*
- ccxlix. An Act to enable the *Caledonian* Railway Company to deviate the Line of the said Railway in the Vicinity of *Carlisle*. *Ibid.*
- cccl. An Act to authorize the *North Wales Mineral* Railway Company to make certain Branches, and also to make a Deviation in their present Line of Railway. *Ibid.*
- cccli. An Act for the Consolidation of the *Shrewsbury, Oswestry, and Chester Junction* and the *North Wales Mineral* Railway Companies. *Ibid.*
- ccclii. An Act for authorizing the Sale of the *Guildford Junction* Railway, and for enabling the Purchasers to maintain the same, and to make and maintain a Railway therefrom to *Godahming*, and from the *London and South-western* Railway at *Fareham* to *Portsmouth*. *Ibid.*
- cccliii. An Act for making a Railway from the *Trent Valley* Railway near *Nuneaton* to the *Midland* Railway in the Parish of *Wigston Magna* in the County of *Leicester*, to be called "The *Coventry, Nuneaton, Birmingham, and Leicester* Railway." *Ibid.*
- cccliv. An Act to empower the *Midland* Railway Company to extend their Line at *Birmingham*; and for other Purposes. *Ibid.*
- ccclv. An Act to authorize the Purchase of the *Oakham* Canal by the *Midland* Railway Company. *Ibid.*
- ccclvi. An Act for making a Railway to connect the *Saundersfoot* Railway with the *South Wales* Railway, with the Harbour of *Saundersfoot*, and with the Town of *Tenby*, to be called "The *Tenby, Saundersfoot, and South Wales* Railway;" and for other Purposes. *Ibid.*
- ccclvii. An Act to enable the *Lancaster and Carlisle* Railway Company to extend and enlarge their Station and extend their Railway at *Carlisle*; and for other Purposes. 782
- ccclviii. An Act to enable the *Eastern Counties* Railway Company to enlarge their Stations in *London* and at *Stratford*; and for other Purposes. *Ibid.*
- ccclix. An Act for enabling the *Huddersfield and Manchester* Railway and Canal Company to divert their Main Line of Railway in *Huddersfield*, and to make a Branch therefrom near *Cooper Bridge* in the Township of *Huddersfield*. *Ibid.*

- cclx. An Act for making a Railway from the *Great North of England* Railway at *Thirsk* in the North Riding of *Yorkshire* to the *Lancaster and Carlisle* Railway at *Clifton* in *Westmorland*, and a Railway from *Bishop Auckland* in the County of *Durham* to the *Lancaster and Carlisle* Railway at *Tebay* in *Westmorland*, to be called "The *Northern Counties Union* Railway." Page 782
- cclxi. An Act for enabling the *Grand Junction* Railway Company to make certain Branch Lines of Railway, to be called "The *Huyton and Aston* Branch," "The *Huyton, Prescott, and Saint Helens* Branch," "The *Warrington and Kenyon* Branch," "The *Warrington and Parkside* Branch," and "The *Edgehill and Huyton* Branch;" and for amending the former Acts relating to the said Company. *Ibid.*
- cclxii. An Act for altering, amending, and enlarging the Powers of the *Leeds, Dewsbury, and Manchester* Railway Act, 1845, and for authorizing certain Deviations from the Line and Levels of the said Railway, and for making and maintaining certain Branches and Extensions therefrom. *Ibid.*
- cclxiii. An Act for making a Railway from *Glasgow* to *Airdrie*, with Branches to the *Clydesdale Junction* Railway and to *Mile End*, to be called "The *Glasgow, Airdrie, and Monklands Junction* Railway." *Ibid.*
- cclxiv. An Act for enabling the *Newcastle and Darlington Junction* Railway Company to make certain Branch Railways in the County of *Durham*; and for other Purposes. *Ibid.*
- cclxv. An Act for making a Railway, with Branches therefrom, in the County of *Lancaster* and West Riding of the County of *York*, to be called "The *Blackburn, Clitheroe, and North-western Junction* Railway." 783
- cclxvi. An Act for making certain Branches from the Line of the *Blackburn and Preston* Railway in the County of *Lancaster*; and for amending the Acts relating thereto. *Ibid.*
- cclxvii. An Act for vesting in the *Sheffield, Ashton under Lyne, and Manchester* Railway Company the *Peak Forest* Canal and the *Macclesfield* Canal. *Ibid.*
- cclxviii. An Act to amalgamate the *Sheffield, Ashton under Lyne, and Manchester* Railway Company, the *Sheffield and Lincolnshire Junction*, the *Sheffield and Lincolnshire Extension*, and the *Great Grimsby and Sheffield* Railway Companies, and the *Grimsby Dock* Company. *Ibid.*
- cclxix. An Act for consolidating the *Dudley* Canal Navigation with the *Birmingham* Canal Navigations; and for other Purposes. *Ibid.*
- cclxx. An Act to amend the *Ely and Huntingdon* Railway Act. *Ibid.*
- cclxxi. An Act to enable the Company of Proprietors of the *Manchester, Bolton, and Bury* Canal Navigation and Railway to raise an additional Sum of Money; and to amend the Acts relating to that Company. *Ibid.*
- cclxxii. An Act for enabling the *Leeds and Bradford* Railway Company to alter the Levels of a Portion of the Line of their Railway in the Parish of *Bingley* in the West Riding of the County of *York*. *Ibid.*
- cclxxiii. An

- cclxxiii. An Act for widening the Line of "The *London and Blackwall* Railway;" and for amending the Acts relating to the said Railway. Page 783
- cclxxiv. An Act to authorize the *Shrewsbury, Oswestry, and Chester Junction* Railway Company to make Railways to *Crickheath* and *Wem*, and to raise additional Capital for those Purposes. *Ibid.*
- cclxxv. An Act to authorize the *Shrewsbury, Oswestry, and Chester Junction* Railway Company to make an Extension into *Shrewsbury*, and certain Alterations and Deviations in their Line of Railway. 784
- cclxxvi. An Act to enable the *East Lancashire* Railway Company to alter the Line and Levels of such Railway, and to make Branches therefrom; and for other Purposes relating thereto. *Ibid.*
- cclxxvii. An Act to incorporate the *Huddersfield and Sheffield Junction* Railway Company with the *Manchester and Leeds* Railway Company. *Ibid.*
- cclxxviii. An Act to authorize certain Alterations in the Line of the *Oxford, Worcester, and Wolverhampton* Railway; and to amend the Act relating thereto. *Ibid.*
- cclxxix. An Act to enable the *Furness* Railway Company to extend their Line to *Broughton* and to *Ulverstone*, and to make certain Branches therefrom; and to amend the Act relating thereto. *Ibid.*
- cclxxx. An Act to amend "The *Ipswich and Bury Saint Edmunds* Railway Act, 1845;" and for making a Railway from the said *Ipswich and Bury Saint Edmunds* Railway to *Norwich*, with a Branch therefrom. *Ibid.*
- cclxxxi. An Act for making a Branch Railway from the *London and Brighton* Railway in the Parish of *Croydon* to join the *South-western* Railway in the Parish of *Wandsworth* in the County of *Surrey*. *Ibid.*
- cclxxxii. An Act to incorporate the *Liverpool and Bury* Railway Company with the *Manchester and Leeds* Railway Company. *Ibid.*
- cclxxxiii. An Act to consolidate and unite the *London and Brighton* and the *London and Croydon* Railway Companies, and the Undertakings belonging to them. *Ibid.*
- cclxxxiv. An Act for incorporating the Proprietors of the *Sheffield* General Cemetery in the Township of *Ecclesall Bierlow* in the Parish of *Sheffield* in the West Riding of the County of *York*, and for enlarging and improving the said Cemetery; and for other Purposes connected therewith. *Ibid.*
- cclxxxv. An Act for supplying with Water the Town of *Kilmar-nock*, Suburbs thereof, and Places adjacent. 785
- cclxxxvi. An Act for the better supplying with Water the Town or Village of *Heywood* and Places adjacent thereto in the County Palatine of *Lancaster*. *Ibid.*
- cclxxxvii. An Act for better supplying with Water the Town and Parish of *Chorley* in the County Palatine of *Lancaster*. *Ibid.*
- cclxxxviii. An Act for supplying with Water the Towns of *Airdrie* and *Coalbridge*, and Places adjacent, in the County of *Lanark*. *Ibid.*
- cclxxxix. An

- ccclxxxix. An Act to extend the Municipal Boundaries of the City of *Glasgow*; to amend the Acts relating to the Police and Statute Labour of the said City and adjoining Districts; and for other Purposes in relation to the Municipality and Police of the said City. *Page 785*
- cccxc. An Act authorizing the Sale of the *Cromford* Canal and other Property of the *Cromford* Canal Company. *Ibid.*
- cccxi. An Act to alter and extend the Provisions of the Acts for improving the Navigation of the River *Severn*. *Ibid.*
- cccxii. An Act for improving, preserving, maintaining, and better regulating the Port and Harbour of *Waterford*; and for other Purposes relating thereto. *Ibid.*
- cccxiii. An Act for better lighting, paving, cleansing, draining, regulating, and improving the Borough of *Bury* in the County Palatine of *Lancaster*, and for otherwise promoting the Health and Convenience of the Inhabitants. *Ibid.*
- cccxiv. An Act for better lighting and improving the Borough of *Belfast*. *786*
- cccxcv. An Act for paving, lighting, cleansing, and otherwise improving the Town of *Wath-upon-Dearne* in the County of *York*, and for removing and preventing Nuisances and Annoyances therein. *Ibid.*
- cccxcvi. An Act for repealing an Act of the Parliament of *Scotland* passed in the Sixth Session of the First Parliament of King *William* (1696), intituled *An Act in favours of the Heritors adjacent to the Pow of Inchaffray*; and for more effectually draining and improving Lands adjacent to the River or Stream called the *Pow of Inchaffray*, in the County of *Perth*. *Ibid.*
- cccxcvii. An Act for better draining and improving certain Low, Marsh, and Fen Lands lying between *Boston Haven* and *Bourn* in the County of *Lincoln*, and for further improving the Navigation through such Lands. *Ibid.*
- cccxcviii. An Act for amending Two several Acts passed respectively in the Second and Seventh Years of the Reign of Her present Majesty, for draining and embanking certain Lands in *Lough Swilly* and *Lough Foyle* in the Counties of *Donegal* and *Londonderry*. *Ibid.*
- cccxcix. An Act for regulating the Municipal Government and Police of the Royal Burgh of *Rothsay*. *Ibid.*
- ccc. An Act for making a Railway, to be called "The *South Staffordshire Junction* Railway," with Branches. *Ibid.*
- ccci. An Act for enabling the *Leeds and Bradford* Railway Company to make a Junction Line at *Bradford* in the West Riding of the County of *York*. *Ibid.*
- cccii. An Act to unite and consolidate the *Blackburn and Preston* Railway Company with the *East Lancashire* Railway Company. *787*
- ccciii. An Act for making a Railway from *Newport* to *Abergavenny* and *Hereford*, with Branches therefrom. *Ibid.*
- ccciv. An Act for making a Railway from *Sheffield* to *Gainsborough*, with Branches. *Ibid.*
- cccv. An Act to enable the *South-eastern* Railway Company to make a Railway from the *London and Greenwich* Railway to *Woolwich* and *Gravesend*. *Ibid.*
- cccvi. An

- cccvi. An Act to enable the *Manchester and Leeds* Railway Company to make several Branch Railways, and to authorize the Amalgamation of the *Preston and Wyre* Railway, Harbour, and Dock Company with the *Manchester and Leeds* Railway Company. Page 787
- cccvii. An Act for making a Railway from *Shrewsbury* to *Wolverhampton*, with a Branch, to be called "The *Shrewsbury and Birmingham* Railway." *Ibid.*
- cccviii. An Act for making a Railway from *Shrewsbury* to *Wolverhampton*, to be called "The *Shrewsbury, Wolverhampton, and South Staffordshire Junction* Railway." *Ibid.*
- cccix. An Act to empower the *London and Birmingham* Railway Company to make a Branch from the said Railway to the *Bliworth* and *Peterborough* Branch thereof. *Ibid.*
- ccc. An Act to enable the *Blackburn, Durwen, and Bolton* Railway Company to alter the Line of Part of their Railway. *Ibid.*
- cccxi. An Act for enabling the *Midland* Railway Company to alter a Portion of the *Leicester and Swannington* Railway, and to make certain Branches. *Ibid.*
- cccxii. An Act for amending the Act relating to the *Liverpool and Bury* Railway, and for making Branches therefrom. *Ibid.*
- cccxiii. An Act to authorize certain Alterations and Extensions of the Line of the *Wilts, Somerset, and Weymouth* Railway. 788
- cccxiv. An Act to enable the *Caledonian* Railway Company to form certain Branch and Terminal Railways in the Vicinity of *Glasgow*. *Ibid.*
- cccxv. An Act for making Railways from *Birmingham* to *Wolverhampton* and *Dudley*, to be called "The *Birmingham, Wolverhampton, and Dudley* Railway." *Ibid.*
- cccxvi. An Act for making a Railway from *Walsall* in the County of *Stafford* to the *Midland* Railways at *Wichnor Forge* in *Tatenhill*, to be called "The *Trent Valley, Midlands, and Grand Junction* Railway." *Ibid.*
- cccxvii. An Act for making a Railway from the Line of the *Perth and Inverness* Railway to *Aberfeldy*, to be called "The *Strathgair and Breadalbane* Railway." *Ibid.*
- cccxviii. An Act to enable the *Londonderry and Enniskillen* Railway Company to alter and extend the Line of such Railway, to make a Branch therefrom to the Town of *Omagh*, and to amend the Act relating thereto. *Ibid.*
- cccxix. An Act for making a Railway from the proposed *Sheffield and Lincolnshire Junction* Railway to the City of *Lincoln*. *Ibid.*
- cccxx. An Act to enable the *Whitehaven and Furness Junction* Railway Company to make a Railway in deviation from their Line of Railway, and to construct an Extension thereof to a Point of Junction with the *Whitehaven Junction* Railway. *Ibid.*
- cccxxi. An Act for making a Railway from *Armagh* to *Portrush*, with Branches to *Randalstown* and *Ballymoney*. *Ibid.*
- cccxxii. An Act for making a Railway from the *Chester and Crewe* Branch of the *Grand Junction* Railway at *Calveley* to *Wolverhampton*; and for other Purposes connected therewith. *Ibid.*
- cccxxiii. An

- cccxxiii. An Act for making a Railway from *Shrewsbury* to *Stafford*, with a Branch to *Stone*; and for other Purposes. Page 789
- cccxxiv. An Act for making a Railway from *Newton* in the County of *Montgomery* to *Crewe* in the County of *Chester*, with Branches; and for other Purposes connected therewith. *Ibid.*
- cccxxv. An Act for making a Railway from *Shrewsbury* to *Hereford*, to be called "The *Shrewsbury and Hereford Railway*." *Ibid.*
- cccxxvi. An Act to consolidate the *Bristol and Gloucester* and *Birmingham and Gloucester* Railway Companies with the *Midland* Railway Company. *Ibid.*
- cccxxvii. An Act to alter and amend the *North Wales* Railway Act, One thousand eight hundred and forty-five. *Ibid.*
- cccxxviii. An Act for making a Railway from *Birmingham* to *Wolverhampton*, and to the *Grand Junction* Railway in the Parish of *Bushbury*, with a Branch to *Dudley*. *Ibid.*
- cccxxix. An Act to effectuate the Sale of the *Glasgow, Garnkirk, and Coatbridge* Railway Company of the said Railway to the *Caledonian* Railway Company; and other Purposes therewith connected. *Ibid.*
- cccxxx. An Act for authorizing the Sale of the *Pontop and South Shields* Railway to the *Newcastle and Darlington Junction* Railway Company. *Ibid.*
- cccxxxi. An Act to empower the *London and Birmingham* Railway Company to make a Branch Railway from the *London and Birmingham* Railway near *Coventry* to the *Trent Valley* Railway in the Parish of *Nuneaton*. *Ibid.*
- cccxxxii. An Act for making a Railway from the *Edinburgh and Glasgow* Railway to *Bathgate*, with Branches, to be called "The *Edinburgh and Bathgate* Railway." *Ibid.*
- cccxxxiii. An Act to enable the *Surrey* Iron Railway Company to sell the Lands, Houses, and other Property of the Company, together with the navigable Communication from the Dock of the Company to the River *Thames* at *Wandsworth* in the County of *Surrey*, and to dissolve the said Company. *Ibid.*
- cccxxxiv. An Act to enable the *Glasgow, Garnkirk, and Coatbridge* Railway Company to extend the Terminus of their Railway in *Glasgow*. 790
- cccxxxv. An Act for making a Railway and other Works from *Plymouth* to *Falmouth* and other Places in the County of *Cornwall*, to be called "The *Cornwall* Railway." *Ibid.*
- cccxxxvi. An Act for making a Railway from the Parish of *Kenwyn* in the County of *Cornwall* to *Penzance* in the same County, with Branches, to be called "The *West Cornwall* Railway." *Ibid.*
- cccxxxvii. An Act for making a Railway from *Birmingham*, to join the Lines of the proposed *Oxford and Rugby* and *Oxford, Worcester, and Wolverhampton* Railways, and to be called "The *Birmingham and Oxford Junction* Railway." *Ibid.*
- cccxxxviii. An Act for making a Railway into *Birmingham* in extension of the proposed *Birmingham and Oxford Junction* Railway. *Ibid.*
- cccxxxix. An

- cccxxxix. An Act to authorize the Purchase of the *Gravesend and Rochester* Railway and Canal by the *South-eastern* Railway Company. Page 790
- cccxl. An Act for making a Railway from the *Birmingham and Gloucester* Railway at *King's Norton* in the County of *Worcester* to *Hales Owen* in the same County. *Ibid.*
- cccxli. An Act for making a Railway from the *South Wales* Railway at or near to the Town of *Neath* to *Merthyr Tydfil*, with Branches, to be called "The *Vale of Neath* Railway." *Ibid.*
- cccxlii. An Act for making a Railway from the Borough of *Cockermouth* to the Town of *Keswick*, all in the County of *Cumberland*, to be called "The *Cockermouth and Workington Extension* Railway." *Ibid.*
- cccxlili. An Act for making a Railway from *Lough Allen* to *Lough Gill*, both in the County of *Leitrim*, to be called "The *Sligo and Shannon* Railway." *Ibid.*
- cccxliv. An Act for constructing a Pier at *Portbury* in the County of *Somerset*, and for making a Railway from the same to the City of *Bristol*, with a Branch Railway connected therewith. 791
- cccxlv. An Act to amend the *Cambridge* Improvement Acts, and to exempt the *Eastern Counties* Railway Company from certain Tolls thereby imposed. *Ibid.*
- cccxlvi. An Act to repeal, alter, and amend the several Acts relating to *Billingsgate Market* in the City of *London*. *Ibid.*
- cccxlvii. An Act for further and better supplying with Water the Barony or Regality of *Gorbals* and Places adjacent. *Ibid.*
- cccxlviii. An Act for making certain new Streets or Thoroughfares, and widening and improving certain other Streets or Thoroughfares, within the Town and Borough of *Sheffield* in the County of *York*. *Ibid.*
- cccclix. An Act for paving, lighting, watching, cleansing, regulating, and otherwise improving the Town of *Tunbridge Wells* in the Counties of *Kent* and *Sussex*. *Ibid.*
- ccccli. An Act to repeal an Act of the Fifty-second Year of the Reign of King *George* the Third, for lighting and watching the Road leading from *Newington Butts* to the *Nag's Head* on the *Wandsworth Road*, and other Places communicating therewith, in *Lambeth*, *Clapham*, and *Battersea* in *Surrey*; and for making other Provisions for lighting and improving the said Road, and other Places adjacent or near thereto. *Ibid.*
- ccccli. An Act to amend an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, for granting certain Powers and Authorities to the *Australian* Agricultural Company. *Ibid.*
- ccccli. An Act for making a Railway from the intended *Great Northern* Railway in the Parish of *Ufford* in the County of *Northampton*, to unite with the Loop Line of the same Railway in the Parish of *Crowland* in *Lincolnshire*. 792
- ccccli. An Act for making a Railway from *Llangynwyd* to *Mar-gam*, by a Company to be called "The *Llynvi Valley* Railway Company." *Ibid.*

- cccliv. An Act for making certain Lines of Railway in the West Riding of the County of *York*, to be called "The *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway." Page 792
- ccclv. An Act for amending the Acts relating to the *Taw Vale* Railway and Dock, and for making an Extension therefrom to the *Exeter and Crediton* Railway in the County of *Devon*. *Ibid.*
- ccclvi. An Act for making Railways from *Wisbech* to *Saint Ives* and to *Fenny-Drayton*, to be called "The *Wisbech, Saint Ives, and Cambridge Junction* Railway." *Ibid.*
- ccclvii. An Act for making a Railway from the *Northern and Eastern Counties* Railway at *Edmonton* to the Town of *Enfield* in the County of *Middlesex*. *Ibid.*
- ccclviii. An Act for making a Railway from the *Midland* Railway at *Staveley* to the Town of *Worksop*, and for consolidating into one Undertaking the said proposed Railway and the Canal Navigation from *Chesterfield* to the River of *Trent*. *Ibid.*
- ccclix. An Act for making a Railway from the *London and Birmingham* Railway to or near to *Navigation Street* within the Borough of *Birmingham*. *Ibid.*
- ccclx. An Act for making a Railway from *Kilkenny* to join the *Great Southern and Western* Railway at or near *Cuddagh*, to be called "The *Kilkenny and Great Southern and Western* Railway." *Ibid.*
- ccclxi. An Act for the Maintenance of the Cemeteries at *Golden Bridge* and *Prospect* in the County of *Dublin*, and to create a perpetual Succession in the governing Body or Committee for managing the same. *Ibid.*
- ccclxii. An Act for making a Canal from the Harbour of *East Tarbert* to *West Lock Tarbert*, and other Works in connexion therewith. 793
- ccclxiii. An Act for making a Ship Canal from *Sligo* Harbour to *Lough Gill*, both in the County of *Sligo*, to be called "The *Sligo* Ship Canal." *Ibid.*
- ccclxiv. An Act for enlarging, improving, and maintaining the Harbour, Quays, and Wharfs of *Campbelltown*; for supplying with Water, paving, cleansing, lighting, and watching the said Burgh and Suburbs thereof; and for the better and more effectual assessing, levying, and collecting the Ladle and other Dues and Customs of the said Burgh. *Ibid.*
- ccclxv. An Act for further regulating the Repair and Maintenance of the Roads, Streets, and Bridges within the Middle District of the County of *Edinburgh*, and the Assessments payable in respect thereof; and for other Purposes relating thereto. *Ibid.*
- ccclxvi. An Act to enable the Special Commissioners of the Town of *Yeovil* to sell certain Estates in the Parish of *Yeovil* in the County of *Somerset*. *Ibid.*
- ccclxvii. An Act to enable the *Eastern Counties* Railway Company to make Two Branch Railways from the Line of the *Eastern Counties and Thames Junction* Railway, one thereof terminating at the Pepper Warehouses belonging to the *East India* Dock

- Company, and the other terminating by a Junction with the *Eastern Counties Railway*. *Page 793*
- ccclxviii. An Act for making a Railway from the *London and Birmingham Railway* in the Parish of *Rugby* in the County of *Warwick* to *Leamington* in the County of *Warwick*. *Ibid.*
- ccclxix. An Act to authorize an Improvement of the Line of the *West London Railway*, and the Extension thereof to the River *Thames*. *Ibid.*
- ccclxx. An Act to enable the *London and South-western Railway Company* to make a Railway by *Whitchurch* and *Andover* to *Salisbury*. *794*
- ccclxxi. An Act for making certain Branch Railways to be connected with the *Newport and Pontypool Railway*, and for incorporating a new Company, for carrying on the *Monmouthshire Canal Navigation*. *Ibid.*
- ccclxxii. An Act for making a Railway from the *Glasgow, Paisley, Kilmarnock, and Ayr Railway* near *Cumnock* to the *Caledonian Railway* near the crossing of the River *Sark*, to be called "The *Glasgow, Dumfries, and Carlisle Railway*," with Branches. *Ibid.*
- ccclxxiii. An Act for authorizing the Sale of the *Andover Canal* and other Property of the Company of Proprietors of the *Andover Canal Navigation*. *Ibid.*
- ccclxxiv. An Act for embanking and reclaiming from the Sea certain Lands now under Water or subject to be overflowed by the Tide in the Estuary or Back Strand of *Tramore* in the County of *Waterford*. *Ibid.*
- ccclxxv. An Act to incorporate the *British Guarantee Association*. *Ibid.*
- ccclxxvi. An Act for uniting the Rectory of *North Lynn* with the Perpetual Curacy of *Saint Margaret with Saint Nicholas* in the Borough of *King's Lynn*, all in the County of *Norfolk*. *Ibid.*
- ccclxxvii. An Act for making a Railway from *Airdrie* to *Bathgate*, with a Branch to *Whitburn* and *Blackburn*, to be called "The *Airdrie and Bathgate Junction Railway*." *Ibid.*
- ccclxxviii. An Act to incorporate the Company of Proprietors of the *Manchester, Bolton, and Bury Canal Navigation and Railway* with the *Manchester and Leeds Railway Company*. *Ibid.*
- ccclxxix. An Act to amalgamate the *Polloc and Govan* and *Clydesdale Junction Railways* with the *Caledonian Railway*. *Ibid.*
- ccclxxx. An Act for enabling the *Huddersfield and Manchester Railway and Canal Company* to make a Branch Railway from their Main Line of Railway to *Oldham*. *795*
- ccclxxxi. An Act for making a Railway from the *Liverpool and Bury Railway* to the *North Union* and *Blackburn and Preston Railways*, with Branches therefrom, to be called "The *Liverpool, Ormskirk, and Preston Railway*." *Ibid.*
- ccclxxxii. An Act to grant certain Powers to the *New Zealand Company*. *Ibid.*
- ccclxxxiii. An Act for constructing Docks at *Millbay (Plymouth)*, to be called the *Plymouth Great Western Docks*. *Ibid.*
- ccclxxxiv. An Act to enable the Company of Proprietors of the *Forth and Clyde Navigation* to extend and enlarge the Basin at *Bowling Bay*, and to make and maintain certain other Works in connexion

connexion therewith; and to alter and amend the Acts relating to the said Navigation. Page 795

ccclxxxv. An Act for sewerage, draining, and lighting of the Hamlet of *Brighouse* in the Township of *Hipperholme-cum-Brighouse* in the Parish of *Halifax* in the West Riding of the County of *York*. *Ibid.*

ccclxxxvi. An Act for reclaiming from the Sea, embanking, and improving, the *Salthouse Sands* in the Manor of *Plain Furness* in the County Palatine of *Lancaster*. *Ibid.*

ccclxxxvii. An Act for improving and altering a Portion of the Harbour of *Wexford* in the County of *Wexford* in *Ireland*, and the Entrance thereof; for improving the Navigation of the River *Slaney*, and also the Bridge over the same River at or near to the Town of *Wexford*; and for embanking and reclaiming divers Waste Lands, Mud Banks or Slobs, in and adjacent to the said Harbour and River; and for other Purposes. *Ibid.*

ccclxxxviii. An Act for inclosing and reclaiming from the Sea certain Tracts of Land forming Part of the Great Estuary called "The Wash," between the Counties of *Norfolk* and *Lincoln*. 796

ccclxxxix. An Act for enabling the Warden and College of the Souls of All Faithful People deceased of *Orford* to grant Building and Improving Leases of their Estates in the County of *Middlesex*. *Ibid.*

cccxc. An Act for making certain Lines of Railway in the West Riding of the County of *York*, to be called "The *West Riding Union Railways*." *Ibid.*

cccxc. An Act to enable the *London and South-western Railway Company* to extend their Railway to the *Thames* near *London Bridge* in the County of *Surrey*. *Ibid.*

cccxcii. An Act for making a Railway from the *Glasgow, Paisley, Kilmarnock, and Ayr Railway* near the Manse of *Newton* to the Town of *Girvan*, with a Branch to the Town of *Maybole*, to be called "The *Glasgow and Belfast Union Railway*." *Ibid.*

cccxciii. An Act to empower the *Taff Vale Railway Company* to construct certain Branch Railways and Extensions, and to make Arrangements for the Use of certain Wharfs adjoining the *Bute Ship Canal*. *Ibid.*

cccxciv. An Act to authorize the *Newcastle-upon-Tyne and Carlisle Railway Company* to extend their Railway in *Newcastle-upon-Tyne*, to make a Branch Railway, and for other Purposes connected with their Undertaking. *Ibid.*

cccxcv. An Act to enable the *Caledonian Railway Company* to deviate certain Portions of the *Clydesdale Junction Railway*. *Ibid.*

cccxcvi. An Act for making a Railway from the *East and West India Docks* to join the *London and Birmingham Railway* at the *Casden Town Station*, to be called "The *East and West India Docks and Birmingham Junction Railway*." 797

cccxcvii. An Act for making a Railway from *Cork* to *Waterford*, with Branches therefrom. *Ibid.*

cccxcviii. An Act to incorporate a Company by the Name of "The *Metropolitan Sewage Manure Company*." *Ibid.*

- cccxix. An Act for the Regulation of the Legal Quays within the Port of *London*. *Page 797*
- cccc. An Act to extend the Powers of the Commissioners of Wide Streets, *Dublin*, to widen and improve certain Streets and Passages in the City and County of *Dublin*. *802*
- cccci. An Act to authorize the Construction of a Railway from *Main-y-Manach* to *Rhydydefydd* in the County of *Glamorgan*, to be called "*Cameron's Coalbrook Steam Coal and Swansea and Loughor Railway*." *Ibid.*
- cccii. An Act for authorizing certain Alterations in and Extensions of the Line of the *South Devon* Railway, and the Formation of Branches therefrom to *Torquay* and other Places. *Ibid.*

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN
IN EVIDENCE.

1. AN Act for vesting the Real Estates of the Right Honourable *Charles John* late Earl of *Blesinton* deceased, in the County and County of the City of *Dublin*, the City of *Kilkenny*, and the County of *Tyrone*, in Trustees for Sale, for the Payment of his Debts; and for other Purposes. *Page 803*
2. An Act for selling such Parts of the entailed Lands and Estates of *Hempriggs* lying in the County of *Caithness*, belonging to *Sir George Dunbar* Baronet, as may be necessary for the Payment of the Debts and Obligations affecting or that may be made to affect the said Lands and Estates. *Ibid.*
3. An Act to enlarge the Powers of leasing the Estates comprised in an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to authorize the Sale of Settled Estates of the Most Honourable the Marquess of Donegall* in Ireland, in order to pay off Mortgage and other Incumbrances; and for other Purposes. *Ibid.*
4. An Act for vesting certain undivided Shares in Estates devised by the Will of *Joseph Solly* Esquire, deceased, in Trustees for Sale; and for other Purposes. *Ibid.*
5. An Act for inclosing, dividing, and allotting certain Lands within the Manor or Lordship of *Gollon*, situate in the several Parishes of *Llanbadarn-Vynydd*, *Llanano*, *Llanbister*, *Llandewy-Ystradenny*, *Abbey Cwmhir*, and *Saint Harmon*, in the County of *Radnor*. *804*
6. An Act for empowering the Tenants for Life under the Wills of Miss *Mary Cary* and *Adam Ashev* Esquire, deceased, and Trustees during Minorities, to grant Building Leases; and for other Purposes. *Ibid.*
7. An

7. An Act for the Division of the Rectory of *Upwell cum Welney* in the County of *Norfolk* and in the *Isle of Ely* in the County of *Cambridge*. Page 804
8. An Act for dividing, allotting, laying in Severalty, inclosing, and draining the Open and Common Fields, Common Meadows, and other Commonable Lands and Waste Grounds in the Hamlet or Township of *Frilford* in the Parish of *Marcham* in the County of *Berks*. *Ibid.*
9. An Act for vesting in Trustees certain Hereditaments in the County of *Kent* devised by the Will of *Henry Dudderidge* Gentleman, to enable them to carry into execution an Agreement between his Devises in Trust and *Alexander James Beresford Hope* Esquire, for the Sale thereof, and for subjecting the Bank Annuities, the Produce of the Purchase Money, to the same Trusts. *Ibid.*
10. An Act for vesting in Trustees certain Hereditaments in the County of *Kent* the Estate of *Emma Bedford Videan*, a Lunatic, to enable them to carry into execution a Treaty between her Husband, Mr. *Joseph Videan*, and *Alexander James Beresford Hope* Esquire, for the Sale thereof; also for laying out the Purchase Money in the Purchase of Bank Annuities, to be held as Real Estate in trust for the said *Emma Bedford Videan* and her Heirs. *Ibid.*
11. An Act for effecting an Exchange of Lands between the Archbishop of *York*, the Earl of *Carlisle*, and Viscount *Morpeth*. 805
12. An Act to enable *Andrew Wauchope* Esquire, of *Niddrie Marischall*, to uplift certain Sums of Money lying in Bank, and to be consigned therein, and to borrow upon the Security of his entailed Estates such further Sums as may be necessary for Repayment to him of a Portion of the Monies laid out and to be laid out in the Improvement of the said Estates. *Ibid.*
13. An Act to vest in Trustees in Fee Simple the entailed Lands of *Haltree* and others, for the Purpose of selling the same, and applying the Price in Payment of Debts which affect or may be made to affect the same; and for other Purposes connected therewith. *Ibid.*
14. An Act to enable the Trustees of the settled Estate of *William Cullen* to sell to *Alexander James Beresford Hope* Esquire, before the appointed Time under the Settlement, a Portion of that Estate for which an Offer has been made them by him. *Ibid.*
15. An Act for authorizing Leases to be granted for Mining and other Purposes of Estates in the County of *Glamorgan* belonging to *Walter De Winton* Esquire (an Infant), Tenant in Tail under the Will of *Walter Wilkins* Esquire, deceased; and for other Purposes. *Ibid.*
16. An Act to enable the Trustees or Guardians appointed by *Joseph Thomson* of *Nortonhall* of *Eildon*, deceased, to sell the said Lands of *Nortonhall* of *Eildon*, and also the Half of a Storey of a House in *Saint Mary's Wynd, Edinburgh*, and relative Policy of Insurance vested in them in trust, and apply the Price to be obtained, and certain Trust Monies in their Hands, in the Purchase of other Lands, for the Purposes of the said Trust. *Ibid.*

17. An Act to alter and amend an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to enable the Trustees of the Marriage Articles of Thomas Bacon Esquire to grant a new Lease to Richard Hill and Anthony Hill Esquires of an Iron Furnace, and Works and Mines, and Privileges and Hereditaments held therewith, called Plymouth Works, in the Parish of Merthyr Tydvill in the County of Glamorgan*; and for better carrying the same Act into effect. *Page 805*
18. An Act for carrying into effect an Agreement respecting the Estates of the Corporation of the Borough of *Ludlow*, and other Estates vested in the said Corporation, in trust, either partly or in whole, for certain charitable Uses; and for appropriating certain Estates to the Charity herein-after mentioned, and declaring the Trusts thereof; and for making Provision for Payment of the Debts of the said Corporation; and other Purposes. *806*
19. An Act to authorize the Sale of Part of the Charity Estates vested in the Master, Wardens, and Brethren and Sisters of the Guild or Fraternity of the Blessed *Mary* the Virgin of the Mystery of Drapers of the City of *London*, upon the Trusts of the Will of *Thomas Howell* deceased. *Ibid.*
20. An Act to enable *William Ramsay Ramsay* of *Barnton*, Heir of Entail in possession of *Barnton* and other Estates in the County of *Edinburgh*, to borrow Money upon the Security of the said Estates, for the Repayment of Monies laid out in the Improvement of the said Estate, and to enable him and his Successors to grant Feus of certain Parts thereof; and for other Purposes therein expressed. *Ibid.*
21. An Act for vesting Estates in the Parish of *West Bromwich* in the County of *Stafford*, devised by the Will of *Joseph Barrs* deceased, and the Mines and Minerals under the same, in Trustees for Sale, with Powers to grant Leases of such Estates, and to grant, demise, or sell the Coal, Ironstone, and other Minerals in or under the same. *Ibid.*
22. An Act for burdening or selling a Portion of the entailed Estate of *Cumbernauld* in the County of *Dumbarton*, for Payment of Debt. *Ibid.*
23. An Act to enable the Trustees of the Will of *Edmund Yates* Esquire, deceased, to sell the Estates in the County of *Kent* devised by the same Will, and to invest the Monies to arise from such Sale in the Public Funds. *Ibid.*
24. An Act to incorporate the Governors and Managers appointed under the Trust Disposition and Settlement of *Robert Philp* of *Edenshead*, deceased, and to explain and extend the Powers and Provisions contained in the said Deed. *Ibid.*
25. An Act to enable *John Eden Spalding*, with the Consent of a Trustee, to lease the Mines and Minerals within the Lands of *Holm* and other Lands and Estates in the Stewartry of *Kircudbright* in *Scotland*. *807*
26. An Act to enable the Trustees acting under the Will of the late Sir *John Webb* Baronet, deceased, to concur with other Parties, under the Sanction of the High Court of Chancery, in the Sale and Conveyance of certain Estates in the County of *Dorset*

Dorset and in the Town and County of the Town of *Poole* devised by the said Testator, and of Estates subsequently acquired by the Trustees of his said Will, and subject to the Trusts of the said Will.

Page 807

27. An Act to vest in Trustees in Fee Simple the entailed Estate of *Overshiels* in the County of *Edinburgh*, for the Purpose of selling the same, and purchasing other Lands to be entailed in lieu thereof. *Ibid.*
28. An Act to enable the Trustees of certain Charity and Trust Estates at and near the Town of *Lowestoft* in the County of *Suffolk* to carry into effect a Contract for the Sale of Parts thereof to the *Lowestoft* Railway and Harbour Company; and to enable the said Trustees, and the Trustees of other Charity and Trust Estates at and near the said Town of *Lowestoft*, to grant Leases for long Terms of Years for Building Purposes of the said Estates or Parts thereof; and for other Purposes. *Ibid.*
29. An Act to extend the Powers of Sale and Exchange and the Power to grant Building Leases respectively contained in the Will of Sir *George William Topps Gervis* deceased; and to empower the Trustees of the said Will to raise Money by Mortgage for the Improvement of Part of the Estates devised by the said Will; and to confirm a Contract for an Exchange entered into by the said Trustees with the Right Honourable *James Howard Harris* Earl of *Malmesbury*. *Ibid.*
30. An Act to give further Powers to the Trustees of the Will of the late Duke of *Cleveland* for the Management of the Trust Estates in the County of *Durham* by the said Will devised. *Ibid.*
31. An Act to vest the Estates in *Ireland* settled by the Will of *Bindon Scott* deceased in Trustees for the Purposes therein set forth. *Ibid.*
32. An Act to unite and to incorporate the Trustees of certain Charities established by *Humphrey Booth* the elder, Esquire, and by *Humphrey Booth* Esquire, his Grandson, respectively; and to amend an Act of Parliament made and passed in the Sixteenth Year of His late Majesty King *George* the Third, intituled *An Act to enable the Trustees of certain Charity Lands belonging to the Poor of Salford in the County Palatine of Lancaster to grant Building Leases thereof*; and to make further Provision for the beneficial Management and Administration of the several Charity Estates and Charities of the said *Humphrey Booth* the elder and *Humphrey Booth*, his Grandson, respectively. 808
33. An Act to enable the Trustees appointed by Mrs. *Jane Ferguson* deceased to sell the Lands of *Laverocklaw*, and also certain Subjects situate in the Village of *Ormiston*, vested in them in trust, and to apply the Price to be obtained, and certain Trust Monies in their Hands, in the Purchase of other Lands, for the Purposes of the said Trust. *Ibid.*
34. An Act for enabling the President and Fellows of *Sion College* within the City of *London* to raise Money by way of Annuity on Part of their Estates. *Ibid.*
35. An Act for facilitating the raising of the annual Sum of One hundred Pounds settled upon the Vicar for the Time being of the Parish of *All Hallows* in the Town of *Northampton*, in lieu of

- of Tithes, by an Act passed in the Twenty-ninth Year of the Reign of King *Charles* the Second. Page 808
36. An Act to enable the Trustees of the Will of the Most Noble *William Harry* late Duke of *Cleveland* to grant Leases and make Sale of the *Bathwick* and *Wrington* Estates in the County of *Somerset*. *Ibid.*
37. An Act to enable the Most Noble *Henry Charles* Duke of *Norfolk* and other the Owner for the Time being of *Arundel Castle* and the Estates settled therewith, to grant Leases of Parts thereof; and for other the Purposes therein mentioned. *Ibid.*
38. An Act for authorizing the Sale of Part of the Estates settled by the Will of *William Congreve* Esquire, deceased, and for laying out the Surplus of the Monies produced by such Sale, after Payment of his Debts, in the Purchase of other Estates. *Ibid.*
39. An Act for the better Support and better Regulation of "The Hospital of the Holy *Jesus*, founded in the *Manors* in the Town and County of *Newcastle-upon-Tyne* at the Costs and Charges of the Mayor and Burgesses of the Town of *Newcastle-upon-Tyne* in the County of the Town of *Newcastle-upon-Tyne* aforesaid," and for confirming Sales and other Dispositions made of Estates formerly Part of the Possessions of the said Hospital; and for other Purposes. 809
40. An Act to vest certain Lands and Hereditaments, the Estates of *Alexander Perry Bond* Esquire, situate in the County of *Westmeath* in *Ireland*, in Trustees, to raise Money for the Payment of Incumbrances affecting said Lands and Hereditaments, and, subject thereto, to limit the said Lands and Hereditaments for the Uses and Purposes declared by the Will of *William Bond* Esquire, deceased. *Ibid.*
41. An Act to enable Sir *Richard Bulkeley Philipps Philipps* Baronet and others to grant Mining, Building, and other Leases of certain Estates in the County of *Pembroke*, subject to the Uses of the Will of *Richard* Baron *Milford* deceased. *Ibid.*
42. An Act for enabling the Master and Brethren of the Hospital of *Saint Mary* the Virgin within the Borough of *Newcastle-upon-Tyne* to grant Building, Repairing, Mining, and other Leases of their Estates, and for extending the Objects of the Charity, and regulating the Appropriation of the Income thereof. *Ibid.*
43. An Act to enable the College of *Glasgow* to effect an Exchange of the present Lands and Buildings belonging to and occupied by the said College for other sufficient and adequate Lands and Buildings more advantageously situated; and for other Purposes relating thereto. *Ibid.*

PRIVATE ACTS,

NOT PRINTED.

44. An Act to repeal so much of an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for naturalizing Henry Robert Ferguson*, as enacts that the said *Henry Robert Ferguson* should not thereby be enabled to be of the Privy Council, or a Member of either House of Parliament, or to take any Office or Place of Trust, either civil or military, or to have any Grant of Lands, Tenements, or Hereditaments from the Crown, to himself, or any other Person or Persons in trust for him.
 45. An Act to dissolve the Marriage of *Jasper Byng Creagh* Esquire with *Emma Susan Weldale Creagh* his present Wife, and to enable him to marry again; and for other Purposes therein mentioned. -
 46. An Act to dissolve the Marriage of *George Savage Curtis* Esquire with *Emma Curtis* his now Wife; and for other Purposes.
 47. An Act to dissolve the Marriage of *Edward Clark* with his now Wife, and to enable him to marry again; and for other Purposes.
 48. An Act to dissolve the Marriage of *Edward Matthysens* with *Joanna Frances* his now Wife, and to enable him to marry again; and for other Purposes.
 49. An Act for naturalizing the Reverend *Samuel Gobat* Clerk, Bishop of the United Church of *England* and *Ireland* in *Jerusalem*.
 50. An Act to dissolve the Marriage of *Robert Nesham-Farquharson* Esquire with *Mary Ann* his now Wife, and to enable him to marry again; and for other Purposes.
 51. An Act to dissolve the Marriage of the Reverend *Salisbury Humphreys* Clerk with *Harriet Ruthan Humphreys* his now Wife, and to enable him to marry again; and for other Purposes.
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THE

STATUTES AT LARGE.

Anno Regni VICTORIÆ, Britanniarum Reginæ,
Nono & Decimo.

‘ **A**T the Parliament begun and holden at *Westminster*, the
‘ Nineteenth Day of *August*, *Anno Domini* 1841, in the Fifth
‘ Year of the Reign of our Sovereign Lady VICTORIA,
‘ by the Grace of God, Queen of the United Kingdom of *Great*
‘ *Britain* and *Ireland*, Defender of the Faith : And from thence
‘ continued, by several Prorogations, to the Twenty-second Day
‘ of *January* 1846 ; being the Sixth Session of the Fourteenth
‘ Parliament of the United Kingdom of *Great Britain* and
‘ *Ireland*.’

C A P. I.

An Act for the further Amendment of the Acts for the
Extension and Promotion of Public Works in *Ireland*.

[5th March 1846.]

‘ **W**HEREAS an Act was passed in the First Year of Her
‘ present Majesty’s Reign, intituled *An Act to amend the Acts* 7 W. 4. &
‘ *for the Extension and Promotion of Public Works* in *Ireland*, 1 Vict. c. 21.
‘ reciting an Act of the First and Second Years of His late Ma-
‘ jesty King *William* the Fourth, intituled *An Act for the Exten- 1 & 2 W. 4. c. 33.*
‘ *sion and Promotion of Public Works* in *Ireland*, the Provisions
‘ whereof were amended and extended by an Act passed in the
‘ then last Session of Parliament, and that the Commissioners
‘ acting under and in execution thereof were authorized to make
‘ Advances by way of Loan to a certain Amount in the said Acts
‘ limited, in aid of the Execution of Public Works in *Ireland*, and
‘ were also authorized to make Advances for the like Purpose by
‘ way of Grant in aid of the Construction of certain Works to an
‘ Amount not exceeding in the whole the Sum of Fifty thousand
‘ Pounds, and that it was expedient, with a view to the further
‘ Promotion of Public Works in *Ireland*, and the Employment of
‘ the labouring Population, that the said Commissioners should be
‘ enabled to make Advances to an additional Amount by way of
‘ Grant, and that Provision should be made for making Advances
‘ for the Execution of Public Works under certain Circumstances,
9 & 10 Vict. B partly

partly by way of Loan and partly by way of Grant, that is to say, by Loan to the Extent of One Moiety of such Advances, and by Grant to the Extent of the other Moiety thereof; and by the said first-recited Act it is enacted that it should and might be lawful to and for the Commissioners for the Execution of the said recited Acts, under the like Conditions and Regulations, and for the Purposes of the said therein-recited Acts and the said first-recited Act, to make additional Advances by way of Grant to an Amount not exceeding in the whole the Sum of Fifty thousand Pounds, and for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to cause to be issued from Time to Time as they might find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland* arising in *Ireland* (in addition to the Sum of Fifty thousand Pounds therein-recited to which the Issues for the Purposes of the Grant to be made under the therein recited Acts were limited,) any further Sum or Sums of Money not exceeding in the whole the Sum of Fifty thousand Pounds, to be applied to the Purposes of the said recited Acts and the said first-recited Act: And whereas by another Act passed in the First and Second Years of Her present Majesty, intituled *An Act to authorize a further Issue of Exchequer Bills for Public Works and Fisheries and Employment of the Poor; and to amend the Acts relating thereto*, it is enacted, that it should be lawful for the Commissioners of Her Majesty's Treasury to appropriate out of the Sum of Five hundred thousand Pounds in Exchequer Bills authorized to be advanced under the Authority of the said Act any Sum or Sums in Exchequer Bills not exceeding Fifty thousand Pounds in the whole for the Promotion and Extension of Public Works in *Ireland*, to be applied by the Commissioners appointed under the Authority of an Act of the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in Ireland*, to the Purposes and under the Provisions of the said Act: And whereas of the said Sum of Fifty thousand Pounds so made applicable under the said last-mentioned Act the Sum of Four thousand Pounds was applied to Grants, the remaining Forty-six thousand Pounds having been issued by way of Loan: And whereas by another Act passed in the Sixth and Seventh Years of Her present Majesty, intituled *An Act to amend the Acts for carrying on Public Works in Ireland*, after reciting as therein recited, it is enacted, that it shall be lawful for the Commissioners of Her Majesty's Treasury to order that out of such Monies as at or after the passing of said Act may be in the Exchequer, or as may be thereafter paid into the Bank of *England* to the Credit of Her Majesty's Exchequer in Repayment of Loans made for Public Works in *Ireland*, any Sum or Sums of Money not exceeding the Sum of Twenty-one thousand Pounds may be set apart and appropriated for Grants by the said Commissioners of Public Works, with the Approval of the said Commissioners of Her Majesty's Treasury, in such and the same Manner as the said Sum of Twenty-one thousand Pounds might have been used and applied for Grants if the same had not been,

1 & 2 Vict. c. 88.
§ 14.

1 & 2 W. 4. c. 33.

6 & 7 Vict. c. 44.
§ 17.

‘ as therein mentioned, inadvertently applied for the Purposes of
 ‘ Loans: And whereas of the said several Sums so authorized to
 ‘ be advanced under the said recited Acts a Sum of One hundred
 ‘ and eighteen thousand and ninety-three Pounds Nineteen Shil-
 ‘ lings and Eight-pence has been advanced and paid, and ap-
 ‘ plied for the Purposes of the said Acts, in the way of Grant,
 ‘ leaving a Sum of Six thousand nine hundred and six Pounds
 ‘ and Four-pence still unapplied and available for such Purposes;
 ‘ and it is expedient to increase the Sum so available, and to
 ‘ authorize the Commissioners of Her Majesty’s Treasury to issue
 ‘ a further Sum from the Consolidated Fund for the Purposes of
 ‘ the said Acts and this Act, or any of them; and it is also ex-
 ‘ pedient to amend the said recited Act of the First Year of Her
 ‘ present Majesty, and extend its Provisions to other Cases:’ Be
 it therefore enacted by the Queen’s most Excellent Majesty, by
 and with the Advice and Consent of the Lords Spiritual and Tem-
 poral, and Commons, in this present Parliament assembled, and
 by the Authority of the same, That it shall and may be lawful
 for the Commissioners of Public Works in *Ireland* acting in exe-
 cution of the said recited Acts, under the like Conditions and
 Regulations (save as herein-after provided,) and for the Purposes
 of the said recited Acts and this Act, to make additional Ad-
 vances by way of Grant to an Amount not exceeding in the whole
 the Sum of Fifty thousand Pounds, and for the Commissioners of
 Her Majesty’s Treasury of the United Kingdom of *Great Britain*
 and *Ireland*, or any Three or more of them, to cause to be issued
 from Time to Time as they may find necessary, out of the growing
 Produce of the Consolidated Fund of the United Kingdom of
Great Britain and Ireland, in addition to the said several Sums
 herein-before mentioned, any Sum or Sums of Money not exceed-
 ing in the whole the said Sum of Fifty thousand Pounds, to be
 applied for the several Purposes of the said Acts and this Act, or
 any of them, in relation to Grants.

The Commis-
 sioners of Pub-
 lic Works in
 Ireland may
 make additional
 Grants to the
 Extent of
 50,000*l.* for the
 Purposes of the
 recited Acts and
 this Act.

II. And be it enacted, That all and every the Provisions, Regula-
 tions, Powers, Privileges, Advantages, Forfeitures, and Disabilities
 contained or expressed in the said recited Acts, or any Act amend-
 ing the same, in respect of the Grants authorized to be made
 thereunder, shall (save as herein-after provided) be applied and
 extended to the Grants to be made under Authority of this Act as
 fully and effectually to all Intents and Purposes as if the same were
 herein repeated and re-enacted.

Provisions of
 former Acts to
 apply to Grants
 under this Act.

III. ‘ And whereas by the said recited Act of the First Year
 ‘ of Her present Majesty it is, amongst other things, enacted, that
 ‘ if any Three or more Justices of the Peace, not being Stipen-
 ‘ diary Magistrates, in and for any County, County of a City, or
 ‘ County of a Town in *Ireland*, shall think it expedient to make
 ‘ Application for the Construction of any Public Work on the
 ‘ Terms and under the Regulations therein-after contained for
 ‘ the Repayment of a Moiety of the Expence of executing such
 ‘ Work, it shall and may be lawful for them, by Notice under
 ‘ their Hands to be posted on the Places appointed for posting
 ‘ Notices of Applications to Presentment Sessions in the Barony
 ‘ or Half Barony or Place in which such Work is proposed to be
 ‘ executed, to convene a Special Meeting of the Justices and

Two Justices
 and Three Cess-
 payers associ-
 ated with them
 at the last
 Special or Pre-
 sentment Ses-
 sions may con-
 vene a Meeting
 of Justices and
 Cess-payers for
 making an App-
 lication to the
 Lord Lieu-
 tenant for the
 Execution of

any Public
Works under
7 W. 4. &
1 Vict. c. 21. § 3.

‘ Cess-payers associated with such Justices at the last Special or
‘ Presentment Sessions held in such Barony or Half Barony or
‘ Place for the Purposes of an Act passed in the then last Session
‘ of Parliament, intituled *An Act to consolidate and amend the*
‘ *Laws relating to the Presentment of public Money by Grand*
‘ *Juries in Ireland*; and such Meeting shall be held at the Place
‘ appointed for the holding of such Special or Presentment Ses-
‘ sions at such Time as shall be specified in such Notice, not being
‘ sooner than Seven Days from the Time of posting such Notice ;
‘ and the senior Justice present at such Meeting shall preside
‘ thereat, and shall have, in addition to his Vote, a casting Voice
‘ in case of an Equality of Voices ; and if a Majority of such
‘ Justices and Cess-payers assembled at such Special Sessions
‘ shall so think fit, the Chairman shall apply by Memorial to the
‘ Lord Lieutenant or other Chief Governor or Governors of *Ire-*
‘ *land* on behalf of the Justices and Cess-payers assembled at such
‘ Sessions, praying that the Work described in such Memorial
‘ may be executed, and that a Sum, not exceeding the Amount
‘ in such Memorial mentioned, may be advanced for that Pur-
‘ pose, a Moiety thereof to be repaid by Grand Jury Present-
‘ ment as therein-after mentioned : And whereas by reason of a
‘ Deficiency of Magistrates residing in certain Districts, it is diffi-
‘ cult to obtain the Concurrence of Three Justices of the Peace
‘ in convening any such Special Meeting as aforesaid, and it is
‘ therefore expedient to amend the said Provision ;’ be it therefore
enacted, That from and after the passing of this Act it shall and
may be lawful for any Two Justices of the Peace (not being Sti-
pendiary Magistrates) in and for any County, County of a City,
or County of a Town in *Ireland*, and any Three Cess-payers asso-
ciated with the Justices at the then last Special or Presentment
Sessions as aforesaid held in and for the Barony, Half Barony,
or Place wherein any public Work is proposed to be executed
under the Provisions of the said first-recited Act and this Act (as
far as the same are applicable), by Notice under their Hands to
be posted as in the said last-recited Provision directed, to con-
vene any such Special Meeting of the Justices and Cess-payers
for such Purposes and subject to such Regulations as in the said
last-recited Provision mentioned ; and every such Special Meeting
so convened shall be as valid and effectual for all and every
the Purposes of the said first-recited Act as if such Meeting had
been convened in such Manner as in the said first-recited Act
prescribed ; and the several Provisions of the said first-recited
Act (subject to the Variations thereof contained in this Act) shall
extend and be applied to any such Special Meeting, and to the
Proceedings thereat, the Application for the Execution of the
Works, the Advance of Monies, the Repayment on account of the
same, and to the several other Matters and Things relating to any
such Works applied for at such Meeting.

Such Special
Meeting may
apply for Ad-
vances for the
Repair or Ex-
tension of any
existing Public
Works.

IV. And be it enacted, That it shall and may be lawful for
any such Special Meeting as aforesaid, convened in the Manner
in the said first-recited Act or this Act prescribed, to make an
Application in like Manner as aforesaid to the Lord Lieutenant
or other Chief Governor or Governors of *Ireland* for an Advance
as aforesaid for the Alteration, Extension, or Improvement of any
then

then existing Public Work, as fully and effectually as for the Construction as aforesaid of any Public Work, and the Provisions of the said first-recited Act shall extend and be applied to any such Alteration, Extension, or Improvement of any existing Public Work as fully and effectually as to the Construction of any Public Work.

V. And be it enacted, That whenever any such Public Work shall have been constructed, altered, extended, or improved under the Provisions of the said recited Acts or this Act, it shall and may be lawful for the said Commissioners of Public Works from Time to Time to take such Proceedings and exercise such Powers and Authorities for or relating to the subsequent Repairs and Maintenance of any such Public Work aforesaid, and such subsequent Repairs and Works of Maintenance shall and may be executed, and the Expence thereof shall and may be provided for, raised, and repaid, in such Manner and subject to such Provisions and Regulations as by the said recited Act of the First and Second Years of the Reign of His late Majesty King *William* the Fourth, or any Act or Acts amending the same, are directed and provided in relation to the Repair or Maintenance of any Road or Bridge in aid of the Construction whereof Grants may be made or have been made by the said Commissioners of Public Works.

Subsequent Repairs of such Public Works to be provided for as under the recited Acts.

VI. And whereas by the said recited Act of the First and Second Years of the Reign of His late Majesty King *William* the Fourth it is, amongst other things, enacted, that it shall and may be lawful for the Commissioners for the Execution of the said recited Act to make Advances in aid of the Drainage, Embankment, reclaiming, or other Improvement of Land, on the Credit of Mortgages, Assignments, or other Assurances of the Estate and Interest, Freehold or Leasehold, in such Land which is to be the Subject of such Drainage, Embankment, Reclamation, or other Improvement: Provided always, that it shall be made out to the Satisfaction of such Commissioners, by competent Evidence, accompanied by the Certificate of a skilful Engineer or Surveyor approved of by the said Commissioners, that such Drainage, Embankment, Reclamation, or other Improvement, when completed, will increase the Value of such Land in the Proportion of at least Ten *per Centum* on the Sum proposed to be expended thereon; and that a Contract, with Two good and sufficient Sureties, to be approved of by the said Commissioners, shall be previously made and entered into for the full and complete Execution of such Drainage, Embankment, reclaiming, or other Improvement, at and for a Sum not exceeding the Amount of the Advance sought therefor, within a Period to be fixed by the said Commissioners, not exceeding Seven Years from the Date of such Advance; and that in all such Cases the whole Amount of such Advance shall be made repayable within Three Years next after the Period so fixed for the Completion of such Drainage, Embankment, reclaiming, or other Improvement, with Interest thereon in the meanwhile at a Rate not less than Five Pounds *per Centum per Annum*, payable half-yearly, as the said Commissioners shall fix and appoint: And whereas the Provisions of the last-recited Act as to Loans are in part amended by an Act of the Sixth and

Advances under Public Works Act on Loan for Improvements of Lands may be made by Board of Public Works, repayable within 20 Years, at such Rate of Interest as in Cases of other Loans.

‘ Seventh Years of the Reign of King *William* the Fourth, for
‘ the Amendment of the said last-recited Act ; but it is expedient
‘ that further Encouragement should be given for the Improv-
‘ ment of Lands by enabling Parties to obtain such Advances
‘ more favourable Terms, and that for such Purpose the aforesaid
‘ Provision should be further amended ;’ be it therefore enacted,
That it shall and may be lawful for the Commissioners of Public
Works in *Ireland*, if they shall so think fit, subject to such Re-
strictions and Conditions as are herein-after provided, to make
any Loan or Advance as aforesaid for or in aid of the Drainage,
Embankment, reclaiming, or other permanent Improvement of
Land, upon Application duly made conformably to the Provisions
of the said recited Act of the First and Second Years of the
Reign of King *William* the Fourth, and any other Acts amending
the same, and this Act, in relation thereto, and which may be
approved of by the said Commissioners, and by the Commissioners
of Her Majesty’s Treasury, or any Three or more of them, upon
the Terms and Conditions that the whole Amount of such Loan
or Advance shall be made repayable within such Time or Times,
not exceeding Twenty Years after the Periods so fixed as afore-
said for the Completion of such Drainage, Embankment, reclaim-
ing, or other permanent Improvement, at such Rate of Interest in
the meanwhile, payable half-yearly, as by the said last-recited
Act, or any Acts amending the same, is provided with respect to
any other Advances by way of Loan thereunder, any thing in the
said last-recited Act, or the other Acts amending the same, re-
quiring a different Period of Payment, or a higher or other Rate
of Interest on any Loan or Advance for any such Drainage,
Embankment, Reclamation, or other permanent Improvement, to
the contrary notwithstanding: Provided always, that any such
Loan or Advance, and any Charge, Mortgage, Assignment, or
other Assurance for securing the Repayment thereof, shall be
subject to the several Provisions, Regulations, and Enactments in
the said last-recited Act, and the other Acts amending the same,
contained in relation to any Loan or Advance or Security there-
under, so far as the same are applicable, and shall not be varied
by this Act ; and any such Charge, Mortgage, Assignment, or
other Assurance for securing the Repayment of any such last-
mentioned Loans under this Act shall take Priority of all Charges
and Incumbrances whatsoever and whensoever made : And pro-
vided further, that no such Charge, Mortgage, or other Assurance
to be made as last aforesaid shall have such Priority as aforesaid
in any Case where such Loan or Loans shall be made pursuant
to the Provisions aforesaid, to or for the Use of any Person or Per-
sons under any legal Disability or Incapacity, or being Tenants
for Life, or having only particular or limited Estates or Interests
in the Lands whereon the same are to be charged, or whose
Estates therein shall be subject to any Incumbrances whatever,
unless, previous to the making such Loan or Advance, the Person
or Persons to whom or on whose Behalf the same shall be made
shall have obtained the Report of One of the Masters of the High
Court of Chancery in *Ireland*, authorizing such Advance to be
made, on a Petition to be presented to the said Court pursuant to
the Provisions of a certain Act passed in the Eighth and Ninth
Years

Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to alter and amend an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled 'An Act to enable the Owners of Settled Estates to defray the Expences of draining the same by way of Mortgage,'* and such Report shall have been duly filed and absolutely confirmed according to the Provisions of the same Act, and which Provisions shall be applicable to Advances to be made under this Act in the same Manner as if the same were here repeated.

8 & 9 Vict. c. 56.

VII. 'And whereas by reason of such Advances in aid of permanent Improvements of Lands it may be expected that great Benefit will accrue to the Proprietors thereof, and that the Value thereof will be considerably increased; and it is expedient, with the Sanction of the High Court of Chancery, to be obtained on such Petition as aforesaid in manner aforesaid, to enable Tenants for Life, and others having only particular Estates, and Persons under legal Disability or Incapacity, or Persons whose Lands are incumbered, to charge on such Lands Monies so to be advanced for the Purposes of such Improvements; be it therefore enacted, That it shall and may be lawful for any Corporation, lay or ecclesiastical, sole or aggregate, and for the Husbands, Trustees, Committees, or Attornies of or for the Owners or Proprietors of, or for any Company or Companies, or the Directors thereof for the Time being, interested in, any Part or Parts of any such Lands in or for or in aid of the Drainage, Embankment, reclaiming, or other permanent Improvement of which any such Loan or Advance shall be agreed to be made by the said Commissioners of Public Works, in pursuance of the said last-recited Act, or the other Acts amending the same, and this Act, being under Coverture, Minors, Lunatics, or beyond the Seas, or otherwise incapable of acting for themselves, and to and for every of them for the Time being, and to and for the Owners and Proprietors of all such Lands, being Tenants in Tail or for Life, or Tenants in Tail after Possibility of Issue extinct, or Tenants by the Courtesy or in Dower, and for Persons whose Estates are incumbered as herein-after mentioned, and to and for every of them respectively for the Time being, by and with the Sanction and Approbation of the High Court of Chancery, to be obtained in manner aforesaid, by Indenture or Indentures under their respective Hands and Seals, from Time to Time, and to which Indenture or Indentures One of the said Commissioners shall be an executing Party, and before obtaining any Advance on account of such Loan from the said Commissioners, subject to such Restrictions and Conditions as are herein-after provided, to charge the said Lands with any Sum or Sums of Money which the said Commissioners shall advance in or for or in aid of any such Drainage, Embankment, reclaiming, or other permanent Improvement thereof as aforesaid; and for securing the Repayment by Instalments of such Sum or Sums of Money which the said Commissioners shall so advance, with Interest from the Date of the Advance thereof, with the Approbation of the Court of Chancery, to be obtained in manner aforesaid, to grant, mortgage, lease, or demise or otherwise subject the said Lands unto the said Commissioners of Public Works, or to the Secretary of the said Commissioners, in trust

Persons under legal Disability may charge the Lands improved to secure Repayment of such Loans for Improvements.

for them, either in Fee or for any Term of Years, so as every such Grant, Mortgage, Lease, or Demise be made with a Proviso or Condition to cease and be void, or under an express Trust to be surrendered, in case and so soon as the Sum or Sums of Money thereby to be secured, with the Interest for the same, shall be fully paid and satisfied at the Time or Times to be appointed in that Behalf, and also with a Covenant to pay the Instalments as they shall become due, and to pay and keep down the Interest in the meanwhile; and in the Case of every such Grant, Mortgage, Lease, or Demise, such Person or Persons or Bodies as aforesaid, as the Case may be, and every succeeding Tenant for Life, or other Person or Persons having only a limited Interest in the Lands charged, shall be bound to pay the Instalments of Principal and the Interest which shall become from Time to Time due and payable during the Continuance of his, her, or their Title in or to the said Lands; but nevertheless, on the Termination of such Title, by Death or otherwise, the Estate in remainder or reversion in such Lands, or the Inheritance thereof, shall remain chargeable with all Instalments, and Interest and Arrears thereof, then due or thereafter to become due; and every such Charge, Grant, Mortgage, Lease, or Demise as aforesaid shall be good, valid, and effectual in the Law for the Purposes hereby intended, and shall take Priority of all Charges and Incumbrances whatsoever and whensoever made: Provided always, that it shall be lawful for any Person or Persons liable to repay any Loans and Interest by Instalments under any of the Provisions aforesaid to repay the same in One Sum, or in a shorter Time than that in which the same shall be made repayable under the Provisions aforesaid.

Advances to be
by Instalments
not exceeding
One Fifth of
Sum advanced.

VIII. And be it enacted, That every Loan or Advance to be made by the said Commissioners of Public Works for any such last-mentioned Works or Improvements as aforesaid under the Provisions hereof shall be made by Instalments not exceeding at any One Time One Fifth of the entire Sum agreed to be advanced; and that no Second or subsequent Instalment of any such Loan shall be advanced until it shall have been proved to the Satisfaction of the said Commissioners that the preceding Instalment has been properly expended on such Works or Improvement pursuant to the Application for such Work approved by the said Commissioners: Provided always, that no one Instalment shall in any Case exceed Three hundred Pounds.

Incorporated
Companies for
Improvement of
Land in Ireland
empowered to
borrow Money
from the Com-
missioners.

IX. ' And whereas Societies or Companies incorporated by an Act of Parliament or established by Charter in *Ireland* or in *England*, for the Improvement of Land in *Ireland*, or for reclaiming Land in *Ireland*, may be desirous of applying for Advances of Money under the Provisions of this Act and the Acts herein recited, but Doubts may arise whether such Societies are within the Provisions of the Acts herein recited, and whether they are authorized to borrow Money, by reason of the Absence of special Authority in their Acts or Charters of Incorporation, or by reason of the Powers to borrow therein contained not having arisen or being inapplicable to the Securities which must be taken under the said recited Acts and this Act; be it enacted, That it shall and may be lawful for the Trustees or

Directors of any such Society or Company incorporated by Act of Parliament or by Royal Charter for the Improvement of Land in *Ireland*, or for reclaiming Land in *Ireland*, to convene a Special General Meeting of the Shareholders, with such Notice as may be required by the respective Act or Charter of Incorporation, and specifying in such Notice the Object of such Meeting, and to submit to such Meeting a Proposition for borrowing Money under the Provisions of this Act; and if the Majority of the Shareholders present at such Meeting shall authorize the Directors to borrow a Sum of Money under the Provisions of this Act, it shall and may be lawful for the said Commissioners of Public Works, if they shall think fit, upon the Application of the Trustees or Directors of such Society or Company, to advance any Sum of Money not exceeding the Sum by such Resolution of the Special Meeting authorized, upon the Security herein-after mentioned; and such Trustees or Directors shall and may mortgage, assign, or charge all or any Part of the Property of such Society or Company, or all or any of the Interests of such Society or Company in the Leases of Lands which they may have taken for the Purpose of Improvement, or the Monies to arise from the Sale, letting, or Disposal of such Lands or any of them, for securing the Repayment, according to the Provisions of this Act, of the Money so advanced, with Interest, although such Society or Company may not have Power, independently of this Act, to borrow Money, or may have special Powers of borrowing which shall not have arisen; and the Securities made under the Provisions of this Act shall, so far as respects the Property therein comprised, have Priority over all Mortgages or Charges subsequent in Date and Registry, any Provisions in the Acts or Charters of Incorporation of such Societies or Companies notwithstanding.

X. 'And whereas, under the said recited Acts of the First and Second and Sixth and Seventh Years of the Reign of King William the Fourth, all Persons, save 'as therein excepted, to whom Advances may be made for the Use of any Person or Persons, Body or Bodies Politic or Corporate, or Company or Companies in *Ireland*, or for any other Purpose, under the Provisions of said Acts, are required, besides the Securities in each Case respectively therein directed to be taken before any Advance shall be made in respect of any Loan under the Provisions of the said Acts or of either of them, to make and enter into, or cause some sufficient Persons or Person, to the Satisfaction of the said Commissioners, to make and enter into, a Bond or Obligation in Writing to the Secretary for the Time being of the said Commissioners, together with a Warrant of Attorney for confessing Judgment thereon, binding the Obligors or Obligor therein named, their, his, or her Heirs, Executors, or Administrators, in such Penalty as the said Commissioners should direct, conditioned to be void, as in the said Acts mentioned: And whereas it may be convenient that such Bond and Warrant of Attorney should be dispensed with in the Case of Bodies Politic or Corporate, or incorporated Societies or Companies; 'be it enacted, That it shall be lawful for the said Commissioners, when they shall think fit, to receive Applications for and make any Loan or Advance, under the Provisions of the said recited Acts

Commissioners may receive Applications for Loans in certain Cases, without the Bond required by 1 & 2 W. 4. c. 33. and 6 & 7 W. 4. c. 108.

Acts or this Act, to or for the Use or in aid of any Body or Bodies Politic or Corporate, or incorporated Society or Company, without requiring such Bond or Warrant of Attorney to be made or entered into as aforesaid; and the said Commissioners may, if they shall think fit, in lieu thereof require such Security, under the Seal of any such Body Politic or Corporate, or incorporated Society or Company, for the due Application of the Money advanced, as they shall think fit; and the said Commissioners shall amend the Regulations established by them under the said Acts accordingly.

In case of Mis-application of or Neglect to apply any such Loan to the Purpose agreed upon, the Commissioners may recover the Advances made, or may complete the Works.

XI. And be it enacted, That if Default shall be made in the due Application of any Instalment of any Loan or Advance made for the Purpose of any such Drainage, Embankment, Reclamation, or other Improvement, or in case the Party or Person to whom any such Loan or Advance may have been so agreed to be made, or if the Person or Persons entitled for the Time being to the Rents and Profits of the Lands which may be the Subject of such Drainage, Embankment, Reclamation, or other Improvement shall omit or neglect to proceed with the Completion of such Drainage, Embankment, Reclamation, or other Improvement, it shall and may be lawful for the said Commissioners to proceed for the Recovery of any such Instalment, Loan, or Advance, or any Part thereof, with the Interest due thereon, and to stop all further Advances or Loan in respect of such Work, or it shall and may be lawful for the said Commissioners, or any Person authorized by them for that Purpose, if they shall so think fit, to enter upon such Lands, and proceed to complete the Drainage, Embankment, Reclamation, or other Improvement of such Lands according to the original Plan and Specification which may have been agreed upon for the same, and out of the Residue of the Monies so agreed to be advanced by and then remaining in the Hands of the said Commissioners to complete and finish such Drainage, Embankment, Reclamation, or other Improvement; and all Monies so advanced and paid as last aforesaid by the said Commissioners shall be deemed and taken as Part of the Money agreed to be advanced by the said Commissioners, and secured and charged on such Lands as aforesaid, and shall be repaid to the said Commissioners out of such Lands, and out of the Monies to be raised from such Lands by means of such Charge, Grant, Lease, Mortgage, or Demise, or other Assurance as aforesaid.

Definition of Terms in this Act.

XII. And be it enacted, That in the Construction of this Act (except where the Nature of the Provision or the Context of the Act shall exclude such Construction) the Word "Land" shall extend to all Arable, Pasture, or otherwise profitable, and to all waste uncultivated Land, whether Bog Land or Land covered with Water, and shall also extend to Messuages, Tenements, and other Hereditaments, corporeal or incorporeal, and any Estate or Interest therein, and any undivided Part thereof; and the Expression "Commissioners of Her Majesty's Treasury" or "Commissioners of the Treasury" shall mean the said last-mentioned Commissioners or any Three or more of them; and the Expression "the said Commissioners" shall mean the Commissioners of Public Works in *Ireland* or any Two or more of them (except where otherwise provided); and the Words "Person or Persons" shall

extend

extend to all Bodies Politic, Corporate, or Collegiate, and also all Bishops, Parsons, and other ecclesiastical Persons, as to Lands held by them in those respective Characters, and to any Number of Persons associated together as a Company or Partnership; and the Word "County" shall extend and be applied to all Counties, Counties of Cities, and Counties of Towns; and the Expression "High Court of Chancery, or Chancery," shall extend to and include the Equity Side of the Court of Exchequer; and the Word "Master" shall extend to and include the Remembrancer; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

XIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

CAP. II.

An Act to authorize Grand Juries in *Ireland*, at the Spring Assizes of the present Year, to appoint Extraordinary Presentment Sessions; to empower such Sessions to make Presentment for County Works, and to provide Funds for the Execution of such Works; and also to provide for the more prompt Payment of Contractors for Works under Grand Jury Presentments in *Ireland*. [5th March 1846.]

WHEREAS by reason of an extensive Failure of the Potato Crop of the last Season in *Ireland* it is expedient to facilitate and encourage the Employment of the Poor in Public Works during the approaching Summer: Be it therefore 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, That it shall be lawful for the several Grand Juries assembled for the Despatch of fiscal Business at the Spring Assizes of this Year in every County, County of a City, or County of a Town in *Ireland*, the County of the City of *Dublin* excepted, if they shall respectively think fit, to appoint by Presentment certain Places within their respective Counties (*videlicet*, One in and for each Barony or Half Barony, to be called the Extraordinary Baronial Presentment Sessions, and One for each County of a City or County of a Town, or in and for such Barony or Baronies, Half Barony or Half Baronies only, as they shall think fit,) where, and certain Times, the first thereof not being later than Thirty Days from the Day of the Opening of the Commission at such Spring Assizes, when Extraordinary Presentment Sessions shall be holden for the Purposes of this Act; and the said several Grand Juries, save in a County of a City or County of a Town, shall by such Presentment also appoint an Extraordinary Presentment Sessions for the County to be holden either in the County Court

Grand Juries in *Ireland* may, at the Spring Assizes of this Year, appoint Places and Times for holding Extraordinary Presentment Sessions for the Purposes of this Act.

Court House or such other Court House or Place as such Grand Juries may deem most convenient, which Sessions shall be called the Extraordinary County Presentment Sessions, and shall be appointed to be held as soon as conveniently may be after the last of such Extraordinary Baronial Presentment Sessions as aforesaid; and every such Presentment shall appoint the Hours of the Day between which such Sessions shall be respectively holden, and public Notice thereof shall be forthwith given and posted at the usual Places for posting public Notices; and it shall be lawful for every such Grand Jury at such Spring Assizes to direct by Presentment what Number of Copies of the Schedules of Applications to be made at each such Extraordinary Presentment Sessions shall be printed and distributed by the Secretary of the Grand Jury.

Justices and Cess-payers to hold Sessions for the Purposes of this Act at the Times and Places appointed by the Grand Jury.

II. And be it enacted, That it shall and may be lawful for every Justice of the Peace in and for any County, County of a City, County of a Town, or City and County in *Ireland*, not being a Stipendiary Magistrate, to attend, and all such Justices are hereby required to assemble, and with the Cess-payers associated with them respectively, as herein-after appointed, to hold such Extraordinary Baronial and County Presentment Sessions respectively for the Purposes of this Act in such Place or Places, and at such Time or Times, within any and every such County, County of a City, or County of a Town as the Grand Jury of the same at such Spring Assizes shall have appointed for the holding of such Extraordinary Sessions.

How Sessions are to be constituted.

III. And be it enacted, That the Justices or Justice present at every such Extraordinary Baronial Presentment Sessions, together with the Number of Cess-payers which shall have been appointed by the Grand Jury at such Spring Assizes to be associated with the Justices at the Ordinary Presentment Sessions to be holden next after such Spring Assizes for the Purposes of an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of public Money by Grand Juries in Ireland*, for the Barony or Half Barony, County of a City, or County of a Town, in which such Extraordinary Baronial Presentment Sessions shall be holden, shall constitute such last-mentioned Sessions; and that all and every the Provisions contained in the said recited Act of the Sixth and Seventh Years of the Reign of the said King *William* the Fourth relative to the Selection of a Chairman and of the Cess-payers to be associated with such Justices or Justice at Presentment Sessions, and to their respective Powers, Duties, and Authorities, shall, as far as the same are applicable, extend to all Extraordinary Baronial Presentment Sessions to be held under this Act, and to the Proceedings to be had thereat; and that all and every the Provisions contained in the said recited Act relating to the Declarations to be made by the Justices and Cess-payers respectively who shall act at any Presentment Sessions, and relating to Notices or to Applications for Works whether by the County Surveyor or other Person or Persons, and to the Lodgment of such Applications, and to the Manner in which every such Application shall be made, dealt with, and decided upon, and to the Duties of the Secretary of the Grand Jury with respect to the same, and also relating to Specifications of

Provisions of 6&7 W.4. c.116. relative to Special Presentment Sessions to extend to Sessions held under this Act.

of proposed Works, and to Applotments by the County Treasurer of the several Sums required by such Applications, and also relating to the Powers, Duties, and Authorities of the Secretaries of Grand Juries, County Surveyors, Clerks of the Crown, and Clerks of the Peace, and all other Officers respectively, shall, as amended by an Act passed in the Seventh Year of the Reign of His said late Majesty King *William the Fourth*, intituled *An Act to amend an Act passed in the Seventh Year of the Reign of His present Majesty, for consolidating and amending the Laws relating to the Presentment of public Money by Grand Juries in Ireland*, as far as the same are applicable or may be necessary for carrying out the Provisions of this Act, and not inconsistent with such Provisions, extend to all Proceedings respectively to be had under the Provisions of this Act in as full and ample a Manner to all Intents and Purposes as if the same were herein repeated and enacted, unless where other Provisions are hereby substituted; and further that the said Justices or Justice and Cess-payers shall sit *de die in diem* until all the Business which may come before them shall be concluded; provided that in any such Declaration to be made by any such Justice or Cess-payer the Title of this Act shall be inserted together with the Title of the said Act of the Sixth and Seventh Years of King *William the Fourth*.

7 W. 4. &
1 Vict. c. 2.

IV. And be it enacted, That the Justices and Cess-payers associated at each Extraordinary Baronial Presentment Sessions shall select One of the said Cess-payers for every Barony for which such Sessions are appointed to be associated with the Justices of the County as a Member of the Extraordinary County Presentment Sessions; and the Secretary of the Grand Jury shall make out a List of the Persons so chosen at each such Baronial Sessions, and shall forthwith notify the same and the Day appointed for such County Sessions to them, and shall read out the same List previous to the Appointment of the Chairman for the Extraordinary County Presentment Sessions; and the Persons so chosen shall, together with the Justices as aforesaid, form the Extraordinary County Presentment Sessions; and every such Justice or Cess-payer shall make a like Declaration respectively as in the Case of Extraordinary Baronial Presentment Sessions is provided.

One Cess-payer shall be selected at each Extraordinary Baronial Sessions, and shall, with the Justices, constitute the Extraordinary County Presentment Sessions.

V. And be it enacted, That all Applications for Works, the Expence whereof it may be proposed as aforesaid to levy off any Barony, shall be made at such Baronial Presentment Sessions as shall be holden for such Barony, and that such Applications shall be for any one or other of the following Matters, and no others; (that is to say,) the lowering a Hill or filling a Hollow, or both, on any public Road, and the making a Road thereon with Stones and Gravel, the building, rebuilding, repairing, enlarging any Bridge, the Cost of which shall not exceed Fifty Pounds, or any Pipe, Arch, or Gullet built of Stones or Brick, or Wood under or on any such Road, or filling or gravelling over any such Bridge, Arch, Pipe, or Gullet, or for building or repairing any Wall or Part of a Wall necessary to the Support of, or to prevent any steep Bank of Earth from falling upon any such Road, or in erecting any Fence, Railing, or Wall for the Protection of Travellers from dangerous Precipices or Holes lying on the Side of any public Road, the widening of any public Road to a Breadth not more than

Applications for Presentments on any Barony to be made at the Baronial Sessions. Matters for Application.

than Forty Feet, the gravelling, macadamizing, paving, fencing, repairing, or otherwise improving any Part of any public Road, filling up Grips or Trenches on any public Road, making sufficient Fences instead thereof, the filling Dikes or Holes on the Sides of any public Road, or for making, widening, or deepening Drains on the Side of any such Road, and carrying off the Water therefrom, the making or repairing of the Footpaths along the Side of any County Road, and the making or repairing of any Sewer or Channel along the Side of any Part of a public Road lying within any Town or Village.

Applications shall be considered and decided on at such Baronial Sessions, who shall then adjourn, &c.

If proposed Work approved, the County Surveyor to prepare a Form of Tender for the Execution thereof, with Specifications, &c., and deliver the same to the Secretary of the Grand Jury.

VI. And be it enacted, That at each Extraordinary Baronial Presentment Sessions to be holden as herein-before provided the Justices and Cess-payers associated in the Business of such Sessions shall take into consideration all such Applications as may be laid before them in manner aforesaid and examine into the posting or serving of the Notices of all such Applications, when a Notice shall be necessary, and into the Merits of such Applications, and the Conformity thereof with the Provisions of the said recited Acts and this Act; and the said Justices and Cess-payers shall, after such Examination, decide by Majority of Voices upon every such Application, and whether the same ought to be adopted or rejected, and whether wholly or in part, or conditionally, in the event of the Expence thereof not exceeding a certain specified Sum, and what Modification thereof, if any, may be proper; and if such Justices and Cess-payers shall approve of any proposed Work, either wholly or in part, or conditionally, or of any Modification thereof, they shall, where necessary, save in the Case of Applications herein-after otherwise provided for, direct the County Surveyor to prepare a proper Form of Tender for the Execution of the same, together with such Specifications, Maps, Plans, Sections, or Elevations as may be necessary, expressing the Nature and Extent of such Works, and if the Sessions shall so direct, the Quantity *per* Perch, and the Description of the Materials proper to be employed in performing and executing the same, and the Term within which such Work ought to be completed, and such other Particulars as said Justices and Cess-payers shall think fit; and such Chairman shall endorse all Applications accordingly which shall be adopted and approved, and sign his Name thereto, and deliver all such Applications so endorsed to the Secretary of the Grand Jury; and such Surveyor shall deliver such Form of Tender, Specifications, Maps, Plans, Sections, or Elevations in respect of the Work to which each Application shall relate, as soon thereafter as the same can be conveniently prepared, to the Secretary of the Grand Jury; and the said Justices and Cess-payers shall adjourn such Sessions until some Day not sooner than Fourteen Days after the Day fixed for the Extraordinary County Presentment Sessions.

Secretary of the Grand Jury to have Schedules of approved Applications printed and distributed, and lay the same

VII. And be it enacted, That so soon as may be possible after the Extraordinary Baronial Presentment Sessions shall have been holden at all the Places and Times appointed therefor in any such County the Secretary of the Grand Jury shall prepare and make Schedules of the Contents of all Applications approved of wholly or in part, and which may have been delivered to him for such Purpose by the Chairman at each such Sessions; *videlicet*, One Schedule

Schedule for each Barony of all such Applications for Works proposed to be levied upon each such Barony, arranging all such Applications in alphabetical Order, and noting on the Face of each Schedule the Particulars of the Decision of the Extraordinary Baronial Presentment Sessions on each Application; and such Secretary shall forthwith cause Copies of such Schedules to be printed and distributed in such Manner as shall have been authorized and directed by such Grand Jury Presentment as herein provided; and the said Secretary shall on the Day when the Extraordinary County Presentment Sessions shall be assembled, as herein directed deliver One Copy of the said printed Schedules, together with the several printed Applications, with any Specifications, Maps, Plans, Sections, or Elevations of the Works to which such Application shall relate, which shall have been prepared by the County Surveyor, annexed thereto, to the Chairman of such Sessions; and the said Secretary shall keep another Copy of the said Schedules in his Office for the Inspection of the Public during Three complete Days at least immediately before the Day when such Sessions shall be first assembled.

VIII. And be it enacted, That the Justices and Cess-payers at such Extraordinary County Presentment Sessions shall at the Time appointed proceed to transact all Business relating to Public Works and Contracts within the County, and to consider and decide upon all Applications which shall be made for Works, as herein-before provided, in the Order in which the same shall be entered in the Schedules to be prepared as aforesaid, where they may deem it necessary, lessening the Amount or altering the Time for executing each Work, and examining all Maps, Plans, Estimates, and Specifications relating to each Application; and the said County Sessions shall be attended by the Secretary of the Grand Jury, and by the County Surveyor or Surveyors, and shall hear and receive and direct to be read aloud in open Court the several Reports and Certificates of such Surveyor or Surveyors, and shall have Power and Authority at their Discretion to receive and obtain all legal and pertinent Evidence which shall be tendered to them for or against the making any Presentment, or in anywise relating thereto, or concerning any Public Work authorized to be executed under this Act, or any Contract for or in respect of any of the Matters aforesaid; and such Extraordinary County Presentment Sessions are hereby authorized and empowered, if they shall think fit, to make Presentments for all or any of the Works, and the Expence thereof, hereby authorized to be applied for, and for which an Application shall have been made and approved, either wholly or in part, at the Extraordinary Baronial Presentment Sessions as herein-before provided, and specifying in all such Presentments the maximum Amount which shall be raised for the Execution of any such Work, and the Barony off which such Amount is to be raised; and the said County Presentment Sessions shall sit *de die in diem* until all the Business which may come before them of the Nature hereby described be despatched; and every such Presentment so made by such County Sessions shall be as valid and effectual for the Purposes of this Act as if the same had been duly presented by the Grand Jury, and fiated by the Court at any Assizes.

before the Extraordinary County Sessions;

and also keep a Copy in his Office for Inspection.

Such Extraordinary County Sessions shall consider Applications, and make or refuse Presentment thereupon, fixing Amount and Time for Execution of Works.

IX. And

Secretary of the Grand Jury to advertise his readiness to receive Tenders and Proposals for the Execution of such Works, and that Forms of such Tenders may be had at his Office.

Tenders to be delivered in sealed, or in Envelopes.

At the adjourned Extraordinary Baronial Sessions the Tenders shall be opened and dealt with.

IX. And be it enacted, That the Secretary of the Grand Jury shall immediately after the Conclusion of such County Presentment Sessions, upon being furnished by the County Surveyor with the Specification or Form of Tender for the Execution of any such Work as aforesaid, and the Maps, Plans, Sections, and Elevations belonging thereto, notify, by public Advertisement or otherwise, in the usual Manner as such County Sessions shall have directed, his Readiness to receive sealed Tenders and Proposals for the Execution of such Work during such Period as shall have been appointed for the Reception of the same, and the Time to which the Extraordinary Baronial Presentment Sessions respectively has adjourned for the opening of such Tenders and Proposals, and that Forms thereof may be obtained at his Office or elsewhere ; and such Secretary shall accordingly cause to be printed and prepared a sufficient Number of Forms of such Tenders and Proposals, and furnish to any Person who shall demand the same a Copy thereof, receiving therefor the reasonable Cost of preparing the same, not exceeding the Sum of Three-pence, and also take such other Means as such County Presentment Sessions shall direct for placing such Forms within reach of Persons who may have Occasion to use them ; and each of such Tenders and Proposals shall be returned to him sealed, or in an Envelope, and shall contain a Statement of the lowest Sum for which the Party making such Proposal is willing to contract for the Performance of the Work or Works specified and described in such Notification, and shall be subscribed with the Name, Description, and Residence of the Party so desirous to enter into such Contract, and also the Names, Descriptions, and Residences of not less than Two sufficient Persons willing to be bound jointly and severally with him for the due and faithful Performance of the said Contract, within the Time and in the Manner hereby prescribed, in a penal Sum double the Amount of the said Sum mentioned in such Tenders and Proposals if the said Sum shall not exceed One thousand Pounds, but if such Sum shall exceed One thousand Pounds then in a penal Sum exceeding the Sum mentioned in such Tenders and Proposals by One thousand Pounds in addition thereto ; and all Maps, Plans, Sections, and Specifications relating to any such Work prepared by the County Surveyor shall be open to public Inspection in the Office of such Secretary without Fee or Reward.

X. And be it enacted, That at the Meeting of each such adjourned Extraordinary Baronial Presentment Sessions as aforesaid the Secretary of the Grand Jury shall in open Court produce, duly numbered and arranged, and with the Seals unbroken, all the Tenders and Proposals which may have been delivered to him, and shall open consecutively all those relating to the same Public Work ; and so soon as the lowest Proposal made for the Performance of each such Work shall be ascertained, the Party making such Proposal and his Surety shall be called, and if the said Party and his Sureties shall appear, and shall satisfy the Justices and Cess-payers at such Baronial Sessions, upon Oath or otherwise, of the Sufficiency and Ability of each and every of them to answer and make good the Penalty herein-before specified for the Nonperformance of such Contract, and that such Proposal has not been made for any unfair or fraudulent Purpose, and shall thereupon

thereupon enter into Security for the due Performance of such Contract, conditioned in such Penalty as aforesaid, in the Manner and subject to the Provisions in the said recited Act of the Sixth and Seventh Years of King *William* the Fourth directed and contained, such Proposal shall be accepted, and the Party making the same shall be declared entitled to execute the Work to which such Proposal may refer, unless there shall appear some Reason for rejecting it; but if the Party making such Proposal, and his Sureties, shall not appear when called, or shall fail to satisfy the Justices and Cess-payers at such Sessions in any of the Particulars aforesaid, or shall decline to enter into such Security as aforesaid, or if such Presentment Sessions shall see Cause to reject it, then and in such Case the Proposal of the Party making default as aforesaid shall be deemed null and void to all Intents and Purposes whatsoever, and the next lowest Proposal shall be ascertained and dealt with in the same Manner, and so on till the said Security shall be entered into, and the Contract duly completed: Provided always, that if no Proposal shall be made in respect of any Work within the Time limited for receiving such Proposals, or if no Proposal or Tender shall be approved of by such Presentment Sessions, it shall and may be lawful for the said Presentment Sessions, if they think proper, to give such Work in charge to the County Surveyor, with Power to expend a Sum not exceeding the Maximum fixed as aforesaid; and such County Surveyor shall cause such Work to be executed, and shall account for the Execution thereof to the Grand Jury at the following Assizes.

If no Tender or Proposal approved of, Work may be given in charge to County Surveyor.

XI. And be it enacted, That such Security so to be entered into by Contractors under this Act, and their Sureties, shall be a Recognizance to Her Majesty, Her Heirs and Successors, and of like Force, Validity, and Effect as other Recognizances made to the Queen's Majesty; and at such adjourned Baronial Presentment Sessions any Justices present, or the Chairman, are and is hereby authorized to take such Recognizance, and the Secretary of the Grand Jury shall prepare the same, and come provided therewith, so as to prevent Delay; and the Expence of preparing the same, not exceeding Sixpence, shall be defrayed by the Party or Parties entering thereinto; and such Recognizance shall be preserved in custody of such Secretary until the Condition of such Recognizance shall have been fulfilled, and shall then be delivered up to the Contractor or Contractors therein named, or to any Person by him or them duly authorized, to be cancelled.

Form of Security.

XII. And be it enacted, That the Secretary of the Grand Jury shall have charge of all such Contracts as aforesaid, and shall provide and keep a Book in which he shall insert an Abstract of all such Contracts, setting out the Names of the several Contractors, and the Particulars of each Contract; and all Contracts so entered in such Book shall be numbered; and every such Book shall have an alphabetical Index referring to the Number of each Contract; and such Secretary of the Grand Jury shall, as soon as may be afterwards, prepare Schedules of all Applications so contracted for, approved of, and presented for as aforesaid, and cause the same to be printed and distributed in the same Manner as he is by the said recited Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth required to do with

Secretary of the Grand Jury shall keep a Book, with Particulars of Contracts; and shall prepare Schedules, &c.

respect to Applications approved of at Presentment Sessions, and shall immediately thereafter deliver all such Applications so presented for to the Clerk of the Crown for the County, County of the City or County of the Town to which they shall relate, who shall preserve the same, and within Seven Days after such Delivery deliver to the Treasurer of such County, County of a City, or County of a Town, without Fee or Reward, a Copy thereof, attested upon Oath, and signed by himself; and such Treasurer shall return the same to the Foreman of the Grand Jury at the Time when they shall be first impannelled at the ensuing Summer Assizes; and all and every the Powers, Authorities, or Provisions given or contained in the said recited Acts in relation to Works or the Execution of the same, and the raising and levying the Expence of the same, shall, as far as the same are applicable, and not inconsistent with this Act, extend and be applied in relation to the Works to be executed under this Act, or to the raising or levying Money for the Payment of the Expence of the same; and the several Forms in the Schedule to the said first-recited Act contained shall be used and applied, or altered and made applicable as Occasion may require, in or in relation to the several Proceedings under this Act.

Powers of former Acts applied.

Forms.

Treasury may make Advances by way of Loan in respect of Works approved of.

XIII. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury, on Application to them in that Behalf, to make Advances, not exceeding in the whole the Sum of One hundred thousand Pounds, by way of Loan, at such Rate of Interest, not exceeding the Rate of Five Pounds *per Centum per Annum*, as they shall think fit, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, arising in *Ireland*, to defray the Expence of any Public Work or Works the Execution of which shall have been approved of and presented under the Provisions herein in that Behalf contained, or of any Work presented for by a Grand Jury under the Provisions of any Acts relating to the Presentment of public Money by Grand Juries in *Ireland*, save any Gaol, Court House, Hospital, Infirmary, or Bridge, the Cost of which Bridge shall exceed Fifty Pounds; and that when and so soon as any Application for such Works as aforesaid shall have been duly certified to the said Commissioners of the Treasury by the acting Clerk of the Crown to have been duly approved of, and presented according to the Provisions of any of the said last-mentioned Acts or of this Act, it shall and may be lawful for the said Commissioners from Time to Time to make, upon the Credit of such Application so approved of and presented as aforesaid, any Advance they may think fit; and that any such Money advanced under the Authority of this Act shall be delivered or paid by such Officer or Person and in such Manner as the said Commissioners shall think fit, and by such Instalments as may be necessary, to the Treasurer of the County, County of a City, or County of a Town in which the Works in respect of which such Advances shall be made shall have been or are intended to be executed, and shall be accounted for by him in like Manner as any other Monies by him received for the Use of such County, County of a City, or County of a Town, and all Securities given or to be given by him or on his Behalf shall extend to such Money;

Monies advanced to be paid to the Treasurer of the County, &c., who shall account for the same.

Money; and every such Treasurer shall also from Time to Time, and at all Times when thereunto required by the said Commissioners of Her Majesty's Treasury, furnish to the said Commissioners, as they may direct, an Account of all his Disbursements and Receipts in respect of such Advances.

XIV. And be it enacted, That the Treasurer of each County, County of a City, or County of a Town shall deliver to the Chairman of such Extraordinary County Presentment Sessions, or Extraordinary Presentment Sessions, on the assembling thereof, a List, signed by himself, of all Presentments made at the then last Assizes for such County, County of a City, or County of a Town, and of all Queries remaining undischarged in respect of Grand Jury Presentments for such County, County of a City, or County of a Town, and the Amount of the County Funds then in his Hands, or invested in Exchequer Bills for or on behalf of the said County; and the Secretary of each Grand Jury shall deliver to such Chairman a List, signed by himself, of all Contracts theretofore entered into by such Grand Jury, on Foot of which any Sums shall appear to be due, setting out the Names of the several Contractors, the Particulars of each Contract, and in the Case of Roads the Places whence and to which each Road contracted for leads, and where each Road under Charge of a Contractor commences and ends, or the Names of the Occupiers of the adjoining Lands, and the Number of Perches of Road included in such Contract, and the Rate *per* Perch and the whole annual Sum which each Contractor is to be paid, and the Period for which each Contract is made.

Treasurer of the County to furnish a List of all Presentments, and of all undischarged Queries.

Secretary of the Grand Jury to furnish a List of all Contracts, and the Particulars thereof.

XV. And be it enacted, That in Cases where the Cost of executing any public Work shall exceed Twenty Pounds it shall and may be lawful for the Justices, or Justice and Cess-payers, at any such Extraordinary County Presentment Sessions, or, in the Case of a County of a City or County of a Town, at the Meeting of the Extraordinary Presentment Sessions, to authorize the Treasurer of the County, County of the City, or County of a Town, out of any Funds applicable to the Purpose, to advance from Time to Time during the Execution of the Work to the County Surveyor to whom any Work shall be given in charge as aforesaid, or to the Contractor for any such County Work applied for and presented under this Act, or presented under any other Act for the Regulation of Grand Jury Presentments in *Ireland*, upon his Application, any Sum or Sums not exceeding in the whole Three Fourths of the Cost of such Work; provided that no such Advances shall be made by such Treasurer unless such Application shall be accompanied by a Certificate attached thereto, and signed by the County Surveyor, that more than the Sum applied for by such Contractor, in addition to any previous Advances made to him for such Work, has been fairly and honestly expended upon it conformably to the Contract.

Advances may be made to Contractors in certain Cases, not exceeding Three Fourths of the Cost of the Work.

XVI. And be it enacted, That any Person who may have contracted for the Execution of any Work under this Act, or under the said recited Act of the Sixth and Seventh Years of King *William* the Fourth, or any Act amending the same, save in the Case of any Gaol, Court House, Hospital, Infirmary, or any Bridge, the Cost of which Bridge shall exceed Fifty Pounds,

Contractors to procure Certificate from County Surveyor of the Completion of the Work.

may, on the Completion of the Work for which he may have contracted, if completed within the present Year, give Notice thereof by Post, addressed to the County Surveyor at his Office, who shall, either by himself or his Assistants, within Fifteen Days from the Receipt of such Notice, examine the Work so represented to be completed, and in case he shall be fully satisfied of the due Execution of such Work, but not otherwise, shall grant his Certificate of Approval thereof to such Contractor, which Certificate shall set forth the Amount to be paid, and the Description or Number of the Contract on account of which Payment is to be made.

On Production of such Certificate to the County Treasurer he shall give a Draft for the Amount thereof.

1 & 2 Vict. c. 53.

XVII. And be it enacted, That the Treasurer of such County shall thereupon, upon the Production to him of such Certificate, give to the Person entitled to such Payment a Draft for the Amount thereof, which Draft shall contain a Specification of the Purposes for which the same shall have been drawn, and of the Person to whom it is payable, and when so signed it shall be the Authority for the Bankers in whose Bank the County Funds may be deposited to pay the Amount thereof, any thing in an Act of the First and Second Years of Her present Majesty's Reign, intituled *An Act to amend an Act of the last Session of Parliament, for providing more effectual Means to make Treasurers of Counties and Counties of Cities in Ireland account for public Monies, and to secure the same, to the contrary in anywise notwithstanding*; and such Draft shall be as valid to all Intents and Purposes as any Draft for the Payment of any Money given under the said last-mentioned Act; provided that after the Expiration of this Year the Contractors for any such Works shall make Application for and receive Payment, subject to the Provisions and Regulations of the Acts relating to the Presentment of public Monies by Grand Juries in *Ireland*.

Presentment for Printing, &c.

XVIII. And be it enacted, That the Treasurer of every County, County of a City, or County of a Town in which this Act shall come into operation shall include in his Account, to be furnished to the respective Grand Jury at the next Summer Assizes, the Cost of all Copying, Printing, and other Proceedings of a like Nature required under the Provisions of this Act, who shall, at such next Summer Assizes, and they are hereby required to present, to be levied off the County at large, such Sum as shall be necessary to defray the same, and shall also present, to be levied off the County at large, to be paid to the Secretary of the Grand Jury, and to the County Surveyor or his Assistants, such Sums of Money as shall be actually incurred by them respectively for their Expences out of Pocket in or in respect of their respective Attendance at any such Extraordinary Presentment Sessions as herein provided.

Advances from Treasury to be repaid by compulsory Presentment.

XIX. And be it enacted, That the Monies so from Time to Time to be advanced, pursuant to the Provisions of this Act, by the Commissioners of Her Majesty's Treasury, for the Execution of any such Public Works in any County, County of a City, or County of a Town, or City and County, shall be repaid by Grand Jury Presentments at such Time or Times and in such Manner and with such Interest (not exceeding the Rate aforesaid) as the said Commissioners of the Treasury shall appoint and direct; and
the

the said Commissioners shall from Time to Time cause to be certified to the Secretary of the Grand Jury of each such County, County of a City, and County of a Town the Money so to be repaid; and each such Secretary shall lay such Certificate before the Grand Jury of such County, County of a City, or County of a Town at the next Assizes or Presenting Term after he shall receive the same; and it shall be lawful for every such Grand Jury and they are hereby required to present the Sum mentioned in every such Certificate to be raised either off the County at large or off the respective Baronies or Half Baronies in respect whereof the Works for which any such Monies shall be so advanced by the said Commissioners shall have been presented by the Extraordinary County Presentment Sessions as herein-before directed, or off the County of the City or County of the Town, as the Case may be; and the Treasurer of such County, County of a City, or County of a Town shall pay the Sum so presented when and as by him received to such Bank or Person, and to such Account or in such Manner, as the said Commissioners of the Treasury shall direct: Provided always, that if the Grand Jury of any County, County of a City, or County of a Town shall fail to present the Sum or any Part thereof contained in any such Certificate, the Treasurer of such County, County of a City, or County of a Town shall and he is hereby required to insert such Sum or such omitted Part thereof in his Warrant for raising the Monies presented at the same Assizes as if such Sum had been duly presented by such Grand Jury to be raised off the County at large, or County of a City or County of a Town, as the Case may be, and the same shall be raised and levied off such County, County of a City, or County of a Town accordingly as if the same had been so presented, and the said Treasurer shall pay over the Amount when by him received as herein-before provided in the Case of such Money being presented; and all the Provisions of the said recited Act of the Sixth and Seventh Years of His late Majesty King *William* the Fourth with reference to the raising, Applotment, Collection, Levy, or Recovery of Grand Jury Cess shall, as far as the same are applicable, apply to all such Sums of Money so inserted in such Warrant: Provided also, that in all Cases in which any of such Monies shall have been advanced by the said Commissioners for or on account of any Works for which Presentment shall have been theretofore made by a Grand Jury, the Treasurer of the respective County, County of a City, or County of a Town shall from Time to Time pay to such Bank or Person as the said Commissioners shall direct all such Sums as shall from Time to Time be received by him from the Baronial or other Collectors by virtue of the Presentment on account of which such Money shall have been advanced, until the whole Sum so advanced shall be repaid.

In case the
Grand Jury
fail to present.

Treasurer to
pay into Bank
all Advances
received from
Collectors.

XX. And be it enacted, That every Contractor for the Execution of any County Work shall pay his Labourers or Artificers in Money, and at Intervals of not more than Fourteen Days; and if any Contractor shall directly or indirectly attempt to persuade or induce any Labourer in the Employment of such Contractor to take Goods in lieu of such Wages, or to expend his Wages in any particular Shop, or for any particular Purpose, he shall be

Contractors
shall pay La-
bourers in
Money and not
in Goods, and
at Intervals of
not more than
Fourteen Days.

liable to be summoned before the Justices assembled at any Petty Sessions on Complaint of the Party aggrieved, or any other Person, and such Justices are hereby authorized to hear such Complaint, and adjudicate thereon; and if such Contractor shall be convicted thereof he shall forfeit and pay such Sum not exceeding Five Pounds as to such Justices shall seem fit; and if any Contractor shall neglect to pay any Labourer in his Employment, at Intervals of not more than Fourteen Days, all Wages that may be due to him, save and except the Wages of One whole Week, he shall be liable to be summoned before the Justices assembled at any Petty Sessions, on Complaint of the Party aggrieved, for Recovery of any Wages or Money payable to any Person employed by him in the Execution of such Works, so as the Sum demanded shall not exceed Six Pounds, and such Justices assembled as aforesaid are hereby authorized and required to hear such Complaint, and adjudicate thereon and it shall be no Defence to such Complaint that such Contractor has not himself received any Payment on Foot of his Contract, and the Decision of such Justices shall be final; and the Sum adjudged to be due shall be levied by Warrant of Distress, under Hand and Seal of any Two such Justices, off the Goods and Chattels of such Contractor.

Grand Jury to exercise Powers herein given, after Commission is opened.

XXI. And be it enacted, That it shall be lawful for each Grand Jury at such Spring Assizes to exercise the Powers given to them by this Act after and notwithstanding that Her Majesty's Commission at such Assizes shall have been opened, any thing in the said Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, or any Act or Acts notwithstanding.

If the Spring Assizes shall be concluded before the passing of this Act, or before due Notice of it, Grand Juries may be re-assembled.

XXII. And be it enacted, That in any and every Case in which it shall happen that the Spring Assizes in and for any such County, County of a City, or County of a Town shall have been concluded, or that the Grand Jury at such Assizes respectively shall have been discharged before the passing of this Act, or before any such Grand Jury shall have received sufficient Notice of the passing of the same, it shall and may be lawful for the Sheriff of such County, County of a City, or County of a Town, and such Sheriff is hereby authorized and required, in case he shall receive a Direction by Warrant, to be issued from Time to Time as may be necessary, under the Hand of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, so to do, to summon the several and respective Persons who shall have served as Grand Jurors upon the Grand Jury at such Spring Assizes of the present Year for such County, County of a City, or County of a Town to re-assemble and attend for the Purposes of this Act at the usual Place of holding Assizes upon a Day by such Sheriff to be fixed, not later than Ten Days from the Day on which such Sheriff shall have received such Warrant as aforesaid; and such Persons so summoned are hereby required to come and appear agreeably to the Exigency of such Summons, under the like Penalties and subject to the like Forfeiture of Issues as Persons heretofore summoned to appear and serve on Grand Juries at any Assizes in *Ireland*; and on the Day and at the Place appointed for such Attendance such Sheriff shall attend and proceed to call such Grand Jurors, and the Clerk of the Crown or his Deputy shall attend

attend at such Time and Place, and take a List of all such Grand Jurors so attending; but in case Twelve such Grand Jurors should not be so in attendance it shall be lawful for such Sheriff to call and summon to be associated with such Grand Jurors attending such Number of other Persons whose Attendance can be procured, and whose Names shall have been on the Grand Jury Panel for such Spring Assizes, as will be sufficient with such first-named Grand Jurors attending to make up a Number not less than Twelve and not exceeding Twenty-three; and such Grand Jurors so attending, not being less than Twelve in Number, or, as the Case may be, such Grand Jurors so attending together with such other Persons associated with them, shall have all the Powers and Authorities hereby given to the respective Grand Juries at the Spring Assizes of this Year for appointing any such Extraordinary Presentment Sessions as herein provided; and it shall be lawful for them, if they shall respectively so think fit, Twelve of them at the least assenting, by a Presentment, to appoint such Extraordinary Presentment Sessions respectively, and the Times and Places for holding the same, and the several Matters relating to the same, as herein-before provided; and any such Extraordinary Presentment Sessions so appointed shall be as valid, and have all such Powers and Authorities, and be subject to such Provisions, as if the same had been appointed by the Grand Jury at such Spring Assizes under the Provisions of this Act herein-before contained; provided that the Time to be so appointed for holding the First Extraordinary Baronial Presentment Sessions in each County, County of a City, or County of a Town shall not be later than Thirty Days from the Days so fixed for the respective Grand Juries to re-assemble.

XXIII. Provided always, and be it enacted, That in the Case of any County of a City or County of a Town the Extraordinary Presentment Sessions to be held for the same respectively under the Provisions of this Act shall in addition to the other Powers and Authorities hereby given to any Extraordinary Baronial Presentment Sessions, have and exercise at their first Meeting all the Powers and Authorities hereby given to any Extraordinary County Presentment Sessions; and no such Extraordinary County Presentment Sessions shall be held for any such County of a City or County of a Town under this Act, save such respective Extraordinary Presentment Sessions for such County of a City or County of a Town in this Provision and before mentioned, and the Adjournment thereof respectively as herein-before directed; and in the Construction of this Act, unless the Context or the Nature of the Case shall exclude such Construction, the Expression "Extraordinary Baronial Presentment Sessions," or "Baronial Sessions," shall, in the Case of a County of a City or County of a Town, mean and include such Extraordinary Presentment Sessions for such County of a City or County of a Town respectively, or the Adjournment thereof, hereby provided; and the Word "Treasurer" shall, as to the County of *Dublin*, mean and include the Finance Committee; and the Words "Assizes" or "Spring Assizes" shall, as to the said County of *Dublin*, mean and include the "Presenting Term."

In Counties of Cities or Towns the First Extraordinary Presentment Sessions to have the Powers herein given to Extraordinary County Sessions.

Interpretation of Act.

County Surveyors to assist in Works directed by the Lord Lieutenant.

XXIV. ' And whereas it may become necessary and expedient ' to provide further Employment for the labouring Poor of *Ireland* ' during the approaching Summer and Autumn, by the Execution ' of Works other than those presented for by the respective Grand ' Juries of the Counties wherein such further Works shall be ' required; and in order to assist in and facilitate the due Execution thereof it is desirable that the several County Surveyors and their Assistants, within their respective Counties, ' should superintend such Works, either wholly or in part, and ' subject to such Orders and Directions as may from Time to Time ' be issued to them by the Lord Lieutenant or other Chief ' Governor or Governors of *Ireland* for the Time being, or by ' the Commissioners of Public Works in *Ireland*; be it therefore enacted, That the several County Surveyors in *Ireland*, and their Assistants, do and shall at all Times, from and after the passing of this Act and until the Thirty-first Day of *December* next, or until the respective Works in this Provision mentioned shall be completed, in addition to all their other Duties, obey, perform, and execute either alone or conjointly with or subject to the Direction of any other Person or Persons to be appointed for that Purpose by the said Lord Lieutenant or other Chief Governor or Governors of *Ireland*, all such Orders and Directions as the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Time being, or the Commissioners of Public Works, shall from Time to Time issue and transmit to them or any of them respecting the planning, laying out, superintending, or overseeing any such Work or Works within their respective Counties as shall be specified in and by such Orders or Directions, or the disbursing any such Sum or Sums of Money which shall be placed at his or their Disposal for that Purpose, whether such Works shall be of a public or private Nature, and do and shall from Time to Time, and as often as he or they shall be so required, report to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or to the said Commissioners of Public Works, how and in what Manner he or they shall have executed such Orders and Directions, and disbursed such Sum or Sums of Money so to be issued and transmitted to him or them as aforesaid.

Act may be amended, &c.

XXV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

C A P. III.

An Act to encourage the Sea Fisheries of *Ireland*, by promoting and aiding with Grants of public Money the Construction of Piers, Harbours, and other Works.

[5th *March* 1846.]

' **WHEREAS** it is necessary, for the Encouragement and ' Promotion of the Deep Sea Fisheries of *Ireland* as a ' Source of Employment and Food, to provide Funds, partly by ' way of Grant, and partly by way of Loan, for the Construction ' or Repair of small Harbours, Piers, Quays, and Landing Places, ' and

‘ and other Works in connexion therewith, or of a like Nature,
 ‘ and to establish a System whereby the Co-operation of Parties
 ‘ interested may be obtained for securing the Repayment (by In-
 ‘ stalments or otherwise) of such Portion of such Funds as shall
 ‘ be advanced by way of Loan for the said Purposes: And whereas
 ‘ it is expedient, with a view to prevent Delay and Expence as to
 ‘ Inquiry into the Titles of and Incumbrances upon the Estates of
 ‘ Parties interested in or benefited by such Works, to define and
 ‘ declare the Mode in which the Repayment of such Sums so lent
 ‘ shall be secured: And whereas it is expedient that Provision
 ‘ be made for the Repair, Maintenance, or Improvement of such
 ‘ small Harbours, Piers, Quays, and Landing Places, and other
 ‘ such Works as at present exist, which may be useful for Fish-
 ‘ eries, or which have been wholly or in part constructed with
 ‘ public Money advanced for the Purposes of the Improvement of
 ‘ the Fisheries of *Ireland*, and for the Maintenance of which there
 ‘ are now no specific Funds; and it is expedient that the necessary
 ‘ Provisions for such Purposes be consolidated into and contained
 ‘ in One Act:’ Be it therefore enacted by the Queen’s most Ex-
 ‘ cellent Majesty, by and with the Advice and Consent of the
 ‘ Lords Spiritual and Temporal, and Commons, in this present Par-
 ‘ liament assembled, and by the Authority of the same, That the
 ‘ Commissioners of Public Works in *Ireland* for the Time being
 ‘ shall be Commissioners for the Execution of this Act; and that it
 ‘ shall and may be lawful for the Commissioners of Her Majesty’s
 ‘ Treasury of the United Kingdom of *Great Britain* and *Ireland*,
 ‘ by Warrant under the Hands of any Three or more of them, if
 ‘ they shall so think fit, to appoint during Pleasure the Person who
 ‘ for the Time being shall be a Commissioner of Fisheries, appointed
 ‘ by the Commissioners of Her Majesty’s Treasury under an Act
 ‘ passed in the last Session of Parliament, intituled *An Act for the*
 ‘ *further Amendment of an Act of the Sixth Year of Her present*
 ‘ *Majesty, for regulating the Irish Fisheries*, to be associated with
 ‘ the said Commissioners of Public Works for the Time being, and
 ‘ with them to be a Commissioner for the Execution of this Act;
 ‘ and all and every the Powers and Authorities by this Act given
 ‘ to or vested in the said Commissioners for the Execution of this
 ‘ Act may be exercised by any Two or more of them.

II. And be it enacted, That all and every the like Powers and
 ‘ Authorities and Privileges in and by an Act of the First and
 ‘ Second Years of the Reign of His late Majesty King *William* the
 ‘ Fourth, intituled *An Act for the Extension and Promotion of*
 ‘ *Public Works in Ireland*, or any Act or Acts amending the same,
 ‘ vested in or given to the said Commissioners of Public Works for
 ‘ the Purposes of said recited Acts, shall be vested in, given to, and
 ‘ used and exercised by the Commissioners for the Execution of
 ‘ this Act; and the said Commissioners for the Execution of this
 ‘ Act may and shall in all Cases sue and be sued in the Name of
 ‘ the Secretary of the Commissioners of Public Works in *Ireland*
 ‘ for the Time being for and on behalf of the said Commissioners
 ‘ for the Execution of this Act; and that in all Indictments, or
 ‘ Criminal or Civil Proceedings, the Name “Commissioners of Pub-
 ‘ lic Works in *Ireland*” shall be a sufficient Description of the said
 ‘ Commissioners for the Execution of this Act; and that no such

Action

Commissioners.

—
 Appointment of
 Commissioners.

8 & 9 Vict. c. 108.

Powers of Com-
 missioners.

1 & 2 W. 4. c. 33.

Action or Suit at Law or in Equity shall abate or be discontinued by the Death or Removal of such Secretary ; and such Secretary for the Time being shall be deemed the Plaintiff or Defendant in such Action or Suit, as the Case may be ; and the several Provisions in the said recited Acts contained as to Actions or Suits brought or instituted by or against the said Commissioners of Public Works, and the Proceedings therein, shall extend and be applied to any Action or Suit brought or instituted by or against the Commissioners for the Execution of this Act.

Grants.

Grants may be made by the Treasury, not exceeding 50,000*l.*, for the Purposes of this Act.

III. And be it enacted, That it shall and may be lawful for the Commissioners for the Execution of this Act, by and with the Consent and Approbation of the Commissioners of Her Majesty's Treasury, for the Purposes of this Act, to make Advances by way of Grant to an Amount not exceeding in the whole the Sum of Fifty thousand Pounds, and for the said Commissioners of Her Majesty's Treasury to cause to be issued from Time to Time as they may find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, any Sum or Sums of Money not exceeding in the whole the said Sum of Fifty thousand Pounds, to be applied to the Purposes of this Act in the Manner and on the Conditions hereinafter mentioned and specified concerning the same.

Conditions of such Grants.

IV. And be it enacted, That the Conditions upon which any such Grants as aforesaid, under the Provisions of this Act, shall be made, shall be as follows ; (that is to say,)

First.—That any such Grants may be made for constructing, erecting, or making, reconstructing, repairing, or improving, on or near the Sea Coast of *Ireland*, such small Harbours, Piers, Quays, Landing Slips or Places, and Roads of Approach thereto respectively, and such navigable Cuts through Shoals, or for connecting adjacent Bays or Inlets, and such Engines, Beacons, or small Harbour Lights, and other Works of a like Nature respectively, as the said Commissioners shall deem necessary or useful for the Encouragement and Promotion of the Sea Fisheries of *Ireland* :

Second.—That such Works shall be executed, constructed, maintained, and kept in repair by and under the Directions of the said Commissioners for the Execution of this Act, and such Works shall, with any Lands purchased or acquired under the Provisions of this Act, be deemed and taken to be public Property, and be for that Purpose absolutely vested in the said Commissioners and their Successors :

Third.—That any Grant for any one such Work shall not exceed in the whole the Sum of Five thousand Pounds :

Fourth.—That the Amount of any such Grant shall not exceed Three Fourths of the total actual Cost of any such Work, and that such Grant shall be made only upon the Condition that the Repayment of the Residue of the total actual Cost of such Work, with Interest, shall be secured, or agreed to be secured by the County, District, or Proprietors of Lands which or who, as herein-after directed, ought in the Opinion of the said Commissioners to provide for securing the same.

Loans.

Loans to be made by the

V. And be it enacted, That in all Cases of Grants of Money, under the Provisions of this Act, for defraying a Portion of the
total

total actual Cost of such Works, the Amount of the Residue of such Cost shall, with the Approval of the Commissioners of Her Majesty's Treasury, be supplied and advanced out of any Monies applicable to Loans at the Disposal of the said Commissioners of Public Works under the Provisions of the said recited Act, or any Act or Acts amending the same; and the Repayments of such Residue so lent and advanced, with Interest thereon at such Rate as the said Commissioners of the Treasury shall approve, shall be received and recovered in such Manner as herein-after provided, and when so received or recovered shall be paid over and applied as by the said first-recited Act, or any Act or Acts amending the same, Repayments of Loans for Public Works are directed to be paid over and applied.

Commissioners of Public Works to defray the Residue of the Cost of Works.

VI. And be it enacted, That it shall and may be lawful for any Person residing or being Proprietor or Occupier of Land in any District or Place adjacent to the Sea Coast of *Ireland* to apply by Memorial to the said Commissioners, stating the Advantage of or the Necessity for the Construction of any such Work as aforesaid or the Improvement of any such existing Work, and praying that such District or Place may be examined, and such Works, or such other Works in lieu thereof as the Commissioners shall deem fit, may be executed under this Act, and by such Memorial undertaking, in the event of any such Works, or other Works in lieu thereof, not being duly approved of or proceeded with by the said Commissioners, to defray the Expences of any preliminary Survey and Examination which may be requisite; and the said Commissioners shall cause to be entered in a Book to be by them for that Purpose provided a List of all such Applications as shall be made to them by Memorial as aforesaid, with the Particulars of each Case, and the principal Proceedings thereon.

Preliminary Proceedings.

Application by Memorial for the Execution of Works.

VII. And be it enacted, That on the Receipt of any such Memorial as aforesaid it shall be lawful for the said Commissioners, if they shall so think fit, to order a Survey or Examination to be made of such District or Place, and a Report, Plan, and Estimate of the necessary Work, and the Costs thereof, to be prepared, or to adopt any existing Survey, Report, Plan, or Estimate concerning the same, and, without being limited to any Proposition contained in any such Memorial, or to the District or Place described in any such Memorial, to select and determine, in case of new Works, the Site, Position, and Plan thereof, or, in the Case of existing Works, the Mode of Improvement thereof, which respectively, under all the Circumstances of the Case, shall in their Opinion be best suited to the Wants of such Place, or to the Purposes of this Act, in respect to that Part of the Sea Coast in or near to which such District or Place shall be situated.

Preliminary Survey, &c. to be made.

VIII. And be it enacted, That, for the Purposes of any Inspection, Survey, or Inquiry directed or necessary under any of the Provisions of this Act, it shall be lawful for the said Commissioners, by themselves, their Surveyors, Engineers, Agents, Officers, or Workmen, to enter upon any Lands or Premises in or adjacent to which it is proposed that any Works shall be executed under this Act, and, if necessary, to dig or bore therein, and also to examine any existing Works which it shall seem to them to be necessary to examine, and to make any Soundings, or bore

Commissioners, &c. may enter Lands for the Purposes of Survey or Inquiry.

*Preliminary
Proceedings.*

bore the Bed or Channel of any River, making reasonable Compensation for any Damage done thereby; and the Amount of such Compensation, in case of Dispute, shall be ascertained by Two or more Justices of the Peace at Petty Sessions in or for the District wherein any such Damage shall be committed, and they are hereby authorized and required to inquire into and determine the same, and for that Purpose to examine on Oath or otherwise all such Witnesses as shall be produced before them, and to make such Order as to them shall seem just for the Payment of the Amount of such Damage by the Commissioners to the Party aggrieved, which said Order shall be final and conclusive: Provided always, that the said Commissioners, their Surveyors, Engineers, Agents, Officers, and Workmen, may enter upon such Lands as aforesaid, and do all necessary Matters and Things by this Act authorized, previously to or pending the Decision of such Justices.

The Commissioners of the Treasury may make temporary Advances to the Commissioners under this Act for the Expences of preliminary Inquiries.

IX. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to cause to be issued as a temporary Advance, from Time to Time as they may find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Two thousand Pounds in any One Year, by way of Imprest, to the said Commissioners for the Execution of this Act, to be by them applied in providing for the Expences of procuring and prosecuting any such preliminary Examinations or Inquiries as herein-before mentioned; and in every such Case in which any Portion of such Monies so advanced and issued shall be so applied by the said Commissioners such Sum of Money shall be repaid to the Consolidated Fund by the said Commissioners (as in Cases of Repayments of Loans for Public Works) from and out of any Funds or Monies to be received, borrowed, or raised by them for defraying the Costs, Charges, and Expences incurred or to be incurred in the Execution of such Work: Provided always, that in any Case where the Expences of any such preliminary Investigation and Inquiry as aforesaid as to any proposed Works shall have been defrayed out of the Monies so advanced and issued as last aforesaid by the Commissioners of Her Majesty's Treasury, and the Presentment or Assents as required by this Act as to such Works shall not have been obtained within a Time to be limited by the said Commissioners, the Amount of such Expences shall be paid to the said Commissioners for the Execution of this Act by the Person or Parties who shall have applied by Memorial in such Case, and by said last-mentioned Commissioners be paid over to the Consolidated Fund in the Manner aforesaid.

Commissioners may report to Treasury, and recommend a Grant.

X. And be it enacted, That if upon any such Survey or Examination and Report as aforesaid the said Commissioners shall approve of the proposed Works, or any Modification of the same, or other Works in lieu thereof, and deem it fit to recommend that a Grant should be made for the Execution of the same, they shall forward to the Commissioners of Her Majesty's Treasury a Report upon such Case, with such Information as may be required, and their Recommendation of the Work approved of by them, and the Amount of Money which in their Opinion might properly be advanced by way of Grant for or on account of such Work; and

if the said Commissioners of the Treasury shall think fit provisionally to approve of the Work so recommended, or any Modification thereof, and the Amount of Grant recommended, or any Modification thereof, it shall be lawful for the Commissioners of the Treasury to signify their provisional Approval of the same respectively, and to specify the Time to be allowed for the Repayment, and the Rate of Interest to be chargeable upon such Sum of Money as may be required by way of Loan to defray the Residue of the total Cost of the Work so approved of by them, over and above the Amount of Money to be advanced for the same by way of Grant.

*Preliminary
Proceedings.*

XI. And be it enacted, That by such Survey or Examination as aforesaid, or otherwise, as the said Commissioners shall think fit, they shall ascertain and determine the County or Counties, the District, or the Lands of any Person or Persons, as the Case may be, which in their Opinion will be benefited by the proposed Works, and, having regard to the Regulations herein-after mentioned, ought in their Opinion to secure or become chargeable with the Repayment of such Portion of the total Cost of such Works as shall be advanced by way of Loan; and the said Commissioners shall, upon receiving from the Commissioners of the Treasury their provisional Approval as aforesaid, cause to be prepared a provisional Declaration under their Hands, describing, by Reference to Plans or otherwise, the Works proposed to be executed as provisionally approved of as aforesaid, and the estimated Cost thereof, with the respective Proportions of such Cost to be supplied by way of Grant and by way of Loan, and the Time of Repayment of and the Rate of Interest on such Loan, and the County or Counties, or the Extent of District, or Lands, which ought, in the Opinion of the said Commissioners, to secure or become chargeable with the Repayment of such Loan and the Interest thereon.

*Provisional
Declaration to
be made by
Commissioners
as to Works,
and Proportion
of Grants and
Loans for the
same.*

XII. And be it enacted, That the said Commissioners, in determining what "County," "Counties," "District," or "Lands" ought in their Opinion to secure or become chargeable with such Sums of Money with Interest thereon, as shall be advanced by way of Loan for any such Works, shall be guided by the Regulations following; (that is to say,)

*Regulations as
to the securing
of Loans.*

First.—If the Work on or near the Coast of any County or Counties be of such a Nature as to confer a general rather than a local Benefit, such as the Removal of Obstructions to Navigation, the opening of Passages through Shoals or between Rocks, the connecting of Bays or Inlets of the Sea, the Erection of Beacons in certain Cases, and other similar Works, such Loan ought to be secured by Grand Jury Presentment on such "County or Counties" at large:

*Case of
"Counties."*

Second.—If the Work, from its Nature and Extent, would afford Facilities for Commerce and Agriculture as well as Fisheries, or be calculated to produce a considerable Market for Fish and Trade arising thereout, and thus afford general as well as local Advantage, a Moiety of such Loan ought to be secured by Presentment on the County at large, and the other Moiety by the "District" adjacent to such Work, to be determined and defined as herein provided:

*Case of
"County" and
"District" con-
jointly.*

Third.

Case of " District."

Third.—If the Work be on or near the Shore of a cultivated or populous District or Island, or for such Reason or otherwise is calculated to confer important local Advantage, as a landing or shipping Place for agricultural or other Produce or Goods, as well as a Fishing Station or Market, such Loan ought to be secured and become chargeable on the adjacent " District," to be determined and defined as aforesaid :

Case of " Lands of Proprietors."

Fourth.—If the Work be situate in or near uncultivated or partially cultivated Lands, or in remote or thinly-peopled Districts, or be otherwise calculated to confer important Advantages on the Estates or Properties of Proprietors of Lands (as defined by this Act) to an Extent in the Opinion of the said Commissioners commensurate with the Amount of the Loan to be secured, then such Loan ought to be secured and become chargeable upon the " Lands" of such " Proprietors," as herein-after provided :

Case of " County," " District," and " Lands," or any Two of them conjointly.

Fifth.—If a Combination of the Circumstances and Advantages described in the foregoing Regulations should be found to exist, or in Cases where Piers or Harbours chiefly useful for the Refuge and Rendezvous of Fishing Vessels are constructed near remote Headlands or in Islands, the Amount of such Loan ought to be secured by and become chargeable on the " County or Counties," " District," or " Lands," in proportionate Parts accordingly.

Provisional Declarations, Plans, Estimates, &c. to be lodged for public Inspection.

XIII. And be it enacted, That the said Commissioners shall cause a Copy of such provisional Declaration, together with such Maps, Plans, Sections, and Estimates of the proposed Works as they shall think fit and sufficient, to be deposited for public Inspection at all reasonable Times, for a Period not less than Two Weeks, in such convenient Place or Places as the said Commissioners shall think proper within the County or Counties, or in or in the Vicinity of the District or Lands, as the Case may be, which it is proposed should become chargeable with the Repayment of any Money advanced by way of Loan for such Works ; and all Persons shall be at liberty to inspect or make Copies of or Extracts from such Declaration, Maps, Plans, Sections, or Estimates which may be so deposited ; and Notice of the Time and Place of such Deposit shall be published in some Newspaper usually circulated in the County, District, or Place in or near which said Work is proposed to be made or constructed, and posted in such public Places as the said Commissioners shall think fit within such County, or in or near such District or Place as aforesaid ; and by such Notice all Parties interested shall be required, on or before a Day therein to be named, not sooner than Two Weeks from such Publication and posting as aforesaid of such Notice, to transmit to the Secretary of the said Commissioners in *Dublin* their Objections (if any) in Writing to the said Declaration, Maps, Plans, Sections, and Estimates, and all other Objections which such Parties shall think fit to make with respect to any thing proposed to be done by the said Commissioners under the Provisions of this Act.

Meetings to hear Objections may be held in certain Cases.

XIV. And be it enacted, That in Cases in which the said Commissioners shall deem it expedient so to do they shall, by the Notice to be published and posted as aforesaid, or by a subsequent

quent Notice to be published and posted in like Manner, call One or more public Meetings of Persons interested or likely to be affected by any such proposed Works, or the Charge for the same, to be held on such Day or Days subsequent to the Expiration of such Period of Two Weeks at such convenient Place or Places as shall be specified in such Notice: Provided always, that if any such Meeting shall be called by any subsequent Notice as before mentioned such Meeting shall be held on a Day not sooner than Two Weeks from the Date of such subsequent Notice.

XV. And be it enacted, That in any Case where such Meeting shall be called, then, at the Time and Place named in such Notice as aforesaid, the said Commissioners, or One of them, shall attend, and shall have Power to adjourn from Time to Time, or hold such new Meeting as they shall deem necessary, and shall hear or inquire into, on Oath or otherwise, all such Objections as shall have been or shall then and there by any Person interested be made to such Declaration, Maps, Plans, Sections, or Estimates, or proposed Works, or Charge in respect of the same, and after having considered all such Objections as aforesaid they shall at such Meeting, or subsequently thereto, or in case no Meeting shall have been called or held then upon considering the Objections (if any) which shall have been made in Writing pursuant to such first-mentioned Notice as aforesaid, cause such Alterations (if any) as they may deem expedient to be made in such Declaration, Maps, Plans, Sections, or Estimates, and shall finally settle and sign the same, and shall cause such final Declaration, so settled and signed, to be printed, and a Copy thereof to be furnished to the Memorialists in such Case, or to such Persons interested as they shall think fit, or who shall apply for the same: Provided always, that if the Commissioners shall deem it expedient to alter such Declaration in any Matter or Thing which shall have been provisionally approved of by the said Commissioners of Her Majesty's Treasury, such Alteration shall not be finally determined without the Approval of the said Commissioners of Her Majesty's Treasury.

XVI. And be it enacted, That after such Declaration shall have been finally settled and printed as aforesaid it shall and may be lawful for the said Commissioners, in the Cases following, to publish in the "*Dublin Gazette*," and otherwise as they shall deem fit, a final Notice, stating that all the Requisitions of this Act, with respect to the Work proposed to be executed, and to all Matters and Things preliminary to the Commencement of the same, and with respect to the Security or Charge for any Monies to be advanced for such Work by way of Loan, have been complied with; (that is to say,)

First.—Where by such Declaration it shall be declared that in the Opinion of the said Commissioners any "County" ought to secure and become chargeable with the Repayment of any Sum of Money to be advanced by way of Loan for such Work, then in such Case such final Notice shall be published if the Grand Jury of the County, or in the Case of Two Counties if the Grand Jury of the County to become liable to repay the Half or more of such Sums of Money, shall make a Presentment approving of the proposed Work, and consenting that such Sum of Money, or proportionate Part, as the Case may

*Preliminary
Proceedings.*

Proceedings at
such Meetings
and final Decla-
ration to be
printed.

Final Notice
may be pub-
lished in case
the Presentment
or Assents
herein required
be made or
given.

Case of
"Counties" to
be chargeable.

Preliminary Proceedings.

Case of "District" to be chargeable.

1 & 2 Vict. c. 56.

Case of "Lands of Proprietors" to be chargeable.

Case of "County, District, or Lands," or any Two of them conjointly.

may be, shall be secured by or become chargeable and levied upon such County at large, under the Provisions of this Act: Second.—Where by such Declaration it shall be declared that in the Opinion of the said Commissioners any "District" ought to secure and become chargeable with the Repayment of any Sum of Money to be advanced by way of Loan for such Work, then in such Case such final Notice shall be published, if, at a Meeting which may be convened by public Notice issued by the said Commissioners, and at which Meeting an Officer appointed by the said Commissioners shall attend and preside, the Majority of the Rate-payers present who, under an Act of the First and Second Years of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, and any Act amending the same, shall have been rated under the then last Rate in respect of Property in such District, shall approve of and assent to the proposed Work, unless, in case of a Division or Poll at such Meeting, upon a Scrutiny which such Officer shall be authorized to take, it shall appear to such Officer as aforesaid that the Rate-payers declaring their Dissent at such Meeting were by the then last preceding Rate rated in respect of Property valued at more than Half the net annual Value of the rateable Property within such District:

Third.—Where by such Declaration it shall be declared that in the Opinion of the said Commissioners the "Lands of any Proprietors" ought to secure and become chargeable with the Repayment of any Sum of Money to be advanced by way of Loan for such Work, then in such Case such final Notice shall be published if the Proprietors of so much of the Lands as according to such Declaration ought to secure or become chargeable with more than One Half the Amount of such Sum of Money shall assent in Writing to the proposed Work:

Fourth.—Where by any such Declaration it shall be declared that in the Opinion of the said Commissioners such Sum of Money to be advanced by way of Loan for such Work ought to be secured conjointly by any "County, District," and "Lands of Proprietors," or by any such County and District conjointly, or County and Lands of Proprietors conjointly, or District and Lands of Proprietors conjointly, then in such Case such final Notice shall be published if such County, District, or Proprietors which or who would become liable to such Charge shall have as aforesaid, in the Manner and subject to the Regulations herein-before mentioned, respectively approved or assented to such Work:

Provided always, that such final Notice shall and may be published in any Case in which the Commissioners of Her Majesty's Treasury shall deem fit to accept and signify their Approval of any other Security for the Repayment of the Monies advanced by way of Loan for any such Work in lieu of the Security herein prescribed or provided, any thing in the foregoing Regulations or Provisions to the contrary notwithstanding; and provided also, that it shall be lawful for the Grand Jury of any County, without Application to Presentment Session, to make any such Presentment as herein-before mentioned in relation to any such proposed Work.

XVII. And be it enacted, That any Person seised or entitled to any Land proposed to be made chargeable under the Provisions of this Act for the Repayment of any Money advanced by way of Loan, in possession, as Tenant in Fee Simple or in Fee Tail, General or Special, or as Tenant by Courtesy, and also any Person who shall be entitled under any Will or Settlement, or any other Deed or Instrument (except a Grant or Lease reserving Rent, or an Agreement in Writing for such Grant or Lease), for his own Life, or the Life of any other Person, or for Years determinable on such Life or Lives, and also any Person who shall be entitled under any Lease granted by a Bishop or any Collegiate or Ecclesiastical Body, or under any Lease granted by any Person having immediate or derivative Title from or under any Bishop or any Collegiate or Ecclesiastical Body, which Lease shall contain a *toties quoties* Covenant of Renewal, and also any Person who shall be entitled under any Grant, Lease, or any other Deed or Assurance for an Estate in Fee, or for a Term of Years absolute whereof One hundred Years or more shall be unexpired, or for an Estate or Interest for any Life or Lives renewable for ever, or for any Term or Terms of Years renewable for ever, whether such last-mentioned Person shall be entitled to any such Estate, Term, or Interest, either absolutely or as Tenant in Tail, or as *quasi* Tenant in Tail, or for his Life, and also every Feoffee or Trustee of any such Land, or of any such Estate or Interest therein as aforesaid, for charitable or other Purposes, shall be deemed a Proprietor of such Land for the Purposes of this Act; and in every Case in which any Person seised, possessed of, or entitled to any such Land for any such Estate or Interest as aforesaid shall be an Infant, Feme Covert, Idiot, or Lunatic, the Guardian of such Infant, the Husband of such Feme Covert, and the Committee of the Estate of such Idiot or Lunatic, shall, subject to the Provisions herein-after contained, be deemed a Proprietor of such Land for the Purposes of this Act: Provided always, that no Person shall be deemed a Proprietor for the Purposes of this Act for or by reason of any Estate vested in him which shall have been created by way of Mortgage, or for the Purpose of securing the Payment of any Sum of Money, but that the Person who would be deemed a Proprietor for the Purposes of this Act if such Estate by way of Mortgage or for securing any Money had not been created shall, if in the actual Possession or Receipt of the Rents, Issues, and Profits thereof, notwithstanding such Mortgage or Security, be deemed such Proprietor as aforesaid: Provided also, that where several Persons shall have in any such Land such Estate or Interests as would otherwise entitle them under the Provisions aforesaid to be so deemed Proprietors, such of the said Persons shall be deemed the Proprietor for the Purposes of this Act as shall be in actual Occupation of the said Land, or as shall have such Estate or Interest as aforesaid therein next in reversion or remainder to the Estate or Interest of the Person in actual Occupation.

XVIII. Provided always, and be it enacted, That it shall and may be lawful for any Feoffee or Trustee for charitable or other Purposes, and also for any Guardian, Husband, or Committee of any Infant, Feme Covert, or Idiot or Lunatic respectively, (on

Who shall be deemed Proprietors.

Trustees, &c. may apply to Court of Chancery for Leave to assent.

*Preliminary
Proceedings.*

behalf of their respective Infants, Wives, Idiots, or Lunatics,) or for any Receiver appointed by any Court of Equity over the Estate of any such Proprietor, to apply, if they shall think fit, in a summary Way, by Petition to Her Majesty's Court of Chancery in *Ireland*, for Leave to assent to the Execution of any Works proposed to be done under the Provisions of this Act; and the said Court shall have Power to inquire into the Propriety of giving such Assent, and to make such Order on the Petition, and as to the Costs thereof, as to the Court shall seem meet; and if the Court shall authorize any such Assent being given, then it shall be lawful for the Person who shall have presented the Petition to give such Assent, and the same shall be as binding and effectual to all Intents and Purposes whatsoever as if the Person giving the same had been the actual Proprietor of the Lands in respect of which such Assent shall be given.

Joint Tenants
to be accounted
as One Person.

XIX. And be it enacted, That joint Tenants, Tenants in Common, and Coparceners, jointly interested in any Portion of Land proposed to be made chargeable as aforesaid, shall in respect of the Land in which they are so interested be accounted as One Person: Provided always, that the Concurrence of the Person or Persons interested in or possessing more than Half of the Estate or Interest in such Portion of Land shall be sufficient for the Purpose of giving such Assent as aforesaid.

Assents may be
given by Per-
sons authorized.

XX. And be it enacted, That the Assents of Proprietors required to be given in Writing for any of the Purposes of this Act may be given by the known Agent or Attorney of any such Proprietor.

Publication of
final Notice to
be conclusive.

XXI. And be it enacted, That the Publication of any such final Notice shall be deemed final and conclusive Evidence that the several preliminary Measures, Proceedings, and Requisitions hereinbefore directed to be taken and observed have been duly taken and observed, and no Error, Misdescription, Misnomer, Mis-statement, or Omission in any of the Maps, Plans, Sections, Estimates, Declarations, or Notices by this Act required to be prepared, lodged, enrolled, or given by the said Commissioners shall invalidate the same or any of them, or any of the Proceedings under this Act; and from and after the Publication of such final Notice no Error or Omission whatever in any of the Proceedings preliminary to the issuing of such final Notice shall be deemed to affect or invalidate any such Proceedings, or the Powers and Authorities of the said Commissioners, or prevent them from proceeding with the Execution of the Works in their Opinion necessary, and for that Purpose effecting any Purchases, and doing all Matters and Things requisite for carrying fully into effect any such Works, or the Provisions of this Act in relation thereto, nor to affect or invalidate any Award to be made by the said Commissioners in respect of any of the Works, or the County, District, or Lands to become chargeable in respect thereof, nor the Extent of such District or Lands to become liable for the Repayment of any Part of the Cost of the Works, nor any other Matter or Thing done or omitted to be done by the said Commissioners previously or subsequently to the publishing of such final Notice; and the Approval of or Assent to any Work which shall have been received by the said Commissioners from any such Meeting of any District, or from any Pro-
rietor

Errors, Omissions, Misstatements, or Misnomers in Proceedings or Documents previous to and inclusive of the Publication of the final Notice shall not invalidate any of the Proceedings under this Act.

prietor of Lands to become chargeable as aforesaid, shall be conclusive and binding upon such District and such Proprietor of and all Persons interested in the Lands of such Proprietor in respect of which respectively such Approval or Assent may have been given, and also upon and against the same District and Lands respectively; and it shall not be lawful for any Person whatever in any Manner to question or appeal against or in respect of any thing whatsoever done or omitted to be done by the said Commissioners under the Provisions of this Act (save only in such Case and such Manner as herein specially provided), nor shall any Proceedings to be had or taken by or on behalf of the said Commissioners for the Purposes of this Act be removed or removable by Certiorari into any of Her Majesty's Courts of Record.

Preliminary Proceedings.

XXII. And be it enacted, That in every Case where any such final Notice shall be published as aforesaid all the Costs and Expences of the preliminary Proceedings herein-before directed to be taken shall be considered as Expences incidental to the Execution of the Works proposed to be executed, and shall be defrayed accordingly; but if in any Case the said Commissioners shall determine that it is inexpedient to execute any of the Works referred to in any such Memorial, or other Works in lieu thereof, or if the necessary Presentment or Assents herein-before required to be obtained shall not be given to the Execution of the proposed Works, then and in any such Case all Expences which shall have been incurred shall be defrayed by the Person or Persons who shall have presented such Memorial as aforesaid, and the same shall be recoverable from such Person or Persons by the said Commissioners by Civil Bill or by Action or Suit in any of the Superior Courts in *Dublin*.

As to Expence of preliminary Proceeding.

XXIII. And be it enacted, That every such final Declaration, when so settled by the said Commissioners, shall be enrolled in the Rolls Office of Her Majesty's Court of Chancery in *Ireland* within Three Months after same shall have been finally settled; and a Copy thereof shall be deposited with the Clerk of the Peace of each County in which such District shall be situate, who is hereby authorized and required to receive and deposit the same amongst the Records of the County; and a Copy thereof, certified by the proper Officer of Her Majesty's Rolls Office, shall be Evidence that it was duly made, and that all the Requisitions of this Act in relation thereto were complied with.

Final Declaration, when settled, to be deposited in the Court of Chancery.

XXIV. And be it enacted, That after the Publication of such final Notice as aforesaid it shall be lawful for the said Commissioners of Her Majesty's Treasury to cause to be advanced out of the growing Produce of the Consolidated Fund of *Great Britain* and *Ireland* from Time to Time, upon the Application of the said Commissioners for the Execution of this Act, such Sum or Sums of Money for the Execution of the Works as shall have been specified in such final Declaration as the Proportion of the Cost of such Works, to be supplied by way of Grant, and the Monies so to be from Time to Time issued for the Purpose last aforesaid shall be accounted to be Part of the Money by this Act authorized to be issued by way of Grant, and it shall and may be lawful for the Commissioners of Public Works in *Ireland*, out of the Funds at their Disposal under the Provisions of the said first-recited Act,

After Publication of final Notice, Grants and Loans may be issued.

or any Act or Acts amending the same, from Time to Time to advance by way of Loan such Sum or Sums of Money for the Execution of such Works as shall have been specified by such final Declaration as the Proportion of the Cost of such Works to be supplied by way of Loan.

Works.

After final Notice, Commissioners may commence the Works.

Commissioners to appoint Officers.

All Officers to account.

XXV. And be it enacted, That at any Time after the Publication of any such final Notice as herein-before mentioned the said Commissioners may commence and proceed with the Works proposed to be executed, and to which such Notice may relate.

XXVI. And be it enacted, That it shall be lawful for the said Commissioners to appoint, employ, and dismiss at Pleasure such Engineers, Surveyors, Clerks, Collectors, Receivers, or other necessary Officers, and pay and allow, out of the Funds at their Disposal under this Act, to such Engineers, Surveyors, Clerks, Collectors, Receivers, and other Officers, such yearly or other Salary or Wages as the said Commissioners shall think fit; and all and every the Person or Persons employed as aforesaid shall, when required so to do by the said Commissioners, render to them a true and perfect Account of all Monies which shall have been received and paid by them respectively by virtue of such Employment, with proper Vouchers for the same, and shall pay to the said Commissioners, or such Person as they shall authorize to receive the same, all such Sums as shall be due to the said Commissioners from such Persons, and shall deliver up all Vouchers, Books, and Writings relating to their respective Offices to the said Commissioners; and in case any Person who shall be so employed as aforesaid shall refuse or neglect to render such Account, and make such Payment as aforesaid, or to deliver up such Vouchers, Books, and Writings to the said Commissioners, or to such Person as they shall empower to receive the same, then and in every of the said Cases it shall and may be lawful to and for any Two or more Justices of the Peace at Petty Sessions assembled to inquire into the Matter of such Default in a summary Way; and if such Person shall thereof be convicted, either by Confession or by the Testimony of any One or more credible Witness or Witnesses upon Oath, such Justices shall commit the Party to the Common Gaol of the County, there to remain for any Time not exceeding Twelve Calendar Months, or until he shall have made a perfect Account and Payment as aforesaid, and shall have delivered up all such Vouchers, Books, and Writings in his Custody, or shall have compounded or agreed with the said Commissioners, which Composition and Agreement the said Commissioners are hereby empowered to make: Provided always, that such of the Officers of the Board of Public Works, and Persons appointed Inspectors of Fisheries under an Act of the Fifth and Sixth Years of Her present Majesty's Reign, intituled *An Act to regulate the Irish Fisheries*, as the Commissioners for the Execution of this Act shall deem fit and by their Order direct, shall be Officers for the Purposes of this Act.

5 & 6 Vict. c.106.

Power to execute the Works.

XXVII. And be it enacted, That it shall be lawful for the said Commissioners to contract with or employ such Contractors, Surveyors, Agents, and Workmen as they shall think fit, and to make and execute all such Works as shall be described in the Maps, Plans, and Sections herein-before mentioned, or such Deviations

tions therefrom or such other Works as they shall deem necessary for effecting all or any of the Purposes of this Act, and for such Purposes to enter into and upon any Land whatsoever, and to widen, straighten, deepen, or divert any Channel, Sailing Course, River, or Stream, and to make or erect any Wharf, Landing Place, Pier, Quay, Harbour, Beacon, Bank, Sluice, Lock, Lockhouse, Lighthouse, or other Building, Drain, Tunnel, Road, Towing Path, Capstan, or other Works necessary for the Purposes of this Act, and also to make any Embankment against the Sea, or remove or cut away any Rocks or other Obstruction to Navigation, or make any navigable Cut or Channel, and to put and place on such Land any Piles, Stones, Earth, Soil, or other Materials for the Purposes of the Works, and also to stop up or divert any Road or remove any Bridge, and to make any new Road or Bridge, and also from Time to Time to repair, alter, or improve any Harbour, Wharf, Landing Place, Quay, Pier, Road, or other Works now made or to be made as aforesaid, and also to do all such Things, and erect such Engines, and execute all such Works as may be necessary or convenient for the Purposes of this Act, making Compensation, to be ascertained in the Manner herein-after mentioned, to all Persons for any Damage occasioned to them by the Exercise of any such Powers.

Works.

XXVIII. And be it enacted, That it shall be lawful for the said Commissioners, or any Engineer, Workman, or other Person authorized by them, after Three Days previous Notice, to enter into, and to search for, dig, take, and carry away Materials out of any Land, for the Purpose of executing or repairing any Works under the Provisions of this Act, making such Compensation for the Surface Damage done, to the Proprietors, Lessees, or Occupiers of such Lands, according to their respective Interests therein, as to the said Commissioners shall seem fit and reasonable; and in case of Dispute such Compensation shall be settled, on a Summons to be issued for that Purpose, by any Two or more Justices of the Peace for the County in which such Land is situate, at Petty Sessions: Provided always, that in all Cases where Materials shall be taken from an open Quarry *bonâ fide* demised to any Person with Liberty to raise, sell, and dispose of the Materials therein, the Value of such Materials shall be paid for by the said Commissioners, and the Amount owing, in the event of Difference as to the same, shall be settled on Summons by any Two or more Justices as aforesaid.

Commissioners may enter Lands, and dig for Materials, on making Compensation.

XXIX. And be it enacted, That if by reason of the searching for, digging, or getting any Materials as aforesaid any Pit or Hole be made in any Common or other Land wherein such Materials shall be found, the said Commissioners shall forthwith, where the same shall be necessary for the Safety or Security of the Public, or if the Proprietor or Occupier shall so require, cause the same to be sufficiently fenced off during such Time as the said Pit or Hole shall be used, and shall within Six Days after having dug up sufficient Materials, if such Pit or Hole is not likely to be further useful, cause the same to be filled up, sloped down, or fenced off, and so continued, and if the same is likely to be further useful the said Commissioners shall cause the same to be sufficiently

Commissioners to fill up Holes and Pits not found useful, and fence off those that may be useful.

secured by Posts and Rails or other Fences so as to prevent Accidents to Cattle or Persons.

When Lands cut through shall be less than an Acre in Quantity, or less than 15 Yards wide, Commissioners to purchase the whole if required.

XXX. And be it enacted, That if in the Execution of any of the Works authorized by this Act any Field, Close, or Parcel of Land shall be cut through or divided from the Remainder of any Estate, Farm, or Property, so that there shall be left on each or either Side of the said Works or any of them less than One Statute Acre in Quantity or less than Fifteen Yards in Breadth, then and in every such Case the said Commissioners shall (if thereunto required by the Proprietor of such Field, Close, or other Land so cut through or divided,) take and purchase such Piece or Parcel or Pieces or Parcels so to be left as aforesaid of such Field, Close, or Land, and shall pay for the same in the same Manner as for the Land actually required for the Purpose of this Act; and the said Commissioners are hereby authorized and empowered to sell such Lands which they shall be so required to take and purchase as aforesaid, and cause the same to be conveyed to any Person or Persons whomsoever who shall be willing to purchase the same; and any Profit or Loss arising from such Sale and Resale shall be respectively placed to the Account of the Work in respect of which such Lands shall have been purchased.

Purchase of Lands.

Commissioners may purchase Land for the Purposes of the Act.

XXXI. And be it enacted, That it shall be lawful for the said Commissioners to purchase any Lands which they shall think it necessary or proper to purchase for accomplishing any of the Purposes of this Act, and also any Land, not exceeding Five Acres, at, about, and immediately adjoining to the Site of any Pier, Harbour, Quay, or Landing Place to be constructed or improved under the Provisions of this Act, which they may deem requisite, as Sites for the building or constructing Market Places, Drying Sheds, or for Ground for spreading and mending Nets, or for other Purposes of a public Nature, calculated to promote and improve the Fisheries, making such reasonable Satisfaction and Recompence to the Person entitled to or interested in such Land as may be agreed upon, or shall be settled and ascertained in manner herein-after mentioned.

Corporations, Trustees, and other Persons empowered to sell and convey, &c.

XXXII. And be it enacted, That it shall be lawful for every Corporation, and for every Trustee and Feoffee in Trust for charitable or other Purposes, and for every Executor and Administrator, not only for and on behalf of himself, his Heirs, Executors, and Administrators respectively, but also for and on behalf of his Cestuique Trust, whether Infant, Feme Covert, Idiot, Lunatic, or Persons not born or not ascertained, or any other Person whomsoever, and to and for any Tenant for Life, or for Years absolute and determinable on any Life or Lives, and every Person having any other partial or qualified Estate or Interest in any Land required to be purchased for any of the Purposes of this Act, or injuriously affected by any such Works as aforesaid, not only for and on behalf of himself, his Heirs, Executors, Administrators, and Issue, but also for and on behalf of the Person entitled in Remainder, Reversion, Expectancy, or Contingency, or for any other future Estate or Interest, where such Person or any of such Persons (if more than One), whether entitled to the next or any subsequent Estate or Interest, or any Part thereof, shall not be ascertained, or shall be incapable of contracting for, selling, or conveying

conveying the same, and to and for every Guardian on behalf of his respective Ward, Husband on behalf of his respective Wife, Committee on behalf of the Person of whose Estate he shall be Committee, and the Heirs, Executors, Administrators, and Issue of such Ward, Wife, or Person respectively, and to and for any Feme Covert entitled in her own Right to any such Land, or to Dower or other Interest therein, on behalf not only of herself but also of her respective Heirs, Executors, Administrators, and Issue, and also where such Ward, Wife, Person, or Feme Covert respectively shall be Tenant for Life or in Tail, or for Years, or have any other partial or qualified Estate or Interest, to and for such Guardian, Husband, Committee, and Feme Covert, on behalf of the Person or Persons on behalf of whom such Ward, Wife, Person, or Feme Covert respectively, if of full Age, unmarried, and of sound Mind, might have contracted for, sold, and conveyed the same Land, and to and for every other Person whomsoever who is or shall be seised or possessed of or interested in any such Land, to contract or agree for the absolute Sale or Exchange thereof, and of every or any Part thereof, to the said Commissioners, or to contract for the Amount of Compensation which shall be paid for any Injury thereto, or for the Payment of such Sum of Money for Equality of Exchange as shall be determined by the said Commissioners, and also to execute any Conveyance or enter into any Contract with respect to the Premises which the said Commissioners shall deem necessary for the due Execution of this Act; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual, and all Monies payable by the said Commissioners in respect thereof shall be paid by the said Commissioners out of the Monies to be raised by virtue of this Act, as herein-after mentioned.

Purchase of
Lands.
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XXXIII. And be it enacted, That all Conveyances which shall be executed to the said Commissioners of any Land which shall be required by them for any of the Purposes of this Act shall be in the following Form, or as near thereto as the Number of Parties and the Nature of the Case will admit; namely,

Form of Con-
veyance.

‘ I of in in consider-
‘ ation of the Sum of paid to [or paid
‘ into the Bank of Ireland, as the Case may be,] by the Commis-
‘ sioners appointed under an Act passed in the Year
‘ of the Reiga of Her Majesty Queen Victoria [here set forth the
‘ Title of this Act], do hereby grant and release to the said Com-
‘ missioners all [describing the Premises], together with all Ways,
‘ Rights, and Appurtenances thereunto belonging, and all Estates,
‘ Rights, and Interests in the same and every Part thereof, to hold
‘ to the said Commissioners and their Successors for ever, accord-
‘ ing to the true Intent and Meaning of the said Act. In witness
‘ whereof I have hereunto set my Hand and Seal on this
‘ Day of in the Year of our Lord One thousand eight
‘ hundred and

Satisfaction to
be made, and
may be ac-
cepted.

XXXIV. And be it enacted, That every Corporation, and every Trustee and other Person herein-before capacitated to contract for, sell, and convey any such Land as aforesaid, and any other Owner of any such Land, or of any Share, Estate, or Interest therein, may accept and receive such Satisfaction and Re-

*Purchase of
Lands.*

compence for the Value thereof, and such Corporation, Trustee, Person, or Owner, and also any Tenant for a Year, or from Year to Year, or at Will, or other Occupier of any Land, entitled to such Compensation for such Injury or Damage as shall be sustained on account of the Execution of this Act, or in anywise relating thereto, may accept and receive such Sum of Money in respect thereof as shall be agreed upon between him respectively and the said Commissioners; and in case the said Commissioners and the said Party interested in such Land, or sustaining such Injury or Damage, cannot or do not agree as to the Amount or Value of such Satisfaction, Recompence, or Compensation, the same respectively shall be ascertained and settled in manner herein-after directed.

Commissioners
empowered to
award the
Value.

XXXV. And be it enacted, That if any such Corporation, Trustee, or other Person interested in or herein-before authorized to contract for, sell, and convey any such Land as aforesaid shall neglect or refuse to treat or shall not agree with the said Commissioners, or by reason of Absence or Disability cannot agree, or cannot be found or known, or shall not prove a clear Title to the Land, or the Estate or Interest which he shall claim therein, to the Satisfaction of the said Commissioners, or in case any such Corporation or Trustee or other Person sustaining any such Injury or Damage as aforesaid shall not accept such Satisfaction or Recompence for the same as shall be offered by the said Commissioners, for the Space of Thirty Days after Notice published in some Newspaper circulating in the County in which such Lands shall be situate, and a Copy of such Notice given to the principal Officer or Officers of such Corporation, or to such Trustee or Person respectively, or left at his respective Place of Abode, or at the House of the Tenant or Occupier of such Land intended to be purchased, taken, or used for any of the Purposes of this Act as aforesaid, then in every such Case the said Commissioners are hereby empowered, at a Time and Place to be specified in such Notice as last aforesaid, to inquire and examine, by themselves or One of them, or by any Officer to be appointed for that Purpose, and to award the Sum of Money to be paid for the Purchase of such Land, or the Recompence or Satisfaction to be made for Damage that may or shall be sustained as aforesaid, and to settle and ascertain in what Proportions the Sum so awarded shall be paid to the several Persons interested in such Land, or in any Charge, Lien, or Incumbrance thereon, and what Abatements (if any) shall be made in the Rents payable out of the Land named or described in such Award, or any Land held in conjunction therewith; and the said Commissioners shall award such Purchase Money or Recompence so to be assessed, and the said Commissioners shall and may in such Award name or describe the Persons (if known to the said Commissioners) to whom respectively the Sum mentioned therein shall be paid, and in what Proportions the same shall be paid to and among such Persons where more than One, and the Land, naming or describing the same, in respect of which such Sum has been so awarded, and also what Abatements (if any) shall be made in the Rents payable out of the Land named and described in such Award, or any Land held under the same Lease or Instrument in conjunction therewith; and the said Com-

Commissioners shall notify and appoint a Time and Place for holding a Meeting for the Confirmation of their said Award, and they, or One of them, shall attend at such Time and Place, and at such Meeting, or at some Adjournment thereof, proceed to consider each Case and hear all Objections which may be made thereto by any Person whatsoever, and receive all such Evidence as they shall find pertinent and proper, and amend or confirm and settle each such Award accordingly; and such Award shall be conclusive and binding upon the Queen's most Excellent Majesty, and all other Persons interested, except in the Case and subject to the Provisions hereinafter contained: Provided always, that after having offered to any Proprietor or Occupier of any Land such Sum as the said Commissioners shall think reasonable, it shall and may be lawful for them, without further Delay, to enter into and upon such Lands for the Purposes of this Act, and to proceed with such Works thereon as shall in the Opinion of the said Commissioners be necessary.

XXXVI. Provided always, and be it enacted, That if any Person interested or claiming to be interested in any Land which may be made the Subject of any such Award as aforesaid shall be dissatisfied therewith, either as respects the Amount of the Value or the Compensation awarded in respect thereof, or of any Abatement to be made in any Rent, or as respects the Persons to whom or the Proportions in which such Value or Compensation is to be paid or Abatement made, it shall be lawful for such dissatisfied Person to appeal to the Quarter Sessions which shall be held next after any such Award shall have been made and settled as aforesaid, for the Division of the County wherein such Land shall be wholly or in part situate (provided same shall not be held sooner than Thirty-one Days after the making of such Award), the Party appealing, if there be sufficient Time after such Award, having first given to the said Commissioners Twenty-one Days Notice at least of his Intention of bringing such Appeal, and of the Matter thereof; and if there shall not be Thirty-one Days between the making of such Award and the Day appointed for holding such Sessions, then such Appeal may be made at the Second Quarter Sessions which shall be holden for such Division of such County after such Award; and the Assistant Barrister at such First or Second Quarter Sessions, or any Adjournment thereof, upon due Proof of such Notice having been given, is hereby empowered and required to hear and finally determine the Matter of such Appeal, either by or without the Verdict of a Jury, as the Party appealing shall require, and may order such Sum to be paid for the Costs thereof to be paid wholly or in part by either of the Parties thereto, and may, by Warrant under his Hand, direct such Costs so awarded to be levied by Distress and Sale of the Goods and Chattels of the Party or Parties who shall refuse or neglect to pay the same: Provided always, that if no Notice of Appeal shall be served on the said Commissioners within Fourteen Days next after their Award shall be made the same shall be final, binding, and conclusive upon all Persons, and to all Intents and Purposes whatsoever.

XXXVII. And be it enacted, That if in any Notice of Appeal to be served on said Commissioners as aforesaid the Party appealing shall require a Jury to be summoned for determining the

*Purchase of
Lands.*

Any Person dissatisfied with the Adjudication of the Commissioners may appeal to the Assistant Barrister at Quarter Sessions;

who may determine the Matter either by or without the Verdict of a Jury, if required.

Jurors to be summoned.

Matter

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Lands.*

Matter of such Appeal, then and in every such Case the said Commissioners shall issue their Warrant under their Hands and Seals to the Sheriff of the County where such Appeal is to be heard, commanding such Sheriff to impanel, summon, and return a Jury, and such Party shall also serve a Copy of such Notice of Appeal on such Sheriff; and the said Sheriff to whom the said Warrant shall be directed or such Notice given is hereby required accordingly to impanel, summon, and return a Jury of Twenty-four Men, qualified according to Law to be returned for Trials of Issues joined in Her Majesty's Courts in *Dublin*, to appear before the said Assistant Barrister at such Time and Place as in such Warrant or Warrants shall be appointed, not being less than Fourteen Days after such Warrant shall be served upon the said Sheriff, upon pain to forfeit for every Default in not making such Return Five Pounds, to be sued for and recovered in the Manner herein-after directed, and also to return in Issues upon every Person so impanelled and returned, who, contrary to the true Intent and Meaning of this Act, shall not appear, the Sum of Forty Shillings, which shall be levied by Distress and Sale of the Goods and Chattels of the Person not appearing as aforesaid, by Warrant under the Hand and Seal of the said Assistant Barrister; and in case a sufficient Number of Jurymen shall not appear at such Time and Place, the said Sheriff shall return other honest and indifferent Men that can speedily be procured to attend that Service, being qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen; and the said Assistant Barrister is hereby empowered, by Warrant under his Hand and Seal, from Time to Time as Occasion shall require, to summon and call before him all and every such Person and Persons as shall be thought necessary to be examined as Witnesses touching the Matters in question; and the Assistant Barrister may order and authorize the said Jury, or any Six or more of them, to view the Place or Matter in question, which Jury (upon their Oaths, to be administered by the said Assistant Barrister, which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Assistant Barrister is hereby empowered to administer,) shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of such Land, or the Recompence or Satisfaction to be made for Damages that may or shall be sustained as aforesaid, and what Abatements (if any) are to be made to any Tenant or Occupier of such Land, and to settle and ascertain in what Proportions the Sums so assessed shall be paid to the several Persons interested in the Premises.

Jurors may be
challenged.

Judgments of
Assistant Bar-
risters to be
binding on all
Parties.

XXXVIII. And be it enacted, That in all such Cases of Appeal as last aforesaid the Assistant Barrister shall give Judgment for such Purchase Monies or Recompence, whether the same shall have been assessed and ascertained by such Juries, or finally determined by such Assistant Barrister; and the Verdicts of such Juries, and the Judgments thereon, and the Judgments of said Assistant Barrister where no such Verdicts shall be given, shall be binding, final, and conclusive to all Intents and Purposes against all Parties, Corporations, and Persons whomsoever.

XXXIX. And

XXXIX. And be it enacted, That if any Person summoned as a Jurymen as aforesaid shall after his Appearance refuse to be sworn, or being so sworn refuse to give or not give his Verdict, or in any other Manner wilfully neglect his Duty in the Premises, contrary to the true Intent and Meaning of this Act, every Person so offending, having no reasonable Excuse, to be allowed by the said Assistant Barrister, shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Forty Shillings, to be levied on the Goods and Chattels of the Person so offending, by Warrant under the Hand and Seal of the said Assistant Barrister, by Distress and Sale of the Offender's Goods, rendering the Overplus to the Owner thereof, after such Penalty, and the Charges of such Distress and Sale, are deducted.

Jurymen refusing to be sworn or give Verdict to forfeit a Sum not exceeding 40s.

XL. And be it enacted, That such of the aforesaid Awards of the said Commissioners as shall not be appealed from, and the Judgments and Verdicts so given as aforesaid, shall be respectively transmitted to and be kept by the respective Clerks of the Peace of the Counties in which the Land in respect of which such Awards, Judgments, or Verdicts shall have been respectively made shall be situate, and shall be deposited with the Records, and deemed Records of such Counties respectively, to all Intents and Purpose; and the same, or certified Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of Sixpence, or to have Copies thereof, paying for every Copy the Sum of Three Halfpence for every Seventy-two Words, and so in proportion for any greater or less Number of Words.

Awards, Verdicts, and Judgments to be recorded.

XLII. And be it enacted, That if any Money shall be adjudged or awarded to be paid for any Land purchased, taken, or used by virtue of the Powers of this Act, or as Compensation for any Damage or Injury to any Land, which shall belong to any Corporation, or to any Trustee or Feoffee, Executor, or Administrator, or any Husband, Guardian, or Committee, for or on behalf of any Feme Covert, Infant, Idiot, or Lunatic, or to a Tenant for Life, or any Person who shall have no Power to give a valid Receipt for the same, or to sell or convey the same Land, otherwise than by virtue of this Act, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland* in the Name and with the Privy of the Accountant General of the Court of Chancery or Exchequer, to be placed to his Account there *ex parte* the Commissioners for executing this Act, setting forth the Title hereof, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court, made upon a Petition to be preferred to the said Court in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Land, be applied in or towards the Discharge of any such Debt or other Incumbrance affecting the same Land, or any other Land or Property standing settled therewith to the same or the like Uses, Trusts, Intents, and Purposes, as the said Court of Chancery or Exchequer shall authorize to be paid, or such Part thereof as shall be necessary; or the same Money shall, upon the like Application in a summary Way, be laid out, by Order of the said Court, in the Purchase of other Land, which shall be conveyed,

Application of Compensation Money when amounting to or exceeding 200l.

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veyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purpose, and in the same Manner, as the Land which shall be so purchased, taken, or used, or damaged or injured as aforesaid, stood settled or limited, or such of them as shall be then existing undetermined or capable of taking effect; and in the meantime and until such Order can be obtained the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of any Stocks, Funds, or Annuities transferable at the Bank of *Ireland*; and in the meantime, and until the said Stocks, Funds, or Annuities shall be sold by Order of the said Court for the Purpose aforesaid, the Dividends or annual Produce thereof shall from Time to Time be paid to the Person who would for the Time being have been entitled to the Rents and Profits of such Land so to be purchased, conveyed, and settled.

When less than
200*l.* and
amounting to or
exceeding 20*l.*

XLII. Provided always, and be it enacted, That if any Money so adjudged or awarded to be paid for any Land purchased, taken, or used for the Purposes aforesaid, or damaged or injured as aforesaid, belonging to any Corporation, or to any Person as last aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person for the Time being entitled to the Rents and Profits of the Land so purchased, taken, or used, or damaged or injured, or of his Guardian or Committee, in case of Infancy, Lunacy, or other Incapacity, to be signed in Writing under their Common Seal or respective Hands (as the Case may require), be paid into the Bank of *Ireland* in the Name and with the Privy of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in the Manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two or more Trustees, to be nominated by the Person who for, the Time being would be entitled to the Rents and Profits of the Land so to be purchased, taken, or used, or damaged or injured as aforesaid, such Nomination to be approved of by the said Commissioners, and such Nomination and Approbation to be signified in Writing under the Hands or Common Seal of the nominating and approving Parties; and the Monies so paid to such Trustees, and the Dividends and Produce arising thereon, may be applied by such Trustees in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *Ireland*, without being required to obtain any Order of the Court of Chancery or Exchequer touching the Application thereof.

When less than
20*l.*

XLIII. Provided also, and be it enacted, That if any Money so adjudged or awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in every such Case the same shall be paid to the Person who would for the Time being have been entitled to the Rents and Profits of the Lands so purchased, taken, or used, or damaged or injured, for the Purposes of this Act, for his own Use and Benefit, or in case of Infancy or Lunacy or other Incapacity, then to the Person acting as Guardian, Committee, or Trustee of such Person, to and for the Use and Benefit of the Person entitled thereto.

XLIV. And

XLIV. And be it enacted, That where by reason of any Disability or Incapacity of any Party entitled to any Land to be taken, purchased, or used, or in respect of which any Compensation or Satisfaction shall be payable, under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *Ireland*, to be applied in the Purchase of other Land, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all such Purchases, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act; and the said Commissioners shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences of Purchases to be paid by the Commissioners.

XLV. And be it enacted, That if any Corporation or Person seized or possessed of or having any Estate or Interest in any such Land as aforesaid cannot be found, or shall not be known, or shall not prove a good Title to such Land to the Satisfaction of the said Commissioners or any Person authorized by them, or shall refuse to execute a Conveyance thereof, then and in every such Case it shall be lawful for the said Commissioners to pay such Sum of Money as shall have been contracted and agreed or shall have been adjudged in manner aforesaid to be paid for the Purchase or for the Value of such Land, into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the said Court of Chancery or Exchequer, to be placed to his Account to the Credit of the Party interested in the said Land (describing such Land), or if such Party shall not be known, then to the Credit of the then unknown Person interested in the said Land (describing the same), subject to the Order, Control, and Disposition of the said Court; which said Court, on the Application of any Corporation or Person making Claim to such Sum of Money or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem fit, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate, Title, or Interest of the Corporation or Persons making claim thereto, and to make such Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier of the Bank of *Ireland* who shall receive such Sum of Money is hereby required to give a Receipt for such Sum of Money; and upon Payment of such Sum of Money into the Bank, as lastly herein-before is mentioned, the Land for the Purchase or for the Value of which the same shall have been agreed and awarded to be paid, and the Fee Simple and Inheritance thereof, or other the absolute Interest therein, together with the yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Corporation or Person, or unknown Person, to whose Credit such Money shall be paid, in, to, and out of the Land, shall vest in the said Commissioners, and they shall be deemed in Law to be in the actual Seisin or Possession thereof to all Intents and Purposes whatsoever,

Premises to vest in the Commissioners, upon Payment into Bank of the Money agreed upon, or assessed, when Conveyances cannot be obtained.

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whatsoever, as fully and effectually as if every Corporation or Person having any Estate in such Land had actually conveyed the same; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand of the Corporation or Person, or unknown Person, of, in, or to the same Land, to whose Credit such Payment shall have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of such Person, and all Estates Tail and other Estates in possession, reversion, remainder, expectancy, or contingency, and the Issue of such Person, and every other Person whomsoever.

In Cases of
questionable
Title of Persons
in possession.

XLVI. Provided always, and be it enacted, That where any Question shall arise touching the Title of any Person to any Money which shall be paid into the Bank of *Ireland* in the Name and with the Privy of the Accountant General of the said Court of Chancery or Exchequer, in pursuance of this Act, for the Purchase of any Land to be taken or purchased in pursuance of this Act, or to any Bank Annuities or Government or Real Securities, the Person who shall have been in possession of such Land at the Time of such Purchase, and all Persons claiming under such Person, or under the Possession of such Person, shall be deemed and taken to have been lawfully entitled to such Land until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person was lawfully entitled to such Land, or to some Estate therein.

Estate of Mort-
gages to vest in
Commissioners
on Payment of
Principal and
Interest;

XLVII. And be it enacted, That if any Person shall have any Mortgage or be entitled to any Sum of Money charged on any Land taken or purchased under this Act, then, on Payment of the Principal and Interest due thereon, or in case a Part only of any Land subject to such Charge or Mortgage be so taken or purchased, then a proportionate Share of such Principal and Interest (to be ascertained, in case of Dispute, in the Manner herein-before provided for ascertaining the Value of Land taken or purchased for the Purposes of this Act), to such Mortgagee or Person entitled thereto, or into the Bank of *Ireland*, for the Use of the Mortgagee or other Person entitled thereto, all the Estate of the said Mortgagee or other Person, and of every Person in trust for him, in the Land or the Portion of Land so taken or purchased, shall vest in the Commissioners, and they shall be deemed to be in the actual Possession thereof, free from the same Mortgage or Charge, to all Intents and Purposes whatsoever: Provided always, that if the Money and Interest due in respect of any Mortgage or Charge on any Land purchased or taken under this Act shall amount to more than the Value of the Premises charged therewith, or such of them or of such Part thereof as shall be purchased or taken under this Act, then, upon Payment to such Mortgagee or Person, or into the Bank, in manner herein-before mentioned, of the Sum to be ascertained as the Value of the Estate or Interest so mortgaged or charged on the Land, or Part thereof, so to be taken and purchased as aforesaid, all the Estate

or if such
Principal and
Interest exceed
the Value of
the Property,
then on Pay-
ment of the
Value.

of the said Mortgagee or Person as aforesaid, and of every Person in trust for him, in the said Land or any Part thereof the Value whereof shall have been so ascertained and paid as aforesaid, shall vest in the Commissioners, and they shall be deemed to be in the actual Possession of the said Lands, to all Intents and Purposes whatsoever, freed from such Mortgage or Charge as aforesaid; and the Mortgagor or other Person entitled to redeem shall be and is hereby barred and foreclosed from all Right and Equity of Redemption of and in the same Land or Portion of Land.

XLVIII. And be it enacted, That when any Rent, or any such Charge, Incumbrance, or Lien as aforesaid, shall also be payable out of or extend over and be a Charge, Incumbrance, or Lien on any Lands other than those which shall be taken or injured by or conveyed to or vested in the said Commissioners, then and in such Case neither this Act nor any Conveyance so made as aforesaid shall in any respect discharge, affect, or alter the Force, Validity, or Effect of such Charge, Rent, Incumbrance, or Lien, so far as relates to such other Lands, Tenements, or Hereditaments, but that as to all such the same shall respectively continue, be good, valid, and subsisting, subject nevertheless to such Reduction of Rent (if any) as may be made in respect of such Lands under the Provisions herein contained.

XLIX. And be it enacted, That upon Payment into the Bank of *Ireland*, as herein directed, or upon Payment or legal Tender of any such Sum of Money as shall have been contracted for between the Parties, or adjudged in manner aforesaid, for the Purchase of any Land, or as a Recompence for the yearly Produce or Profits thereof, or as a Compensation for Damages, as herein mentioned, to the Proprietor of such Land, or to such Person as shall be entitled thereto under any of the Provisions herein contained, it shall be lawful for the said Commissioners, or their Agents, Workmen, or Servants, immediately to enter upon and use such Land.

L. Provided always, and be it enacted, That if it shall seem expedient to the said Commissioners, at any Time or Times within Six Months after any Adjudication or Contract shall be made, given, or entered into under the Provisions of this Act, not to take or injure the whole or any Part of any Land, or other Matters or Things named or described in such Adjudication or Contract, it shall be lawful for the said Commissioners to serve a Notice upon or cause the same to be left at the usual Place of Abode of the Person or Persons who are or appear by the said Adjudication or Contract to be interested in such Land or other Matters or Things, stating that the same, and what Part thereof, will not be taken for or injured by any thing to be done under this Act; and the Adjudication or Contract mentioned in the said Notice, or such Part thereof as shall relate to the Part not required to be taken or injured as aforesaid, (at the Option of the said Commissioners,) shall be utterly void and of none Effect, to all Intents and Purposes whatsoever; and in case a Part only of any Adjudication or Contract shall become void as aforesaid, the said Commissioners shall fix and ascertain the Portion of the Sum mentioned in such Adjudication or Contract which should be deducted on account of the Part not required to be taken or injured, and if necessary

*Purchase of
Lands.*
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Lien shall remain on Premises not conveyed in Portions.

Power to enter and take possession of Land, &c. on Payment or Tender of Purchase Money.

Commissioners may forego the taking of any Land on serving a Notice, within Six Months from the Time of Contract or Adjudication, that the same will not be required.

*Purchase of
Lands.*

Proviso.

Commissioners may demise or lease Lands purchased for any Purposes calculated to improve the Fisheries.

necessary apportion the Residue among the Persons entitled thereto; and the said Commissioners shall amend such Adjudication or Contract accordingly, and such amended Adjudication or Contract shall have all the Force and Effect and shall be subject to the like Appeal as any other Adjudication or Contract under this Act: Provided always, that in all Cases where the Commissioners shall serve Notice that it is not intended to take or injure the whole nor any Part of such Land, the Person or Persons interested in such Land, and incurring any Loss or Expence in consequence of the Commissioners having previously required the same, shall be entitled to Compensation for such Loss and Expences, and in case the Amount thereof cannot be agreed upon the same shall be recovered by Civil Bill before the Assistant Barrister of the County in which such Land shall be situate, and such Assistant Barrister is hereby authorized and required to hear and determine the same.

LI. And be it enacted, That it shall be lawful for the said Commissioners to demise or lease to any Company, Corporation, or Person whatsoever, for ever, or for any Term that may be agreed upon, in such Lots or Divisions as to them may seem fit, any Lands of which they may become possessed under the Provisions of this Act, for the Purpose or as a Site for the Erection of any Market House, Drying Sheds, or other Building of a public Nature, or for the Erection of Curing Houses, or Stores for Salt and Materials used in the Trade of Fishing, or for Yards and Slips for the making and Repair of Vessels and Boats, or for Rope-walks, and any other public Purposes in the Opinion of the said Commissioners tending to promote and improve the Fisheries; and the said Commissioners shall reserve such Rent for all Lands so demised as to them shall seem fair and reasonable, and shall in every such Lease require a Covenant to be inserted, binding the Party or Person to whom such Lease shall be made to expend on such Land, within a Time to be in such Lease limited, such Sum in Building or Buildings, or otherwise, as to the said Commissioners shall seem fit, and to use the Lands so demised for the special Purpose for which it shall be demised, and no other, on pain of Forfeiture of such demised Premises: Provided always, that such Lands shall not be let or used for the Purpose of erecting thereon any Messuage or Dwelling House whatever, save and except such Messuage or Dwelling House as the Commissioners of the Treasury shall approve, for Collectors of Tolls, and the Keepers of such Market Houses, Stores, or Yards as aforesaid, or for Police, Revenue, or Coastguard Barracks, or other such Objects of a public Nature.

*Security
for Loans and
Repayment.*

Commissioners to make an Award upon Completion of any of the Works.

LII. And be it enacted, That as soon as conveniently may be after any Work for the Purposes of this Act shall have been completed the said Commissioners shall draw up or cause to be drawn up a final Award or Instrument in Writing, which shall describe the Work or Works which shall have been so completed, and such final Award shall also specify the Amount of the Sums which shall have been expended in and about the Works which shall have been executed, and all Expences incident thereto (including the Interest of all borrowed Monies), and the Proportions of such Sums which shall have been advanced by way
of

of Grant and by way of Loan towards Payment of the total Amount of the Costs, Charges, and Expences of such Works or incidental thereto, and whether the Monies advanced by way of Loan, with Interest, shall be repaid in One Sum or by Instalments, and if by Instalments then said Award shall also specify the several Instalments, and the Manner by and in which such Proportions shall be paid, and, regard being had to the Circumstances of each particular Case, and the final Declaration made as before directed in respect thereof, the said Award shall also specify the Amount of such Money advanced by way of Loan, which shall be charged, with Interest, upon the County or Counties, or District, or the Lands of any Proprietor or Proprietors, or proportionally on such County, District, or Lands, or either or any Two of them, as the Case may be, and describing such County, District, or Lands respectively; and the said Commissioners shall also cause to be inserted in every such final Award all such other Determinations, Matters, and Things as the said Commissioners shall think necessary and proper, and the said Commissioners shall sign such Award under their Hands.

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for Loans and
Repayment.*

LIII. And be it enacted, That every such final Award, when settled and signed by the said Commissioners, shall be enrolled in the Rolls Office of Her Majesty's Court of Chancery in *Ireland* within Three Months after the same shall have been finally settled, and a Copy thereof shall be deposited with the Clerk of the Peace of each County in or near which such Works shall be situate, who is hereby authorized and required to receive and deposit the same amongst the Records of the County; and such Award, when so finally settled and enrolled, shall be binding and conclusive on all Parties and Persons whomsoever, and a Copy thereof, certified by the proper Officer of Her Majesty's Rolls Office, shall be Evidence that it was duly made, and that all the Requisitions of this Act in relation thereto were complied with; and the said Commissioners shall, within One Month after the said Award shall be finally settled, cause such Award to be printed, and kept for Sale at a Price not exceeding Sixpence for each printed Copy thereof.

Award, when finally settled, to be deposited in the Court of Chancery.

LIV. And be it enacted, That any Sum of Money which under the final Award of the said Commissioners shall be payable by any County in respect of Monies advanced by way of Loan for or in respect of any Work under the Provisions of this Act shall be payable by the Grand Jury of such County, and the Secretary of the said Commissioners shall certify to the Secretary of such Grand Jury the Amount of such Sum of Money, and the Instalments and Manner by and in which the same is payable under the Award of the said Commissioners, and such Grand Jury is hereby required, without Application to Presentment Session, to make Presentment of the Amount of such Costs, Charges, and Expences, or of the Instalments from Time to Time payable in respect thereof, as stated in such Certificate, together with Interest thereon respectively at a Rate not exceeding Five Pounds *per Centum per Annum* from the Date of such Award, to be raised off the County at large; and in default of such Presentment the Court at such Assizes shall order such Amount or Instalments, with Interest as aforesaid, to be raised off such County, and such Order shall have the Force of a Presentment, and the Treasurer

Repayment of Loan when payable by a County, to be raised by Presentment.

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for Loans and
Repayment.*

of such County shall insert such Amount or Instalments, with the Interest thereon, as same shall be from Time to Time payable, in his Warrant or Warrants, and same shall be apportioned, raised, and levied as if the same had been duly presented; and when and so soon as such Amount or Instalments as aforesaid, with the Interest thereon, shall be raised and received by the Treasurer of the County, such Treasurer shall immediately pay the same to the said Commissioners, and the same shall be by them paid over and applied as herein-before directed in case of Repayment of Loans.

Repayment of
Loan when as-
sessed upon a
District.

LV. And be it enacted, That any Sum of Money which under such final Award as aforesaid shall be payable as aforesaid by any District in respect of Monies advanced by way of Loan for or in respect of any Work under the Provisions of this Act, together with Interest on such Sum at a Rate not exceeding Five Pounds *per Centum per Annum* from the Date of such Award, shall be charged upon the Occupiers of and other Persons rateable in respect of Lands and Hereditaments within such District, and rated under the then last preceding Rate or Rates made or from Time to Time made in respect of the same under the Provisions of an Act of the First and Second Years of Her present Majesty, intituled *An Act for the more effectual Relief of the Destitute Poor in Ireland*, and any Act amending the same, and shall be payable either in One Sum or by Instalments, as specified in such Award, by the respective Rate-payers who under the said last preceding Rate or Rates shall have paid or contributed or been liable to pay or contribute Rate in respect of Property in such District, according to the several Valuations according to which respectively such last preceding Rate or Rates shall have been so made charged upon and payable by the Rate-payers in respect of such Lands or Hereditaments respectively: Provided always, that any such Sum of Money or Instalment thereof, with Interest as aforesaid, shall be assessed and levied by the said Commissioners as a Poundage Assessment equally upon the net annual Value of the several Lands and Hereditaments within such District, rated as aforesaid, as such net annual Value shall have been stated in such last preceding Rate as aforesaid.

1 & 2 Vict. c.56.

Copies of Rate
may be taken
by the said
Commissioners
for Purposes of
this Act.

LVI. And be it enacted, That for the Purpose of ascertaining the rateable Property and the Rate-payers within any such District as aforesaid it shall and may be lawful for the said Commissioners to apply to the Guardians of the Union or respective Unions within which the respective Lands forming such District as aforesaid shall be situate; and such respective Guardians are hereby required to permit and suffer any Person authorized by the said Commissioners to take a Copy or Copies of so much of any such last preceding Rate or Rates as aforesaid as relates to any of such Lands or Hereditaments within any such District; and in case any Person or Persons having the Custody of any such Rate or Rates refuse to permit or shall not permit such Person so authorized by the said Commissioners to take such Copy or Copies thereof or Extracts therefrom respectively as aforesaid, the Person or Persons refusing or not permitting such Copy or Extract to be made shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds.

LVII. And

LVII. And be it enacted, That it shall be lawful for the said Commissioners, by Warrant to appoint Collectors, and recover Assessment from District.

Commissioners, by Warrant to appoint Collectors, and recover Assessment from District.

LVII. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time, by any Warrant or Warrants under their Hands and Seals, to appoint any Person or Persons whom they may think fit to collect the several and respective Sums of Money payable as such Assessment under the Provisions aforesaid in respect of the rateable Property in any such District, which Warrant or Warrants shall specify the Amount of Money to be levied for the Purposes of this Act on the several and respective Lands and Hereditaments within such District, and the Portion thereof to be paid by each Occupier of rateable Lands and Hereditaments, or other Persons liable to pay the same, according to such then last preceding Rate, and on Receipt of such Warrant such Collector is hereby authorized and required to levy the Money therein mentioned according thereto; and such Money shall and may be collected and levied, sued for and recovered, by such and the same Ways and Means as any Grand Jury Cess, or the Money apportioned on the several Persons liable to pay any Grand Jury Cess, may be collected and levied.

LVIII. And be it enacted, That when any Person occupying such Lands or Hereditaments within any such District shall be liable to pay a Rent in respect of the same, he may deduct from such Rent, for each Pound of the Rent which he shall be liable so to pay, One Half of the Sum which he shall have paid as such Assessment in respect of each Pound of the net annual Value (whether such Rent shall be greater or less than such net annual Value), and so in proportion for any less Sum than a Pound.

Proportion of Assessment to be deducted from Rent.

LIX. And be it enacted, That where any Person receiving Rent in respect of any such rateable Property within such District shall also pay a Rent in respect of the same, he shall be entitled to deduct from the Rent so paid by him a Sum bearing such a Proportion to the Amount of such Assessment deducted from the Rent received by him as the Rent paid by him bears to the Rent received by him: Provided always, that every Lessor assessed instead of any Occupier of rateable Property shall be entitled to deduct from any Rent paid by him in respect of such Property a Sum bearing such a Proportion to One Half of the Assessment on such Property as the Rent paid by him bears to the net annual Value of such Property.

Where more than One Rent is paid.

LX. And be it enacted, That any Sum of Money which under any such final Award shall be payable as aforesaid by any Proprietor of Lands in respect of Monies advanced by way of Loan for or in respect of any Works under the Provisions of this Act, together with Interest for such Sum at a Rate not exceeding Five Pounds *per Centum per Annum* from the Date of such Award, shall, from the Date of the final Declaration herein directed to be made, be charged upon the Lands of such Proprietor or Proprietors as specified in such final Declaration and Award, and that in preference to and with Priority over all Charges and Incumbrances on such Lands, except Quit Rent and Rent-charge in lieu of Tithes; and if any Sum of Money so charged as aforesaid, or any Instalment thereof, or any Interest in respect thereof, shall remain unpaid for the Space of Three Calendar Months next after the Time appointed for Payment of the same by the said Award, then it shall be lawful for the said Commissioners, or any Person

Repayment of Loan when charged upon Lands of Proprietors.

In case of Non-payment of Money so charged, Commissioners may enter into Receipt of Rents,

and mortgage
the Land.

authorized by them, to enter upon the Land charged with or liable to the Payment of the Sum of Money or Interest so in arrear, or any Part thereof, but subject nevertheless to such Quit Rent or Rent-charge in lieu of Tithes (if any) as aforesaid, and the Rents and Profits of such Land to receive and take until thereby or otherwise the Sum and Interest so due (together with all Costs and Expences attending or occasioned by such Entry, and Receipt of the Rents, Profits, and Issues of such Land,) shall be fully paid and satisfied; and it shall be lawful for the Court of Chancery or Exchequer in *Ireland*, upon the Application by Petition of the said Commissioners, to appoint a Receiver of the Rents, Profits, and Issues of such Land, which Receiver shall have full Power to receive the same Rents, Profits, and Issues, and apply the same, after Deduction of the necessary Expences of the Application to the said Court, and of such Quit Rent or Rent-charge in lieu of Tithe issuing out of such Lands and Premises (if any), in Payment of the Sum and Interest so due, until the same shall be fully paid; and it shall also be lawful for the said Commissioners, if they shall so think fit, to raise such Sum and Interest, and all Costs and Expences attendant thereon, by Mortgage of such Land or a competent Part thereof; and every such Mortgage, and every Receipt given for the Consideration Money, shall be valid and effectual to all Intents and Purposes whatsoever; and no Mortgagee shall be bound to see to the Application of his Mortgage Money, or to inquire whether the Mortgage, made by the said Commissioners is hereby authorized.

Persons making
default in re-
paying Prin-
cipal and Inter-
est for Thirty-
one Days, to
pay 1s. in the
Pound as Re-
ceiver's Fees.

LXI. And be it enacted, That in any Case where the Lands of any Proprietor shall be charged by such final Award with any Sum of Money in respect of any Loan as aforesaid, then, in addition to all and every the Sums and Interest so charged by such final Award of the said Commissioners upon such Lands under the Provisions of this Act, there shall be paid to the said Commissioners One Shilling in the Pound on the total Amount of the same respectively, as and for Receiver's Fees thereon to be charged, payable and recoverable in like Manner as such Sums and Interest aforesaid: Provided always, that no Party or Person, or the Lands or Property of such Party or Person, shall be liable to such additional Charge of One Shilling in the Pound who shall within Thirty-one Days next after the Time appointed by any such Award for the Payment of any such Sum and Interest as aforesaid pay the Amount to the Credit of the said Commissioners into the Bank of *Ireland* or into such other Bank as the said Commissioners shall for that Purpose appoint.

Tenants paying
Monies on ac-
count of Land-
lord to deduct
them from Rent.

LXII. And be it enacted, That in any Case where the Lands of any Proprietor shall be charged by such final Award with any Sum of Money in respect of any Loan as aforesaid, every Occupier of any such Land who, not being a Proprietor thereof within the Meaning of this Act, shall pay for the Land in his Occupation, on account of his Landlord, any Sum of Money charged thereupon under and by virtue of the Provisions of this Act, shall and he is hereby authorized to deduct and retain out of his Rent the Amount of the Sum of Money which he shall so pay as aforesaid, and the next immediate Landlord of such Occupier, if not himself a Proprietor of such Land within the Meaning of this Act, shall and he

is hereby authorized to make the like Deduction from the Rent payable by him, and so on, each Sub-lessee and Sub-lessor of such Land, not being a Proprietor thereof within the Meaning of this Act, being entitled to deduct the Sum so charged upon such Land under or by virtue of this Act from the Rent payable to his next immediate Landlord, until such Deduction shall be made from the Rent payable to a Person being a Proprietor within the Meaning of this Act who shall not be entitled to make any such Deduction from the Rent (if any) payable by him; and every such Occupier, Sub-lessee, or Sub-lessor paying any such Sum of Money shall be acquitted and discharged of the Sum so paid by him as fully and effectually as if the same had been actually paid to his Landlord (except where there shall or may be any Lease or Agreement to the contrary); but nothing herein contained shall extend or be construed to enable any Occupier or Lessee to deduct from his Rent any Costs or Expences incurred by Nonpayment of the Monies hereby imposed or authorized to be levied.

*Security
for Loans and
Repayment.*

LXIII. And be it enacted, That all Works constructed, altered, repaired, or improved under the Provisions of this Act shall be vested in the said Commissioners and their Successors, and shall be maintained, sustained, upheld, and repaired by said Commissioners out of any Tolls, Rates, or Rents which under the Provisions of this Act shall accrue to the said Commissioners for or in respect of such Works, or the Lands purchased by or vested in said Commissioners.

*Maintenance of
Works.*

*Works vested in
Commissioners
to be main-
tained out of
Tolls, &c.*

LXIV. And be it enacted, That all such Harbours, Piers, Quays, Landing Places, and other Works on the Sea Coast of Ireland which have been heretofore within Forty-five Years made wholly or in part with public Money advanced for the Purposes of the Improvement of the Fisheries, and which are not now private Property, as the said Commissioners shall deem fit, and still useful for the Purposes of the Sea Fisheries, and with respect to which the said Commissioners shall give and publish such Notice as herein-after provided, shall, together with all Ways, Rights, Members, and Appurtenances thereto belonging, be and the same are hereby declared to be public Property, and the same shall, from and after the Expiration of Twelve Calendar Months from the passing of this Act, be vested in the said Commissioners and their Successors; and all the Provisions in this Act contained with reference to the making of Grants and Loans for the Construction of new Works, or with reference to such Works, and the several Proceedings, Matters, and Things in any Manner relating thereto, shall be deemed and construed to apply and be applied, so far as the same may be applicable, to the first Repair, Alteration, or Improvement of such Harbours, Piers, Quays, Landing Places, and other Works as aforesaid; and after such first Repair, Alteration, or Improvement (if any) the same shall be maintained as any other Work under this Act: Provided always, that the said Commissioners shall as soon as conveniently may be, and within Twelve Calendar Months from the passing of this Act, by a Notice or Instrument in Writing under their Hands, declare and describe the several Harbours, Piers, Quays, Landing Places, and other Works which they shall so deem fit and useful for the Purposes of the Sea Fisheries, and to be vested in the said Commissioners;

*Certain existing
Harbours,
Piers, Quays,
Works, &c.
vested in Com-
missioners.*

Maintenance of
Works.

and that a Copy of such Notice or Instrument shall be published within such Period of Twelve Months in the "*Dublin Gazette*," and in some One or more Newspapers circulating in the Neighbourhood of each such Harbour, Pier, Quay, Landing Place, or other Work respectively, and also, if the said Commissioners deem fit, be posted at some public Place at or near such Harbour, Pier, Quay, Landing Place, or other Work as aforesaid.

Power to levy
Tolls and Rates.

LXV. And be it enacted, That when and so often as any Pier, Harbour, Quay, Landing Place, Engine, or other Work shall have been constructed, either wholly or in part, under the Provisions of this Act, or become vested in the said Commissioners under this Act, it shall and may be lawful for the said Commissioners and they are hereby authorized to levy or cause to be levied and paid, for the Use of such Pier, Harbour, Quay, Landing Place, Engine, or other Work, such Tolls and Rates as the Commissioners of Her Majesty's Treasury shall from Time to Time approve of: Provided always, that the Amount of such Tolls and Rates shall not exceed the probable average annual Expence of maintaining and repairing such Pier, Harbour, Quay, Landing Place, Engine, or other Work, and of the contingent Expences to be incurred by the said Commissioners in relation thereto, and of the Amount of Interest at the Rate of not less than Five Pounds *per Centum per Annum* on the Capital, whether public or private, expended on such Work: And provided further, that in case it shall appear to the said Commissioners that it would promote the public Advantage that a less Amount of Tolls or Rates should be levied, under the Provisions of this Act, for the Use of any such Pier, Harbour, Quay, Landing Place, Engine, or other Work, or that such Tolls or Rates should be at any Time increased with a view of thereby creating a Fund for the Improvement of such Pier, Harbour, Quay, Landing Place, Engine, or other Work, it shall be lawful for the said Commissioners and they are hereby authorized to increase or to lower such Tolls or Rates to such Extent and for such Period as the said Commissioners shall from Time to Time direct, with the Approbation of the Commissioners of Her Majesty's Treasury.

Amount of
Tolls.

Power to lower
or increase the
Tolls or Rates
for Improve-
ments.

A List of the
Rates, Tolls,
&c. to be affixed
in conspicuous
Places.

LXVI. And be it enacted, That the said Commissioners shall cause an Account or List, printed or painted in large legible Characters, of the several Rates and Tolls which the said Commissioners shall from Time to Time direct and appoint to be taken, and which shall be payable by virtue of this Act, to be affixed on Boards in some conspicuous Place, and continued and renewed as often as the same shall be obliterated or defaced, to, upon, or near every Work or Building at which any such Rates or Tolls shall be collected or received.

Power to let the
Tolls and Rates.

LXVII. And be it enacted, That it shall be lawful for the said Commissioners, if they shall so think fit, by public Bidding, from Time to Time to let, and from Time to Time to re-let, all or any of the Tolls or Rates payable under the Provisions of this Act, for Terms not exceeding Ten nor less than Five Years, on such Conditions, and with such Security for Payment of the Rent reserved on such Lease, as the said Commissioners shall think fit, and the Commissioners of Her Majesty's Treasury shall from Time to Time

approve : Provided always, that every such Lease shall contain a **Covenant in Lessees.** on the Part of the Lessee or Lessees to keep such Work in repair (so far as the ordinary Wear and Tear of such Work may render necessary), and shall also contain a Power of Re-entry on the Nonpayment of such Rent, or Nonperformance of such Covenant for Repairs, within Three Calendar Months after the same shall become due, or after any Breach of any such Covenant, and a Power to such Commissioners at any Time to put an end thereto on giving Three Calendar Months Notice to the Lessees or Lessee thereof of an Intention so to do: Provided always, that nothing in this Act contained shall be construed to extend to or affect any Tolls already raiseable and payable, or which shall hereafter be made raiseable or payable, by virtue of the Provisions of any Act passed before the passing of this Act.

LXVIII. And be it enacted, That the Tolls payable under the Provisions of this Act, or the Rent payable upon any Lease thereof, or the Rents payable in respect of any Lands let or leased by the said Commissioners under the Provisions herein-before contained, shall be applied in manner following; (that is to say,) first, in repairing and maintaining the Pier, Harbour, Quay, or other Work in respect of which, or in respect of Lands adjacent and in connexion with which, such Tolls or Rents shall be payable; and in the next place in defraying all the contingent Expences of the said Commissioners in relation to such Work; and the Surplus of such Tolls or Rents shall be in the meantime invested in Public or Government Securities, and suffered to accumulate so as to form a Fund for the Repair, Reconstruction, or future Improvement of such Work; and such Fund shall be applied for such Purpose, at such Time, and in such Manner as the said Commissioners shall from Time to Time direct, and the Commissioners of Her Majesty's Treasury shall from Time to Time appoint. **Application of Tolls and Rents of Lands.**

LXIX. And be it enacted, That it shall be lawful for the said Commissioners, in Cases in which such Tolls or Rates shall not be leased or let, and for the Lessees or Lessee of such Tolls or Rates, if leased or let, from Time to Time to appoint sufficient Collectors and Officers or Agents for the Purpose of receiving the Tolls and Rates payable under this Act; and in case any Person liable to pay such Tolls or Rates shall refuse or neglect to pay the same, it shall be lawful for the said Commissioners, or for the Lessees or Lessee of the said Tolls and Rates, or their Officer or Agent, or other Person to whom such Toll or Rate ought to have been paid, to seize the Vessel, Goods, Articles, and Things in respect of which such Tolls or Rates ought to have been paid wherever the same may be found, and to detain the same until such Tolls or Rates, together with the reasonable Costs and Expences of such Seizure and Detention, shall be paid; and if such Vessels, Goods, Articles, and Things shall not be redeemed within Twenty-one Days after the Seizure thereof, the same shall be appraised and sold, and, after deducting the Costs of such Seizure, Detention, and Sale, all such Sums as shall be due in respect of such Toll or Rates shall be satisfied thereout, and the Overplus paid to the Owner, in like Manner as the Law directs in Cases of Distress for Rent in arrear. **Power of enforcing Payment of Tolls.**

Commissioners
to make Bye
Laws.

LXX. And be it enacted, That it shall and may be lawful for the said Commissioners and they are hereby authorized and empowered from Time to Time to make such Bye Laws, Rules, Orders, and Regulations, not being contrary to any Law or Statute in force in *Ireland*, as to them shall seem meet and proper, according to the Circumstances of every Case, for better carrying into effect the Purposes of this Act, or in any Manner relating thereto, and from Time to Time to alter or repeal all or any of such Bye Laws, Rules, Orders, or Regulations, and to make others, and to impose such Fines and Penalties, not exceeding the Sum of Five Pounds, upon all Persons offending against any of such Bye Laws, Rules, Orders, or Regulations, as to the said Commissioners shall seem reasonable; and all such Bye Laws, Rules, Orders, and Regulations shall be reduced into Writing, and signed by the said Commissioners or any Two or more of them; and a Copy thereof, signed by the said Commissioners shall be deposited with the Clerk of the Peace of every County in or near to which any Work to which such Bye Laws shall relate shall be situate, and the same shall be kept with the Records of the County; and a printed or painted Copy of such of the said Bye Laws, Rules, Orders, or Regulations as shall subject any Person, not being an Officer or Servant of the said Commissioners, to any Fine or Penalty, shall be exhibited, on Boards or otherwise, at or near each Work, and in such other Places as to the said Commissioners shall seem fit, and shall from Time to Time be renewed as often as the same or any Part thereof shall be obliterated or destroyed; and such Bye Laws, Rules, and Orders shall be binding upon and shall be observed by all Persons whomsoever; provided that all such Bye Laws, Rules, Orders, and Regulations be approved of and confirmed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* in Council, by Writing under his or their Hands.

Copy of Bye
Laws to be
Evidence.

LXXI. Provided always, and be it enacted, That in all Cases of Prosecution for any Offence or Offences against any of the Bye Laws, Rules, Orders, and Regulations of the said Commissioners, the Production of a Book or Document purporting to contain the Bye Laws, Rules, Orders, or Regulations of the said Commissioners, and authenticated by the Signatures of any Two or more of the said Commissioners, shall be Evidence of the Existence of such Bye Laws, Rules, Orders, or Regulations: Provided always, that in every such Prosecution it shall be proved that such printed or painted Copy as aforesaid of such Bye Laws, Rules, Orders, or Regulations was duly exhibited in manner herein-before directed.

Persons de-
stroying Works
guilty of Mis-
demeanor.

LXXII. And be it enacted, That all and every Person or Persons whomsoever who shall at any Time hereafter wilfully and maliciously cut, break down, destroy, or damage any Work, Engine, or Building, or any Part thereof, which shall be erected and made for the Purposes of this Act, or shall become vested in the said Commissioners, shall be guilty of Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years.

LXXIII. And

LXXIII. And be it enacted, That if any Person shall throw or deposit any Ballast, Gravel, or other Matter or Thing into any Harbour or Precincts of any Pier, Quay, Landing Place, or other Work, so as to interrupt or obstruct the free Navigation to or from any Work which shall have been constructed or improved by the said Commissioners under this Act, or shall, without the Consent of the said Commissioners, lay any Ballast, Gravel, Stones, Dirt, Rubbish, Lime, Timbers, or Clay on any of the Banks, Wharfs, or Landing Places of any of the Works aforesaid, or if any Person shall maliciously open any Lock, Sluice, Dam, Gate, or Watercourse belonging to the said Commissioners, or shall so leave any of the same open, or shall raise any Wall, Building, or other Obstruction within or on such Works, or the Lands of said Commissioners, without the Consent in Writing of the Commissioners, such Person, being convicted of any of the Offences aforesaid before any Justice or Justices of the Peace of the County where such Offence shall be committed, or of any adjoining County, by the Oath of One or more credible Witness or Witnesses, shall be fined by such Justice or Justices a Sum not exceeding Ten Pounds, to be levied in such Manner as is hereinafter directed with respect to the levying any Fine imposed by any Justice or Justices; and all such Walls, Buildings, or other Obstructions may be forthwith pulled down and removed by the said Commissioners, or any Person or Persons duly authorized by them, and the Materials of such Walls, Buildings, or Obstructions may be sold by Order of the said Commissioners to defray the Costs of their Removal.

Penalty on Persons depositing Ballast, &c. so as to obstruct Navigation, &c.

LXXIV. And be it enacted, That if any Person or Persons shall wilfully prevent or assault any of the Commissioners for the Execution of this Act, or any Engineer, or other Officer, Servant, or Workman, acting in aid or under the Orders of any such Commissioners in the Execution of any of the Powers given by this Act, or shall wilfully destroy or injure any of the Instruments, Tools, Engines, or Implements or Materials kept or used by the said Commissioners or any of them, or by any Person or Persons employed by them or any of them, for or in the Execution, Maintenance, or Repairs of any of the Works under this Act, any Person so offending shall, in addition to any other Punishment to which by Law he may be subject for such Offence, forfeit and pay for every such Offence, upon Conviction thereof by the Oaths of One or more credible Witness or Witnesses before any Justice of the Peace, such Sum not exceeding Five Pounds as such Justice shall think fit.

Miscellaneous.

Penalty on Persons assaulting Commissioners and others engaged on the Works.

LXXV. And be it enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable, by Information or otherwise, before a Justice of the Peace, it shall be lawful for the Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof or Admission of the Offence to commit the Offender, and adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings

Proceedings by Summons for the Recovery of Penalties.

by

Miscellaneous.
—

Form of Con-
viction.

by Summons without Information in Writing shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

LXXVI. And be it enacted, That any Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words, or in Words to the same Effect :

‘ to wit. } **BE** it remembered, That on the Day of
 ‘ *A.B.* is convicted before Her Majesty’s
 ‘ Justices or Justice of the Peace for the County of
 ‘ by virtue of the Act passed in the Ninth Year of the Reign of
 ‘ Her Majesty Queen Victoria, intituled [*here insert the Title of*
 ‘ *this Act, specify the Offence, and the Time and Place when*
 ‘ *and where the same was committed, as the Case shall be*], and
 ‘ we do adjudge that the said *A.B.* shall for the said Offence
 ‘ . Given under our Hands and Seals
 ‘ [*or my Hand and Seal*] the Day and Year aforesaid.’

Recovery and
Application of
Penalties.

LXXVII. And be it enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or incurred under the Provisions or Directions thereof, and all Sums payable for Compensation or Damage, the Manner of levying and recovering whereof is not herein-before otherwise particularly directed, may be recovered in a summary Way by the Order and Adjudication of some Justice of the Peace of the County in or adjacent to which such Offence shall have been committed, on Complaint to him for that Purpose exhibited by the Oath or Affirmation of any Person, or on the Confession of the Party offending, which Oath or Affirmation such Justice is hereby authorized to administer ; and in default of Payment of such Penalties or Forfeitures, or Sums for Compensation or Damage, the same shall be levied by Distress and Sale of the Goods and Chattels of the Party making such Default, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), on demand, to the Party whose Goods and Chattels shall be so distrained, the reasonable Charges of such Distress and Sale being deducted ; and in case such Penalties or Forfeitures shall be not forthwith paid off, it shall be lawful for such Justice and he is hereby authorized and required to order the Offender so convicted to be detained and kept in safe Custody until Return can be conveniently made of such Warrant of Distress, unless the Offender can give sufficient Security, to the Satisfaction of such Justice, for his Appearance before such Justice, or before some other Justice of the Peace for the County in or adjacent to which such Offence shall have been committed as aforesaid, on such Day or Days as shall be appointed for the Return of the Warrant or Warrants of Distress, such Day or Days not being more than Eight Days from the taking any such Security, and which Security any Justice is hereby empowered to take by way of Recognizance or otherwise ; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the Penalty and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice upon the Confession of the Offender or otherwise, that he has no sufficient Goods and Chattels whereupon such Penalty, Forfeitures, Costs, and

and Expences could be levied (if a Warrant of Distress should be issued), such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice and he is hereby authorized and required by Warrant under his Hand and Seal, to commit such Offender to any Common Gaol or House of Correction, there to remain for any Time not exceeding Three Calendar Months, unless such Penalties or Forfeitures, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice, shall be sooner paid and satisfied, or shall otherwise be discharged by due Course of Law; and such Penalties and Forfeitures, when received, shall be paid to the Commissioners aforesaid, and be by them applied to the Purposes of this Act.

LXXVIII. And be it enacted, That wheresoever throughout this Act any Act, Matter, or Thing may be directed to be done at the Petty Sessions for the District, or by any Justice of the Peace for the County wherein any Place may be situate, or Offence may be committed respectively, the same shall and may be done at the Petty Sessions for the next adjoining District, or by any Justice of the Peace for the next adjoining County in any Case where such Place shall not be included or Offence committed in any District or County respectively; and whenever any Work constructed or repaired by, or any Work or Lands vested in the said Commissioners, under the Provisions of this Act, shall not be situate in any County, such Work or Lands shall for the Purposes of this Act be deemed and taken to be a Part of the County to which or any Part of which such Work or Land is next adjacent.

LXXIX. And be it enacted, That any Orders, Convictions, or other Proceedings to be had or made by or before any Justice of the Peace by virtue of the Powers granted by this Act, or any Orders or Proceedings to be had or made by, before, or on behalf of the said Commissioners, or, in case of Appeal, by or before the Assistant Barrister, shall not be quashed or vacated for Want of Form only.

LXXX. And be it enacted, That no Action, Suit, or Information shall be brought, commenced, or prosecuted by any Person for any thing done in pursuance of this Act or in execution of the Powers or Authorities herein contained, unless Notice in Writing of such Action, Suit, or Information, specifying the Ground or Cause thereof, and signed by the Attorney for the Plaintiff, shall be given to the said Commissioners or Persons against whom Proceedings are intended to be commenced at least Twenty-one Days before such Action, Suit, or Information shall be commenced.

LXXXI. And be it enacted, That no Plaintiff shall recover in any Action to be brought against any Commissioners or any other Person for any thing done in execution of the Powers vested in them or him under this Act, if Tender of sufficient Amends shall be made by or on behalf of the Commissioners or Person before such Action is brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any Action, by Leave of the Court in which such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as they

Miscellaneous.

Provision as to
Petty Sessions
Districts and
Counties.

Proceedings not
to be quashed
for Want of
Form.

No Action to be
brought against
Person acting
in execution of
this Act until
after Notice, &c.

No Action to
be brought after
Tender of sufficient
Amends,
&c.

Miscellaneous.

or he shall think fit, whereupon such Proceedings, Order, and Adjudication shall be had and given in and by such Court as in Actions where the Defendant is allowed to pay Money into the Court.

General Issue.

LXXXII. And be it enacted, That if any Action shall be brought against any Person or Persons as aforesaid for any Act, Matter, or Thing done by virtue of this Act, such Person or Persons may plead the General Issue, and give the special Matter in Evidence.

Commissioners may adjourn Meetings.

LXXXIII. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to adjourn any of the Meetings to be held by them under this Act to such Time and Place as they may think proper.

Persons summoned by Commissioners and refusing to give Evidence to be punished.

LXXXIV. And be it enacted, That it shall be lawful for the said Commissioners, upon any Inquiry or Proceeding to be had before them under any of the Provisions of this Act, to summon or examine upon Oath or Affirmation (which Oath or Affirmation the Commissioners are hereby empowered to administer) any Person whomsoever; and if any Person, having been so summoned before the said Commissioners to give Evidence touching any Matter to be inquired into under this Act, and having been paid or tendered a sufficient Sum of Money, to be ascertained by the said Commissioners, to defray the Charges of his Attendance, shall not appear before the said Commissioners pursuant to such Summons, without assigning some reasonable Excuse for not appearing, or shall refuse to be sworn or to be examined and give Evidence touching the Premises, the said Commissioners, upon Proof thereof upon Oath, shall and they are hereby authorized, by Warrant under their Hands and Seals, to direct any Person whomsoever to cause any Sum of Money, not exceeding Five Pounds, to be levied by Distress and Sale of the Goods and Chattels of the Person so neglecting or refusing to appear, or to be sworn and give Evidence, rendering the Overplus (if any), upon demand, to the Person whose Goods and Chattels shall have been so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale; and the Monies so to be levied as aforesaid shall be considered as Part of the Monies directed to be raised for carrying this Act into execution, and shall be applied accordingly; and all Persons who shall wilfully give false Evidence, or otherwise forswear themselves in any such Examination, may be prosecuted for same, and upon Conviction thereof shall be liable to the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are now liable to by Law.

Certain Works not to be executed without Consent of the Admiralty.

LXXXV. Provided always, and be it enacted, That it shall not be lawful for the said Commissioners to execute or alter any Work below High-water Mark of Spring Tides without the previous Consent of the Lord High Admiral, or of the Commissioners for executing the Office of Lord High Admiral, to be signified in Writing under the Hand of the Secretary of the Admiralty for the Time being.

Accounts of Proceedings to be laid before Parliament.

LXXXVI. And be it enacted, That the said Commissioners shall cause detailed Accounts in Writing of their Proceedings under this Act, and of the several Sums received by them as such Commis-

Commis-

Commissioners, and of the Sums expended by them, and the Mode of such Expenditure, and of the several Works made or in progress under this Act, to be made up to the Thirty-first Day of *December* in each Year; and such Account shall be laid before both Houses of Parliament within Thirty Days thereafter, if Parliament be then sitting, or within Thirty Days after the first Meeting of Parliament subsequent to the Thirty-first Day of *December*; and the said Commissioners shall, as often as they shall be required so to do by the Commissioners of Her Majesty's Treasury, transmit to the said Commissioners of the Treasury like Accounts made up to such Period as the said Commissioners of the Treasury shall direct.

Miscellaneous.

LXXXVII. And be it enacted, That in the Construction of this Act (except where the Nature of the Provision or the Context of the Act shall exclude such Construction) the Word "Land" shall extend to all Arable, Pasture, or otherwise profitable, and to all waste uncultivated Land, whether Bog Land or Land covered with Water, and shall also extend to Messuages, Tenements, and other Hereditaments, corporeal or incorporeal, and any Estate or Interest therein, and any undivided Part thereof, and any Charge or Incumbrance thereon; and the Words "Sea" or "Sea Coast" shall extend to all Places where the Tide ebbs and flows; and the Expression "Commissioners of Her Majesty's Treasury," or "Commissioners of the Treasury," shall mean the said last-mentioned Commissioners, or any Three or more of them; and the Expression "the said Commissioners" shall mean the Commissioners for the Execution of this Act, or any Two or more of them (except where otherwise provided); and the Word "Works" shall extend to or include all or any of the Works by this Act authorized to be executed; and the Words "Person or Persons," and the Words "Proprietor or Proprietors," shall extend to all Bodies Politic, Corporate, or Collegiate, and also all Bishops, Parsons, and other Ecclesiastical Persons, as to Lands held by them in those respective Characters, and to any Number of Persons associated together as a Company or Partnership; and the Word "County" shall extend and be applied to all Counties, Counties of Cities, and Counties of Towns; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

Definition of
Terms in this
Act.

LXXXVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be
amended, &c.

C A P. IV.

An Act to amend the Acts for promoting the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in *Ireland*; and to afford Facilities for increased Employment for the labouring Classes in Works of Drainage during the present Year.

[5th *March* 1846.]

5 & 6 Vict. c. 89.

‘ WHEREAS an Act was passed in the Sixth Year of the Reign of Her present Majesty, intituled *An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland* :

8 & 9 Vict. c. 69.

‘ And whereas a certain other Act was passed in the Ninth Year of the Reign of Her said present Majesty, intituled *An Act to amend an Act of the Sixth Year of Her present Majesty, for promoting the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland* : And whereas it is expedient further to promote the Execution of Works under the said recited Acts, and, by altering the Security for Monies to be borrowed for the Purposes of the said recited Acts and this Act, to expedite and facilitate the Proceedings thereunder, and to amend the said Acts in the several respects herein-after mentioned :’ Be it therefore 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,

Commissioners.
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for Money, and
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That the Commissioners for the Time being acting in the Execution of the said recited Acts shall be Commissioners for the Execution of this Act ; and that in all Cases of Declarations to be made and Monies to be borrowed by the said Commissioners, under the Provisions of the said recited Acts or this Act, from and after the First Day of *January* in this present Year, the respective Sums of Money which by the final Award to be made by the said Commissioners shall be specified as the Proportions or Contributions payable in respect of the several Parcels or Portions of the Land drained or improved by Drainage, or by any Works under the said Acts or this Act, with Interest for such respective Sums of Money at a Rate not exceeding Five Pounds *per Centum per Annum*, as also all Sums to be rated and assessed under the Provisions of the said first-recited Act or this Act, for the maintaining, sustaining, supporting, and upholding of any of the Works executed or to be executed under the said Acts or this Act, shall from the Date of such Declaration be charged on such several Parcels or Portions of the Land so drained or improved as aforesaid, and that in preference to and with Priority over all Charges and Incumbrances on such Land (except Quit Rent and Rent-charge in lieu of Tithe) ; and the same respective Sums of Money, with such Interest for the same as aforesaid, shall also be charged upon so much of any other Land situate within One Mile of any Part of the Lands so drained or improved, and settled, with the Lands so drained or improved, to the same Uses, Intents, and Purposes, by virtue of Limitations contained in the same Instrument or the same Set of Instruments, and also upon so much of any

Monies borrowed for Purposes of this Act, and Monies levied for Maintenance, to be a first Charge on Lands drained or improved ;

and a Charge in the Order of its Date, upon all Lands within One Mile, settled to the same Uses as the Lands drained

any

any other Land belonging to the same Proprietor as the Land drained or improved, and situate within One Mile of any Part of the same, for all his Estate and Interest existing at the Time of such Declaration, as the said Commissioners shall by their said Award, or any Instrument under their Hands and Seals, and enrolled in the Rolls Office, direct, limit, and appoint, having regard to the Sufficiency of the said Lands to satisfy and secure the Charge thereon, but subject as to such other Land as aforesaid, not being Part of the Lands so drained or improved as aforesaid, to the full Amount of all Incumbrances affecting the same prior to the Registry of the Memorandum of such Declaration: Provided always, that it shall be lawful for the said Commissioners, and they are hereby required, in making their final Award after the Execution of any of the Works by the said Acts or this Act authorized, to specify and state therein that the Repayments of all Sums expended in or about any such Works as aforesaid shall be made either by One Payment or by Instalments, half-yearly or otherwise, so that in case of One Payment the Amount of the same, or in the Case of Instalments the Amount of each Instalment, with Interest in either Case, shall not exceed the Amount of the estimated Increase in the Value of the Land to be drained or improved, as in such Award stated by the said Commissioners, for the Period allowed for such One Payment, or for the several Periods, in the Case of Instalments, allowed for the Repayment of such Instalments respectively.

II. And be it enacted, That in all Cases of the Repayment by Instalments of any Sums to be awarded by the said Commissioners in respect of the Expenditure in or about the Works for any District under the said recited Acts or this Act, it shall and may be lawful for the said Commissioners (if they shall so think fit) to add to the Amount of said Sums so to be awarded the total Amount of Interest which would accrue thereon from the Date of such Award, for and during the whole Period to be allowed for Repayment of the entire Sum to be awarded, and in and by said Award to direct that the Repayment of such Interest shall be made by equal Instalments; and such equal Instalments of Interest shall be payable, together with, and in like Manner, and at like Periods, and with the like Remedies for Recovery, and subject to the same Provisions, as the Instalments of the said Sums to be awarded by the said Commissioners.

III. And be it enacted, That it shall and may be lawful for the Proprietor of any Part of the Lands so drained or improved to pay off the Amount of Principal and Interest charged or remaining due on his Portion of the said Lands, at any Time within the Period mentioned in any such Award, on giving to the said Commissioners Twelve Months previous Notice of his Intention so to do.

IV. And be it enacted, That in addition to all and every the Sums which by any final Award of the said Commissioners shall be fixed and determined as the Proportions of the Sums payable in respect of the Lands drained or improved by Drainage, or any other Work, under the Provisions of the said recited Acts or this Act, or any of them, and the Interest on such Sums, there shall be paid to the said Commissioners One Shilling in the Pound on the

or improved, or belonging to the same Proprietor.

Such Time for Repayment to be allowed that the Amount of any Payment for a Period shall not exceed the estimated Increase in the Value for that Period.

Interest to accrue during Period of Repayment may be divided into equal Instalments.

Any Proprietor may pay off Principal, &c.

Persons making Default in repaying Principal and Interest for 31 Days to pay 1s. in the Pound as Receivers Fees.

the

Security for Money, and Repayment.

Proviso.

the total Amount of the same respectively as and for Receivers Fees thereon, to be charged, payable, and recoverable in like Manner as such Sums and Interest aforesaid: Provided always, that no Party or Person on the Lands or Property of such Party or Person shall be liable to such additional Charge of One Shilling in the Pound who shall, within Thirty-one Days next after the Time appointed by any such Award for Payment of any such Sum and Interest as aforesaid, pay the Amount thereof, to the Credit of the said Commissioners, into the Bank of *Ireland*, or into such other Bank as the said Commissioners may for that Purpose appoint.

Power to recover small Sums by Civil Bill.

V. And be it enacted, That if any Sum of Money charged under the said recited Acts or this Act, or any Instalment or Part thereof, (not exceeding in Amount the Sum of Fifty Pounds,) shall remain unpaid for the Space of Thirty-one Days next after the Time appointed for Payment of the same by the Award of the said Commissioners, then, in addition to the other Powers in and by the said recited Acts or either of them, or this Act, given for the Recovery thereof, it shall be lawful for the said Commissioners to recover the same by Civil Bill against the Party or Person liable to pay the same in all such Cases as aforesaid.

Commissioners to grant Debentures to Lenders for Principal and Interest.

VI. And be it enacted, That from and after the passing of this Act, in all Cases of Monies to be borrowed and taken up at Interest by the said Commissioners under the Provisions of the said recited Acts and this Act, it shall and may be lawful for the said Commissioners from Time to Time to grant a Security in the Form of Debenture for such Monies, under the Hands and Seals of the said Commissioners, to every Person who shall advance any Sum of Money for the Purposes of the said recited Acts or this Act, every such Debenture being numbered in the Order of its Execution by the Commissioners, and setting forth the Amount of the Sum for which each such Debenture is issued, and the Rate of Interest payable for the same, and the Period to expire before the same shall upon Notice become payable, with a Reference to the Land for the Drainage or Improvement of which, or River for the Navigation of which, or the Reservoir or other Work for the Construction of which, such Sum shall have been so borrowed or taken up, and the District within which the same, or any of them, may be situate; and that every such Debenture shall be made in the following Words, or as near thereto as the Circumstances of the Case will admit:

Form of Debenture.

' No.

' Debenture to Lender of Money.

' Amount £

' Drainage, Navigation, and Water Power, in Ireland, 5 and 6 Victoria, c. 89, 8 and 9 Victoria, c. 69, and 9 Victoria, c.

' District

' in the County of

} No.

' BY virtue of an Act passed in the Sixth Year of the Reign of Her Majesty Queen Victoria, intituled "An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland," and also of Two other Acts passed in the Ninth Year of the Reign of Her said Majesty, amending the same, we, the undersigned, being Two of the Commissioners for the Execution of the said Acts, in
' con-

‘ consideration of the Sum of Sterling to us lent
 ‘ and paid by do hereby certify, and it is
 ‘ hereby witnessed, that the Monies to become payable to the said
 ‘ Commissioners for the Execution of the said Acts under their
 ‘ final Award, for and in respect of the Drainage, Improvement,
 ‘ Navigation, Construction of Reservoir, [or other Work, et cætera,
 ‘ et cætera, as the Case may be,] in the District of
 ‘ in the County of particularly mentioned, described,
 ‘ and referred to in the Declaration [or final Notice, as the Case
 ‘ may be,] made on the Day of by
 ‘ of the said Commissioners, [or issued and pub-
 ‘ lished, in the Case of final Notice, as the Case may be,] and
 ‘ deposited and registered, pursuant to the said Acts or this Act,
 ‘ are hereby charged with the Repayment of said Sum of
 ‘ such Repayment to be made to the said
 ‘ or other the Person entitled thereto, by
 ‘ Endorsement hereon, in One Payment, at such Time after the
 ‘ Expiration of Years from the Date hereof as
 ‘ may be appointed by the said Commissioners pursuant to Notice
 ‘ to be given for that Purpose, with Interest at and after the Rate
 ‘ of per Centum per Annum, such Interest to com-
 ‘ mence and to be computed from the Day of the Date hereof,
 ‘ and be payable half-yearly, on each First Day of January and
 ‘ First Day of July, until the Principal Sum shall be repaid, or
 ‘ be repayable pursuant to Notice as aforesaid, which Sum so lent
 ‘ and advanced by the said was taken up and
 ‘ borrowed by us for the Purposes of said Acts. In witness
 ‘ whereof we have hereunto set our Hands and Seals, this
 ‘ Day of

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 Repayment.*

‘ Office of Public Works,
 ‘ Dublin.

} Commissioners.

‘ Entered

And the Monies mentioned in each such Debenture, with the Interest thereon, shall be charged upon and repayable and paid by the said Commissioners out of the Monies which shall come to their Hands under the final Award to be made by the said Commissioners in respect of the Lands or District for or in respect of which such Monies shall have been borrowed; and any such Debenture may be transferred by Endorsement thereon, in like Manner and subject to like Provisions and Regulations as by the said secondly-recited Act any Certificate of Loan may be transferred; and all Persons to whom such Securities shall be so given, or other Person entitled thereto by Endorsement thereon as aforesaid, shall be entitled to the Monies accruing and payable under such final Award, according to and in the Order of the Number of each such Debenture as aforesaid, any thing in the said recited Acts, or any of them, to the contrary notwithstanding: Provided always, that all the Provisions in the said recited Acts contained with respect to Certificates of Loan thereunder shall, save so far as the same are altered or varied by this Act, and subject to such Alteration or Variation, be deemed and construed to extend and shall be applied to any such Debentures as aforesaid: Provided also, that nothing herein contained shall be deemed, construed, or taken to extend to make the said Commissioners, or any of them,

Debentures may be transferred.

*Security
for Money, and
Repayment.*

Commissioners
to pay off De-
bentures on
Notice after
Period limited
for such Pur-
pose.

personally, or their respective Lands or Tenements, Goods and Chattels, liable to the Repayment of any of the Monies to be borrowed or secured in pursuance of this Act.

VII. And be it enacted, That in all Cases of Debentures issued as herein-before provided it shall be lawful for the said Commissioners, at any Time after the Expiration of the Period when, under the Provisions aforesaid, any such Debenture may, upon Notice as aforesaid, become payable, to publish a Notice in the *Dublin Gazette*, and in such other Newspapers as they shall deem fit, fixing a Time, not sooner than Two Calendar Months from the Date of such last-mentioned Notice, when the Principal Money secured by any such Debenture shall be paid or payable, having regard to the numerical Order in which the several Debentures for the District shall have been executed by the said Commissioners; and in such Notice the Debenture to become payable shall be described by the Name of such District in respect of the Works within which such Debenture shall have been so issued, and by the Number or other Mark fixed by the said Commissioners on such Debenture; and it shall be lawful for the said Commissioners, at the Expiration of the Time in such Notice stated, to pay off the Monies due on account of any such Debenture mentioned in such Notice; and from and after the Expiration of the Time appointed by the said Notice the Interest on the Principal Monies secured by any such Debenture shall cease and determine.

*Preliminary
Proceedings.*

Definition of
what Surveys
and Proceedings
shall be requisite
under this Act.

VIII. ' And whereas under the Provisions of the said first-
' recited Act much Expence and Delay are caused in the Proceed-
' ings preliminary to the issuing of the final Notice to be pub-
' lished by the said Commissioners, and to the Commencement of
' the Works by said Act authorized, and many of such Proceed-
' ings may, under the Provisions herein contained, be dispensed
' with or postponed; ' be it therefore enacted, That for the Purpose
of all such preliminary Proceedings, and to authorize the said
Commissioners to hold the Meeting by the said first-recited Act
directed previously to taking the Assents of Proprietors to the
Execution of any Work under said Acts or this Act, and making
the Declaration aforesaid by said Acts or this Act directed to be
made, as also issuing the final Notice by the said first-recited Act
directed to be given previously to proceeding with the Execution
of any of the Works by said Acts or this Act authorized, it shall
not be necessary for the said Commissioners to obtain in detail a
Survey or Valuation of the several Plots or Portions of Land pro-
posed to be drained or improved, or to make more than One
Survey of any such Land, or to inquire into Particulars of Titles
or Tenures of the respective Proprietors, Lessees, or Occupiers of
such Lands, or to state in detail the Proportions in which such
Lands shall be liable to the Costs of the Execution of the pro-
posed Works, or the Lands or other Property to be purchased for
the Execution of the Works, or the Owners, Lessees, or Occupiers
of such Land, but, as regards all such Matters and Things as afore-
said, and for the Purpose of enabling the said Commissioners to
take the Assents of Proprietors, and to make the Declaration in
and by the said recited Acts or this Act authorized, and to issue
such final Notice as aforesaid, it shall be deemed sufficient to have
prepared and deposited such Plans; Sections, and Estimates as the
said

said Commissioners may consider sufficient for the Purpose of showing the Works to be executed, with the estimated Costs thereof, including all Expences incidental thereto, showing also the District or Limits within which it is proposed to put the Powers of the said Acts or this Act into execution, as well as the Extent of Land or River to be drained or improved, together with a general Statement of the average present Value of the Lands to be drained or improved, and of the Increase in such average Value estimated to arise from the Execution of the proposed Works, and a List of the reputed Proprietors of such Lands, with a Return of the Quantity of Land within such District held by such Proprietors respectively, so far as the same may have been ascertained by such general Survey as aforesaid, any thing in the said recited Acts or either of them, requiring any further or other Schedules, Maps, Plans, Matters, or Things whatsoever, to the contrary thereof notwithstanding.

IX. And be it enacted, That it shall and may be lawful for the Grand Jury, at the Assizes of any County within which any River or Stream capable of being deepened, widened, altered, or improved, for the Purpose of Drainage of any Lands which may be situate along or near such River, to make, if they shall so think fit, a Presentment, directing their Secretary to apply by Memorial to the said Commissioners for the Drainage or Improvement of any Lands along or near such River or Stream, and which may be flooded or injured by Water, or are capable of being drained, or the Drainage whereof may be capable of being improved, and to present (without Application to Presentment Sessions) any Sums which may be required for or towards defraying the Expences of the preliminary Inquiries for the Purpose of any such Drainage; and all and every the Powers, Authorities, and Provisions in and by the said first-recited Act given and contained for or in respect of the Memorial of any Grand Jury to the said Commissioners, and the Notice in respect thereof for the making or improving any Navigation under the Provisions of the said first-recited Act, as well as the Recovery and Payment of all Expences incurred in consequence of such Memorial, shall be deemed to apply to any such Memorial under this Act, and the Proceedings relating thereto for the Drainage of Lands as aforesaid, and the Recovery and Payment of all Expences incurred in consequence of such last-mentioned Memorial: Provided always, that in all Cases where under any such Memorial as aforesaid the necessary Works shall be undertaken and carried out by the said Commissioners, the Amount which shall have been so presented and paid to the said Commissioners shall, out of the first Monies borrowed for the Execution of such Works, be repaid to the Treasurer of such County, and be by him brought to the Credit of the County at large, or the Barony, Half Barony, or Townland, on or from which the same shall have been levied.

X. And whereas it has been found in many Cases that by reason of the Insufficiency of the Sums deposited or required to be deposited for defraying the Expence of preliminary Proceedings, and from the Difficulty experienced in procuring additional Funds until such preliminary Proceedings have been completed, great Delay has been caused, and the Commencement of many

Preliminary Proceedings.

Grand Jury may present Memorial for Drainage, and deposit Funds, to be repaid in case the Works are undertaken.

Treasury may advance Money by way of Loan to the Commissioners of Drainage in aid of Deposits to pay preliminary

Expences, to be repaid out of Monies borrowed for Execution of Works, or, in case no Works are undertaken, to be repaid by Memorialists.

' useful Works retarded ;' be it therefore enacted, That, with a view to expedite the Proceedings preliminary to the Execution of any of the Works under the said recited Acts or this Act, it shall and may be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, on the Application of the Commissioners for the Execution of the said recited Acts and this Act, to direct that any Sum or Sums of Money, not exceeding in the whole the Sum of Five thousand Pounds in any One Year, required for the Purposes of any such preliminary Investigation and Proceedings as aforesaid by the said last-mentioned Commissioners, shall be advanced and paid to the said last-mentioned Commissioners out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and applied by the said last-mentioned Commissioners, along with the Sum which shall have been deposited or secured by any Grand Jury, Party, or Person, under the Provisions of the said first-recited Act or this Act, in making the necessary Survey, Valuation, and Investigation, and in taking all other Proceedings preliminary to the Execution of any of the Works by the said Acts or this Act authorized ; and the Accounts of the Receipt, Application, and Expenditure, as well of all Monies so to be advanced and paid to the said Commissioners, as of the Sum so deposited and secured as aforesaid, shall be transmitted to the Commissioners for auditing and examining the Public Accounts of the Kingdom, for the Purpose of Examination and final Audit ; and in examining, trying, and auditing each and every of the said Accounts the said Commissioners shall have all the Powers which are vested in them under an Act of the Twenty-fifth Year of the Reign of King *George* the Third, intituled *An Act for better examining and auditing the Public Accounts of this Kingdom*, and under any other Act now in force, or any Law, Usage, or Custom, or otherwise howsoever ; and all and every Sums or Sum of Money so to be advanced and paid out of the Consolidated Fund aforesaid shall be repaid to the Consolidated Fund out of the first Monies to be borrowed by the said Commissioners for the Execution of the said recited Acts and this Act, for the Purpose of executing the Works towards the preliminary Expences of which the same shall have been applied as aforesaid ; and in Cases where the Execution of the necessary Works shall not be proceeded with, either in consequence of the said last-mentioned Commissioners not approving of the same, or from the Want of the proper Number of Assents of Proprietors for such Purposes, the said Monies shall be repaid to the said last-mentioned Commissioners by the Party or Person who, or by the Grand Jury of the County which, shall have made Application by Memorial for the Execution of any such Works, and shall be recovered by the said last-mentioned Commissioners in such Manner as by said first-recited Act directed, and be by them paid over to the Consolidated Fund in such Manner as the Commissioners of Her Majesty's Treasury shall direct.

25 G. 3. c. 52.

Assents of Proprietors for more than One Half in Extent of the Lands to

XI. ' And whereas it is in and by the said first-recited Act enacted, that no Works shall be commenced for the Drainage of any Land, under and by virtue of the said Act, unless the Proprietors of Two Thirds or more in Extent of the Land proposed to

‘ to be drained or improved by such Drainage shall assent to the Execution thereof, in Writing under their Hands respectively, within such Time as the said Commissioners shall appoint : And whereas by reason of the Absence of many Proprietors, as well as the Omission of others to sign the necessary Assent, even in Cases where they have not expressed Dissent, and from other Causes, it has been found difficult to obtain the written Assents of so many Proprietors as heretofore required, and thereby the Execution of many important and useful Works of Improvement have been and are injuriously delayed ;’ be it therefore enacted, That all or any of the Works for the Drainage of Land under and by virtue of the said recited Acts or this Act, whether in connexion with Works for the Improvement of Water Power, Navigation, or otherwise, may be commenced, in case the Proprietors of any Quantity exceeding One Half in Extent of the Lands proposed to be drained or improved by such Drainage shall, with the Consent of the Tenants (if any) of such Lands, as in and by said first-recited Act required, assent, or shall have heretofore assented, to the Execution of the proposed Works, in Writing under their Hands respectively, within such Time as the said Commissioners shall appoint, any thing in the said recited Act to the contrary thereof notwithstanding.

be drained and improved to be deemed sufficient to bring this Act into operation.

XII. Provided always, and be it enacted, That in any Case where One Moiety or any Portion exceeding One Moiety and not amounting to Two Thirds in Extent of the Land proposed to be drained or improved shall belong to a single Proprietor, then such Works may be commenced, if the Proprietor or all the Proprietors (if more than One) of the Residue of such Lands shall, with such Consent as aforesaid, assent as aforesaid to the Execution of such proposed Works, and if it shall be made out to the Satisfaction of the said Commissioners, by competent Evidence, accompanied by the Report of a skilful Engineer or Surveyor, approved of by the said Commissioners, that such Drainage or Improvement, when completed, will increase the average Value of the whole of such Land in the Proportion of at least Ten *per Centum per Annum* on the estimated Cost of the Works necessary for such Drainage or Improvement, and all Expences incidental thereto.

If One Moiety and less than Two Thirds of Lands to be drained belong to a single Proprietor, the Assent of the Remainder shall be sufficient for such Drainage in certain Cases.

XIII. ‘ And whereas under the Provisions of the said first-recited Act Persons having certain Interests (as therein specified) in any Portion of the Lands proposed to be drained or improved, who shall deposit with the said Commissioners such Sum of Money as shall be deemed sufficient for the Payment of the Sum with which such Portion of the Land may become chargeable for or in respect of the Costs and Expences of the Works proposed to be executed, may be deemed Proprietors of such Land, and the Persons entitled to assent to such Works, for the Purpose of the said recited Act ;’ be it enacted, That it may be lawful for the said Commissioners, if they shall so think fit, in any such Case, in lieu of any such Deposit of a Sum of Money as aforesaid, to accept, in addition to the Security of the Lands of which any such Person may be seised or possessed within the Limits of the District, and to become chargeable under the Award of the said Commissioners, such Security as the said Commissioners shall deem sufficient for the due Payment of the Sum of Money with

The Commissioners may take Security instead of Deposit from Tenants having certain Interests in Lands who may desire to qualify as Proprietors for the Purpose of assenting, by paying the Proportion of the whole Expence of the Works to be charged upon the Lands held by them.

Preliminary Proceedings.

which such Portion of Land may become chargeable for or in respect of the Costs and Expences of the Works proposed to be executed under the Provisions of the said recited Acts or this Act; and any such Person having such Interest, and making or having heretofore made such Deposit, or giving such Security as aforesaid, shall, for all the Purposes of the said recited Acts or this Act, be deemed the Proprietor of the Land in respect of which he shall have made such Deposit or given such Security; and such Lands shall thenceforth be and remain charged with and liable to the Sums payable in respect of the Costs and Expences of the Works, and the Maintenance and upholding of the same, in like Manner as the Lands of any Proprietor under the Provisions of the said recited Acts and this Act: Provided always, that any Person having such Interest, and making such Deposit or giving such Security as aforesaid, shall not be liable, under the Provisions of the said recited Acts or this Act, to have the Rent of such Lands increased by any Order or Determination of the said Commissioners.

Proviso.

Form and Substance of Declaration and final Award required by former Act may be varied to suit this Act.

XIV. And be it enacted, That in making the Declaration or final Award in and by the said recited Acts mentioned or required to be made with reference to any Works under the said recited Acts or this Act, it shall and may be lawful for the said Commissioners to alter and vary such Declaration or final Award, and the Form and Matter thereof respectively, in the several Particulars, Matters, and Things as to which the Provisions of the said recited Acts are altered and varied by this Act, and to make the same conformable in all such Matters to the Provisions of this Act, any thing in the said recited Acts, or either of them, to the contrary notwithstanding.

Appeal to Assistant Barrister against Declaration.

XV. And be it enacted, That it shall not be lawful for any Persons to appeal to the Assistant Barrister against or in respect of any Declaration to be made by the said Commissioners under the Provisions of the said recited Acts or this Act, save only in respect of any Mill or Factory pursuant to the Provisions of the said first-recited Act, or as to any Assents to be given in respect of the Construction of any Reservoir, or the increased or more constant Supply of Water, under the Provisions of the said recited Acts or this Act, and save also as to the Matter or Fact whether or not Assents of the Proprietors of the Extent of the Land to be drained or improved required under the Provisions of this Act shall have been given to the Execution of the proposed Works: Provided always, that no Appeal against any such Declaration in respect to any Mill or Factory shall stay the Execution of the Works proposed to be executed, except as regards the Execution of such Works or Alterations as may be proposed to be made in any such Mill or Factory, or the Works appertaining thereto.

The Length of Time required by former Acts for giving Notices or depositing Maps, &c. may be reduced, except in certain Cases.

XVI. And be it enacted, That in all Cases where Notices are required to be given, or Maps, Plans, Sections, Schedules, Estimates, or other Matters and Things are required to be deposited, by the said Commissioners, for any limited Period, under the recited Acts or either of them, or this Act, (save as herein-after specially provided,) it shall not be necessary for the said Commissioners to give any longer Notice, or to deposit any such Maps, Plans,

Plans, Sections, Schedules, Estimates, or other Matters or Things as aforesaid, for any longer Period than for Three Weeks from the Date of such Notice or Deposit, as the Case may be: Provided always, that nothing herein contained shall authorize the said Commissioners to give Notice of paying off any Certificates of Loans issued under the said recited Acts, or either of them, within a shorter Period than that in and by the said secondly recited Act is provided in that Behalf.

Preliminary Proceedings.

XVII. And be it enacted, That it may be lawful for the said Commissioners to affix a Name to each District within which it may be proposed to put the Powers of the said recited Act or this Act into operation, and by which Name such Districts shall for all and every the Purposes of the said recited Acts and this Act be thereafter known, called, and described.

Commissioners may affix a Name to Districts.

XVIII. And be it enacted, That no Error, Misdescription, Misnomer, Mis-statement, or Omission in any of the Schedules, Maps, Plans, Sections, Estimates, Declarations or Memorandum of Declaration, or Notices, by the said recited Acts or this Act required to be prepared, lodged, registered, or given by the said Commissioners, shall invalidate the same, or any of them, or any of the Proceedings under the said recited Acts or this Act; and from and after the Publication of the final Notice in and by the said first-recited Act or this Act directed to be given previously to the Commencement of any Works by the said Commissioners no Error or Omission whatever in any of the Proceedings preliminary to the issuing of such final Notice shall be deemed to affect or invalidate any such Proceedings, or the Powers and Authorities of the said Commissioners, or prevent them from proceeding with the Execution of the Works in their Opinion necessary, and for that Purpose effecting any Purchases, and doing all Matters and Things requisite for carrying fully into effect any such Works, or the Provisions of said recited Acts or this Act in relation thereto, nor to affect or invalidate any Award to be made by the said Commissioners in respect of any of the Lands drained or improved or affected by such Works, nor the Extent of Land or other Property to become liable for the Repayment of the Cost of the Works, and all Expences incidental thereto, nor any other Matter or Thing done or omitted to be done by the said Commissioners previously or subsequently to the publishing of such final Notice; and the Assent which shall have been received by the said Commissioners from any Proprietor of the Lands to be drained or improved shall be conclusive and binding upon such Proprietor of and all Persons interested in the Lands of such Proprietor in respect of which such Assent may have been given, and also upon and against the same Lands respectively; and it shall not be lawful for any Person whatever in any Manner to question or appeal against or in respect of any thing whatsoever done or omitted to be done by the said Commissioners under the Provisions of the said recited Acts or this Act (save only by such Petition to the Court of Chancery or Exchequer as by the said first-recited Act is allowed in case of Appeals respecting Mills or Factories only), nor shall any Proceedings to be had or taken by or on behalf of the said Commissioners for the Purpose of the said recited Acts or this Act be removed or

Errors, Omissions, Mis-statements, or Misnomers in Proceedings or Documents previous to and inclusive of the Publication of the final Notice, shall not invalidate any of the Proceedings under this Act or the recited Acts.

removable by Certiorari into any of Her Majesty's Courts of Record.

Reservoirs and Navigation.

Companies may be formed under this Act to provide Funds and receive Profits (not exceeding 10 per Cent.) from Reservoirs or Navigations constructed by the Commissioners under Provisions of recited Acts and this Act.

XIX. 'And whereas the Construction of Reservoirs for the Prevention of sudden Floods, and maintaining a constant Supply of Water for Mills, Factories, Navigation, Irrigation, or Warping of Lands, the Supply of Towns, and other such Purposes, and also the Construction or Improvement of Navigation in connexion with Drainage, under the Provisions of the said recited Act or this Act, may be promoted or encouraged by the permanent Investment of the Money expended in the Construction of same, and by allowing the Parties investing their Money for such Purpose to receive and apply to their own Use the Profit, not exceeding Ten *per Centum* on the original Outlay, arising out of the Rates, Taxes, and Tolls to be levied by the said Commissioners under the Provisions of the said recited Acts or this Act: And whereas an Act was passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies*, and it is expedient to apply the Provisions of the said last-mentioned Act to the Formation of Joint Stock Companies for providing Funds to be permanently invested in, and receiving the Profits to arise from, the Construction of such Reservoirs, and the Construction or Improvement of such Navigations as aforesaid, by the said Commissioners, under the Provisions of said last-recited Acts or this Act;' be it therefore enacted, That it shall and may be lawful from Time to Time for any Number of Persons, with the Consent and Approbation in Writing of the said Commissioners, to form themselves into a Company for the Purpose of raising and providing Funds to be permanently invested, by or under the Control or Superintendence of the said Commissioners, in the Formation or Construction of any such Reservoir or Embankment for any of the Purposes aforesaid, or the making or improving any Navigation under the Provisions of said recited Acts or this Act; and every such Company shall be subject to the several Provisions and Regulations, so far as the same are applicable, contained in the said recited Act of the Seventh and Eighth Years of the Reign of Her present Majesty, and shall and may, subject to the Terms and Provisions of the said Act, be incorporated and have a Common Seal, and sue or be sued by their registered Name, and possess and enjoy the Powers and Privileges in the said Act given, as and subject to the Regulations in the said Act respectively provided and mentioned: Provided always, that no Shareholder in any such Company shall be liable for or charged with the Payment of any Debt or Demand due by or from any such Company beyond the Extent of his Share in the Capital of such Company not then paid up.

The Commissioners shall pay to Companies providing Funds the surplus Income, not exceeding 10. per Cent. on original Outlay.

XX. And be it enacted, That when any Company of Persons as aforesaid formed for any of the Purposes aforesaid shall have provided and supplied to the said Commissioners Funds to defray the Costs and Expences of the making or constructing of any such Reservoir or Embankment, or the making or improving any such Navigation, under the Provisions of the said recited Acts or this Act, and when such Works shall have been completed, and the

the Costs and Expences thereof shall have been fully paid and satisfied to the said Commissioners, it shall and may be lawful for the said Commissioners and they are hereby required, after defraying the Cost of supporting, maintaining, and upholding the several Works of such Reservoir or Navigation, as the Case may be, which, under the Provisions of the said first-recited Act and this Act, the said Commissioners are authorized and required to maintain, support, and uphold, to pay to the Company, or authorized Officer thereof, which shall have provided such Funds, the whole of the surplus Income which shall arise out of the Assessment, Rates, Taxes, Tolls, or Rents imposed or to be imposed by the said Commissioners from Time to Time on account of the original Construction or the maintaining the Works of such Reservoirs or Navigations respectively: Provided always, that when the Amount of such surplus Income shall exceed Ten Pounds *per Centum per Annum* on the total Amount declared by the Award of the said Commissioners to have been expended in or about the Construction of such Reservoir or Works, the Amount of such Assessment, Rates, Taxes, or Tolls shall be so reduced by the said Commissioners that the Amount of such surplus Income arising therefrom shall not exceed Ten Pounds *per Centum per Annum* as aforesaid.

XXI. And be it enacted, That it shall and may be lawful for the said Commissioners, if they shall so think fit, from Time to Time, or for any stated Time, to depute the duly authorized Officers of any Company as aforesaid formed for providing Funds for the Construction of any Reservoir or Embankment under the Provisions of this Act to receive, collect, and recover the Assessment, Rate, or Tax imposed by the said Commissioners, either for or on account of the Cost of the Construction of such Reservoir or Embankment, or for or on account of the Cost and Expences of maintaining, supporting, and upholding the same respectively; and it shall be lawful for such Company as aforesaid, for the Purpose of collecting or recovering any such Assessment, Rate, or Tax, during the Time they shall be so authorized as aforesaid, to have, use, and exercise, subject to like Regulations, all the Powers, Authorities, and Privileges in and by the said first-recited Act vested in the said Commissioners for the Collection or Recovery of any such Assessment, Rate, or Tax as aforesaid.

XXII. Provided always, and be it enacted, That in case any Person, Party, or Company liable to pay any Rate or Tax for or on account of the Cost and Expences of the original Construction of any such Reservoir or Embankment as aforesaid shall desire to be exempt from the future Payment thereof, by purchasing from the said Commissioners the Portion of such Rate or Tax to which such Person, Party, or Company shall be liable, it shall and may be lawful for the said Commissioners, upon receiving from such Person, Party, or Company a Sum of Money equal to Twenty Times the Amount of such Rate or Tax, by any Instrument in Writing under the Hands and Seals of the said Commissioners, to exempt such Person, Party, or Company, and the Mills, Lands, and Property of such Person, Party, or Company respectively, from any future Payment of or Charge for or in respect of such Rate

*Reservoirs and
Navigation.*

Reservoirs.

Commissioners may authorize Officers of Company formed under this Act to receive and collect Rates and Taxes.

Any Person liable to Rate for original Cost of Construction may purchase Exemption by paying Twenty Times such Rate.

Reservoirs.

Rate or Tax; and the said Commissioners shall pay over to the Company formed under the Provisions of this Act, and which shall have provided Funds for the Construction of such Reservoir or Embankment as aforesaid, the Amount of Consideration Money for such Exemption so received from such Person, Party, or Company as aforesaid: Provided always, that nothing herein contained shall be construed to exempt any such Person, Party, or Company, or the Lands or Property thereof respectively, from any Payment of or Charge for or in respect of any Rate or Tax to be imposed, under the Provisions of the said recited Acts or this Act, for the Maintenance and Support of all the Works of said Reservoir or Embankment and other Works which the Commissioners are by said first-recited Act required to maintain and support, with all Expences incidental thereto.

Same Power given for the Purchase of Lands for the Formation of Reservoirs as for all the other Purposes of recited Acts and this Act.

XXIII. 'And whereas in and by the said first-recited Act the said Commissioners are authorized and empowered to make Reservoirs and Embankments for the Purpose of maintaining a constant Supply of Water for Mills or Factories on any River or Stream, or preventing sudden Floods therein, but for Want of sufficient Powers as to the Purchase of Lands and Hereditaments necessary for such Purpose it has been found impracticable to carry into execution such Works, and it is expedient to supply such Powers;' be it therefore enacted, That it shall and may be lawful for the said Commissioners to purchase and take any Lands, Tenements, or Hereditaments which they may consider necessary or proper to purchase for the Purpose of making such Reservoir or Embankment, and that all and every the Provisions, Powers, and Authorities in and by the said recited Acts or either of them, or this Act, contained or given for the Purpose of or relating to entering upon, occupying, using, or purchasing any Lands required for the Works for Drainage or Navigation, or for compensating any Parties or Person for any Injury done to any Lands in and by the said recited Acts or this Act authorized, or relating to the Purchase Money of Lands, or to any Matter or Thing concerning such Lands, shall extend and apply, and shall and may be used, exercised, and applied by the said Commissioners, with respect to any Lands which they may deem necessary to enter upon, use, occupy, or purchase for the Purpose of making any such Reservoir or Embankment as herein-before mentioned, or which may be injured by means of the Construction of any such Work, or by reason of the Exercise of the Powers aforesaid, any thing in the said first-recited Act to the contrary notwithstanding.

Power to rate all Parties deriving Benefit by Supply of Water from Reservoirs.

XXIV. 'And whereas the Construction of such Reservoirs or Embankments will not only increase and maintain a constant Supply of Water for the Purpose of Mills and Factories, but may also afford or increase a Supply for the Purpose of Navigation, Irrigation, and Warping of Lands, the Supply of Towns, and for other Purposes; and it is expedient and just that all Parties and Persons deriving Benefit from the Construction of such Works shall contribute towards the Expence of constructing and maintaining the same in proportion to the Benefit conferred on the Property or Interest of each respectively;' be it therefore enacted, That in all Cases where the said Commissioners shall, under the Provisions of the said recited Acts or this Act, make or construct

construct any such Reservoir or Embankment as aforesaid, it shall and may be lawful for the said Commissioners, for the Purpose of defraying the Expence of constructing or maintaining such Reservoir or Embankment, to impose a Tax or Rate, annual or otherwise, not only on the Mills and Factories along or upon any such River or Stream, but also upon the Property of all and every Party or Person who, or Company which, shall derive Benefit from the making or constructing of any such Reservoir or Embankment, by taking or using, or agreeing to take or use, a Supply of Water, or an increased or more constant Supply of the same, having regard to the Benefit conferred or to be conferred on each respectively.

XXV. And be it enacted, That in all Cases of Drainage, or of making or improving any Navigation in connexion with any such Drainage, under the said recited Acts or this Act, in which it shall be found by the said Commissioners practicable to improve the working Water Power of any Mills or Factories situate within the District to be defined by the said Commissioners, and where the Proprietors of such Mills or Factories possessing more than One Half of the Value of the working Water Power of all such Mills or Factories which may derive Benefit from such Works shall signify their Assent in Writing to the Execution of the proposed Works, it shall and may be lawful for the said Commissioners to execute all such Works as may be necessary for the Improvement of such Water Power, and that all and every the Powers, Authorities, and Provisions in the said recited Acts given and contained for the Execution of any Works thereunder shall be held and deemed to be applicable to the Execution of the Works which the Commissioners may deem necessary for the Improvement of such Water Power, and for the Purpose of Contributions towards the Repayment of the Costs and Expences of the Works to be executed in the District within which any such Mill or Factory may be situate; and it shall and may be lawful for the said Commissioners, in and by the Award or any Instrument or Instruments under their Hands and Seals, to assess and rate all the Mills and Factories which in the Opinion of the said Commissioners are or shall be benefited by any of the Works executed within such District, and to fix and determine the Amount of such Rate or Contribution which shall be paid by the Proprietors of each such Mill or Factory for the Improvement which shall be so effected, and also to fix and determine the Proportion in which each such Mill or Factory shall in future be rated for the Maintenance of the Works within any such District, regard being had, in fixing such Assessment and Rate and Proportion of Rate respectively aforesaid, to the Degree of Benefit conferred upon each such Mill or Factory.

XXVI. ' And whereas, after the Construction of any Reservoir, ' or the Execution of Works of Drainage, or Drainage and Navigation combined, under the Provisions of the said recited Acts ' or this Act, and after the making and Publication of the final ' Award by the said first-recited Act directed to be made and ' published upon the Completion of any such Works, it may be ' found that by means of the Construction of such Reservoir or ' Works a Supply of Water can or may be afforded for working any ' Mill

Reservoirs.

Increased Supply of Water.

Power to rate Mills and Factories for increased Supply of Water from Works for Drainage, or Drainage and Navigation, with Assent of Owners of Mills and Factories possessing more than Half the working Water Power.

Reservoirs, and Supply of Water from other Works.

Rates may be imposed for Supply of Water from Reservoirs or other Works

afforded after
the Publication
of the final
Award.

‘ Mill or Factory, or for the Purpose of Navigation, Irrigation, or the Warping of Lands, or for the Supply of Towns, or for other Purposes, and it is just and right that all Persons deriving Benefit from such Supply of Water should pay for the same;’ be it therefore enacted, That it shall and may be lawful for the said Commissioners, from Time to Time, in addition to the final Award before mentioned, and subject to the Provisions in said first-recited Act contained with reference to such final Award (so far as same may be applicable), to make such separate Award or Instrument, in Writing under their Hands and Seals, as they shall from Time to Time find necessary, and, having regard to the Benefit conferred by such Reservoir or Works, and to the Payment of a due and fair Proportion of the Expence of the Construction and Maintenance thereof, to assess for the Amount to be contributed, or to impose a Rate or Tax on any Mill, Factory, Navigation, Lands, or Property, or any Company, Person, or Party, which or who, after the Publication of such final Award as aforesaid, shall derive Benefit from the Supply of Water afforded by any such Reservoir or Embankment, or Works for Drainage, or for Drainage and Navigation combined, under the Provisions of said recited Acts or this Act; and the Sum or Sums of Money which shall be so assessed, rated, or taxed by any such subsequent Award or Instrument in Writing as aforesaid shall be charged and recovered in like Manner in every respect as any Sum or Sums assessed, rated, or taxed by any such final Award made as aforesaid is, are, or shall be charged or recoverable under the Provisions of the said recited Acts and this Act.

*Reservoirs or
improved Water
Power;
Security
for Money and
Repayment.*

—
Same Security
for Monies as in
Cases of Lands
drained or
improved.

XXVII. And be it enacted, That in all Cases of Monies to be borrowed from and after the First Day of *January* in the present Year, for the Construction of any Reservoir or Embankment, or for the Improvement of any Water Power of any Mill or Factory, under the Provisions of the said recited Acts or this Act, the respective Sums of Money which by the Award to be made by the said Commissioners shall be specified as the Assessments, Rates, or Taxes to be imposed for the Construction or Maintenance of any such Reservoir or Embankment, or for the Contribution payable in respect of any Mill or Factory towards the Costs and Expences of the Works executed in any District as aforesaid, also for the Maintenance of such Works, shall be charged, with Interest (in Cases where under any such Award Interest shall be payable) at a Rate not exceeding Five Pounds *per Centum per Annum*, upon the Mills, Factories, Lands, or Properties which the said Commissioners by their Award shall declare to be benefited by the Construction of any such Reservoir, Embankment, or Works aforesaid, in like Manner and with like Priority, and with and subject to the like Provisions, as by this Act given and provided in respect of Monies charged on Lands in respect of Drainage under the said recited Acts or this Act; and the same respective Sums of Money, with such Interest for the same as aforesaid (where such Interest is payable), shall also be charged upon so much of any other Land situate within One Mile of any Part of any such Mill, Factory, Land, or Property to be declared by the said Commissioners benefited as aforesaid, and settled with the Mill, Factory, Land, or Property so declared
to

to be benefited as aforesaid, to the same Uses, Intents, and Purposes, by virtue of Limitations contained in the same Instrument or the same Set of Instruments, and also upon so much of any other Land belonging to the same Proprietor, as the Mill, Factory, Land, or Property so declared to be benefited, and situate within One Mile of any Part of the same, for all his Estate and Interest existing at the Time of the Declaration required to be made by the said Commissioners previously to the Execution of any of such Works, as the said Commissioners shall, by their Award, or any Instrument under their Hands and Seals, and enrolled in the Rolls Office, direct, limit, and appoint, having regard to the Sufficiency of the said Lands to satisfy and secure the Charge thereon, but subject, as to such other Land as aforesaid, to the full Amount of all other Incumbrances thereon affecting the same prior to the Registry of the Memorandum of such Declaration; and all the Powers, Authorities, and Provisions in the said recited Acts or either of them, or this Act, contained or provided for or relating to the Recovery and enforcing Payment of the Monies charged on Lands under the Provisions of the said Acts or either of them, or this Act, shall extend and apply to the Recovery and enforcing Payment of the Monies charged on Mills, Factories, Lands, or Property under the Provisions of this Act.

XXVIII ' And whereas by the said first-recited Act certain Provision is made with regard to the Application of surplus Income from Tolls in respect of Navigations constructed or improved under the said Act; and with a view to encourage the Formation and making of such Navigations it is expedient to amend such Provision; be it therefore enacted, That in all Cases where the Costs of constructing or improving any such Navigation, with all Expences incidental thereto (including Interest on borrowed Monies), shall have been secured by any Presentment passed by the Grand Jury of any County or Counties, or by the Guarantee of any Person, Party, or Company, or partly by such Presentment and partly by such Guarantee, under said first-recited Act or this Act, and such Costs, Expences, and Interest shall have been paid to the said Commissioners under and by virtue of such Security, the said Commissioners shall apply and pay to the Use and Benefit of the Party, Person, or Company who shall have guaranteed and paid the whole or the Part (as the Case may be) of such Costs and Expences and Interest the whole or the proportionate Part (as the Case may be) of the surplus Income which shall arise from or in respect of any Tolls, Rates, or Rents to be imposed or levied in respect of any such Navigation, after defraying all Expences incidental to the Maintenance of the Works, and the several other Matters and Things, as in said Act mentioned; and in Cases where such Costs, Expences, and Interest, or any Part thereof, shall have been secured by Grand Jury Presentment, such surplus Income, or such proportionate Part thereof, shall be paid to the Treasurer of the County or Counties respectively which shall have secured or become liable for such Costs and Expences, in the Proportions in which such County or Counties, or Part thereof, shall have contributed towards the Expence and Costs of such Navigation, and be by every such Treasurer brought to the Credit of the County, Barony, Half

*Reservoirs or
improved Water
Power;
Security
for Money and
Repayment.*

Navigation.

The surplus Income from Tolls to be paid in certain Cases to Counties, Baronies, Persons, or Companies securing, either separately or conjointly, the Cost of the original Construction of Navigation.

Navigation.

If surplus Income exceed 10l. per Cent. on original Outlay, Tolls to be reduced.

Half Barony, or Townlands which shall have so secured and become liable to such Costs as aforesaid, in the Proportions in which the same shall have contributed or paid as aforesaid: Provided always, that when and so soon as the Amount of such surplus annual Income arising from such Tolls, Rents, or Rates of any such Navigation shall exceed the Rate of Ten Pounds *per Centum per Annum* on the original Costs of Construction thereof, and the Expences incidental thereto, including all Interest paid on Monies borrowed for such Purposes, such Rates and Tolls shall be reduced by the said Commissioners so that the Amount of such surplus annual Income arising from such Tolls, Rents, and Rates shall not exceed Ten Pounds *per Centum per Annum* upon the original Costs of Construction as aforesaid; provided also, that nothing herein contained shall be construed to affect the Powers of the said Commissioners under the said first-recited Act, with the Approbation of the Commissioners of Her Majesty's Treasury, to reduce all or any of the Rates or Tolls to be imposed or levied in respect of any such Navigation, and afterwards, from Time to Time, with the like Approbation, to raise the same, as in said Act provided.

Grand Jury or Person or Company may secure a Portion of the Cost of any Navigation, instead of the whole.

XXIX. And be it enacted, That in all Cases where under the said first-recited Act Provision is made for securing by Grand Jury Presentment, or by the Guarantee of any Party, Person, or Company, the full estimated Expence of any Navigation, it shall and may be lawful for any Grand Jury to secure by Presentment, or for any Party, Person, or Company to secure by Guarantee, a Portion of any such Expences as aforesaid; and it shall be lawful for the said Commissioners, if they shall so think fit, to accept such Security for a Portion of such Expences; and all and every the Powers, Authorities, and Provisions in the said first-recited Act contained for securing the full estimated Expences of the Construction or Improvement of any Navigation, or relating thereto, shall be deemed and taken to extend and shall be applied to any such Security taken for a Portion of such Expences as aforesaid.

In Cases where Money can be borrowed on the Security of Tolls to be imposed, the Commissioners may, if they think fit, make or improve any Navigation in connexion with Drainage.

XXX. And be it enacted, That in all Cases where it shall appear to the said Commissioners that any River or Part of a River may be made navigable or the Navigation thereof improved in connexion with Drainage under the Provisions of the said first-recited Act or this Act, and the said Commissioners shall receive such Memorial as in said first-recited Act provided, and shall receive the Assents of the Proprietors of any Portion exceeding One Half in Extent of the Land proposed to be drained or improved in connexion with the Navigation of any such River, and if they shall so deem fit, and find that the Advantages to be derived from any such Navigation would be commensurate with the Costs of the Works necessary for making such Navigation, or improving the same, and if the said Commissioners can obtain, on the Security of the Tolls and Rates to be levied in respect of such Navigation, a Loan or Advance of Money for defraying the Costs and Expences of making or improving the same, it shall and may be lawful for said Commissioners to make any such River navigable, or improve the Navigation thereof, either without the Costs of such Works being secured by any Presentment of a Grand Jury, or by any Guarantee

Guarantee to be given by any Party, Person, or Company, as in the said first-recited Act required, or without requiring more than a Portion of such Costs to be so secured; and that all the Powers, Authorities, and Provisions in the said first-recited Act contained or given for or relating to the making or improving of any Navigation, or the levying or collecting or enforcing any Tolls or Rates on or in respect of the same, or to any other Matter or Thing whatsoever connected with such Navigation, or such Tolls or Rates, under the said first-recited Act or this Act, shall be held, construed, deemed, and taken to apply and extend to any such Navigation to be made or improved under this Act, or to any Tolls or Rates in respect thereof, or other Matters or Things whatsoever connected therewith.

XXXI. And be it enacted, That in either or any such Case of Navigation as last aforesaid it shall and may be lawful for the Commissioners of Public Works in Ireland acting in execution of an Act made and passed in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in Ireland*, and the several Acts amending the same, or for the Commissioners appointed and acting under an Act passed in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and Fisheries and Employment of the Poor; and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes*, or any Act or Acts for amending the same respectively, and they are hereby respectively empowered, if they shall think fit, from Time to Time, out of any Funds at their Disposal, to lend and advance any Sum which may be necessary for the Purpose of making any such River navigable, or improving the Navigation thereof in connexion with Drainage, upon the Credit of the Rates, Tolls, and Duties to be imposed, raised, collected, and received for and in respect of any such Navigation, together with such other Security (if any) as the Commissioners of Her Majesty's Treasury shall deem fit or require: Provided nevertheless, that no Advance of Money shall be made for any of the Purposes aforesaid unless with the Consent of the Commissioners of Her Majesty's Treasury, or any Three or more of them; and that all such Monies so lent and advanced as aforesaid shall be repaid, with Interest thereon, as the said Commissioners of the Treasury shall direct, from and out of the Monies accruing to the Commissioners for the Execution of the said first-recited Acts and this Act out of the Tolls, Rents, and Rates to be levied and collected out of or in respect of any such Navigation.

XXXII. ' And whereas after the Commencement or Completion of Works for Drainage by the Improvement of any River or Stream in any District under the Provisions of said recited Acts or this Act it may be found that by the Construction of some additional Works a useful Navigation may be made, and the Counties or Baronies or any Persons interested may be desirous of having such additional Works constructed, and such Navigation made or improved, under the Provisions of the said recited Acts or this Act; be it therefore enacted, That in case any such Navigation may be made or improved after the Com-

Navigation.

Commissioners of Public Works, and Commissioners for Execution of Act 5 & 6 Vict. c. 9. may lend Money on Security of Tolls to be imposed on any Navigation.

No Advance without Consent of Treasury.

Monies lent to be repaid with Interest.

Navigations may be made in Districts where Works for Drainage have been commenced or completed.

ment

Navigation.

mencement or Completion of any Works for Drainage, by the Improvement of any River or Stream in any District, all the Powers, Provisions, Restrictions, and Authorities in or by the said recited Acts or this Act contained and given for the making, improving, and maintaining any Navigation in connexion with Works for Drainage, or in any Manner relating thereto, shall extend and apply, so far as the same are applicable, to the making, improving, and maintaining any such Navigation, and to all Matters and Things in relation thereto, after the Works for Drainage in any District shall have been commenced or completed.

In case of Grants in aid of Navigation, the Residue of Costs to be repaid by the District, and Tolls to be levied for Maintenance only.

XXXIII. And be it enacted, That in all Cases where, for the Purposes of Navigation connected with Drainage, a free Grant of a Moiety or more of the Expence of making or improving any such Navigation shall or may be made under the Authority of Parliament, and the other Moiety or Residue of the Expence of making or improving such Navigation shall or may be raised or advanced by way of Loan under the Provisions of the said recited Acts or this Act, then such Moiety or Residue so raised or advanced shall, with Interest from the Date of such Loan, be charged upon the District which by the Declaration to be made in such Case by the said Commissioners under the Provisions of the said first-recited Act it shall be declared will be benefited by the making or improving of such Navigation, and the several Baronies, Half Baronies, and Townlands in such District, and shall be repaid by and levied from such Baronies, Half Baronies, and Townlands in the Proportions in which it shall be so declared that such Baronies, Half Baronies, and Townlands will be respectively benefited, in One Sum or by Instalments, under and subject to the several Provisions and Regulations in said recited Acts or this Act contained in relation to the Levy and Recovery of any Sums which under the final Award of the said Commissioners shall be payable by the Grand Jury of any County in respect of the Improvement of the Navigation of any River: Provided always, that in any Case where any such Grant shall be made as aforesaid no greater Amount of Tolls or Rates shall be imposed or levied in respect of such Navigation than shall be sufficient to defray the Expence of maintaining and upholding such Navigation and the Works thereof, with all Expences incident thereto.

Miscellaneous.

One Commissioner may hold Meetings.

XXXIV. And be it enacted, That it shall and may be lawful that any Meeting by the said recited Acts or this Act authorized to be held by the said Commissioners shall or may be held by One of the said Commissioners; and, all Acts, Matters, Things, and Proceedings had or done at any such Meeting, or for the Purposes thereof or relating thereto, shall be as valid and effectual as if such Meeting had been held and attended by the said Commissioners or any Two of them, any thing in the said recited Acts or either of them to the contrary thereof notwithstanding; and such of the Officers of the Board of Public Works as the Commissioners for the Execution of this Act shall deem fit, and by their Order direct, shall be Officers for the Purposes of the said firstly-recited Acts and this Act.

When Mills or Factories injure Lands to an

XXXV. And be it enacted, That if any Weir, Dam, or other Work or Obstruction belonging to or connected with any Mill or Factory, shall cause the flooding or prevent the draining of any Lands

Lands included in any District, so as thereby to injure such Lands, or prevent their Improvement, to an Extent in Value equivalent to or exceeding an Amount double the then present Value of such Mill or Factory, it shall be lawful for the said Commissioners, in case they shall not agree for the Purchase of such Mill or Factory, Weir, Dam, or other Work, to purchase and take the same and to award Compensation for the Value thereof in like Manner and subject to the like Appeal as by the said recited Acts and this Act provided in reference to any Land to be taken by the said Commissioners for the Purpose of any Works to be executed under the said Acts or this Act, any thing in the said recited Act to the contrary notwithstanding.

XXXVI. And be it enacted, That it shall and may be lawful for the said Commissioners to deepen, widen, cleanse, scour, or otherwise improve any River or Stream which they may consider necessary for the proper Execution of any of the Works by said recited Acts or this Act, or any of them, authorized, notwithstanding any such River or Stream shall pass in, through, or by any Park, Garden, or Demesne, without the Consent in Writing of the Owner thereof, any thing in the said first-recited Act to the contrary thereof notwithstanding, making Compensation for all Damage in the Execution of such Works, in like Manner as in Cases of Damage under the said first-recited Act.

XXXVII. And be it declared and enacted, That the Provisions of the said recited Acts and this Act for or in respect of the Drainage or Improvement by Drainage of Lands, or any Matter or Thing relating thereto, shall be deemed and construed to extend and apply to the Drainage or Improvement by Drainage of the Lands of one Proprietor as well as to the Lands of several Proprietors.

XXXVIII. 'And whereas under the Provisions of the said recited Acts or this Act the Commissioners may be called upon to drain Bog, Waste, or Moor Lands, or Lands to be embanked from the Sea or Tideway, and the Security for the Money expended in draining such Lands may mainly or in part depend upon the Cultivation or Reclamation thereof after such Drainage shall have been effected;' be it therefore enacted, That in case of the Drainage or Embankment of any such Lands as last aforesaid, if Default shall be made in the Repayment of any Sum of Money charged upon any such Lands under the final Award of the said Commissioners for any Period exceeding Six Months, it shall be lawful for the said Commissioners, if they shall so think fit, to lease or demise to any Persons or Person, in One or more Lots or Divisions, such Lands, or a competent Portion thereof, for any Term not exceeding Ninety-nine Years, reserving thereout to the said Commissioners such annual Rent as they shall think fit, not being less than the annual Value of such Lands before the Works of such Drainage or Embankment were commenced; and in making any such Lease or Demise it shall and may be lawful for the said Commissioners to accept and receive such Sum of Money by way of Fine or Premium as can or may be had for the making or granting such Lease or Demise; and every such Lease or Demise shall be good, valid, and effectual in the Law for the Purpose aforesaid, and shall be binding and con-

Extent in Value equal to or exceeding Twice the Value of such Mill or Factory, same may be purchased.

Commissioners may improve Rivers, &c. passing through Parks, &c., without Consent, making Compensation for Damage.

Provisions as to Drainage to extend to Lands of One or more Proprietors.

In default of Repayment of Expenditure in draining Bog, Moor, or Waste Lands, a competent Portion thereof may be demised by the Commissioners for Ninety-nine Years, at a Fine for raising the Sum due.

Miscellaneous.

Monies received for such Fine, &c. to be applied in making Re-payment.

In default of Payment for 12 Months of Money secured upon Bog, Moor, or Waste Lands, Commissioners may levy Amount by Sale of the Lands or a competent Part thereof.

clusive upon all and every Persons or Person whatsoever, and shall take Priority of all Charges and Incumbrances whatsoever and wheresoever made, except Quit Rent, and Rent-charge in lieu of Tithe, and Chief Rent, as in said first-recited Act construed or defined, if any such shall be payable thereout.

XXXIX. And be it enacted, That any such Sum of Money which shall be received by the said Commissioners for or on account of such Fine or Premium, or for such Rent of such demised Premises, from Time to Time, shall be applied by the said Commissioners in discharge of the Loans or Monies borrowed for the Execution of such Works, with all Interest due thereon; and when the Amount of such Loans or borrowed Monies, with all Interest thereon, and the Costs and Expences of the Proceedings incidental to the Recovery of Monies expended in and about such Works, and the making of such Lease or Demise as aforesaid, shall have been fully paid and satisfied, the said Commissioners shall and they are hereby required, by any Deed under their Hands and Seals, to convey and release all their Right, Title, and Interest in such demised Premises, subject to such Lease as aforesaid, and in the Rent reserved thereout, to the Person or Persons respectively who shall be then entitled to the Reversion expectant upon the said Lease.

XL. And be it enacted, That if default shall be made in the Repayment of any Sum of Money charged upon any such Lands as last aforesaid under the final Award of the said Commissioners, for any Period exceeding Twelve Months, and that the same cannot, in the Opinion of the said Commissioners, be raised by any such Demise as aforesaid, it shall and may be lawful for the said Commissioners, or such Person or Persons as shall be nominated and authorized by any Two or more of them, without any other Process or Writ, to enter upon and to take possession of all or any Parts or Part of such Lands, and by Sale of the same or a competent Part thereof to raise and levy such Sum or Sums of Money as shall be sufficient to repay all Monies so due and in arrear upon or in respect of such Lands, and all Costs as between Attorney and Client, and other Charges whatever attending such Proceedings; and the Monies so recovered (the Costs and Charges aforesaid excepted) shall be paid and applied in and towards the Reimbursement and Satisfaction of the Sum so due upon and in arrear in respect of such Lands; and the Receipt of such Person or Persons as the said Commissioners shall nominate and appoint as aforesaid shall alone be a full and sufficient Discharge to all and every Person and Persons whatsoever, and by whatever Title claiming, or howsoever entitled or deriving, for the Purchase Money or Purchase Monies of the respective Interest or Property so sold; and such Purchaser or Purchasers, or other Person or Persons, shall not be bound to see to the Application thereof, nor shall be liable or in any Manner accountable for the Misapplication or Nonapplication of such Money or Monies by the Person or Persons appointed by the said Commissioners as aforesaid or any of them; and every such Sale shall be good, valid, and effectual in the Law for the Purposes aforesaid, and to convey a good and valid Title to the Purchaser or Purchasers of any such Lands, free from and in Priority to all Charges or Incumbrances thereon
 o
 whatsoever,

whatsoever, and shall be binding and conclusive upon all and every Person or Persons whatsoever; and all the Estate, Right, Title, or Interest of or in the said Lands so sold shall and may be conveyed and assured to the Purchaser or Purchasers thereof by any Deed or Deeds of Conveyance to be executed under the Hands and Seals of the said Commissioners or any Two of them, subject nevertheless to any Quit Rent, Rent-charge in lieu of Tithe, or Chief Rent, as in said first-recited Act construed or defined, which shall have been reserved or payable thereout previous to the Registry of the Memorandum of the Declaration with respect to such Lands, as by the said secondly-recited Act provided, and the Estate or Estates to which such Chief Rent or Chief Rents shall be incident.

Miscellaneous.

XLL And be it enacted, That for the Purposes of the said recited Acts and this Act it shall be lawful for the said Commissioners, or any Engineer, Workman, or other Person authorized by them, after Three Days previous Notice, to enter upon and into any Land for the Purpose of executing any Works by the said Acts or this Act authorized, or procuring any Materials therefrom, or doing any other Act, Matter, or Thing requisite, in the Opinion of the said Commissioners, for carrying fully into effect the Purposes of the said Acts and this Act, making such Compensation for the temporary or Surface Damage done to said Land, or paying such Amount, in the Case of Purchase, for the Purchase of the same, in such Manner and subject to the like Provisions and Regulations relating to the same respectively (save as by this Act altered or varied) as by said first-recited Act is directed in Cases of Lands injured or required to be purchased: Provided always, that after the Service of such Notice as last aforesaid, and after having offered to any Proprietor or Proprietors and Occupier or Occupiers of any Lands such Sum of Money as the said Commissioners shall think reasonable, it shall and may be lawful for the said Commissioners, or the Engineers, Workmen, or Persons authorized by them as aforesaid, without further Delay, to enter into and upon such Lands, and proceed with such Works thereon, or use such Lands for any such Purpose as aforesaid, pending the Proceedings required under the Provisions of the said first-recited Act to be taken for determining the Amount of such Compensation or effecting such Purchase as aforesaid.

Powers of Entry on Lands.

XLLL ' And whereas many Aqueducts, Culverts, and Tunnels under Canals in *Ireland* are, either by reason of their original Construction, or from Neglect to cleanse and scour the same, insufficient to discharge the Flood Waters of the Streams or Drains upon which they are constructed at a sufficiently low Level for the Purposes of draining the Lands lying above such Aqueducts, Culverts, and Tunnels, whereby much Injury is done and Improvement prevented in such Lands, and it is expedient, just, and right to provide Means whereby such Evil may be prevented; be it therefore enacted, That in all Cases when such Insufficiency as aforesaid is caused by reason of Neglect to scour or cleanse, or by the Accumulation of Matter in such Aqueducts, Culverts, or Tunnels as aforesaid, the Canal Company to whom such Aqueducts, Culverts, or Tunnels belong, after Four-

Aqueducts, Culverts, and Tunnels under Canals to be kept thoroughly cleansed.

Miscellaneous.

Proceedings in
case of Neglect.

teen Days Notice in that Behalf served upon the Secretary, Treasurer, or known Engineer of such Company, shall cause, and they are hereby required to cause, such Aqueducts, Culverts, or Tunnels to be thoroughly scoured and cleansed out, and all such accumulated Matter to be removed; and in case any such Company shall neglect, for the Space of Ten Days after the Expiration of said Fourteen Days, or refuse, to cleanse, scour out, or remove such accumulated Matter, it shall be lawful for the Magistrates at Petty Sessions for the District in which such Aqueduct, Culvert, or Tunnel shall be situate, upon the Complaint of the Party or Parties injured, to summon before them the said Canal Company, and such other Person or Persons as to such Justices may seem fit, and to hear and investigate the Matter of such Complaint, and determine the same, and, in case the said Justices shall deem the said Complaint to be well founded, to order and direct any Person or Persons, to be named in and by a Warrant to be by them issued in that Behalf under their Hands and Seals, to enter upon, cleanse, scour out, and remove such accumulated Matter from such Aqueduct, Culvert, or Tunnel; and the Cost and Expence of so doing, and all Expences incidental thereto, shall and may be recovered from such Canal Company by Civil Bill; and in all Cases where such Insufficiency as aforesaid shall be caused by reason of the original Construction of such Aqueduct, Culvert, or Tunnel, and the Canal Company to which the same shall belong shall neglect, for the Space of One Month after the Expiration of Fourteen Days from the Service of a Notice in that Behalf, or refuse, to enter into an Agreement for the effectual Alteration of such Aqueduct, Culvert, or Tunnel, so as to make them in every respect sufficient for the Discharge of Flood Waters at so low a Level as will not be injurious to such Lands as aforesaid, it shall be lawful for any Proprietor or Proprietors of such Lands to apply by Memorial to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, stating the Nature of the Case, and praying that Relief may be afforded, and undertaking to pay such Portion of the Costs of altering such Aqueduct, Culvert, or Tunnel as, under the Provision herein contained, he or they shall be deemed liable to pay; and it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to direct that the Commissioners for the Execution of this Act shall cause such Aqueduct, Culvert, or Tunnel to be altered in such Manner as to them shall seem sufficient for the free Discharge of the Flood Waters at so low a Level as will prevent Injury to the Lands above them, and, for the Purpose of executing such Works, to apply any Funds which may be at their Disposal for the Time being under the Provisions of the said recited Acts or this Act; and the Costs and Expences of making such Alteration, with all Expences incidental thereto, shall be recovered by the said Commissioners in equal Moieties from the Company to which such Aqueduct, Culvert, or Tunnel shall belong, and from the Proprietor or Proprietors of such Lands as aforesaid, by Civil Bill in the County where such Lands shall be situate, or by Action or Suit in any of the Superior Courts in *Dublin*; and Service of such Notice, Summons, or Civil Bill at the Office of such Company in *Dublin*, or on any known Agent or Officer of such

such Company in the County where any Lands the Subject of such Complaint are situate, shall be deemed good Service of the same on the said Company.

Miscellaneous.

XLIII. 'And whereas it is expedient to allow Proprietors of Land, when unanimous, to execute certain Works instead of the Commissioners;' be it enacted, That in any Case in which all the Proprietors of any Lands proposed to be drained shall unanimously apply by Memorial to the said Commissioners pursuant to the Provisions of the said recited Acts or of this Act, and shall, together with such Memorial, furnish to the said Commissioners a Consent in Writing, signed by themselves, and by all the Occupiers of the Lands proposed to be drained or improved, and shall furnish to the said Commissioners the Funds requisite for defraying all the preliminary Expences necessary to be incurred under the Provisions of the said recited Acts or of this Act, it shall be lawful for the said Commissioners to cause to be made such Survey, Inquiries, Examinations, Maps, Plans, Sections, and Estimates respecting such Works, and such Report thereon, as by the said recited Acts and by this Act are directed to be made, and shall cause the same respectively to be deposited for Inspection, pursuant to the Provisions of the said recited Acts and of this Act; and in case all such Proprietors and Occupiers shall thereupon unanimously assent in Writing to the Execution of the proposed Work, and the Declaration and all other Proceedings thereon shall have been made and concluded, and the final Notice shall be given, pursuant to the Provisions of the said recited Acts and of this Act respectively, it shall be lawful for all the said Proprietors, or for any One or more of them, having first obtained the Consent in Writing of all the others in that Behalf, to undertake the Execution of the said Work, and to make and complete the same out of his or their own proper Funds, according to and in conformity with the Plans, Sections, and Specifications so approved of by the said Commissioners; and when all such Works shall have been fully executed and completed to the Satisfaction of the said Commissioners, in conformity with the said Plans, Sections, and Specifications, it shall be lawful for the said Commissioners to draw up and make their Award in like Manner as if the said Works had been executed by the said Commissioners under the said recited Acts and this Act; and all the Provisions of the said recited Acts and of this Act, in relation to an Award to be made in Cases where the said Commissioners shall have caused any Work to be executed, shall apply to such last-mentioned Award, so far as the same may be applicable thereto; and the respective Sums of Money which by such Award shall be specified as the Proportions or Contributions payable in respect of the several Parcels or Portions of the Land drained or improved by Drainage, or by any Works executed in the Manner last aforesaid, conformable to the said Plans, Estimates, and Specifications, and not exceeding the Sum mentioned in such Estimates, or such further Sum or Sums as the said Commissioners shall direct or approve of, in or about such Drainage or Improvements as aforesaid, with Interest for such respective Sums, at a Rate not exceeding Five Pounds *per Centum per Annum*, to be specified in such Award, to be payable and computed from the Time or Times for that Purpose to be

Proceedings where Proprietors unanimously desire to have their Lands drained.

Miscellaneous.

specified therein, shall be charged in favour of the Person or Persons who shall by such Award be declared entitled thereto, and shall be secured, recovered, and raised or levied, in like Manner, and with the like Remedies, and by the like Means and Proceedings, as are given or provided by the said Acts and this Act in relation to the charging, securing, recovering, raising, or levying of the respective Sums of Money to be specified in any Award to be made under the said recited Acts or this Act, and, when received, recovered, raised, or levied, shall, after deducting all such Costs and Charges of the said Commissioners as shall not be recovered from the Lands or Persons liable thereto, be paid to the Person or Persons entitled thereto, or to his or their Executors or Administrators, according to the Proportions specified in such Award: Provided also, that it shall be lawful for the Proprietor or Proprietors who shall so execute such Works pursuant to the Provisions last aforesaid, or his or their Executors or Administrators, to proceed in the Names of the Commissioners, or of the Secretary of the said Commissioners, but with the Consent of the Commissioners first to be obtained in Writing for that Purpose, and upon full Indemnity to them, and at the Costs of such Proprietor or Proprietors, or his or their Executors or Administrators, for Recovery of the several Sums to which he or they shall and may be entitled under such Award: Provided always, that in any Case or Cases wherein any Mill or Factory is to be altered, removed, or injuriously affected, or where any existing Navigation is to be affected or altered, or any new Navigation created, it shall not be lawful for any Person or Persons, save the said Commissioners, to make or execute any such Drainage as last aforesaid, or any Works for that Purpose, or any Part thereof, although all the Proprietors of the Lands to be drained or improved by such Works as last aforesaid shall have unanimously consented that the same shall be executed by them or One of them: Provided also, that no Portion of any Work or Works the Expences of making or executing whereof shall be charged upon or payable out of the Funds of any County or Counties, or be raised or levied by Presentment of any Grand Jury in *Ireland*, shall be made or executed by any such Proprietor or Proprietors under the Powers last aforesaid.

Interpretation.

XLIV. And be it enacted, That the said recited Acts shall continue and be in full Force and Effect, save and except so far as the same are or either of them is altered by or inconsistent with this Act; and that the said recited Acts and this Act shall be construed together as One Act, and the Provisions of the said recited Acts shall, subject to the Variations made by this Act, and all Powers and Authorities of every Nature and Kind, and all Punishments imposed for the Commission or Omission of any Act done or forbidden to be done in and by the said recited Acts, be applied to this Act, so far as the same are applicable and not inconsistent with the Provisions of this Act; and that in the Construction of this Act, except where the Nature of the Provision or the Context of this Act shall exclude such Construction, the Words "Lands," "River," "Person" or "Persons," "Proprietor" or "Proprietors," and "Counties," shall be construed to extend and be applied as in said recited Acts respectively directed and provided;

vided; and the Word "Declaration" in this Act shall mean the Declaration required to be made by the said Commissioners previously to the Commencement of any Works under the Provisions of the said recited Acts or this Act; and the Words "final Award" in this Act shall mean the Award required to be made by the said Commissioners after the Completion of any such Works; and every Word importing the Singular Number only shall extend and be applied to several Persons and Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; the Words "said Commissioners" shall mean the Commissioners, or (save where otherwise provided) any Two of them, acting in execution of the said recited Acts and this Act.

XLV. 'And whereas by reason of the Failure or Destruction of a Portion of the Potato Crop of the last Season in Ireland there is Reason to apprehend that in certain Districts great Distress may, during the ensuing Spring and Summer, prevail among the labouring Classes of the Population; and it is expedient, with a view to alleviate such Distress, by Provisions of a more summary Nature than herein-before contained, to give for Part of the present Year increased Facilities and Powers for commencing without Delay and carrying on various Works of Utility connected with the Drainage and Improvement of Lands in such Districts, whereby remunerative Employment may be afforded to the labouring Classes;' be it therefore enacted and declared, That the Provisions herein-after contained shall be called and deemed to be "Provisions for summary Proceedings" under this Act, and that no Work shall be undertaken or commenced under such Provisions for summary Proceedings as to the Execution of which Work the Assents of the Proprietors of Lands, as required by the Provisions of this Act herein-before contained, shall not have been given or obtained before the First Day of August in the Year One thousand eight hundred and forty-seven.

XLVI. And be it enacted, That for the Purpose of such summary Proceedings it shall be lawful for any Proprietor or Proprietors of any Land or Part of any Land liable to be flooded or injured by Water, or capable of being drained, or the Drainage whereof may be capable of being improved, to apply by Memorial to the said Commissioners, stating the Nature and Extent of such Land, and praying that the same may be drained, or the Drainage thereof may be improved, under the Provisions of this Act, and by such Memorial undertaking to pay to the said Commissioners the Costs and Expences of the preliminary Inquiries, under the Provisions for summary Proceedings under this Act, as to the Works for such Drainage or Improvement, in the event of such Works not being proceeded with by the said Commissioners.

XLVII. And be it enacted, That for the Purpose of such summary Proceedings, when any such Memorial as last aforesaid shall be presented, or any Memorial for any such Purposes, under the said first-recited Act, shall, before the passing of this Act, have been presented to the said Commissioners, it shall be lawful for the said Commissioners to cause such preliminary Examination

Miscellaneous.

Provisions for summary Proceedings.

No Works shall be undertaken under following Provisions, unless Assents be obtained before 1st August 1847.

Any Proprietors of Lands may apply to the Commissioners to have such Lands drained or improved under this Act.

The Commissioners may cause a preliminary Investigation to be made in a summary Way, and obtain a Report

*Provisions for
summary
Proceedings.*

A Copy of the Report of their Opinion thereon to be lodged for Inspection, and Notice thereof to be given.

Such Notice shall require the Proprietors of Lands to be drained to furnish their Assent or Dissent.

If the Proprietors of more than Half of the Lands assent, a final Notice may be given.

and Inquiry as they shall think fit to be made by some Engineer, Surveyor, or other competent Person, or to examine and adopt any Survey or Report which shall have been made, and cause to be ascertained in a summary Way the Extent of the Lands to be drained or improved, the probable Cost and Expences of such Drainage or Improvement, and the probable Benefit to result therefrom, together with the Names of the reputed Proprietors of the Lands to be so drained or improved; and if upon any such Report it shall appear to the Satisfaction of the said Commissioners, that the Benefit to result from such Works would be commensurate with the Amount of the estimated Cost of the Works, and incidental Expences connected therewith, they shall cause a Copy or Copies of such Report, with their Opinion thereon, to be lodged at some Place in or near such Lands for public Inspection for the Space of Two Weeks, and cause Notice thereof, and of the Place or Places at which such Copy or Copies of such Report shall have been lodged, to be given in any Newspaper circulating in the County or Place in which such Lands shall be situate, and to be posted on the usual Places for posting Grand Jury Notices in or near the said Lands, and otherwise as they shall think fit.

XLVIII. And be it enacted, That in and by such Notice as last aforesaid all Proprietors (as defined under the said first-recited Act) of such Lands so to be drained or improved shall be called upon to furnish in Writing, either by themselves or their known Agents, to the said Commissioners at their Office in *Dublin*, or to some Person by the said Commissioners authorized, their Assent to or Dissent from the proposed Drainage or Improvement on or before a Day to be named in such Notice, not less than Three Weeks from the Day on which such Report shall have been lodged as aforesaid; and if before or at the Expiration of the said Period the said Commissioners shall ascertain that the Assent in Writing of the Proprietors (as defined in the said first-recited Act, with the Consent of the Tenants, if any, as by the said Act required in that Behalf,) of more than One Half in Extent of the Lands so to be drained or improved shall have been given to the said proposed Works, the said Commissioners, if they shall so think fit, shall cause to be published in the *Dublin Gazette*, and also in the Manner herein as to such Notice aforesaid directed, a final Notice, stating that all the Preliminaries required by the Provisions for summary Proceedings under this Act have been complied with, which Proceedings shall be binding and conclusive upon all Parties and Persons whomsoever; and Proof of the Publication of such final Notice as aforesaid shall be sufficient Evidence that such final Notice was duly given, and that all the Requisitions of this Act in relation thereto were complied with: Provided always, that in any Case in which the said Commissioners shall be of opinion that such Period of Three Weeks last aforesaid limited for furnishing the Assents or Dissents of Parties as to any such Works is, under the particular Circumstances of such Case, insufficient, it shall be lawful for the said Commissioners, if they shall so think fit, to extend such Period for an additional Period of Two Weeks, so that such additional Period shall not in any Case extend beyond the First Day of *August* in the Year One thousand eight hundred and forty-seven.

XLIX. And

XLIX. And be it enacted, That from and after the Publication of any such last-mentioned final Notice in manner aforesaid the said Commissioners may, in case it shall seem to them expedient, commence and proceed with the Works which they may consider necessary for the Drainage, or Improvement by Drainage, of the Lands or District to which such final Notice shall relate; and all and every the Powers, Authorities, and Privileges vested in or given to the said Commissioners by the said recited Acts or this Act, and the several Provisions in the said Acts or this Act contained, shall and may be used and exercised by the said Commissioners, and applied, as far as the same are or shall be respectively applicable, to and for the Purposes of the Provisions for summary Proceedings under this Act, and to and for the borrowing and securing of Money, the charging of Lands, the Execution of the Works, the Repayment and Recovery of the Costs and Expences thereof, the providing for, sustaining, upholding, and maintaining the Works, and all other Proceedings whatsoever in relation thereto respectively, and to any other Matter or Thing authorized and empowered to be done under the Provisions of the said recited Acts or this Act, and necessary in the Opinion of the said Commissioners for carrying into full Effect the Purposes of this Act: Provided always, that nothing herein contained shall be construed to require the said Commissioners, for the Purposes of the Provisions for summary Proceedings under this Act, to take any other Proceedings, or do any other Act previous to the issuing of any such last-mentioned final Notice, than by the said Provisions for summary Proceedings under this Act are required: Provided also, that the Period from which any such Charge of Money on Lands shall take effect or have Priority in respect of Works undertaken under the Provisions for summary Proceedings under this Act shall be the Period of the Date of such last-mentioned final Notice in respect of such Lands, and instead of the Date of the Declaration or the Registry of the Memorandum of such Declaration as in this Act before provided in respect of Lands to become chargeable.

L. Provided always, and be it enacted, That in the Case of any Works commenced, undertaken, and carried on under the Provisions for summary Proceedings under this Act, no greater Amount of Money shall be expended on the said Works than a total Sum equal to an Amount calculated at the average Rate of Three Pounds Sterling for each and every Statute Acre of Land so to be drained or improved by such Works as aforesaid, until and unless all the Assents which by this Act are herein-before required in relation to Works carried on under the Provisions of the said recited Acts or this Act shall have been again given or obtained to and for the further Execution or final Completion of the Works necessary in the Opinion of the said Commissioners for such Drainage or Improvement as aforesaid; but if at any Time all such Assents as last aforesaid shall have been again given or obtained, such Works commenced, undertaken, and carried on under the Provisions for summary Proceedings under this Act may be further carried on, executed, and completed, at such further Cost and Expence as shall be necessary in the Opinion of the said

After such final Notice the Powers and Provisions of the Drainage Acts may be applied for the Purposes of this Act.

No greater Amount than at the Rate of 3*l.* per Acre to be expended under Provisions for summary Proceedings.

The Works may be afterwards carried on according to the general Provisions of the Drainage Acts.

Commis-

Commissioners, as in other Cases under the Provisions of the said recited Acts or this Act.

The Commissioners of the Treasury may make temporary Advances to the Commissioners under this Act for the Expenses of preliminary Inquiries, &c. under the Provisions for summary Proceedings.

LI. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to cause to be issued as a temporary Advance, from Time to Time during the present Year, as they may find necessary, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Ten thousand Pounds, by way of Imprest, to the said Commissioners for the Execution of this Act, to be by them applied in providing for the Expenses of procuring and prosecuting any such preliminary Examinations or Inquiries under the Provisions for summary Proceedings under this Act, and in procuring a sufficient Supply of Tools for executing any Works to be carried on under the last-mentioned Provisions; and in every such Case in which any Portion of such Monies so advanced and issued shall be so applied by the said Commissioners, such Sum of Money so applied in respect of any such Work shall be repaid to the Consolidated Fund by the said Commissioners, in such Manner as the Commissioners of Her Majesty's Treasury may direct, from and out of any Funds or Monies to be borrowed or raised by them for defraying the Costs, Charges, and Expenses incurred or to be incurred in the Execution of such Work: Provided always, that in any Case where the Expenses of any such preliminary Investigation and Inquiry as last aforesaid as to the Works for any proposed Drainage or Improvement shall have been defrayed out of the Monies so advanced and issued as last aforesaid by the Commissioners of Her Majesty's Treasury, and the Assents of the Proprietors as to such Works, as required by the Provisions for summary Proceedings under this Act, shall not have been obtained within the Time limited by the said Commissioners for that Purpose, the Amount of such Expenses shall be paid to the said Commissioners for the Execution of this Act by the Person or Parties who shall have applied by Memorial in such Case, and by said last-mentioned Commissioners be paid over to the Consolidated Fund; and in default of Payment by such Person or Party who shall have applied by Memorial as aforesaid, the Amount of such Expenses shall be recovered from such Person or Party in such Manner as by said first-recited Act is directed for the Recovery of unpaid Balances of preliminary Expenses under the Provisions of said first-recited Act.

Act may be amended, &c.

LII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

C A P. V.

An Act to amend an Act for regulating the Construction and Use of Buildings in the Metropolis and its Neighbourhood. [24th March 1846.]

‘ **W**HEREAS an Act was passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Construction and the Use of Buildings in the Metropolis and its Neighbourhood*, whereby, amongst other Provisions, One of Her Majesty’s Principal Secretaries of State was empowered to appoint Two Persons, being of the Profession of an Architect or Surveyor, to be Official Referees of Metropolitan Buildings for the Purposes of the said Act, and from Time to Time, as he should think proper, to remove such Official Referees, and in their Place to appoint other Persons so qualified; and the Commissioners of Her Majesty’s Woods, Forests, Land Revenues, Works, and Buildings were authorized to appoint a Registrar of Metropolitan Buildings, who should hold his Office during the Pleasure of the said Commissioners; and it was enacted, that the Determination of such Two Official Referees, or of One of them with the Assent of the said Registrar, as to all or any Matters referred to them, should be binding on all Parties to such Reference, and that any Matter required or permitted to be done by the Official Referees might be done by either of them with the Assent of the said Registrar, unless express Provision to the contrary should be made, and if done by any one of them with such Assent should be as valid and effectual as if done by both of them; and by the said Act the said Official Referees were prohibited from acting as Surveyors, and every Person being or becoming Commissioner, Receiver, Steward, or Agent of any Owner of Houses within the Limits of the Act was disqualified from holding the Office either of Official Referee or of Registrar under the said Act: And whereas the Duties and Qualifications for Office of the Registrar of Metropolitan Buildings are of a Character wholly distinct from the Duties and Qualifications for Office of the Official Referees, and it would conduce to the more satisfactory Execution of the recited Act if there were Three Official Referees (all of them being of the Profession of a Surveyor or Architect), and the Acts and Awards of such Three Official Referees, or of any Two of them, were made as valid and binding as if the same had been done or made under the Authority of the recited Act by the Two Official Referees thereby authorized to be appointed, or by One of them with the Assent of the said Registrar; and for the Purpose of obtaining Persons duly qualified to discharge the Functions of Official Referees without Increase of Charge to the Public, or the Localities comprised within the Limits of the recited Act, it is expedient to relax in manner herein-after mentioned the Prohibitions and Disqualifications appertaining to the Office of Official Referees under the said recited Act:’ Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

Appointment
of an additional
Referee.

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for One of Her Majesty's Principal Secretaries of State, and he is hereby empowered, at any Time after the passing of this Act, and from Time to Time, to appoint a Person, being of the Profession of an Architect or Surveyor, to be an Official Referee of Metropolitan Buildings, in addition to the Official Referees authorized to be appointed by the recited Act, and from Time to Time, as he shall think proper, to remove such additional Official Referee, and to appoint any other Person, qualified as aforesaid, in his Place ; and every Official Referee to be appointed under the Authority of this Act shall make the same Declaration of official Fidelity, and have the same Duties, Powers, Authority, and Jurisdiction, and be subject to the same Rules and Regulations (save as herein-after varied or relaxed), as if the said recited Act had authorized the Appointment of Three Official Referees, and the Official Referee appointed under the Authority of this Act had been appointed Official Referee under the Authority of the recited Act.

Two Official
Referees may
act.

II. And be it enacted, That all Acts, Matters, and Things by the said recited Act required, directed, or permitted to be done by the Official Referees of Metropolitan Buildings, or by One of such Official Referees, with the Assent of the Registrar, may be done by the Official Referees appointed and to be appointed under the Authority of the recited Act and of this Act, or by any Two of them ; and that the Acts, Certificates, Awards, Orders, and Determinations of any Two of the said Official Referees shall be as valid, binding, and effectual as if the same had been done, signed, made, or determined by all the said Official Referees ; and the Assent of the said Registrar of Metropolitan Buildings shall not be required to give Effect to the same ; and the Assent of the said Registrar shall not render valid any Act, Certificate, Award, Order, or Determination done, signed, or made by One only of the said Official Referees which would not be valid without such Assent.

Official Re-
ferees may act
as Surveyors
with Permission
of Secretary of
State, and Dis-
qualifications
may be relaxed.

III. And be it enacted, That, notwithstanding any thing in the said recited Act to the contrary contained, it shall be lawful for One of Her Majesty's Principal Secretaries of State, if and so long only as he shall think proper, by any Writing under his Hand, to permit and authorize any One or more of the Persons who for the Time being may hold the Office of Official Referee to act as Surveyor, either alone or with any Partner, or by an Agent ; and no Person shall be ineligible or disqualified from holding the Office of Official Referee by reason of his continuing to act as a Surveyor with such Permission as aforesaid, or by reason of his being or becoming Commissioner, Receiver, Steward, or Agent for or on behalf of any Owner of Houses or Land within the Limits of the said recited Act, provided the Fact of such Person being or becoming such Commissioner, Receiver, Steward, or Agent be notified to One of Her Majesty's Principal Secretaries of State, and licensed by him in Writing, before such Person be appointed or continue to act as Official Referee ; but it shall not be lawful for any Person holding the said Office to act as Official Referee in the Case of any Building or Matter in which he shall be employed as Architect or Surveyor, or where he shall be the

Commissioner, Receiver, Steward, or Agent of any Person interested in such Building or Matter; and if it shall happen that more than One of the said Official Referees shall be employed as Architect or Surveyor as to the same Building or Matter, or shall be the Commissioner, Receiver, Steward, or Agent of any Person interested therein, or if any Disagreement or Difference of Opinion shall arise between any Two Official Referees who shall act as to such Building or Matter, not being employed as Architect or Surveyor, or as Commissioner, Receiver, Steward, or Agent of any Person interested therein, it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, from Time to Time, upon the Report of the Official Referees or any one of them, or upon the Application of any Person interested in the Matter in dispute, to authorize One or more competent Persons, being of the Profession of an Architect or Surveyor, to be Special Referees in respect of such particular Building or Matter, either in conjunction with the acting Official Referee or Referees, or alone, as the Case may require; and every Special Referee authorized by the said Commissioners shall, as to the particular Building or Matter for which he is authorized, have the same Power, Authority, and Duties as if he had been appointed an Official Referee under the Authority and for the general Purposes of the said recited Act; and it shall be lawful for the said Commissioners to assign to every such Special Referee such Part of the Remuneration of the Official Referee or Referees who shall be disqualified as aforesaid from acting as to such particular Building or Matter, or otherwise to remunerate him as the said Commissioners shall think fit.

Special Referees to be appointed in certain Cases.

IV. And be it enacted, That if any Official Referee shall act as Surveyor, either alone or with any Partner, or by an Agent, or as Commissioner, Receiver, Steward, or Agent for or on behalf of any Owner of Houses or Land within the Limits of the said recited Act, without the Licence and Consent in Writing of One of Her Majesty's Principal Secretaries of State, or shall continue to act as Surveyor, either alone or with any Partner, or by an Agent, or to act as such Commissioner, Receiver, Steward, or Agent as aforesaid, after such Licence and Consent shall have been withdrawn or shall have expired, then he shall cease to be qualified to hold the Office of Official Referee, and thereupon such Office shall be vacant, without prejudice nevertheless to any Acts done by him in his Capacity of Official Referee so far as other Persons are affected thereby.

Offices vacant.

V. And be it enacted, That it shall be lawful for Her Majesty from Time to Time to grant such Salaries for the Remuneration of the said Official Referees respectively as Her Majesty shall, as to each of them, be pleased to appoint, not exceeding in the whole for the Three Referees the Sum of Two thousand Pounds *per Annum*.

Salaries of Official Referees.

VI. And whereas, for the Purpose of providing for the Payment of a Portion of the Salaries of the Official Referees and Registrar under the said recited Act, it was by the said Act enacted, that the Lord Mayor and Aldermen of the City of London should direct the Chamberlain of the said City, and the Justices

Contributions to be paid to the Consolidated Fund, and Salaries paid thereout.

‘ Justices of the Peace for the several Counties of *Middlesex*,
 ‘ *Surrey*, and *Kent* should direct the Treasurer of such respective
 ‘ Counties, to pay, by Two half-yearly Payments in the Months of
 ‘ *June* and *December* in every Year, to or into the Hands of the
 ‘ Cashier of the Commissioners of Works and Buildings, on account
 ‘ of the said Official Referees and of the said Registrar, the several
 ‘ Sums of Money therein mentioned as and by way of Contribu-
 ‘ tion to such Salaries, and it was enacted, that the Balance of such
 ‘ Salaries should be payable and paid out of the Consolidated Fund
 ‘ of the United Kingdom: And whereas such Salaries are by the
 ‘ said Act directed to be paid quarterly, and the Contributions
 ‘ towards Payment of the same being payable half-yearly it has
 ‘ not been practicable to pay such Salaries as directed by the said
 ‘ Act, and it has been found inconvenient to pay the same in part
 ‘ out of Monies contributed by the said City and Counties respec-
 ‘ tively, and in part out of the Consolidated Fund of the United
 ‘ Kingdom;’ be it therefore enacted, That the several Sums of
 Money which under the said recited Act are payable by the Cham-
 berlain of the City of *London*, and the Treasurer of the Counties
 of *Middlesex*, *Surrey*, and *Kent* respectively, to the Cashier of the
 Commissioners of Works and Buildings on account of the said
 Official Referees and of the said Registrar, and all Arrears and
 future Payments thereof, shall, instead of being paid to such Cashier
 on such Account as aforesaid, be payable and paid into the Receipt
 of Her Majesty’s Exchequer, and carried to the Account of the
 Consolidated Fund of the United Kingdom of *Great Britain* and
Ireland; and the Salaries of the Official Referees and Registrar of
 Metropolitan Buildings for the Time being, and all Arrears
 thereof, shall be paid wholly out of the said Consolidated Fund by
 the Lord High Treasurer or the Commissioners of Her Majesty’s
 Treasury for the Time being; and such Salaries shall accrue from
 Day to Day, and be paid quarterly on the First Day of *January*,
 the First Day of *April*, the First Day of *July*, and the First Day
 of *October* in every Year; and every Official Referee and Regis-
 trar shall be entitled to a proportionate Part of his Salary from the
 Day of his Appointment to the next succeeding Quarter Day of
 Payment, and from the last Quarter Day of Payment preceding
 his Death, Discharge from or ceasing to hold the Office of Official
 Referee or Registrar, (as the Case may be,) to the Day of his
 Death, Discharge, or ceasing to hold such Office.

Public Act.

VII. And be it enacted, That this Act shall be deemed to be
 a Public Act, and shall be judicially taken notice of as such by
 all Judges, Justices, and others, without being specially pleaded.

Act may be
 amended, &c.

VIII. And be it enacted, That this Act may be amended or
 repealed by any Act to be passed in the present Session of
 Parliament.

C A P. VI.

An Act to make Provision, until the First Day of *September* One thousand eight hundred and forty-seven, for the Treatment of poor Persons afflicted with *Fever in Ireland.*

[24th *March* 1846.]

‘ **W**HEREAS it is expedient to make more effectual Provision for the Treatment of poor Persons afflicted with *Fever* and other epidemic Diseases in *Ireland*:’ 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, That it shall be lawful for the Lord Lieutenant of *Ireland*, by his Warrant, to appoint so many Persons as he may think fit, not being more in Number than Five, as Commissioners of Health in *Ireland*; and such Commissioners shall serve without any Salary, Fee, or Reward; and the said Lord Lieutenant may from Time to Time, as he may see fit, remove any such Commissioner, and may in the Stead of any Commissioner so removed, or who may refuse or decline to act, or become incapable of acting, appoint such other Person as the said Lord Lieutenant may think proper; and the Commissioners so appointed shall act as a Board of Health for carrying into execution the Provisions and Purposes of this Act, in such Manner and under such Regulations as the Lord Lieutenant or his Chief or Under Secretary may from Time to Time appoint.

A Central Board of Health to be appointed by the Lord Lieutenant.

II. And be it enacted, That it shall be lawful for the said Lord Lieutenant from Time to Time, as he may see fit, to appoint, during the Pleasure of the said Lord Lieutenant, for each and every Union for the Relief of the destitute Poor, a Medical Officer or Medical Officers, at such Salary as he may direct.

Lord Lieutenant may appoint Medical Officers for Unions.

III. And be it enacted, That the Expences incident to the Performance of the Duties of such Board of Health, and the Salary of every Medical Officer appointed as aforesaid by the Lord Lieutenant, shall be paid by the Commissioners of Her Majesty’s Treasury, out of any Funds which may be voted for that Purpose, upon Application to them by the said Lord Lieutenant in that Behalf.

Expences, &c. to be paid by Commissioners of the Treasury.

IV. And be it enacted, That it shall be lawful for the said Board of Health, by Writing under the Hands of any Two or more of them, from Time to Time to require the Board of Guardians of any Union for the Relief of the destitute Poor to rent, hire, or procure a fitting House, Building, or Rooms, other than the Workhouse of such Union, to be used as a Hospital for the Purpose of receiving and accommodating so many poor Persons affected with *Fever* or any other epidemic Disease as the said Board of Health may from Time to Time think necessary; and to provide such Nourishment, Bedding, Clothing, Medicines, and Medical Appliances, and other Necessaries, as may be requisite for the due Care and Treatment of every poor Person so affected as aforesaid in every such Hospital, and also such a Number of competent Nurses and Attendants as the said Board of Health may think necessary for each such Hospital, and also to rent, hire, or procure

Board of Health may direct Guardians of Unions to provide *Fever* Hospitals and Dispensaries, with Medicines and all other Necessaries for the Care and Treatment of Persons therein, and also Medicines and Nutri-ment, if necessary, for Out-patients.

cure a House, Building, or Room, to be used as a Dispensary or Office for the said Medical Officer of such Union, and to provide such other Medicines and Medical Appliances, including Nutri-ment, if necessary for their Cure, in Cases where the poor Persons diseased are destitute, as such Medical Officer may require to be supplied to poor Persons affected as aforesaid, who may not be received in any such House, Building, or Room, and generally to do or cause to be done all such Acts, Matters, and Things as shall from Time to Time be necessary for the Purpose of carrying out the Provisions of this Act.

The Fever Hos-
pitals and Dis-
pensaries to be
under Control of
the Guardians
of the Poor.

V. And be it enacted, That, subject to the Superintendence of the said Board of Health, every Hospital and Dispensary procured as aforesaid by the Guardians of any Union shall be managed by such Board of Guardians, and that poor Persons affected with Fever or other epidemic Disease may be admitted into such Hos-pital under the Authority of such Board of Guardians, or their Officers duly authorized by them, and not otherwise, and that the Medical Officer appointed as aforesaid shall be the Medical Officer of such Guardians for the Purposes of this Act.

Expences in-
curred under
this Act, ex-
cept the Salary
of Medical
Officers, to be
paid out of the
Poor's Rate.

VI. And be it enacted, That the Poor Law Guardians of any Union for which a Medical Officer may have been appointed under the Provisions of this Act shall pay, out of the Rates raised or to be raised off such Union generally under the Authority of an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, or of any Act or Acts to amend the same, the Cost of all Medicine, Nourishment, Clothes, Bedding, and other Neces-saries, and the Rent of any Hospital respectively provided as aforesaid, as well as the Expence incurred in conveying any poor Person from his or her Dwelling, or from elsewhere within such Union, to any such Hospital, and in the Maintenance of any such poor Person in such Hospital, and all other Expences of what-soever Kind (the Salary of the Medical Officer or Officers excepted) necessarily incurred in or incidental to the carrying out of the Provisions of this Act within such Union.

Board of Health
to report to the
Lord Lieu-
tenant;

VII. And be it enacted, That the said Board of Health shall, as and when the Lord Lieutenant may require, make a Report in Writing to the said Lord Lieutenant, and shall transmit the same to the Office of the said Chief Secretary, and shall, in each such Report, give a full and particular Account of all the Proceedings of the said Board subsequent to the Date of their last Report, in such Form as may be from Time to Time directed by the said Lord Lieutenant, or by the said Chief or Under Secretary; and that whenever it shall, by any such Report or by any other Means, appear to the Satisfaction of the said Lord Lieutenant that any Medical Officer appointed or Hospital or Dispensary provided for any Union under the Provisions hereof is no longer required in such Union, it shall be lawful for the said Lord Lieutenant, or for the said Chief or Under Secretary, by any Letter under his res-pective Hand, to signify to such Board of Health, and to the Guardians and the said Medical Officer of such Union, that they are no longer to exercise within such Union the Powers given to them by this Act, and thereupon all such Powers shall cease and determine,

and their Powers
shall cease upon
his Order to
that Effect.

determine, and the Salary of the said Medical Officer shall thenceforth cease.

VIII. And be it enacted, That in the Construction of this Act all Words importing the Singular Number or the Masculine Gender only shall be understood to include several Matters as well as one Matter, and several Persons as well as one Person, and Females as well as Males; and that the Words "Lord Lieutenant" shall apply to and include any Chief Governor or Chief Governors of *Ireland* for the Time being; unless it be otherwise and specially provided, or there be something in the Subject or Context repugnant to such Construction.

Interpretation Clause.

IX. And be it enacted, That this Act shall continue and be in force until the First Day of the Month of *September* in the Year One thousand eight hundred and forty-seven, and no longer, and that it shall extend only to *Ireland*.

Duration and Extent of Act.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

C A P. VII.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty-six. [30th *March* 1846.]

C A P. VIII.

An Act to make further Provisions as to unclaimed Stock and Dividends of the *South Sea Company*. [30th *March* 1846.]

WHEREAS by an Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for completing the Guarante Fund of the South Sea Company, for advancing for the Public Service Part of the unclaimed Stock and Dividends in the Hands of the said Company, and for regulating the Allowance to be paid for the Management of the South Sea Stock and Annuities*, Provision is made for transferring all Capital Stock of the Old and New *South Sea Annuities*, and of the Annuities created under the Provisions of an Act passed in the Twenty-fourth Year of the Reign of King *George the Second*, intituled *An Act for granting to His Majesty the Sum of Two million one hundred thousand Pounds, to be raised by Annuities and a Lottery, and charged on the Sinking Fund, redeemable by Parliament*, and managed by the said Company, upon which no Dividends shall have been demanded for the Period of Ten Years or upwards, and the Balances of Sums issued for paying the Dividends and Principal Sums invested in such Annuities which shall not have been demanded for the same Period to the Commissioners for the Reduction of the National Debt, and by the said Act Provision is made for enabling Parties entitled thereto to procure a Re-transfer of such Stock and Payment of the Dividends due thereon; and it is necessary to make further Pro-

7 & 8 Vict. c. 80.

24 G. 2. c. 2.

Notice to be given by Advertisement before Re-transfer of Stock or Payment of Dividends exceeding 20*l.* is made to any Claimants.

Contents of Notice.

Court of Chancery may rescind Order for Transfer or Payment.

Lords of Treasury may authorize Inquiries into the Circumstances of unclaimed Stock and Dividends.

Payment of Expenses, &c.

‘visions in relation thereto:’ Be it therefore 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, That no Re-transfer of any Capital Stock exceeding the Sum of Twenty Pounds shall be made from the Account of the said Commissioners, under the Authority of the said first-recited Act, to any Persons or Person, nor shall Payment be made, under the Authority of the said first-recited Act or of this Act, of any Dividends or Dividend exceeding Twenty Pounds in the whole, until Three Calendar Months after Application shall have been made for the same, nor until such Notice shall have been given thereof as the said Governor, Sub-Governor, or Deputy Governor of the said Company is herein-after authorized to require; and it shall be lawful for the said Governor, Sub-Governor, or Deputy Governor to require the Person or Persons making such Application to give such public Notice, by Advertisements in One or more Newspapers circulating in *London* and elsewhere, as the said Governor, Sub-Governor, or Deputy Governor shall think fit; and every such Notice shall state the Name, Description, and Addition of the Person in whose Name the unclaimed Stock or Dividends stood when transferred to the said Commissioners, and the Amount thereof, and the Name of the Claimant, and the Time at which such Re-transfer or Payment will be made, if no other Claimant shall sooner appear and make out his Claim; and when and so often as any such Stock shall be directed to be transferred or such Dividends to be paid by any Order of the High Court of Chancery, such Notice shall also state the Purport or Effect of such Order.

II. And be it enacted, That it shall be lawful for any Persons or Person at any Time before the actual Re-transfer of any such Capital Stock or Annuities, or before Payment of any such Dividends to any such Claimant as aforesaid, to apply to the Court of Chancery, by Motion or Petition, to rescind, alter, or vary any Order made for such Transfer or Payment.

III. And be it enacted, That it shall and may be lawful to and for the Lord High Treasurer or the Commissioners of Her Majesty’s Treasury for the Time being, from Time to Time and at any Time, to authorize and empower the said Governor, Sub-Governor, or Deputy Governor to inquire into and investigate the Circumstances of any Stocks or Dividends remaining unclaimed for the Time being, with a view to ascertain the Owners thereof, and to allow to the said Governor, Sub-Governor, or Deputy Governor such Compensation as to the said Lord High Treasurer or the Commissioners of Her Majesty’s Treasury shall seem just, for their Trouble and Expences to be incurred in and about such Inquiries and Investigation, and also from Time to Time to allow to the said Governor, Sub-Governor, or Deputy Governor a reasonable Compensation for all Costs and Expences to be incurred by him in and about the Notices and Advertisements hereby directed, and other the Services required or authorized by this Act, which Compensation may be deducted rateably from the Stocks and Dividends to be from Time to Time re-transferred or paid, and with reference to which such Trouble, Costs, and Expences shall have been incurred and such Services performed respectively,

respectively, or the same may be paid by the said Commissioners for the Reduction of the National Debt out of the Stocks and Dividends to be received by them under and by virtue of the said first-recited Act or this Act, and which shall not be claimed.

IV. And be it enacted, That the Dividends payable to the said Commissioners in respect of any such Capital Stock as aforesaid, transferred under the Authority of the said first-recited Act, shall not, from and after the passing of this Act, be subject or liable to any Taxes, Charges, or Impositions whatever.

Dividends payable to Commissioners not liable to Taxes.

V. And be it enacted, That, except where the Sense or Context is repugnant to such Construction, the Plural Number in this Act shall be construed to include the Singular, and the Masculine Gender to include the Feminine.

Interpretation Clause.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

C A P. IX.

An Act for amending the Act for rendering effective the Services of the *Chelsea* Out-Pensioners, and extending it to the Out-Pensioners of *Greenwich* Hospital.

[2d April 1846.]

‘ **W**HEREAS by an Act passed in the Seventh Year of the
 ‘ Reign of Her Majesty, intituled *An Act for rendering*
 ‘ *more effective the Services of such Out-Pensioners of Chelsea*
 ‘ *Hospital as shall be called out to assist in preserving the public*
 ‘ *Peace*, it is among other things enacted, that it shall be lawful
 ‘ for Her Majesty from Time to Time, by Warrant under the
 ‘ Royal Sign Manual, to order that such and so many of the
 ‘ Out-Pensioners of the Royal Hospital at *Chelsea* resident within
 ‘ any County or other District specified in such Warrant as to
 ‘ Her Majesty shall seem fit, shall be enrolled as a local Force for
 ‘ the Preservation of the Peace; provided that the whole Num-
 ‘ ber of Pensioners so to be enrolled in the United Kingdom
 ‘ should not at any One Time exceed Ten thousand Men: And
 ‘ whereas it is expedient that the Provisions of the said Act
 ‘ should be extended to the Out-Pensioners of *Greenwich* Hos-
 ‘ pital, and that the Number of Men authorized to be enrolled
 ‘ should be increased for that Purpose, and the Period of Exercise
 ‘ extended: 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, That the said Act shall apply
 to such of the Out-Pensioners of *Greenwich* Hospital as may have
 served in the Royal Marines, in like Manner as if they were
 Out-Pensioners of *Chelsea* Hospital; and that the whole Number
 of Pensioners of *Chelsea* and *Greenwich* Hospitals so to be enrolled
 in the United Kingdom at any One Time may be any Number not
 exceeding Twenty thousand Men, and that they may be called out
 for Inspection or Exercise on any Number of Days not exceeding
 Twelve in each Year; but that in the event of any of the Out-
 Pensioners of *Greenwich* Hospital, enrolled as aforesaid, volun-
 teering

6 & 7 Vict. c. 95.

Provisions of
 6 & 7 Vict. c. 95.
 extended to
 Greenwich
 Pensioners, and
 amended.

teering their Services to be kept on Duty and Pay for any Period not exceeding Six Calendar Months as specified in the said Act, they shall only be liable to be employed within the United Kingdom or along the Sea Coasts thereof, whether on shore or afloat; in such Manner as the Lords Commissioners of the Admiralty may be pleased to direct.

Lord Lieutenant of Ireland may call out Irish Pensioners.

II. 'And whereas it is expedient that the same Power should be vested in the Lord Lieutenant of *Ireland* for the Time being as is by the said Act vested in any One of Her Majesty's Principal Secretaries of State, so far as regards calling out the enrolled Pensioners resident in that Part of the United Kingdom to assist the Civil Power;' be it enacted, That it shall be lawful for the said Lord Lieutenant, or in case of Emergency any Person or Persons bearing his Warrant for that Purpose, to call out such and so many of the said enrolled Pensioners resident in *Ireland* as he or they may deem necessary, to aid the Civil Power in the Preservation of the public Peace within the District in which the said enrolled Pensioners reside, or within any adjoining District.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

C A P. X.

An Act for regulating the Payment of the Out-Pensioners of *Greenwich* and *Chelsea* Hospitals. [2d April 1846.]

5 & 6 Vict. c. 70.

'WHEREAS by an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to amend the Laws relating to the Payment of the Out-Pensioners of Chelsea Hospital*, it is amongst other things enacted, that in every Part or District of the United Kingdom for which the Secretary at War, with the Consent of the Lords Commissioners of Her Majesty's Treasury, shall have appointed any Officer on Half Pay, or other Person, to pay the said Pensioners, the Payment of all Pensions, Allowances, and Relief granted or to be granted to disabled, invalid, and discharged Soldiers shall be made by the Officer or other Person so appointed, but that elsewhere the Payment of such Pensions should take place and be accounted for in all respects as if the said Act had not been passed: And whereas it is now considered expedient, with the view of introducing one uniform System of Payment and accounting, that the whole of the Out-Pensioners of the said Hospital, wherever resident, should be paid, by and under the Authority of the Secretary at War, either by Staff Officers or such other Persons as he, with the Consent of the Lords Commissioners of Her Majesty's Treasury, may nominate or appoint to perform that Duty, and that these Officers and others should in like Manner be employed to pay the Out-Pensioners of *Greenwich* Hospital: 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, That so much of the said Act as restricts the Payments to be made by Staff Officers and others acting under the Authority of the Secretary at War to *Chelsea* Out-Pensioners resident

Repeal of Part of 5 & 6 Vict. c. 70. and of 7 G. 4. c. 16.

resident in the United Kingdom, also so much of the said Act as relates to the Money for the Payment of the said Out-Pensioners being obtained on Certificate by the Secretary at War, and as regards the Audit thereof by the Commissioners for auditing the Public Accounts, and also so much of an Act passed in the Seventh Year of the Reign of King George the Fourth, intituled *An Act to consolidate and amend several Acts relating to the Royal Hospitals for Soldiers at Chelsea and Kilmainham*, as relates to the Payment and Management of the Out-Pensioners thereof, and also so much of Two Acts passed respectively in the Tenth and Eleventh Years of the Reign of King George the Fourth, the former intituled *An Act for transferring the Management of Greenwich Out-Pensions, and certain Duties in Matters of Prize, to the Treasurer of the Navy*, and the latter *An Act to amend and consolidate the Laws relating to the Pay of the Royal Navy*, as relates to the Payment and Management of *Greenwich* Out-Pensions, and also so much of an Act passed in the Sixth Year of the Reign of King William the Fourth, intituled *An Act for consolidating the Offices of Paymaster General, Paymaster and Treasurer of Chelsea Hospital, Treasurer of the Navy, and Treasurer of the Ordnance*, as relates to the Payment and Management of *Greenwich* Out-Pensioners by Her Majesty's Paymaster General, shall be repealed.

Repeal of Part of 10 G. 4. c. 26. and 11 G. 4. & 1 W. 4. c. 20.

Repeal of Part of 5 & 6 W. 4. c. 35.

II. 'And whereas it is expedient that Provision should be made ' for the more easy Recovery of Relief given or Money advanced ' to Pensioners by Guardians and other Officers concerned in ' the Administration of Relief to the Poor;' be it enacted, That from and after the passing of this Act so much of an Act passed in the Third Year of the Reign of Her Majesty, intituled *An Act to regulate the Payment and Assignment, in certain Cases, of Pensions granted for Service in Her Majesty's Army, Navy, Royal Marines, and Ordnance*, as relates to the Repayment of Relief administered to *Chelsea* or *Greenwich* Out-Pensioners, shall be repealed.

Repeal of Part of 2 & 3 Vict. c. 51. as to Repayment of Relief granted to *Chelsea* and *Greenwich* Out-Pensioners.

III. And be it enacted, That from and after the passing of this Act it shall be lawful for the Secretary at War for the Time being to make such Rules and Regulations for the Management and Payment of the *Chelsea* and *Greenwich* Out-Pensioners, whether residing in the United Kingdom or elsewhere, and for paying them, either weekly, monthly, or quarterly, in advance, in the Case of the *Chelsea* Pensioners, and weekly, monthly, or quarterly in arrear, in the Case of the *Greenwich* Pensioners, as shall appear to him best calculated for their and the public Advantage, and either by means of Staff Officers appointed or to be appointed by him for that Purpose under the existing Regulations, or by means of such other Person or Persons as may be approved and sanctioned by the Commissioners of the Treasury, and upon the Production of such Proof of Title to Pension as he, with the Consent aforesaid, may consider necessary.

Secretary at War to regulate Payment of Out-Pensioners.

IV. And be it enacted, That from and after the passing of this Act all Payments made by the Secretary at War to or on account of the Pensioners aforesaid, and the Expences of every Description connected with their Management and Payment, shall

Accounts to be audited as Army Effective Services.

be audited and passed by him in the same Manner as the Accounts of the Army Effective Services are now audited and passed.

Saving of Powers of Commissioners of the Admiralty and Chelsea Hospital.

V. And be it enacted, That nothing in this Act contained shall be held to interfere with the Powers possessed by the Lord High Admiral or the Commissioners of the Admiralty and the Commissioners of *Chelsea* Hospital respectively in regard to granting, increasing, reducing, suspending, taking away, or restoring of Pension under the Authority of existing Acts of Parliament and of the present Regulations, or for the Purpose of abridging, taking away, or interfering with any Power, Authority, or Duty of the said Lord High Admiral or Commissioners, other than by this Act is expressly provided.

Penalty for Frauds respecting Pensions.

VI. And be it enacted, That any Person or Persons guilty of fraudulently receiving or endeavouring to receive Pension Money, or Money in the Nature of Pension, from the Secretary at War, or from any Officer or other Person employed or authorized by him to pay Pensions, shall upon Conviction be subjected to the same Pains and Penalties as are prescribed by the several Acts herein-before recited, or any of them, in the Cases of Frauds committed or attempted to be committed upon the Commissioners of *Chelsea* Hospital, the Lord High Admiral or the Commissioners of the Admiralty, the Treasurer of the Navy, and the Paymaster General.

Greenwich Pensioners convicted of Felony may be restored to Pension.

VII. And be it enacted, That it shall be lawful for the Secretary at War, with the Concurrence of the Lord High Admiral or Commissioners of the Admiralty, in all Cases in which it may be deemed expedient, to restore any *Greenwich* Pensioner who shall have been convicted of Felony, and thereby shall have forfeited his Pension, either to his original Pension or to any less Rate of Pension.

Pensions may be paid to the Wives, &c. of Pensioners out of the United Kingdom.

VIII. And be it enacted, That it shall be lawful for the Secretary at War, with the Consent of any *Greenwich* or *Chelsea* Pensioner residing temporarily out of the United Kingdom, to pay to his Wife, or if he have no Wife to or for the Benefit of his Child or Children, such Portion of his Pension as may be agreed upon; and that the Receipt or Acknowledgment of the Person or Persons so paid shall be a full and sufficient Discharge to the Secretary at War for the Amount so issued by him.

Repayment to Parishes of Relief given to Out Pensioners.

IX. And be it enacted, That if any *Chelsea* or *Greenwich* Pensioner be relieved, or become chargeable in *Great Britain* or *Ireland*, in respect of Relief afforded to himself, or any Person whom he is liable to maintain, or if in any Case the Secretary at War for the Time being, and the Guardians of the Poor of any Union or Parish, or the Overseers of any Parish or Township not under a Board of Guardians, or the Heritors and Kirk Session of any Parish in *Scotland*, think it desirable that the whole or any Part of the Pension of such Pensioner should be advanced out of the Poor's Rate or Funds applicable to the Relief of the Poor, it shall be lawful for the Secretary at War, by any Writing under his Hand, or under the Hand of any Officer or other Person employed by him, to agree with such Guardians or Overseers, or Heritors and Kirk Session, for the Repayment to them out of the Pension of any such Pensioner of the Amount of Relief so advanced to or expended on his Account, but not exceeding, in any Case where Relief

Relief has been administered to his Wife or One Child only whom he is bound to maintain, the Amount of One Half his Pension or Allowance, or to Two or more such Children, or to his Wife and One or more such Child or Children, the Amount of Two Thirds of his Pension so advanced.

X. And be it enacted, That in case any such *Chelsea* or *Greenwich* Pensioner as aforesaid shall be or become insane it shall be lawful for the Secretary at War for the Time being, upon being satisfied of such Insanity, to order that the Pension of the said insane Pensioner, or so much thereof as shall appear to him to be necessary for his Care and Maintenance, shall be paid to such Guardians of the Poor or Overseers, or Heritors and Kirk Session, or to the Wife, Child, or any other Person to whom the Care of such insane Pensioner may be intrusted, or who may be chargeable for or liable to the Expence of his Care and Maintenance; and the Receipt of the Person or Persons to whom the same shall be directed to be paid shall be a sufficient Voucher and Discharge for so much Money as shall appear to have been paid thereon; Provided always, that where no Claim or Demand shall be made for the Support of any such insane Pensioner, or where the Charge for his Care and Maintenance does not amount to the full Rate of his Pension, then and in every such Case it shall be lawful for the Secretary at War, at his Discretion, to order his Pension, or so much thereof as may not be necessary for his Care and Maintenance as aforesaid, to be paid to his Wife or Child or Children, if he have any.

Care of Lunatic Pensioners.

XI. And be it enacted, That it shall be lawful for the Secretary at War for the Time being to pay or to authorize the proper Officer to pay to any Person or Persons who shall prove him, her, or themselves, to the Satisfaction of such Secretary at War or of the said proper Officer, to be the next of Kin or legal Representative, or otherwise legally entitled to any Pension Money due to any deceased Pensioner not exceeding Fifty Pounds, although such Person shall not have taken out Letters of Administration, or have procured Probate of any Will of such deceased Pensioner.

Arrears of Pensions under 50l. may be paid to personal Representatives without Probate, &c.

XII. And be it enacted, That all Bills of Exchange drawn or which may be drawn by *British* Ministers, Consuls, and others abroad, on account of Payments made by them to Out-Pensioners of *Chelsea* or *Greenwich* Hospital, shall after the passing of this Act be presented for Acceptance at the Office of the Paymaster General, and all Letters of Advice, Receipts, and Vouchers having Relation to such Bills of Exchange shall be transmitted to the Office of the Secretary at War in the same Manner as they have hitherto been transmitted to *Chelsea* Hospital and to the *Greenwich* Out-Pension Office.

Bills on account of Pensions paid to be presented to Paymaster General, &c.

XIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

C A P. XI.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

[2d April 1846.]

[*This Act is the same, except as to Dates and the Sections here inserted, as 8 & 9 Vict. c. 8.*]

Number of the
Forces, 108,608.

Crimes punish-
able by Death.

WHEREAS the raising or keeping a standing Army within the United Kingdom of *Great Britain and Ireland*, in Time of Peace, unless it be with the Consent of Parliament, is against Law: And whereas it is adjudged necessary by Her Majesty, and this present Parliament, that a Body of Forces should be continued, for the Safety of the United Kingdom, the Defence of the Possessions of Her Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole Number of such Forces should consist of One hundred eight thousand six hundred and eight Men, exclusive of the Officers and Men belonging to the Regiments employed in the Territorial Possessions of the *East India* Company, but including the Officers and Men of the Troops and Companies recruiting for those Regiments: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial Law, or in any other Manner than by Judgment of his Peers and according to the known and established Laws of this Realm; yet nevertheless, it being requisite, for the retaining all the before-mentioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow: Be it therefore 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, That if any Person who is or shall be commissioned or in Pay as an Officer, or who is or shall be listed or in Pay as a Non-commissioned Officer or Soldier, shall at any Time during the Continuance of this Act begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny shall not, without Delay, give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel

or Enemy of Her Majesty, either by Letters, Messages, Signs, or Tokens, in any Manner or Way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy without Her Majesty's Licence, or Licence of the General or Chief Commander; or shall strike or shall use or offer any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other his superior Military Officer, being in the Execution of his Office, or shall desert Her Majesty's Service; all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence shall be committed within this Realm, or in any other of Her Majesty's Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death or such other Punishment as by a Court-martial shall be awarded.

VI. And be it enacted, That a General Court-martial convened in any Part of the Queen's Dominions, (*Bermuda, the Bahamas, Saint Helena, Africa, Jamaica, Honduras, Newfoundland, the Australian Colonies, and the Settlements on the Coast of China* excepted,) or in the Settlements of the *East India Company, Prince of Wales's Island, Singapore, and Malacca* excepted, shall consist of not less than Thirteen Commissioned Officers; if convened in *Jamaica, Newfoundland, Bermuda, or the Bahamas, or out of the Queen's Dominions, excepting Saint Helena, Africa, Honduras, the Australian Colonies, and the Settlements on the Coast of China*, shall consist of not less than Seven, and in *Saint Helena, Africa, Honduras, the Australian Colonies, and the Settlements on the Coast of China, and Prince of Wales's Island, Singapore, and Malacca*, of not less than Five Commissioned Officers; and the President shall in no Case be the Officer commanding in chief, or Governor of the Garrison where the Offender shall be tried, nor the commanding Officer of the Regiment to which the Prisoner belongs, nor under the Degree of a Field Officer unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain.

Composition of
General Courts-
martial.

IX. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda, the Bahamas, Saint Helena, Africa, Jamaica, Honduras, Newfoundland, the Australian Colonies, the Windward and Leeward Islands, British Guiana, and the Settlements on the Coast of China*, where it may consist of not less than Five Commissioned Officers, and in *Africa* when convened for the Trial of Desertion of not less than Three Commissioned Officers, and may sentence any Soldier to any Imprisonment, with or without hard Labour, and may also direct that such Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding Twenty-eight Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of solitary Confinement of not less Duration than such Periods of solitary Confinement, or may sentence any Soldier to corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; and such Court may, in addition to either of the said Punishments, sentence a Soldier to Forfeiture of all Advantage as to additional Pay, and to Pension on Discharge,

Powers of Dis-
trict or Garrison
Courts-martial.

charge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service, or might accrue from future Service, according to the Nature of the Case, for disgraceful Conduct,

In wilfully maiming or injuring himself, or any other Soldier at the Instance of such Soldier, with Intent to render himself or such Soldier unfit for Service :

In tampering with his Eyes :

In malingering, feigning Disease, absenting himself from Hospital whilst under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmity, or wilfully delaying his Cure :

In purloining or selling Government Stores :

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess :

In producing false or fraudulent Accounts or Returns :

In embezzling or fraudulently misapplying Public Money intrusted to him :

Or in committing any petty Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military :

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind :

And such Offender may be further put under Stoppages, not exceeding Two Thirds of his daily Pay, until the Amount be made good of any Loss or Damage arising out of his Misconduct ; and if any Soldier shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claim to Pension, the Court may further recommend him to be discharged with Ignominy from Her Majesty's Service ; and every such Court shall deprive a Soldier, if convicted of a Charge of habitual Drunkenness, of his Allowance in lieu of Beer at home, of his Liquor when issued in Kind abroad, or of such Portion of his additional or regular Pay, for such Period, not exceeding Two Years, as may accord with Her Majesty's Articles of War, subject to Restoration on subsequent good Conduct ; and in addition to any such Punishment, the Court may, if it shall think fit, sentence such Offender to Imprisonment or to corporal Punishment ; provided that in all the foregoing Cases the Sentences of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in command of the District, Garrison, Island, or Colony, and that such Court-martial shall not have Power to pass any Sentence of Death or Transportation ; and the President of every Court-martial other than a General Court-martial shall be appointed by the Officer convening such Court-martial, and shall not be under the Rank of a Captain, save in the Case of a Detachment Court-martial holden out of Her Majesty's Dominions, or holden on board a Transport Ship, Troop Ship, Convict Ship, or Merchant Vessel.

X. And be it enacted, That in Cases of Mutiny and gross Insubordination, or any Offences committed on the Line of March, or on board any Transport Ship, Convict Ship, Merchant Vessel,

Regimental
Courts-martial.

or Troop Ship not in Commission, the Offence may be tried by a Regimental or Detachment Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops, provided that the Sentence shall not exceed that which a Regimental Court-martial is competent to award; and a Regimental or Detachment Court-martial may try any Soldier for habitual Drunkenness, and may sentence any Soldier to Imprisonment, with or without hard Labour, for any Period not exceeding Forty Days, or to solitary Confinement for any Period not exceeding Twenty Days, or may sentence a Soldier to Imprisonment, Part thereof to be with or without hard Labour, and Part thereof in solitary Confinement: Provided always, that when such Court shall direct the Imprisonment to be part in solitary Confinement and part otherwise, the whole Period of such Imprisonment shall not exceed Twenty Days, and the Part thereof in solitary Confinement shall not exceed Ten Days; and a Regimental or Detachment Court-martial may sentence any Soldier for being drunk when on or for Duty or Parade, or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days in addition to any other Punishment which such Court may award; and every such Court shall deprive a Soldier, if convicted of a Charge of habitual Drunkenness, of his Allowance in lieu of Beer at home, of his Liquor when issued in Kind abroad, or of such Portion of his additional or regular Pay, for such Period, not exceeding Six Months, as may accord with Her Majesty's Articles of War, subject to Restoration on subsequent good Conduct.

XXII. And be it enacted, That it shall be lawful for the Constable of any Place where any Person reasonably suspected to be a Deserter shall be found, or of any adjoining Place, and if no such Constable can be immediately met with, then for any Officer or Soldier in Her Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to cause him to be brought before any Justice living in or near such Place, and acting for the same or any adjoining County, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witnesses upon Oath, or by the Knowledge of such Justice, it shall appear that such suspected Person is a Soldier, and ought to be with the Corps to which he belongs, such Justice shall forthwith cause him to be conveyed to some public Prison in such Place, (other than the Buildings set apart as Military Prisons by the Authority of this Act,) or if there be no public Prison in such Place, then, at the Discretion of such Justice of the Peace, to the nearest or most convenient public Prison in the same or any next adjoining County, or, if such Deserter shall be apprehended by any Party of Soldiers of his own Regiment, or shall be apprehended in the Vicinity of the Head Quarters or of any Depôt of the Regiment to which he shall belong, then such Justice may deliver such Deserter to the Party of his own Regiment, or may order such Deserter to be taken to the Head Quarters or Depôt of the Regiment to which he shall belong, instead of committing him to Prison; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary at War, specifying

Apprehension
of Deserters.

at

at the Foot thereof the Commitment to Prison or Delivery of such Deserter to the Party of his Regiment in order for his being taken to the Head Quarters or Depôt of his Regiment, as the Case may be, to the end that such Person may be removed by an Order from the Office of the said Secretary at War, and proceeded against according to Law; and such Justice shall also send to the Secretary at War a Report, stating the Names of the Persons by whom the Deserter was apprehended and secured; and the Secretary at War shall transmit to such Justice an Order for the Payment to such Persons of such Sum, not exceeding Forty Shillings, as the Secretary at War shall be satisfied they are entitled to, according to the true Intent and Meaning of this Act; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler or other Person into whose Custody any Person charged with Desertion is committed shall immediately upon the Receipt of the Person so charged into his Custody pay such Fee of Two Shillings, and also upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary at War, and transmit also to the Secretary at War a Copy of the Commitment, to the end that the Secretary at War may order Repayment of the same.

Penalty for inducing or assisting to desert.

XXV. And be it enacted, That every Person who shall, in any Part of Her Majesty's Dominions, by Words or other Means whatsoever, directly or indirectly persuade any Soldier to desert or shall endeavour in manner aforesaid to persuade, prevail on, or procure such Soldier to desert, shall suffer such Punishment by Fine or Imprisonment, or both, as the Court before which the Conviction may take place shall adjudge; and every Person who shall assist any Deserter, knowing him to be such, in deserting or in concealing himself, shall forfeit for every such Offence the Sum of Twenty Pounds.

Secretary at War may set apart Buildings as Military Prisons, and appoint Officers, and make Rules and Regulations for Government of the same.

XXVIII. And be it enacted, That it shall be lawful for the Secretary at War to set apart any Buildings now erected or which may hereafter be erected, or any Part or Parts thereof, as Military Prisons, and to declare that any Building, or any Two or more separate and detached Buildings, shall be, and thenceforth such Building or Buildings shall be deemed and taken to be, a Military Prison; and every Military Prison, whether the same now exist or may hereafter be established, which shall be, or which under the Provisions of any former Act of Parliament have been, so as aforesaid set apart or declared, shall be deemed to be a public Prison within the Meaning of this Act; and all and every the Powers and Authorities with respect to County Gaols or Houses of Correction which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State shall, with respect to all such Military Prisons, belong to and may be exercised by the Secretary at War; and it shall be lawful for the Secretary at War from Time to Time to make, alter, and repeal Rules and Regulations for the Government and Superintendance of any such Military Prison, and of the Governor, Provost Marshal, Officers, and Servants thereof, and of Offenders confined therein; and

and it shall be lawful for the Secretary at War from Time to Time to appoint an Inspector General and Inspectors of Military Prisons, and a Governor or Provost Marshal, and all other necessary Officers and Servants for any such Military Prison, and, as Occasion may arise, to remove the Governor or Provost Marshal, Officer, or Servant of any such Military Prison, and the General or other Officer commanding any District or Foreign Station within which may be any such Military Prison, or such General or other Officer, and such other Person and Persons as the Secretary at War may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and the Secretary at War may authorize any General Officer commanding on a Foreign Station to appoint periodically Visitors to any Military Prison within his Command; and the Secretary at War shall transmit to the Visitor or Visitors of every Military Prison established by his Authority a Copy of the Rules and Regulations which are to be observed and enforced, and the same shall accordingly be observed and enforced within such Prison; and every Inspector, Visitor, and Governor of any such Military Prison respectively shall, subject to such Rules and Regulations as may from Time to Time be made by the Secretary at War, have and exercise in respect of such Prison, and of the Governors, Officers, and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities, as well in respect of administering Oaths as otherwise, which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

XXIX. And be it enacted, That every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison or of any Gaol or House of Correction in any Part of Her Majesty's Dominions shall receive into his Custody any Military Offender under Sentence of Imprisonment by a General or other Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding the Regiment or Corps to which the Offender belongs or is attached, which Order shall specify the Period of Imprisonment which the Offender is to undergo, and the Day and Hour of the Day on which he is to be released; and such Governor, Provost Marshal, Gaoler, or Keeper shall keep such Offender in a proper Place of Confinement, with or without hard Labour, and with or without solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be discharged or delivered over to Military Custody before the Expiration of that Time under an Order duly made for that Purpose; and whenever Troops are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement shall receive into his Custody any Soldier, for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing on that Behalf from the Officer commanding such Troops; and any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any Military Offender

Custody of
Offenders under
a Military
Sentence.

Offender in the Manner herein-before prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

Act to extend
to Jersey,
Guernsey, &c.

XXXV. And be it enacted, That this Act shall be construed to extend to the Islands of *Jersey, Guernsey, Alderney, Sark, and Man*, and the Islands thereto belonging, as to the Provisions therein for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny and Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Military Furniture, or Regimental Necessaries from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed, or who shall aid in the Escape of a Prisoner from a Military Prison, or who shall introduce forbidden Articles into such Prison, or shall carry out any such Articles, or who shall assault any Officer of such Prison, and also to the Provisions for exempting Soldiers from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds, in the said Islands.

Enlisting and
swearing of
Recruits.

XXXVI. And be it enacted, That every Person who shall receive Enlisting Money, knowing it to be such, from any Person employed in the Recruiting Service, and being an Officer, Non-commissioned Officer, an attested Soldier, or an Out-Pensioner of *Chelsea* Hospital authorized to enlist Recruits, shall be deemed to be enlisted as a Soldier in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall within Twelve Hours after the Receipt of the Enlisting Money cause to be taken down in Writing the Name and Place of Abode of such Recruit, and (if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist) the Place also at which he shall declare that he intends to sleep, in order that, within Forty-eight but not sooner than Twenty-four Hours (any intervening *Sunday* not included) after his having received the Enlisting Money, Notice of his having so enlisted be given to the Recruit, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Soldier in Her Majesty's Land Service he shall, within Four Days (any intervening *Sunday* not included) but not sooner than Twenty-four Hours after such enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before any Justice or other Magistrate residing in the Vicinity of the Place where such Person shall have enlisted, or before any Justice or other Magistrate acting for the Division, District, or Place where such Recruit shall

shall have been enlisted, and not being an Officer in the Army; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there, and in the Presence of the said Recruit, record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to read over, or cause his Clerk in his Presence to read over, to such Recruit, the First and Second Articles of the Second Section of the Articles of War against Mutiny and Desertion, and to administer to such Recruit the Oath in the Schedule to this Act annexed, for limited or unlimited Service, or for Service in the Forces of the *East India* Company, as may be applicable to the Case of the Recruit, and no other Oaths, any thing in any Acts to the contrary notwithstanding; and the Fee for administering each Oath shall be One Shilling and no more; and the said Justice is hereby required to give under his Hand the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

XXXVII. And be it enacted, That any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings for the Charges expended upon him, together with the full Amount of Subsistence and Beer Money which shall have been paid to such Recruit subsequent to the Period of his having been enlisted, shall be forthwith discharged and set at liberty in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay such Money as aforesaid, he shall be deemed and taken to be enlisted as if he had given his Assent thereto before the said Justice: Provided also, that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting One Shilling as the Fee to his Clerk for reporting the Payment to the Secretary at War shall be paid to any Person belonging to the Recruiting Party entitled thereto, demanding the same; provided that no Recruit who has been actually, though erroneously, discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment shall be liable on that Account to be proceeded against as having deserted from Her Majesty's Service; and the Justice who shall

Dissent and
Relief from
Enlistment.

shall

shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Enlistment of
Negroes.

XLI. And be it enacted, That all Negroes or Persons of Colour who, although not born in any of Her Majesty's Colonies, Territories, or Possessions, shall have voluntarily enlisted into Her Majesty's Service shall while serving be deemed to be Soldiers legally enlisted into Her Majesty's Service, and entitled to all the Privileges of natural-born Subjects; and all Negroes purchased by or on account of Her Majesty previous to the total Abolition of Slavery throughout the *British* Colonies and serving in any of Her Majesty's Forces, and all Negroes who have been seized and condemned as Prize under the Slave Trade Acts, and appointed to serve in Her Majesty's Army, shall be deemed to be and shall be entitled to all the Advantages of Negroes or Persons of Colour voluntarily enlisted to serve as Soldiers in any of Her Majesty's Colonial Forces.

Forfeiture of
Pay.

XLVI. And be it enacted, That any Soldier who shall absent himself without Leave, or who shall desert, shall, on Conviction by a General or other Court-martial, in addition to any Punishment awarded by such Court, forfeit his Pay for the Days on which he has so absented himself without Leave, or on which he has been absent by such Desertion, and that no Soldier shall be entitled to pay or to reckon Service towards Pay or Pension when in Confinement under any Sentence of any Court, or during any Absence from Duty by Commitment under the Civil Power on a Charge of any Offence cognizable by a Civil or a Criminal Court, or by reason of any Arrest for Debt or as a Prisoner of War, or while in Confinement under any Charge of which he shall afterwards be convicted; and if any Soldier shall absent himself without Leave for any Period not exceeding Five Days, and shall not account for the same to the Satisfaction of the Commanding Officer, or if any Soldier shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any minor Punishments he is authorized to award, order that such Soldier shall be imprisoned for any Period not exceeding One hundred and sixty-eight Hours, with or without hard Labour, or with or without solitary Confinement, as the said Commanding Officer may think fit, and such Soldier shall forfeit his pay for any Day or Days on which he may be so imprisoned, and the said Commanding Officer may moreover order that, in addition to or instead of such Imprisonment and Forfeiture, or any other Punishment which he has Authority to inflict, any Soldier who shall have so absented himself as aforesaid shall forfeit his Pay for the Day or Days on which he shall have so absented himself, and in pursuance of any such Order as aforesaid the Pay of the Soldier shall be accordingly forfeited, and such Soldier shall not be liable to be afterwards tried by a Court-martial for any Offence for which he shall have been so ordered to suffer Imprisonment, Punishment, or Forfeiture as aforesaid; provided that any Soldier who shall be so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, have a Right to be tried by a Court-martial for his Offence instead of submitting to such Forfeiture; and

and provided also, that any Soldier acquitted of any Offence for which he had been committed shall, upon Return to his Duty in his Corps, be entitled to receive all Arrears of Pay growing due, and to reckon Service during his Absence or Confinement; and upon rejoining Her Majesty's Service from being a Prisoner of War due Inquiry shall be made by a Court-martial, and if it shall be proved to the Satisfaction of such Court that the said Soldier was taken Prisoner without wilful Neglect of Duty on his Part, and that he hath not served with or under or in any Manner aided the Enemy, and that he hath returned as soon as possible to Her Majesty's Service, he may thereupon be recommended by such Court to receive either the whole of such Arrears of Pay, or a Proportion thereof, and to reckon Service during his Absence; provided that it shall be lawful for Her Majesty's Secretary at War to order or withhold the Payment of the whole or any Part of the Pay of any Officer or Soldier during the Period of Absence by any of the Causes aforesaid.

LXX. And be it enacted, That if any Person shall convey or cause to be conveyed into any Military Prison appointed to be a public Prison under this Act any Arms, Tools, or Instruments, or any Mask or other Disguise to facilitate the Escape of any Prisoner, or shall by any Means whatever aid and assist any Prisoner to escape or in attempting to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be transported beyond the Seas for any Term not exceeding Fourteen Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the existing Rules, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds, or to Imprisonment with or without hard Labour for any Time not exceeding Three Calendar Months; and if any Person shall bring into such Prison to or for any Prisoner, without the Knowledge of the Governor, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or shall by Desire of any Prisoner, without the Sanction of the Governor, carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to Imprisonment, either with or without hard Labour, for any Time not exceeding One Calendar Month; and if any Person shall assault or violently resist any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person so to assault or resist any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or to Imprisonment, either with or without hard Labour, for any Time not exceeding One Calendar Month, or if the Offender be a Soldier already under Sentence of Imprisonment he shall, upon Conviction thereof by a Board of not less than Three of the Visitors of the Prison, be liable to be sentenced for every such Offence to be imprisoned, either with or without hard Labour, for any Time not exceeding Six Calendar Months, in addition to

Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.

so much of the Time for which he was originally sentenced as may then be unexpired.

Removal of
Doubts as to
Attestation of
Soldiers.

LXXXI. 'And whereas certain Soldiers who have heretofore been duly enlisted, and who have voluntarily taken the Oath of Allegiance and Fidelity, and are now receiving Her Majesty's Pay, have been sworn and attested, but Doubts have arisen whether the Justices before whom the said Soldiers have been so sworn and attested were duly qualified to administer to such Soldiers the Oaths prescribed by the several Acts passed for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters;' be it enacted, That in every Case where any such Soldier, having been duly enlisted, shall have been so attested and sworn, and shall not have claimed to be discharged on or before the Seventeenth Day of *March* One thousand eight hundred and forty-six, he shall not be entitled to his Discharge by reason of such Informality, but shall be liable to all the Provisions of this Act, and of the Act passed during the last Session of Parliament for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes and in like Manner as if he had been duly attested and sworn.

SCHEDULES to which this Act refers.

QUESTIONS to be put separately by the JUSTICE to a RECRUIT.

Enlisting for unlimited Service.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Regiment of _____ until you shall legally be discharged?
9. At what Place, on what Day, at what Hour of the Day, and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia?
13. Do you belong to any other Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you ever served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company?
15. Have

15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

Note.—The Justice is directed, in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprise the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

Enlisting for unlimited Service in Her Majesty's Colonies.

Question 8. is to be put by the Justice as follows :

8. Are you willing to be attested to serve in Her Majesty's Colony of _____ until you shall be duly and legally discharged?

Enlisting for limited Service.

The preceding Questions to be put by the Justice, except Question 8., which is to be as follows :

8. Are you willing to be attested to serve in the Regiment of _____ for the Period of [this Blank to be filled up by the Justice with Seven, Fourteen, or Twenty-one Years, as the Case may be, for Infantry, Ten, Sixteen, or Twenty-four Years for Cavalry, and Twelve, Sixteen, or Twenty-one Years for Artillery, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under the Age of Eighteen Years, then the Difference between his Age and Eighteen to be added to such Seven, Ten, Twelve, Fourteen, Sixteen, Twenty-one, or Twenty-four Years, as the Case may be,] Years, provided Her Majesty should for so long require your Service, and also for such further Term, not exceeding Twelve Months, as shall be directed by the Commanding Officer on any Foreign Station, and not exceeding Three Years, as shall be directed by any Proclamation of Her Majesty, such additional Period, in the latter Case, to determine whenever Six Months of continued Peace, to be reckoned from the Ratification of any definitive Treaty, shall have elapsed subsequent to the Expiration of the said [Seven, Ten, Twelve, Fourteen, Sixteen, Twenty-one, or Twenty-four, as the Case may be,] Years?

Enlisting for either Her Majesty's or the East India Company's Service.

Question 8. is to be put by the Justice as follows :

8. Are you willing to be attested to serve in Her Majesty's Army, or in the Forces of the East India Company, according as Her Majesty shall think fit to order, until you shall be duly and legally discharged?

Enlisting for the East India Company's Service.

Question 8. to be put by the Justice as follows :

8. Are you willing to be attested to serve the East India Company* until you shall be legally discharged? [Or if the Recruit enlist for limited Service, then insert, for the Period of _____ Years (if the Person enlisting is of the Age of Eighteen Years or upwards, but if under Eighteen Years then the Difference between his Age and Eighteen to be added to such _____ Years, as the Case may be, and such Period to be inserted instead of _____ Years,) provided the said Company should so long require your Service?]

* The Blank to be filled up with the Words Infantry or Artillery, as the Case may be.

CERTIFICATE to be given by the JUSTICE.

to wit. } I _____ one of Her Majesty's Justices of the Peace of _____ do hereby certify, That in my Presence all the foregoing Questions were put to _____; that the Answers written opposite to them are those which he gave to me; and that the First and Second Articles of the Second Section of the Articles of War were read over to him; that he took the Oath of Allegiance and Fidelity; that he received the Sum of _____ on being attested this Day; that he was not attested until Twenty-four Hours had elapsed after he received enlisting Money; that the Place where he swears that he enlisted is in the Vicinity of my Residence, or within the Division or District or Place for which I act; that I am not an Officer of the Army, and that I have given him a Duplicate of this Certificate, signed with my Name.

Signature of Justice.

C A P. XII.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. [2d April 1846.]

[This Act is the same, except as to Dates and the Sections here inserted, as 8 & 9 Vict. c. 9.]

‘ WHEREAS it is judged necessary for the Safety of the United Kingdom, and the Defence of the Possessions of this Realm, that a Body of Royal Marine Forces should be employed in Her Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid : And whereas the said Forces may frequently be quartered or be on shore, or sent to do Duty or be on board Transport Ships or Merchant Ships or Vessels, or Ships or Vessels of Her Majesty, or other Ships or Vessels, or they may be under other Circumstances in which they will not be subject to the Laws relating to the Government of Her Majesty's Forces by Sea : And whereas no Man can be forejudged of Life

‘ Life or Limb, or subjected in Time of Peace to any Kind of
 ‘ Punishment within this Realm by Martial Law, or in any other
 ‘ Manner than by the Judgment of his Peers, and according to
 ‘ the known and established Laws of this Realm; yet neverthe-
 ‘ less it being requisite for the retaining of such Forces in their
 ‘ Duty that an exact Discipline be observed, and that Marines
 ‘ who shall mutiny or stir up Sedition, or shall desert Her
 ‘ Majesty’s Service, or be guilty of any other Crime in breach of
 ‘ good Order and Discipline, be brought to a more exemplary and
 ‘ speedy Punishment than the usual Forms of the Law will allow :’

Be it therefore 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, That during the Continuance
 of this Act if any Person who is or shall be commissioned or in
 Pay as an Officer of Royal Marines, or who is or shall be listed
 or in Pay as a Noncommissioned Officer, Drummer, or Private
 Man in Her Majesty’s Royal Marine Forces, shall at any Time
 during the Continuance of this Act while on shore in any Place
 within the said Kingdom, or in any other of Her Majesty’s
 Dominions, or in any Foreign Parts out of such Dominions, or on
 board any Transport Ship or Merchant Ship or Vessel, or any
 Ship or Vessel of Her Majesty, or on board any Convict Hulk
 or Ship, or any other Ship or Vessel, or in any other Place, or
 while being in any Circumstances in which he shall not be subject
 to the Laws relating to the Government of Her Majesty’s Forces
 by Sea, begin, excite, cause, or join in any Mutiny or Sedition in
 Her Majesty’s Marine or other Forces, or shall not use his utmost
 Endeavours to suppress any such Mutiny or Sedition, or coming
 to the Knowledge of any Mutiny or intended Mutiny shall not
 without Delay give Information thereof to his Commanding Officer;
 or shall misbehave himself before the Enemy; or shall shamefully
 abandon or deliver up any Garrison, Fortress, Post, or Guard com-
 mitted to his Charge or which he shall be commanded to defend;
 or shall compel the Governor or Commanding Officer of any
 Garrison, Fortress, or Post to deliver up to the Enemy or to
 abandon the same; or shall speak Words or use any other Means
 to induce such Governor or Commanding Officer or any other to
 misbehave before the Enemy, or shamefully to abandon or deliver
 up any Garrison, Fortress, Post, or Guard committed to their re-
 spective Charge, or which he or they shall be commanded to defend;
 or shall leave his Post before relieved, or shall be found sleeping
 on his Post; or shall hold Correspondence with or give Advice
 or Intelligence to any Rebel, Pirate, or Enemy of Her Majesty,
 either by Letters, Messages, Signs, Tokens, or any other Ways or
 Means whatever; or shall treat or enter into any Terms with any
 such Rebel, Pirate, or Enemy, without the Licence of the Lord
 High Admiral of the said United Kingdom, or the Commissioners
 for executing the Office of Lord High Admiral aforesaid, for the
 Time being; or shall strike or use or offer any Violence against
 his Superior Officer being in the Execution of his Office, or shall
 disobey any lawful Command of his Superior Officer; or who
 being confined in a Military Prison shall offer any Violence
 against a Visitor or other Officer being in the Execution of his

Crimes punish-
 able by Death.

Office, or shall violate any Law or Regulation of or relating to any such Military Prison; or shall desert Her Majesty's Service; every Person so offending in any of the Matters before mentioned shall suffer Death or such other Punishment as by a Court-martial shall be awarded.

District or
Garrison
Courts-martial.

XI. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, *Saint Helena*, *Africa*, *Jamaica*, *Honduras*, *Newfoundland*, the *Australian Colonies*, the *Windward* and the *Leeward Islands*, *British Guiana*, and the *Settlements on the Coast of China*, where it may consist of not less than Five Commissioned Officers; and in *Africa*, when convened for the Trial of Desertion, of not less than Three Commissioned Officers; and that it shall be lawful for such Court, whether assembled under the Authority of this Act, or of an Act of the present Session of Parliament, for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, to proceed to try any Marine or Marines below the Rank of a Commissioned Officer for any Offence committed by any of them while serving in conjunction with Her Majesty's Land Forces or otherwise, and to sentence any such Marine to any Imprisonment, solitary or otherwise, and with or without hard Labour, or to Corporal Punishment not extending to Life or Limb, for any such Offence, but no such solitary Confinement shall exceed Twenty-eight Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of solitary Confinement of not less Duration than such Periods of solitary Confinement, and such Court may, in addition to either of the said Punishments, sentence a Marine to Forfeiture of all Advantage as to additional Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service or might accrue from future Service, according to the Nature of the Case, for disgraceful Conduct in wilfully maiming or injuring himself, or any other Marine at the Instance of such Marine, with Intent to render himself or such other Marine unfit for the Service; in tampering with his Eyes, in malingering, feigning Disease, absenting himself from Hospital whilst under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmary, or wilfully delaying his Cure; in purloining or selling Government Stores; in stealing any Money or Goods the Property of a Comrade, of a Military Officer, or of any Military, Divisional, or Regimental Mess; in producing false or fraudulent Accounts or Returns; in embezzling or fraudulently misapplying public Money intrusted to him; or for any other disgraceful Conduct, being of a cruel, indecent, unnatural, felonious, or fraudulent Nature; and such Offender may be further put under Stoppages, not exceeding Two Thirds of his daily Pay, until the Amount be made good of any Loss or Damage arising out of his Misconduct; and if any Marine shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claim to Pension, the Court may further recommend him to be discharged with Ignominy from Her Majesty's Service; and every such Court shall deprive a Marine,

if

if convicted of the Charge of habitual Drunkenness, of his Liquor, or of his Allowance in lieu of Beer or Liquor, or of any Proportion thereof, or of any Portion of additional or daily Pay, for any Period not exceeding Two Years, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment; provided that in all the foregoing Cases the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in Command of the District, Garrison, Island, or Colony, and that such Court-martial shall not have Power to pass any Sentence of Death or Transportation; and the President of every Court-martial other than a General Court-martial shall be appointed by the Officer convening such Court-martial, and shall not be under the Rank of a Captain, save in the Case of a Detachment Court-martial holden out of Her Majesty's Dominions, or holden on board a Transport Ship, Troop Ship, Convict Ship, or Merchant Vessel.

XXVI. And be it enacted, That no Marine who shall absent himself without Leave, or shall desert, shall be entitled to receive any Pay for the Time during which he shall have been absent from his Duty without due Authority; nor shall any Marine be entitled to Pay, or to reckon Service towards Pay or Pension, for any Period during which he shall be in Confinement under the Sentence of any Court, or shall be absent on any Charge cognizable by any Justice of the Peace or by any Court of Criminal Judicature, or by reason of any Arrest for Debt, or while he shall be in Confinement or absent as a Prisoner of War; but if any Marine shall absent himself without Leave for any Period not exceeding Five Days, and shall not account for such Absence to the Satisfaction of his Commanding Officer, or if any Marine shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any minor Punishment he is authorized to award, order that such Marine shall be imprisoned for any Period not exceeding One hundred and sixty-eight Hours, and with or without hard Labour, or with or without solitary Confinement, as the said Commanding Officer may think fit; and such Marine shall forfeit his Pay for any Day or Days on which he may be so imprisoned; and the said Commanding Officer may moreover order that, in addition to or instead of such Imprisonment and Forfeiture, or any other Punishment which he has Authority to inflict, any Marine who shall have so absented himself as aforesaid shall forfeit his Pay for the Day or Days on which he shall have so absented himself, and in pursuance of any such Order as aforesaid the Pay of the Marine shall be accordingly forfeited; and such Marine shall not be liable to be afterwards tried by a Court-martial for any Offence for which he shall have been so ordered to suffer Imprisonment, Punishment, or Forfeiture as aforesaid; provided that any Marine who shall be so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, have a Right to insist on being tried by a Court-martial for his Offence instead of submitting to such Forfeiture, and if acquitted of the Offence for which he shall have been in Confinement shall, upon his Return to his Duty, be allowed to receive the Arrears of Pay, and

Forfeiture of
Pay.

to reckon Service for the Time he shall have been so absent ; and when a Marine shall rejoin Her Majesty's Service upon his Release from Confinement as a Prisoner of War due Inquiry shall be made by a Court-martial into the Circumstances of his Case, and if it shall be proved to the Satisfaction of such Court that such Marine became a Prisoner without wilful Neglect or Fault on his Part, and that he hath not served with or in any Manner aided the Enemy, and that he hath returned as soon as he possibly could to Her Majesty's Service, he may thereupon be recommended by such Court to the said Commissioners to receive the whole or any Proportion of his Pay, and to reckon Service for the Time he shall have been so absent : Provided also, that it shall be lawful for the said Commissioners to order or withhold the Payment of the Pay of any Officer or Marine for the Period during which he shall have been absent from any of the Causes aforesaid, except that any Marine acquitted of any Offence for which he had been committed shall always upon Return to his Duty be entitled to receive all Arrears of Pay growing due, and to reckon Service during his Absence or Confinement.

Apprehension
of Deserters.

XXIX. And be it enacted, That it shall be lawful for the Constable of any Place where any Person reasonably suspected to be a Deserter shall be found, or of any adjoining Place, and if no such Constable can be immediately met with to secure him, then for any Officer, Marine, or other Soldier in Her Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and cause him to be brought before any Justice living in or near such Place, and acting for the same or any adjoining County, who shall examine such suspected Person ; and if by his Confession, or the Testimony of One or more Witnesses upon Oath, or by the Knowledge of such Justice, it shall appear that any Person brought before him is a Marine unlawfully absent from his Duty, such Justice shall forthwith cause him to be conveyed to the nearest or most convenient public Prison in the same or any next adjoining County, other than Buildings set apart as Military Prisons by the Authority of the Army Mutiny Act, and shall transmit an Account thereof, in the Form prescribed for that Purpose in the Schedule annexed to this Act, to the Secretary of the Admiralty, with a Description of the Person of such Deserter, and the Name of the Division to which he shall belong, and also certifying the Names of the Persons by whom the Deserter was apprehended ; and if the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall be satisfied such last-mentioned Persons are justly entitled to a Reward for such Apprehension, the said Secretary shall in return transmit to such Justice an Order upon the proper Department for the Payment of the Sum of Twenty Shillings as a Reward to the Persons so certified to be entitled thereto ; which Reward shall be paid and charged against the Pay and Subsistence of any such Deserter, and stopped out of the same ; or if such Deserter shall be apprehended by any Soldier or Party of Soldiers of his own or any other Corps, or shall be apprehended in the Vicinity of the Head Quarters of the Corps to which he shall belong, then such Justice shall deliver such Deserter to the Party of his Corps, or may order him to be taken to the Head Quarters of the Corps, instead of committing

ting him to Prison ; and for every such Information, Commitment, and Report as aforesaid the Clerk of the said Justice may be entitled to a Fee of Two Shillings and no more, which shall also be charged against and stopped out of the Pay of the Deserter ; and every Gaoler or other Person into whose Custody any Person charged with Desertion is committed shall, immediately upon the Receipt of the Person so charged into his Custody, pay such Fee of Two Shillings, and also upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person a Fee of Two Shillings and Sixpence, and shall notify the Fact to the said Secretary, and transmit also to the said Secretary a Copy of the Commitment, to the end that the said Secretary may order Repayment of such Sums.

XXXII. And be it enacted, That every Person who shall in any Part of Her Majesty's Dominions, by Words or any other Means whatsoever, directly or indirectly persuade any Marine to desert, or shall endeavour in manner aforesaid to persuade, prevail on, or procure such Marine to desert, or shall assist any Deserter from Her Majesty's Royal Marine Service in deserting, or in concealing himself from such Service, knowing him to be such Deserter, shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty for inducing or assisting to desert.

XXXVI. And be it enacted, That every Person who shall receive Enlisting Money (knowing it to be such) to serve in the Royal Marines from any Person employed in the Recruiting Service, and being an Officer, Non-commissioned Officer, or attested Marine, shall be deemed to be enlisted as a Marine in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted ; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall, within Twelve Hours after the Receipt of the Enlisting Money cause to be taken down in Writing the Name and Place of Abode of such Recruit, and, if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist, the Place also at which he shall declare that he intends to sleep, in order that, within Forty-eight but not sooner than Twenty-four Hours (any intervening *Sunday* not included) after his having received the Enlisting Money, Notice of his having so enlisted be given to the Recruit, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep ; and when any Person shall be enlisted as a Marine he shall within Four Days (any intervening *Sunday* not included) but not sooner than Twenty-four Hours (any intervening *Sunday* not included) after such Enlisting, unless he shall voluntarily have absented himself or absconded, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice, not being an Officer in the Marines, residing in the Vicinity of the Place or acting for the Division or District or Place where such Recruit shall have been enlisted, or where the Head Quarters of the Recruiting Party shall be stationed, and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there, in

Enlisting and swearing of Recruits.

the

the Presence of the said Recruit, record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to read over, or cause his Clerk to read over, to such Recruit the several Articles of War against Mutiny and Desertion, and to administer to such Recruit the Oath in the Schedule to this Act annexed applicable to the Case of a Recruit, and no other Oaths, any thing in any Act to the contrary notwithstanding; and the Fee for administering such Oath shall be One Shilling and no more; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

Dissent and Relief from Enlistment.

XXXVII. And be it enacted, That any Recruit appearing within Four Days as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings for the Charges expended upon him, together with the full Amount of Subsistence and Beer Money which shall have been paid to such Recruit subsequent to his Enlistment, shall be forthwith discharged in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay such Money as aforesaid, he shall be deemed and taken to be enlisted as if he had given his Assent thereto before the said Justice; and it shall also be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, provided it shall appear to such Justice upon Proof to his Satisfaction that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting One Shilling, as the Fee to his Clerk for reporting the Payment to the Secretary of the Admiralty, shall be paid to any Person belonging to the Recruiting Party entitled thereto, and demanding the same: Provided always, that no Recruit who has actually though erroneously been discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment shall be liable on that Account to be proceeded against as having deserted from Her Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give to him a Certificate under his Hand specifying the Cause thereof.

Foreign Negroes, &c. voluntarily enlisted to be deemed legally entitled.

XXXVIII. And be it enacted, That all Negroes or Persons of Colour, who, although not born in any of Her Majesty's Colonies, Territories, or Possessions, shall have voluntarily enlisted or may voluntarily enlist into Her Majesty's Marine Forces, shall while serving be deemed to be Marines legally enlisted and entitled to all

all the Privileges of natural-born Subjects, and all Negroes who may have been seized and condemned as Prize under the Slave Trade Acts, and appointed to serve in Her Majesty's Marine Forces, shall be deemed to be and shall be entitled to all the Advantages of Negroes or Persons of Colour voluntarily enlisted to serve as Marines.

LXIX. ' And whereas certain Marines who have heretofore been duly enlisted, and who have voluntarily taken the Oath of Allegiance and Fidelity, and are now receiving Her Majesty's Pay, have been sworn and attested, but Doubts have arisen whether the Justices before whom the said Marines have been so sworn and attested were duly qualified to administer to such Marines the Oaths prescribed by the several Acts passed for the Regulation of Her Majesty's Royal Marine Forces while on shore; be it enacted, That in every Case where any such Marine having been duly enlisted shall have been so attested and sworn, and shall not have claimed to be discharged from Her Majesty's Royal Marine Forces on or before the Seventeenth Day of *March* One thousand eight hundred and forty-six, he shall not be entitled to his Discharge by reason of such Informality, but shall be liable to all the Provisions of this Act and of the Act passed in the last Session of Parliament for the Regulation of Her Majesty's Royal Marine Forces while on shore where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes, and in like Manner as if he had been duly attested and sworn.

Removal of
Doubts as to
Attestation of
Marines.

SCHEDULE to which this Act refers.

QUESTIONS to be separately put by the JUSTICE to a RECRUIT.

1. What is your Name ?
2. In what Parish, and in or near what Town, and in what County, were you born ?
3. What is your Age ?
4. What is your Trade or Calling ?
5. Are you an Apprentice ?
6. Are you married ?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour ?
8. Are you willing to be attested to serve in the Royal Marine Forces until you shall be legally discharged ?
9. On what Day, at what Hour of the Day, and where and by whom were you enlisted ?
10. For what Bounty did you enlist ?
11. Have you any Objection to make to the Manner of your Enlistment ?
12. Do you now belong to the Militia ?
13. Do you belong to any Regiment, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company ?
14. Have you served in the Army, Marines, Ordnance, or Navy, or in the Forces of the East India Company ?
15. Have

15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

Note.—The Justice is directed first to ascertain that Twenty-four Hours have elapsed since the Enlistment took place, and in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprise the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

C A P. XIII.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and forty-seven.

[14th *May* 1846.]

[*This Act is the same, except as to Dates, as 8 & 9 Vict. c. 24.*]

C A P. XIV.

An Act to continue until the First Day of *March* One thousand eight hundred and forty-seven, and from thence to the End of the then next Session of Parliament, the several Acts relating to Insolvent Debtors in *India*.

[14th *May* 1846.]

[9 *G. 4. c. 73. and 4 & 5 W. 4. c. 79. continued, as in Title.*]

C A P. XV.

An Act for raising the Sum of Eighteen millions three hundred and eighty thousand two hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and forty-six.

[14th *May* 1846.]

C A P. XVI.

An Act to authorize the Inclosure of certain Lands, in pursuance of the Recommendation of the Inclosure Commissioners for *England* and *Wales*.

[14th *May* 1846.]

8 & 9 *Vict. c. 118.* WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of an Act of the last Session of Parliament, intituled *An Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands, and the Division of intermixed Lands; to provide Remedies for defective or incomplete Executions and for the Non-execution of the Powers of General and Local Inclosure Acts, and to provide for the Revival of such Powers in certain Cases*, issued Provisional Orders for and concerning the several proposed Inclosures mentioned in the Schedule to this Act, and have, in the annual General Report of their Proceedings, certified their Opinion that such Inclosures would be expedient;

but

' but the same cannot be proceeded with without the Authority of ' Parliament : ' 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, That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Inclosures mentioned in the Schedule to be proceeded with.

II. And be it enacted, That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression " The Annual Inclosure Act, 1846. "

Short Title of the Act.

The SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Milton Common Fields	Oxford -	1st January 1846.
Worsthorne Common -	Lancaster -	1st January 1846.
Newton Commons -	Cambridge -	13th January 1846.
Instow Marsh -	Devon -	7th January 1846.
Areley Common -	Worcester -	9th January 1846.
Salcombe and Northern Hill	Devon -	7th January 1846.
Corley Moor - -	Warwick -	7th January 1846.

C A P. XVII.

An Act for the Abolition of the exclusive Privilege of trading in Burghs in *Scotland*. [14th May 1846.]

' **W**HEREAS in certain Royal and other Burghs in *Scotland* the Members of certain Guilds, Crafts, or Incorporations possess exclusive Privileges of carrying on or dealing in Merchandize, and of carrying on or exercising certain Trades or Handicrafts, within their respective Burghs ; and such Guilds, Crafts, or Incorporations have corresponding Rights, entitling them to prevent Persons not being Members thereof from carrying on or dealing in Merchandize, or from carrying on or exercising such Trades or Handicrafts, within such Burghs : And whereas it has become expedient that such exclusive Privileges and Rights should be abolished : ' Be it therefore 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, That from and after the passing of this Act all such exclusive Privileges and Rights shall cease, and it shall be lawful for any Person to carry on or deal in Merchandize, and to carry on or exercise any Trade or Handicraft, in any Burgh and elsewhere in *Scotland*, without being a Burgess of such Burgh, or a Guild Brother, or a Member of any Guild, Craft, or Incorporation : Provided always, that in lieu of the Stamp Duties of One Pound and Three Pounds now payable on the Admission of any Person as a Burgess

After the passing of this Act exclusive Privileges and Rights in Burghs to cease ; and in lieu of Stamp Duties now payable on Admission a Duty of 5s. shall be paid.

Burgess or into any Corporation or Company in any Burgh in *Scotland*, for the Enrolment, Entry, or Memorandum thereof in the Court Books, Roll, or Record of such Corporation or Company, there shall from and after the passing of this Act be paid on every such Admission a Stamp Duty of Five Shillings.

Incorporations still to retain their Corporate Character, and their Names and Titles.

II. And be it enacted, That notwithstanding the Abolition of the said exclusive Privileges and Rights all such Incorporations as aforesaid shall retain their Corporate Character, and shall continue to be Incorporations, with the same Names and Titles as heretofore; and nothing herein contained shall anywise affect the Rights and Privileges of such Incorporations, or of the Office Bearers or Members thereof, except as herein-before enacted.

Incorporations may make Bye Laws relative to Application of its Funds, &c. subject to the Approbation of the Court of Session.

III. 'And whereas the Revenues of such Incorporations as aforesaid may in some Instances be affected, and the Number of the Members of such Incorporations may in some Instances diminish, by reason of the Abolition of the said exclusive Privileges and Rights, and it is expedient that Provision should be made for facilitating Arrangements suitable to such Occurrences;' be it therefore enacted, That it shall be lawful for every such Incorporation from Time to Time to make all Bye Laws, Regulations, and Resolutions relative to the Management and Application of its Funds and Property, and relative to the Qualification and Admission of Members, in reference to its altered Circumstances under this Act, as may be considered expedient, and to apply to the Court of Session, by summary Petition, for the Sanction of the said Court to such Bye Laws, Regulations, or Resolutions; and the said Court, after due Intimation of such Application, shall determine upon the same, and upon any Objections that may be made thereto by Parties having Interest, and shall interpose the Sanction of the said Court to such Bye Laws, Regulations, or Resolutions, or disallow the same in whole or in part, or make thereon such Alterations, or adject thereto such Conditions or Qualifications, as the said Court may think fit, and generally shall pronounce such Order in the whole Matter as may to the said Court seem just and expedient; and such Bye Laws, Regulations, or Resolutions, subject to such Alterations and Conditions as aforesaid, shall be, when the Sanction of the said Court shall have been interposed thereto, valid and effectual and binding on such Incorporations: Provided always, that nothing therein contained shall affect the Validity of any Bye Laws, Regulations, or Resolutions that may be made by any such Incorporation without the Sanction of the said Court, which it would have been heretofore competent for such Incorporation to have made of its own Authority or without such Sanction.

Such Bye Laws, when sanctioned by Court of Session, to be valid.

Act may be amended, &c.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

C A P. XVIII.

An Act to amend Two clerical Errors in an Act of the last Session, for regulating the Labour of Children, young Persons, and Women in Print Works. [18th June 1846.]

‘ **W**HEREAS by an Act passed in the last Session of Parliament, intituled *An Act to regulate the Labour of Children, young Persons, and Women in Print Works*, Provision was made for the Attendance at School of Children employed in Print Works, but by a clerical Error the Word “Fifty” has been once inserted by Mistake instead of the Word “Thirty” in referring to the Time of such Attendance:’ 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, That so much of the said Act as requires the Occupier of any Print Work, before employing any Child therein, to obtain a Certificate that such Child had attended School for at least Fifty Days as therein specified, shall be repealed. 8 & 9 Vict. c. 29.

II. And be it enacted, That after the First Day of *July* One thousand eight hundred and forty-six the Occupier of every Print Work shall, before employing any Child therein, obtain from a Schoolmaster a Certificate, according to the Form and Directions given in Schedule (A.) to the said recited Act annexed, that such Child had attended School for at least Thirty Days, as required by the said Act, during the Half Year ending the Thirtieth Day of *June* or Thirty-first Day of *December* next before the Beginning of such Employment, and the like Certificate at the Beginning of each following Period of Six Months during which the Employment of such Child shall be continued in that Print Work; and such Occupier shall keep every such Certificate, so long as such Child shall continue in his Employment, for Twelve Months after the Date thereof, and shall produce the same to any Inspector or Sub-Inspector when required during such Period. So much of recited Act as requires Certificate of Child having attended School for 50 Days repealed.

III. ‘And whereas that Part of the said Act which enacts the Penalties for illegally employing Children, young Persons, and Women contains the following Proviso; that is to say, Provided always, that if the Offence shall be the Employment of any such Child, young Person, or Woman during the Night, the Penalty shall be not less than Forty Shillings nor more than Five Pounds for each Child, young Person, or Woman so illegally employed:’ And whereas the Words “young Person” have been so twice introduced into the said Proviso by Mistake, inasmuch as, according to the said Act, it is no Offence to employ Male young Persons, as defined in the said Act, during the Night:’ Be it declared and enacted, That the said Act shall be construed as if in the Proviso herein-before recited the Words “young Person” had not been inserted. After 1st July 1846 Occupiers of Print Works to obtain Certificate of Children having attended School 30 Days, and produce same when required.

C A P. XIX.

An Act to amend an Act of the Second and Third Years of His late Majesty, by providing additional Booths or Polling Places at Elections in *Ireland* where the Number of Electors whose Names shall begin with the same Letter of the Alphabet shall exceed a certain Number.

[18th June 1846.]

2 & 3 W. 4. c. 88. **W**HEREAS by an Act passed in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People of Ireland*, it is enacted, that whenever in any one Barony or Half Barony of the County, or in any County of a City or County of a Town, or in any Borough, the Number of registered Voters appearing upon the Books of the Clerk of the Peace capable of voting at any Election for the same shall exceed Six hundred Voters, it shall and may be lawful for the Returning Officer or Officers and he and they are thereby required to provide Two or more Polling Places for such Barony or Half Barony, or for such County of a City or County of a Town, or Borough, and to make such a Division or Divisions of the Voters according to the first Letter of their Names, that it shall not be necessary for more than Six hundred Voters to poll in any one Place of polling, but so as not to divide the Names beginning with the same Letter of the Alphabet, and that it shall and may be lawful for the Returning Officer or Officers and he and they are thereby required to provide as many new Places of polling as may be necessary for the Purpose, and to appoint as many additional Deputies and Poll Clerks as shall be necessary to take the Poll in such additional Places of polling (not exceeding One Deputy and One Poll Clerk for each such Place of polling); and it is by the said Act provided, that in case the Number of Voters in any Two or more Baronies or Half Baronies in any County shall not exceed the Number of Six hundred Voters, it shall and may be lawful for the Returning Officer or Officers and he and they are thereby required to provide that the Poll for such Baronies and Half Baronies shall be taken in One Place of polling only: And whereas it has been found that great Inconvenience has arisen, and many Persons are wholly prevented from voting at Elections, in consequence of a greater Number of Voters being assigned to vote in the Booth or Polling Place beginning with the first Letter of their Names than possibly can do so within the Time prescribed by Law for holding of such Elections: Be it therefore 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, That at all future Elections in *Ireland* for Members to serve in the Imperial Parliament it shall and may be lawful for the Returning Officer or Officers and he and they are hereby required, when it appears by the Clerk of the Peace's Book of any County, County of a City, County of a Town, or Borough in *Ireland*, that the Number of registered Electors for any such County, County of a City, County

When Names of Electors commencing with the same Letter of the Alphabet amount to 500 or more the Returning

County of a Town, or Borough, whose Names shall begin with the same Letter of the Alphabet, shall amount to Five hundred or more, to provide, as nearly as may be in alphabetical Order according to the Second Letter of their Names, Two or more Polling Places for such Voters in any such County, City, Town, or Borough in *Ireland* returning Members to serve in the Imperial Parliament, so that it shall not be necessary for more than Five hundred Voters to poll at any One Place of voting, notwithstanding that their Names may begin with the same Letter of the Alphabet; and it shall and may be lawful for the Returning Officer or Officers and he and they are hereby required to provide as many convenient and commodious Places as may be necessary for the Purpose, and to appoint as many additional Deputies and Poll Clerks as shall be necessary to take the Poll in such additional Places of polling, not exceeding One Deputy and One Poll Clerk for each Place of polling.

II. And be it enacted, That in making any Division of the Voters under any One Letter as aforesaid such Division shall be so made that all Voters who shall have the same Surname shall be obliged to poll in the same Place of polling.

III. And be it enacted, That if any Returning Officer or Officers shall refuse or neglect to carry out the Provisions of this Act, he or they shall be liable to all the Penalties which are imposed by the said Act of the Second and Third Years of the Reign of King *William* the Fourth on any Officer or Officers upon a Breach or Neglect of his or their Duty or Duties.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Officer to provide so many Booths that not more than 500 Voters shall be obliged to poll at One Booth.

All Persons of the same Surname must poll at same Place.

Penalty if Returning Officer does not comply with the Provisions of Act.

Act may be amended, &c.

C A P. XX.

An Act to amend an Act of the Second Year of Her present Majesty, for providing for the Custody of certain Monies paid, in pursuance of the Standing Orders of either House of Parliament, by Subscribers to Works or Undertakings to be effected under the Authority of Parliament.

[18th June 1846.]

WHEREAS an Act was passed in the Second Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to provide for the Custody of certain Monies paid, in pursuance of the Standing Orders of either House of Parliament, by Subscribers to Works or Undertakings to be effected under the Authority of Parliament*: And whereas it is expedient that the said Act should be repealed, and should be re-enacted, with such Modifications, Extensions, and Alterations as after mentioned: Be it therefore 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, That the said Act shall be and is hereby repealed: Provided always, that all Acts done under the Provisions of the said Act shall be good, valid, and effectual to all Intents and Purposes, and that all Sums

1&2 Vict. c. 117.

Recited Act repealed, but Acts already done under same valid.

of Money paid under the Provisions of the said Act shall be dealt with in all respects as if this Act had not been passed.

Authority to
deposit.

II. And be it enacted, That in all Cases in which any Sum of Money is required by any Standing Order of either House of Parliament, either now in force or hereafter to be in force, to be deposited by the Subscribers to any Work or Undertaking which is to be executed under the Authority of an Act of Parliament, if the Director or Person or Directors or Persons having the Management of the Affairs of such Work or Undertaking, not exceeding Five in Number, shall apply to One of the Clerks in the Office of the Clerk of the Parliaments with respect to any such Money required by any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or to One of the Clerks of the Private Bill Office of the House of Commons with respect to any such Money required by any Standing Order of the Commons in Parliament assembled, to be deposited, it shall be lawful for the Clerk so applied to, by Warrant or Order under his Hand, to direct that such Sum of Money shall be paid in manner hereinafter mentioned ; (that is to say,) into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery in *England*, if the Work or Undertaking in respect of which the Sum of Money is required to be deposited is intended to be executed in that Part of the United Kingdom called *England*, or into any of the Banks in *Scotland* established by Act of Parliament or Royal Charter, in the Name and with the Privity of the Queen's Remembrancer of the Court of Exchequer in *Scotland*, at the Option of the Person or Persons making such Application as aforesaid, in case such Work or Undertaking is intended to be executed in that Part of the United Kingdom called *Scotland*, or into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, in case such Work or Undertaking is intended to be made or executed in that Part of the United Kingdom called *Ireland* ; and such Warrant or Order shall be a sufficient Authority for the Accountant General of the Court of Chancery in *England*, the Queen's Remembrancer of the Court of Exchequer in *Scotland*, and the Accountant General of the Court of Chancery in *Ireland*, respectively, to permit the Sum of Money directed to be paid by such Warrant or Order to be placed to an Account opened or to be opened in his Name in the Bank mentioned in such Warrant or Order.

Payment of
Deposit.

III. And be it enacted, That it shall be lawful for the Person or Persons named in such Warrant or Order, or the Survivors or Survivor of them, to pay the Sum mentioned in such Warrant or Order into the Bank mentioned in such Warrant or Order in the Name and with the Privity of the Officer or Person in whose Name such Sum shall be directed to be paid by such Warrant or Order, to be placed to his Account there *ex parte* the Work or Undertaking mentioned in such Warrant or Order, pursuant to the Method prescribed by any Act or Acts for the Time being in force for regulating Monies paid into the said Courts, and pursuant to the general Orders of the said Courts respectively, and without Fee or Reward ; and every such Sum so paid in, or the Securities in or upon which the same may be invested as
herein-

herein-after mentioned, or the Stocks, Funds, or Securities authorized to be transferred or deposited in lieu thereof as herein-after mentioned, shall there remain until the same with all Interest and Dividends, if any, accrued thereon, shall be paid out of such Bank, in pursuance of the Provisions of this Act: Provided always, that in case any such Director or Person, Directors or Persons, having the Management of any such proposed Work or Undertaking as aforesaid, shall have previously invested in the Three *per Centum* Consolidated or the Three *per Centum* Reduced Bank Annuities, Exchequer Bills or other Government Securities, the Sum or Sums of Money required by any such Standing Order of either House of Parliament as aforesaid to be deposited by the Subscribers to any Work or Undertaking which is to be executed under the Authority of an Act of Parliament, it shall be lawful for the Person or Persons named in such Warrant or Order, or the Survivors or Survivor of them, to deposit such Exchequer Bills or other Government Securities in the Bank mentioned in such Warrant or Order in the Name and with the Privy of the Officer or Person in whose Name such Sum shall by such Warrant or Order be directed to be paid, or to transfer such Government Stocks or Funds into the Name of the Officer or Person; and such Transfer or Deposit shall be directed by such Clerk of the Office of the Clerk of the Parliaments, or such Clerk of the Private Bill Office of the House of Commons, as the Case may be, in lieu of Payment of so much of the Sum of Money required to be deposited as aforesaid as the same Exchequer Bills or other the Government Stocks or Funds will extend to satisfy at the Price at which the same were originally purchased by the said Person or Persons, Director or Directors as aforesaid, such Price to be proved by Production of the Broker's Certificate of such original Purchase.

IV. And be it enacted, That if the Person or Persons named in such Warrant or Order, or the Survivors or Survivor of them, desire to have invested any Sum so paid into the Bank of *England* or the Bank of *Ireland*, or any Interest or Dividend which may have accrued on any Stocks or Securities so transferred or deposited as aforesaid, the Court in the Name of whose Accountant General the same may have been paid may, on a Petition presented to such Court in a summary Way by him or them, order that such Sum or such Interest or Dividends shall, until the same be paid out to the Parties entitled to the same in pursuance of this Act, be laid out in the Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or any Government Security or Securities, at the Option of the aforesaid Person or Persons, or the Survivor or Survivors of them.

V. And be it enacted, That on the Termination of the Session of Parliament in which the Petition or Bill for the Purpose of making or sanctioning any such Work or Undertaking shall have been introduced into Parliament, or if such Petition or Bill shall be rejected or finally withdrawn by some Proceeding in either House of Parliament, or shall not be allowed to proceed, or if the Person or Persons by whom the said Money was paid or Security deposited shall have failed to present a Petition, or if an Act be passed authorizing the making of such Work or Undertaking, and

Investment of
Deposit.

Repayment of
Deposit.

if in any of the foregoing Cases the Person or Persons named in such Warrant or Order, or the Survivors or Survivor of them, or the Majority of such Persons, apply by Petition to the Court in the Name of whose Accountant General the Sum of Money mentioned in such Warrant or Order shall have been paid, or such Exchequer Bills, Stocks, or Funds shall have been deposited or transferred as aforesaid, or to the Court of Exchequer in *Scotland*, in case such Sum of Money shall have been paid in the Name of the said Queen's Remembrancer, the Court in the Name of whose Accountant General or Queen's Remembrancer such Sum of Money shall have been paid, or such Exchequer Bills, Stocks, or Funds shall have been deposited or transferred, shall by Order direct the Sum of Money paid in pursuance of such Warrant or Order, or the Stocks, Funds, or Securities in or upon which the same may have been invested, and the Interest or Dividends thereof, or the Exchequer Bills, Stocks, or Funds so deposited or transferred as aforesaid, and the Interest and Dividends thereof, to be paid or transferred to the Party or Parties so applying, or to any other Person or Persons whom they may appoint in that Behalf; but no such Order shall be made in the Case of any such Petition or Bill being rejected or not being allowed to proceed, or being withdrawn or not being presented, or of an Act being passed authorizing the making of such Work or Undertaking unless upon the Production of the Certificate of the Chairman of Committees of the House of Lords with reference to any Proceeding in the House of Lords, or of the Speaker of the House of Commons with reference to any Proceeding in the House of Commons, that the said Petition or Bill was rejected or not allowed to proceed, or was withdrawn during its Passage through one of the Houses of Parliament, or was not presented, or that such Act was passed, which Certificate the said Chairman or Speaker shall grant on the Application in Writing of the Person or Persons, or the Majority of the Persons named in such Warrant, or the Survivor or Survivors of them: Provided always, that the granting of any such Certificate, or any Mistake or Error therein or in relation thereto, shall not make the Chairman or Speaker signing the same liable in respect of any Monies, Stocks, Funds, and Securities which may be paid, deposited, invested, or transferred in pursuance of the Provisions of this Act, or the Interest or Dividends thereof.

Granting Certificate, &c. not to make the Chairman or Speaker signing the same liable.

C A P. XXI.

An Act to enable the Right Honourable *Henry* Viscount *Hardinge* to receive the full Benefit of an Annuity of Five thousand Pounds granted to him by the *East India* Company.* [18th June 1846.]

" Lord *Hardinge* empowered to receive his full Salary as Governor
 " General, notwithstanding the Grant of Five thousand Pounds
 " *per Annum* by the *East India* Company.'

* See post, C. 31.

C A P. XXII.

An Act to amend the Laws relating to the Importation of Corn. [26th June 1846.]

WHEREAS an Act was passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws for the Importation of Corn*: And whereas it is expedient that the Duties now payable upon the Importation and Entry for Home Consumption in the United Kingdom and in the *Isle of Man* respectively of Corn, Grain, Meal, and Flour should be altered, and that the Act herein-before recited should be amended as herein-after is expressed: Be it therefore 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, That from and after the passing of this Act, in lieu of the Duties now payable upon the Entry for Home Consumption in the United Kingdom, and upon the Importation into the *Isle of Man*, of Corn, Grain, Meal, and Flour, there shall be levied and paid unto Her Majesty, Her Heirs and Successors, on all Corn, Grain, Meal, and Flour already or hereafter to be imported into the United Kingdom or the *Isle of Man* from Parts beyond the Seas, and entered for Home Consumption after the passing of this Act, the Duties set forth in the Schedule to this Act annexed, until the First Day of *February* which will be in the Year of our Lord One thousand eight hundred and forty-nine; and on, from, and after the said First Day of *February* One thousand eight hundred and forty-nine the following Duties; (namely,)

5 & 6 Vict. c. 14.

After the passing of this Act, till 1st Feb. 1849, the Duties set forth in the Schedule shall be payable upon all Corn, &c. imported.

On and after 1st Feb. 1849 the Duties herein named shall be paid.

Upon all Wheat, Barley, Bear or Bigg, Oats, Rye, Pease, and Beans,

For every Quarter - - - One Shilling;

and so in proportion for a less Quantity:

Upon all Wheat Meal and Flour,

Barley Meal,
Oatmeal,
Rye Meal and Flour,
Pea Meal, and
Bean Meal,

For every Cwt. - - - Four-pence Halfpenny;
and so in proportion for a less Quantity.

II. And be it enacted, That the several Duties hereby imposed, and leviabie in the United Kingdom, shall be levied, collected, paid, and applied in such and the same Manner in all respects as that in which the Duties imposed by an Act passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for granting Duties of Customs*, are directed to be levied, collected, paid, and applied.

Duties payable in the United Kingdom shall be levied pursuant to 8 & 9 Vict. c. 90.

III. And be it enacted, That the several Duties hereby imposed, and leviabie in the *Isle of Man*, shall be levied, collected, paid, and

Duties payable in the *Isle of Man* shall be and

levied pursuant to 8 & 9 Vict. c. 94.

and applied in such and the same Manner in all respects as that in which the Duties imposed by an Act passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for regulating the Trade with the Isle of Man*, are directed to be levied, collected, paid, and applied.

Average Prices to continue to be made up according to 5 & 6 Vict. c. 14., and Duties under this Act to be regulated thereby.

IV. And be it enacted, That the average Prices, both weekly and aggregate, of all *British* Corn, shall continue to be made up, computed, and published, and the Certificates of the aggregate average Prices shall continue to be transmitted, at the Times and in the Manner required by the said herein-before recited Act for amending the Laws for the Importation of Corn; and the Rate and Amount of the Duties set forth in the Schedule to this Act shall be regulated and governed, according to the Scale in the said Schedule contained, by the aggregate average Prices so to be made up, computed, published, and transmitted, in the same Manner as the Rate and Amount of the Duties imposed by the said herein-before recited Act are by that Act directed to be regulated and governed; and at each of the several Ports in the United Kingdom and in the *Isle of Man* the aggregate average Prices, the Certificate of which shall have been last received previously to the passing of this Act by the Collector or other chief Officer of Customs at such Port as by the said herein-before recited Act is directed, shall be taken to be the aggregate average Price by which the Duties hereby imposed shall be governed and regulated at such Port, until the Certificate of some other aggregate average Price shall have been received by the Collector or other chief Officer of Customs at such Port.

Repeal of Part of 5 & 6 Vict. c. 14.

V. And be it enacted, That so much of the said Act herein-before recited as prohibits the Importation into the United Kingdom for Consumption there of any Corn ground shall be repealed.

Act may be amended, &c.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

SCHEDULE to which this Act refers.

If imported from any FOREIGN COUNTRY :

WHEAT : —

Whenever the average Price of Wheat, made up and published in the Manner required by Law, shall be for every Quarter			
- - -	under 48s., the Duty shall be for every Quarter	s.	d.
- - -	48s. and under 49s.	10	0
- - -	49s. and under 50s.	9	0
- - -	50s. and under 51s.	8	0
- - -	51s. and under 52s.	7	0
- - -	52s. and under 53s.	6	0
- - -	53s. and upwards	5	0
- - -		4	0

BARLEY,

BARLEY, BEAR OR BIGG :—

— Whenever the average Price of Barley, made up and published in the Manner required by Law, shall be for every Quarter		<i>s.</i>	<i>d.</i>
- - -	under 26 <i>s.</i> , the Duty shall be for every Quarter	5	0
- - -	26 <i>s.</i> and under 27 <i>s.</i> - - -	4	6
- - -	27 <i>s.</i> and under 28 <i>s.</i> - - -	4	0
- - -	28 <i>s.</i> and under 29 <i>s.</i> - - -	3	6
- - -	29 <i>s.</i> and under 30 <i>s.</i> - - -	3	0
- - -	30 <i>s.</i> and under 31 <i>s.</i> - - -	2	6
- - -	31 <i>s.</i> and upwards - - -	2	0

OATS :—

— Whenever the average Price of Oats, made up and published in the Manner required by Law, shall be for every Quarter			
- - -	under 18 <i>s.</i> , the Duty shall be for every Quarter	4	0
- - -	18 <i>s.</i> and under 19 <i>s.</i> - - -	3	6
- - -	19 <i>s.</i> and under 20 <i>s.</i> - - -	3	0
- - -	20 <i>s.</i> and under 21 <i>s.</i> - - -	2	6
- - -	21 <i>s.</i> and under 22 <i>s.</i> - - -	2	0
- - -	22 <i>s.</i> and upwards - - -	1	6

RYE, PEASE, AND BEANS :—

— For every Quarter
A Duty equal in Amount to the Duty payable on a Quarter of Barley.

WHEAT MEAL AND FLOUR :—

— For every Barrel, being One hundred and ninety-six Pounds,
A Duty equal in Amount to the Duty payable on Thirty-eight Gallons and a Half of Wheat.

BARLEY MEAL :—

— For every Quantity of Two hundred and seventeen and a Half Pounds,
A Duty equal in Amount to the Duty payable on a Quarter of Barley.

OATMEAL AND GROATS :—

— For every Quantity of One hundred and eighty-one Pounds and a Half,
A Duty equal in Amount to the Duty payable on a Quarter of Oats.

RYE MEAL AND FLOUR :—

— For every Barrel, being One hundred and ninety-six Pounds,
A Duty equal in Amount to the Duty payable upon Forty Gallons of Rye.

PEA MEAL AND BEAN MEAL :—

— For every Quantity of Two hundred and seventy-two Pounds,

A Duty equal in Amount to the Duty payable on a Quarter of Pease or Beans.

If the Produce of and imported from any British Possession out of Europe ;

Wheat, Barley, Bear or Bigg, Oats, Rye, Pease, and Beans, the Duty shall be for every Quarter	s. d.
- - - - -	1 0

Wheat Meal, Barley Meal, Oatmeal, Rye Meal, Pea Meal, and Bean Meal, the Duty shall be for every Cwt.	-
-	0 4½

C A P. XXIII.

An Act to alter certain Duties of Customs.

[26th June 1846.]

8 & 9 Vict. c. 90. **W**HEREAS by an Act passed in a Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for granting Duties of Customs*, the several Duties of Customs are imposed upon Goods, Wares, and Merchandize, imported into or exported from the United Kingdom, as the same are respectively inserted, described, and set forth in Figures in the Tables marked (A.) and (B.) to that Act annexed, together with the additional Duties therein-after mentioned: And whereas it is expedient to make certain Alterations and Amendments therein: Be it therefore 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, That in lieu and instead of the Duties now payable by Law upon the Goods, Wares, and Merchandize mentioned in the Table to this Act annexed, when imported into the United Kingdom, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon the said Goods, Wares, and Merchandize, when imported into the United Kingdom, the several Duties of Customs as the same are respectively inserted, described, and set forth in Figures in the said last-mentioned Table.

Duties.

Table of New Duties.

Duties on Timber.

II. And be it enacted, That from and after the Fifth Day of *April* One thousand eight hundred and forty-seven, the Duties of Customs now payable upon the Foreign Goods herein-after next mentioned shall cease and determine, and that in lieu thereof there shall be charged the following Duties on such Foreign Goods on their Importation into the United Kingdom ; (that is to say,)

Upon

Upon TIMBER and WOOD GOODS not otherwise charged; <i>videlicet</i> ,	From and after 5th April 1847.	From and after 5th April 1848.
	£ s. d.	£ s. d.
Timber or Wood, not being Deals, Battens, Boards, Staves, Handspikes, Oars, Lathwood, or other Timber or Wood sawn, split, or otherwise dressed, except hewn, and not being Timber or Wood otherwise charged with Duty, the Load of 50 Cubic Feet	1 0 0	0 15 0
— Deals, Battens, Boards, or other Timber or Wood sawn or split, and not otherwise charged with Duty the Load of 50 Cubic Feet	1 6 0	1 0 0
— Staves, if exceeding 72 Inches in Length, 7 Inches in Breadth, or 3½ Inches in Thickness the Load of 50 Cubic Feet	1 3 0	0 18 0
— Firewood, the Fathom of 216 Cubic Feet	0 8 0	0 6 0
— Handspikes, not exceeding Seven Feet in Length - - - the 120	0 16 0	0 12 0
— exceeding Seven Feet in Length - - - the 120	1 12 0	1 4 0
— Knees, under Five Inches Square the 120	0 8 0	0 6 0
— Five Inches and under Eight Inches Square - - - the 120	1 12 0	1 4 0
— Lathwood the Fathom of 216 Cubic Feet	1 12 0	1 4 0
— Oars - - - the 120	6 0 0	4 10 0
— Spars or Poles under 22 Feet in Length, and under Four Inches in Diameter - the 120	0 16 0	0 12 0
— 22 Feet in Length and upwards, and under Four Inches in Diameter, - the 120	1 12 0	1 4 0
— of all Lengths, Four Inches and under Six Inches in Diameter the 120	3 4 0	2 8 0
— Spokes for Wheels, not exceeding Two Feet in Length the 1,000	1 12 0	1 4 0
— exceeding Two Feet in Length the 1,000	3 4 0	2 8 0
Wood, planed, or otherwise dressed or prepared for Use, and not particularly enumerated, nor otherwise charged with Duty	0 0 6 per Foot of Cubic Con- tents, and further for every 100l. Value, 10l.	0 0 4 per Foot of Cubic Con- tents, and further for every 100l. Value, 10l.

Or, in lieu of the Duties imposed upon Wood by the Load according to the Cubic Content, the Importer may have the Option, at the Time of passing the first Entry, of entering Battens, Batten Ends, Boards, Deals, Deal Ends, and Plank, by Tale, if of or from Foreign Countries, according to the following Dimensions; *videlicet*,

	Not above 7 Inches in Width.		From and after 5th April 1847.		From and after 5th April 1848.	
	£	s. d.	Not above 1½ Inch in Thickness.	Above 1½ Inch and not above 2½ in Thickness.	Not above 1½ Inch in Thickness.	Above 1½ Inch and not above 2½ in Thickness.
Battens and Batten Ends :						
Not above 6 Feet in Length,	-	-	1 4 8	2 9 3	0 18 6	1 17 0
Above 6 and not above 9 Feet in Length	-	-	1 16 11	3 13 10	1 7 9	2 15 6
Above 9 and not above 12 Feet in Length	-	-	2 9 3	4 18 6	1 16 11	3 13 10
Above 12 and not above 15 Feet in Length	-	-	3 1 7	6 3 2	2 6 3	4 12 6
Above 15 and not above 18 Feet in Length	-	-	3 13 10	7 7 8	2 15 4	5 10 8
Above 18 and not above 21 Feet in Length	-	-	4 6 2	8 12 4	3 4 6	6 9 0
	Not above 9½ Inches in Width.	Not above 1½ Inch in Thickness.	Above 1½ Inch and not above 2½ in Thickness.		Above 1½ Inch and not above 2½ in Thickness.	
	-	-	1 19 6	3 19 0	1 9 10	2 19 8
	-	-	2 19 3	5 18 6	2 4 5	4 8 10
	-	-	3 19 0	7 18 0	2 19 2	5 18 4
	-	-	4 18 10	9 17 8	3 14 2	7 8 4
	-	-	5 18 7	11 17 2	4 8 11	8 17 10
	-	-	6 18 4	13 16 8	5 3 8	10 7 4
	Above 9½ Inches, and not above 11½ in Width.		2 7 10	4 15 8	1 15 10	3 11 8
	-	-	3 11 8	7 3 4	2 13 8	5 7 4
	-	-	4 15 7	9 11 2	3 11 7	7 3 2
	-	-	5 19 7	11 19 2	4 9 7	8 19 2
	-	-	7 3 6	14 7 0	5 7 6	10 15 0
	-	-	8 7 6	16 15 0	6 5 8	12 11 4
Boards, Deals, Deal Ends, and Plank :						
Not above 6 Feet in Length,	-	-	the 120	the 120		
Above 6 and not above 9 Feet in Length	-	-	the 120	the 120		
Above 9 and not above 12 Feet in Length	-	-	the 120	the 120		
Above 12 and not above 15 Feet in Length	-	-	the 120	the 120		
Above 15 and not above 18 Feet in Length	-	-	the 120	the 120		
Above 18 and not above 21 Feet in Length	-	-	the 120	the 120		
	Not above 6 Feet in Length,		the 120	the 120		
Above 6 and not above 9 Feet in Length	-	-	the 120	the 120		
Above 9 and not above 12 Feet in Length	-	-	the 120	the 120		
Above 12 and not above 15 Feet in Length	-	-	the 120	the 120		
Above 15 and not above 18 Feet in Length	-	-	the 120	the 120		
Above 18 and not above 21 Feet in Length	-	-	the 120	the 120		

III. And be it enacted, That in lieu of the Duties of Customs now chargeable on the Articles herein-after next mentioned, imported into the United Kingdom, the following Duties shall be charged from and after the First Day of *June* in the Year of our Lord One thousand eight hundred and forty-six; (that is to say),

Seeds; <i>videlicet</i> ,	£	s.	d.
Canary, the Cwt.	0	5	0
— of and from a British Possession, the Cwt.	0	2	6
Caraway, the Cwt.	0	5	0
— of and from a British Possession, the Cwt.	0	2	6
Carrot, the Cwt.	0	5	0
— of and from a British Possession, the Cwt.	0	2	6
Clover, the Cwt.	0	5	0
— of and from a British Possession, the Cwt.	0	2	6
Leek, the Cwt.	0	5	0
— of and from a British Possession, the Cwt.	0	2	6
Mustard, the Cwt.	0	1	3
— of and from a British Possession, the Cwt.	0	0	7½
Onion, the Cwt.	0	5	0
— of and from a British Possession, the Cwt.	0	2	6
All other Seeds not particularly enumerated or described, or otherwise charged with Duty, for every 100 <i>l.</i> Value	5	0	0
Of and from a British Possession, for every 100 <i>l.</i> Value	2	10	0

IV. And be it enacted, That no Duties of Customs shall be chargeable upon the Goods, Wares, and Merchandize herein-after next mentioned; (that is to say),

Animals, living; *videlicet*,

Asses.

Goats.

Kids.

Oxen and Bulls.

Cows.

Calves.

Horses, Mares, Geldings, Colts, Foals.

Mules.

Sheep.

Lambs.

Swine and Hogs.

Pigs, Sucking.

Bacon.

Beef, fresh or slightly salted.

Beef, salted, not being corned Beef.

Bottles of Earth and Stone, empty.

Casts of Busts, Statues, or Figures.

Caviare.

Cherry Wood, being Furniture Wood.

Cranberries.

Cotton Manufactures, not being Articles wholly or in part made up, not otherwise charged with Duty.

Enamel.

Gelatine.

Glue.

Hay.

Hides, or Pieces thereof, tawed, curried, varnished, japanned, enamelled.

Muscovy or Russia Hides or Pieces thereof, tanned, coloured, shaved, or otherwise dressed, and Hides or Pieces thereof in any way dressed, not otherwise enumerated.

Ink for Printers.

Inkle, wrought.

Lamp Black.

Linen; *videlicet*, plain Linens and Diaper, whether chequered or striped with Dye Yarn or not, and Manufactures of Linen, or of Linen mixed with Cotton or with Wool, not particularly enumerated, or otherwise charged with Duty, not being Articles wholly or in part made up.

Magna Græcia Ware.

Manuscripts.

Maps and Charts, or Parts thereof, plain or coloured.

Mattresses.

Meat, salted or fresh, not otherwise described.

Medals of any Sort.

Palmetto Thatch Manufactures.

Parchment.

Partridge Wood, being Furniture Wood.

Pens.

Plantains.

Potatoes.

Pork, fresh.

salted, not Hams.

Purple Wood, being Furniture Wood.

Silk, Thrown, dyed; *videlicet*,

Singles or Tram, Organzine or Crape Silk.

Telescopes.

Thread, not otherwise enumerated or described.

Woollens; *videlicet*, Manufactures of Wool, not being Goat's Wool, or of Wool mixed with Cotton, not particularly enumerated or described, not otherwise charged with Duty, not being Articles wholly or in part made up.

Vegetables, all, not otherwise enumerated or described.

Vellum.

Duties to be under Management of Commissioners of Customs.

V. And be it enacted, That the Duties imposed by this Act shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, and recovered, and allowed and applied or appropriated, under the Provisions of any Act or Acts now in force, or hereafter to be made, relating to the Customs.

Act may be amended, &c.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

TABLE OF DUTIES to which the foregoing Act refers.

	£	s.	d.
Agates or Cornelians, cut, manufactured, or set, for every 100 <i>l.</i> Value - - - - -	10	0	0
Ale and Beer of all Sorts, the Barrel - - - - -	1	0	0
Almonds, Paste of, for every 100 <i>l.</i> Value - - - - -	10	0	0
Amber, Manufactures of, not enumerated, for every 100 <i>l.</i> Value - - - - -	10	0	0
Arrowroot, the Cwt. - - - - -	0	2	6
_____ of and from a British Possession, per Cwt.	0	0	6
Bandstring Twist, for every 100 <i>l.</i> Value - - - - -	10	0	0
_____ of and from a British Possession, for every 100 <i>l.</i> Value - - - - -	5	0	0
Barley, Pearled, the Cwt. - - - - -	0	1	0
_____ of and from a British Possession, the Cwt. - - - - -	0	0	6
Bast Ropes, Twines, and Strands, for every 100 <i>l.</i> Value - - - - -	10	0	0
_____ of and from a British Possession, for every 100 <i>l.</i> Value - - - - -	5	0	0
Beads, viz.			
_____ Arango, for every 100 <i>l.</i> Value - - - - -	10	0	0
_____ Coral, for every 100 <i>l.</i> Value - - - - -	10	0	0
_____ Crystal, for every 100 <i>l.</i> Value - - - - -	10	0	0
_____ Jet, for every 100 <i>l.</i> Value - - - - -	10	0	0
_____ not otherwise enumerated or described, for every 100 <i>l.</i> Value - - - - -	10	0	0
Beer or Mum, the Barrel - - - - -	1	0	0
Blacking, for every 100 <i>l.</i> Value - - - - -	10	0	0
Brass, Manufactures of, for every 100 <i>l.</i> Value - - - - -	10	0	0
_____ Powder of, for every 100 <i>l.</i> Value - - - - -	10	0	0
Brocade of Gold or Silver, for every 100 <i>l.</i> Value - - - - -	10	0	0
Bronze, Manufactures of, not particularly enumerated, for every 100 <i>l.</i> Value - - - - -	10	0	0
_____ Powder, for every 100 <i>l.</i> Value - - - - -	10	0	0
Buck Wheat, the Quarter - - - - -	0	1	0
_____ Meal, the Cwt. - - - - -	0	0	4½
Butter, the Cwt. - - - - -	0	10	0
_____ of and from a British Possession, the Cwt. - - - - -	0	2	6
Buttons, Metal, for every 100 <i>l.</i> Value - - - - -	10	0	0
Cameos, for every 100 <i>l.</i> Value - - - - -	5	0	0
Candles, viz.			
_____ Spermaceti, the lb. - - - - -	0	0	3
_____ Stearine, the lb. - - - - -	0	0	1½
_____ Tallow, the Cwt. - - - - -	0	5	0
_____ Wax, the lb. - - - - -	0	0	2
Canes, Walking Canes or Sticks, mounted, painted, or otherwise ornamented, for every 100 <i>l.</i> Value - - - - -	10	0	0
Carriages of all Sorts, for every 100 <i>l.</i> Value - - - - -	10	0	0
Casks, empty, for every 100 <i>l.</i> Value - - - - -	10	0	0

	£	s.	d.
Cassava Powder, the Cwt. - - -	0	2	6
— of and from a British Possession, the Cwt. -	0	0	6
Catlings, for every 100l. Value - - -	10	0	0
Cheese, the Cwt. - - -	0	5	0
— of and from a British Possession, the Cwt. -	0	1	6
China or Porcelaine Ware, painted or plain, gilt or ornamented, for every 100l. Value - - -	10	0	0
Cider, the Tun - - -	5	5	0
Citron, preserved in Salt, for every 100l. Value -	5	0	0
Clocks, for every 100l. Value - - -	10	0	0
Copper Manufactures, not otherwise enumerated or described, and Copper-plates engraved, for every 100l. Value - - -	10	0	0
Copper or Brass Wire, for every 100l. Value -	10	0	0
Cotton, Articles or Manufactures of Cotton wholly or in part made up, not otherwise charged with Duty, for every 100l. Value - - -	10	0	0
— of and from a British Possession, for every 100l. Value - - -	5	0	0
Crayons, for every 100l. Value - - -	10	0	0
Crystal, cut or manufactured, for every 100l. Value -	10	0	0
Cucumbers, preserved in Salt, for every 100l. Value -	5	0	0
— of and from a British Possession, for every 100l. Value - - -	2	10	0
Fish, cured, not otherwise enumerated, the Cwt. -	0	1	0
Gauze of Thread, for every 100l. Value - -	10	0	0
— of and from a British Possession, for every 100l. Value - - -	5	0	0
Hair, Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other-Material, and Articles of such Manufacture wholly or in part made up, not particularly enumerated or otherwise charged with Duty, for every 100l. Value -	10	0	0
— of and from a British Possession, for every 100l. Value - - -	5	0	0
Hams of all Kinds, the Cwt. - - -	0	7	0
— of and from a British Possession, the Cwt. -	0	2	0
Harp Strings or Lute Strings, silvered, for every 100l. Value - - -	10	0	0
Hats or Bonnets; viz.			
— of Chip, the lb. - - -	0	3	6
— of Bast, Cane, or Horsehair, Hats or Bonnets, each Hat or Bonnet not exceeding Twenty-two Inches in Diameter, the Dozen - - -	0	7	6
— each Hat or Bonnet exceeding Twenty-two Inches in Diameter, the Dozen - - -	0	10	0
— Straw Hats or Bonnets, the lb. - - -	0	5	0

	£	s.	d.
Hats, Felt, Hair, Wool, or Beaver Hats, each -	0	2	0
— made of Silk, Silk Shag laid upon Felt, Linen, or other Material, each - - - - -	0	2	0
Hops, the Cwt. - - - - -	2	5	0
Iron and Steel, wrought, not otherwise enumerated, for every 100 <i>l.</i> Value - - - - -	10	0	0
Japanned or lacquered Ware, for every 100 <i>l.</i> Value -	10	0	0
Lace, <i>viz.</i> Thread, for every 100 <i>l.</i> Value - - -	10	0	0
— made by the Hand, commonly called Cushion or Pillow Lace, whether of Linen, Cotton, or Silken Thread, for every 100 <i>l.</i> Value - - - - -	10	0	0
Latten Wire, for every 100 <i>l.</i> Value - - - - -	10	0	0
Lead, Manufactures of, not otherwise enumerated, for every 100 <i>l.</i> Value - - - - -	10	0	0
Leather, Manufactures of:—			
— Boots, Shoes, and Calashes; <i>viz.</i>			
— Women's Boots and Calashes, the Dozen Pairs - - - - -	0	6	0
— Women's Boots and Calashes, if lined or trimmed with Fur or other Trimming, the Dozen Pairs - - - - -	0	7	6
— Women's Shoes with Cork or Double Soles, Quilted Shoes and Clogs, the Dozen Pairs - - -	0	5	0
— Women's Shoes, if trimmed or lined with Fur or any other Trimming, the Dozen Pairs -	0	6	0
— Women's Shoes of Silk, Satin, Jean, or other Stuffs, Kid, Morocco, or other Leather, the Dozen Pairs - - - - -	0	4	6
— Women's Shoes, if trimmed or lined with Fur or any other Trimming, the Dozen Pairs -	0	5	0
— Girls Boots, Shoes, and Calashes, not ex- ceeding Seven Inches in Length, to be charged with Two Thirds of the above Duties.			
— Men's Boots, the Dozen Pairs - - - - -	0	14	0
— Men's Shoes, the Dozen Pairs - - - - -	0	7	0
— Boys Boots and Shoes, not exceeding Seven Inches in Length, to be charged with Two Thirds of the above Duties.			
— Boot Fronts, not exceeding Nine Inches in Height, the Dozen Pairs - - - - -	0	1	9
— Boot Fronts, exceeding Nine Inches in Height, the Dozen Pairs - - - - -	0	2	9
— cut into Shapes, or any Article made of Leather, or any Manufacture whereof Leather is the most valuable Part, not otherwise enumerated or described, for every 100 <i>l.</i> Value - - -	10	0	0

	£	s.	d.
Linen, or Linen and Cotton; viz.			
— Cambrics and Lawns, commonly called French Lawns, the Piece not exceeding Eight Yards in Length, and not exceeding Seven Eighths of a Yard in Breadth, and so in proportion for any greater or less Quantity, plain, the Piece	0	2	6
— Bordered Handkerchiefs, the Piece	0	2	6
— Lawns of any Sort, not French, for every 100 <i>l.</i> Value	10	0	0
— Damasks, the Square Yard	0	0	5
— Damask Diaper, the Square Yard	0	0	2½
Linen, Sails not in actual Use of a British Ship, and not fit and necessary for such Ship, and when otherwise disposed of, for every 100 <i>l.</i> Value	10	0	0
— Articles, Manufactures of Linen, or of Linen mixed with Cotton or with Wool, wholly or in part made up, not particularly enumerated or otherwise charged with Duty, for every 100 <i>l.</i> Value	10	0	0
Maize or Indian Corn, the Quarter	0	1	0
— Meal, the Cwt.	0	0	4½
Musical Instruments, for every 100 <i>l.</i> Value	10	0	0
Mustard Flour, the Cwt.	0	6	0
Paper, printed, painted, or stained Paper, or Paper Hangings, or Flock Paper, the Square Yard	0	0	2
Pencils, for every 100 <i>l.</i> Value	10	0	0
— of Slate, for every 100 <i>l.</i> Value	10	0	0
Perfumery, not otherwise charged, for every 100 <i>l.</i> Value	10	0	0
Perry, the Tun	5	5	0
Pewter, Manufactures of, for every 100 <i>l.</i> Value	10	0	0
Platting of Straw, the lb.	0	5	0
Pomatum, for every 100 <i>l.</i> Value	10	0	0
Potato Flour, the Cwt.	0	1	0
Pots of Stone, for every 100 <i>l.</i> Value	10	0	0
Rice, the Cwt.	0	1	0
— of and from a British Possession, the Cwt.	0	0	6
— Rough and in the Husk, the Quarter	0	1	0
— of and from a British Possession, the Quarter	0	0	1
Sago, the Cwt.	0	0	6
Sausages or Puddings, the lb.	0	0	1
SILK MANUFACTURES :			
Manufactures of Silk, or of Silk mixed with Metal, or any other Material the Produce of Europe; viz.			
Silk or Satin, plain, striped, figured, or brocaded; viz.			
Broad Stuffs, the lb.	0	5	0
Articles thereof, not otherwise enumerated, the lb.	0	6	0
Or, and at the Option of the Officers of the Customs, for every 100 <i>l.</i> Value	15	0	0

Silk Manufactures — *continued.*

£ s. d.

Silk Gauze or Crape, plain, striped, figured, or brocaded; *viz.*

Broad Stuffs, the lb. - - - - - 0 9 0

Articles thereof, not otherwise enumerated, the lb. - - - - - 0 10 0

Or, and at the Option of the Officers of the Customs, for every 100*l.* Value - - - - - 15 0 0Gauze of all Descriptions, mixed with Silk, Satin, or any other Materials in less Proportion than One Half Part of the Fabric; *viz.*, Broad Stuff, the lb. - - - - - 0 9 0

Articles thereof, not otherwise enumerated, the lb. - - - - - 0 10 0

Or, and at the Option of the Officers of the Customs, for every 100*l.* Value - - - - - 15 0 0Velvet, plain or figured; *viz.*, Broad Stuffs, the lb. 0 9 0

Articles thereof, not otherwise enumerated, the lb. 0 10 0

Or, and at the Option of the Officers of the Customs, for every 100*l.* Value - - - - - 15 0 0

Ribbons, plain Silk, of one Colour only, the lb. - 0 6 0

— plain Satin, of one Colour only, the lb. - 0 8 0

— Silk or Satin, striped, figured, or brocaded, or plain Ribbons of more than one Colour, the lb. - - - - - 0 10 0

— Gauze or Crape, plain, striped, figured, or brocaded, the lb. - - - - - 0 14 0

— Gauze mixed with Silk, Satin, or other Materials, of less Proportion than One Half Part of the Fabric, the lb. - - - - - 0 12 0

— Velvet, or Silk embossed with Velvet, the lb. 0 10 0

Artificial Flowers wholly or in part of Silk, for every 100*l.* Value - - - - - 25 0 0

Manufactures of Silk, or of Silk and any other Material called Plush, commonly used for making Hats, the lb. - - - - - 0 2 0

Fancy Silk Net or Tricot, the lb. - - - - - 0 8 0

Plain Silk Lace or Net, called Tulle, the lb. - 0 8 0

Manufactures of Silk, or of Silk mixed with any other Materials, not particularly enumerated or otherwise charged with Duty, for every 100*l.* Value - - - - - 15 0 0Ribbons, of and from a British Possession, for every 100*l.* Value - - - - - 5 0 0Millinery of Silk, or of which the greater Part of the Material is Silk, *viz.* Turbans or Caps, each 0 3 6

Hats or Bonnets, each - - - - - 0 7 0

Dresses, each - - - - - 1 10 0

Manufactures of Silk, or of Silk and any other Materials, and Articles of the same wholly or partially made up, not particularly enumerated or otherwise charged with Duty, for every 100*l.* Value - - - - - 15 0 0

	£	s.	d.
Silkworm Gut, for every 100l. Value	10	0	0
Skins, Articles manufactured of Skins or Furs, for every 100l. Value	10	0	0
— of and from a British Possession	5	0	0
Soap, hard, the Cwt.	1	0	0
— of and from a British Possession, the Cwt.	0	14	0
— soft, the Cwt.	0	14	0
— of and from a British Possession, the Cwt.	0	10	0
— Naples, the Cwt.	1	0	0
Spa Ware, for every 100l. Value	10	0	0
Spirits or strong Waters of all Sorts; viz.			
— For every Gallon of such Spirits or strong Waters of any Strength not exceeding the Strength of Proof by Sykes' Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, viz.			
— not being Spirits or strong Waters the Produce of any British Possession in America, or any British Possession within the Limits of the East India Company's Charter, and not being sweetened Spirits, or Spirits mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer, the Gallon	0	15	0
Starch, the Cwt.	0	5	0
— of and from a British Possession, the Cwt.	0	2	6
— from and after the 1st February 1849, the Cwt.	0	1	0
— Gum of, torrifed or calcined, commonly called British Gum, the Cwt.	0	5	0
— of and from a British Possession, the Cwt.	0	2	6
— Gum of, torrifed or calcined, commonly called British Gum, from and after the 1st February 1849, the Cwt.	0	1	0
Steel, Manufactures of, for every 100l. Value	10	0	0
Tallow, the Cwt.	0	1	6
— of and from a British Possession, the Cwt.	0	0	1
Tapioca, the Cwt.	0	0	6
Tin, Manufactures of, not otherwise enumerated, for every 100l. Value	10	0	0
Tobacco Pipes of Clay, for every 100l. Value	10	0	0
Tongues, the Cwt.	0	7	0
— of and from a British Possession, the Cwt.	0	2	0
Turnery, not otherwise described, for every 100l. Value	10	0	0
Twine, for every 100l. Value	10	0	0
— of and from a British Possession, for every 100l. Value	5	0	0

	£	s.	d.
Varnish, not otherwise described, for every 100l. Value	10	0	0
Verjuice, the Tun	4	4	0
Wafers, for every 100l. Value	10	0	0
Washing Balls, the Cwt.	1	0	0
Wax, Sealing Wax, for every 100l. Value	10	0	0
Whipcord, for every 100l. Value	10	0	0
Wire, gilt or plated, or Silver, for every 100l. Value	10	0	0
Woolleens, Articles or Manufactures of Wool, not being Goat's Wool, or of Wool mixed with Cotton, wholly or in part made up, not otherwise charged with Duty, for every 100l. Value	10	0	0
of and from a British Possession, for every 100l. Value	5	0	0
Goods, Wares, and Merchandize, being either in part or wholly manufactured, and not being enumerated or described, not otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland, for every 100l. Value	10	0	0

C A P. XXIV.

An Act for removing some Defects in the Administration of Criminal Justice. [26th June 1846.]

• **WHEREAS** in certain Cases of Felony the Court is not empowered by Law to award Sentence of Transportation for a less Period than the Term of the Offender's Life or some long Term of Years, or Sentence of Imprisonment for any shorter Term than Two Years; but it is desirable that some such Offenders should suffer Transportation or Imprisonment for a shorter Period respectively, at the Discretion of the Court before which they are convicted: Now 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, That in all Cases where the Court is now by Law empowered or required to award a Sentence of Transportation exceeding Seven Years it shall be lawful for such Court, at its Discretion, to award a Sentence of Transportation for a Term of Years not less than Seven Years, or to award such Sentence of Imprisonment for any Period not exceeding Two Years, with or without hard Labour, as shall to the Court in its Discretion appear just under all the Circumstances.

II. And whereas it is now required by Law that no Indictment shall be presented before the Grand Jury of the Central Criminal Court for certain Offences unless the Party prosecuting shall have first entered into Recognizances to prosecute; be it enacted, That the said Provision be and the same is hereby repealed; and that Bills of Indictment may be preferred by any

Power of Criminal Courts as to Terms of Transportation and Imprisonment.

Repeal of 4 & 5 W. 4. c. 36. § 13.

Before what Court Indict-

ments may be preferred.

Writes for removing Indictments from Central Criminal Court to specify where same shall be tried.

Certificate of Recognizance filed to prosecute Writ of Error to be made out by the Clerk of the Crown, Master or Assistant Master on the Crown Side of the Court of Queen's Bench, and to be a sufficient Warrant for Defendant's Discharge.

Person before the Grand Jury of the said Court for any Offence alleged to be committed within the Jurisdiction of the said Court in the same Manner as may be done before any other Grand Jury.

III. ' And whereas Doubts have been raised as to the proper Place of Trial, where Indictments have been removed by Writ of Certiorari from the Central Criminal Court into the Court of Queen's Bench ;' be it enacted, That every Writ of Certiorari for removing an Indictment from the said Central Criminal Court shall specify the County or Jurisdiction in which the same shall be tried ; and a Jury shall be summoned and the Trial proceed in the same Manner in all respects as if the Indictment had been originally preferred in that County or Jurisdiction.

IV. ' And whereas by an Act passed in the last Session of Parliament, intituled *An Act to stay Execution of Judgment for Misdemeanors upon giving Bail in Error*, it is (amongst other things) enacted, that the Clerk of the Crown in the Court of Queen's Bench shall, for the Purposes in the said Act mentioned, make out and deliver Certificates in Writing under his Hand of the due filing of Record in the said Court of any Recognizance given to prosecute any Writ of Error in the Manner in the said Act mentioned, and that any such Certificate, when duly verified by Affidavit, shall be a sufficient Warrant to every Gaoler or other Person having the Custody of such Defendant or Defendants in Execution of such Judgment to discharge him or them out of Custody, and also to every Person having in his Possession the whole or any Part of any Fine levied in Execution of any such Judgment to authorize and require the Repayment thereof to the Defendant or Defendants : And whereas the making of such Affidavit creates unnecessary Expence and Delay, and it is expedient to dispense with the same, and to make further Provision for the making and Delivery of such Certificates ;' be it therefore enacted, That any such Certificate as aforesaid under the Hand either of the said Clerk of the Crown or of the Master or Assistant Master on the Crown Side of the said Court, and sealed with the Seal of the Crown Office in the said Court, shall be a sufficient Warrant for the Discharge of any such Defendant or Defendants, and for the Repayment of any such Fine.

C A P. XXV.

An Act for preventing malicious Injuries to Persons and Property by Fire, or by explosive or destructive Substances. [26th June 1846.]

' WHEREAS the unlawful and malicious Destruction of Buildings, and Attempts to injure Persons and Property, by Fire or by Gunpowder and other explosive or destructive Substances, is not adequately punishable by Law :' 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, That whoever shall unlawfully and maliciously, by the Explosion of Gunpowder or other explosive Substance, destroy, throw

Persons maliciously blowing up Dwelling Houses, any one being therein,

throw down, or damage the whole or any Part of any Dwelling House, any Person being therein, shall be guilty of Felony.

II. And be it enacted, That whoever shall unlawfully and maliciously, by the Explosion of Gunpowder or other explosive Substance, destroy or damage any Building with Intent to murder any Person, or whereby the Life of any Person shall be endangered, shall be guilty of Felony.

or blowing up Buildings with Intent to murder,

III. And be it enacted, That whoever shall unlawfully and maliciously, by the Explosion of Gunpowder or other explosive Substance, burn, maim, disfigure, disable, or do any grievous bodily Harm to any Person, shall be guilty of Felony.

or injuring Persons by explosive Substances,

IV. And be it enacted, That whoever shall unlawfully and maliciously cause any Gunpowder or other explosive Substance to explode, or send or deliver to, or cause to be taken or received by, any Person any explosive Substance, or any other dangerous or noxious Thing, or cast or throw at or upon or otherwise apply to any Person any corrosive Fluid or other destructive or explosive Substance, with Intent, in any of the Cases aforesaid, to burn, maim, disfigure, or disable any Person, or to do some grievous bodily Harm to any Person, shall, although no bodily Injury be effected, be guilty of Felony.

or attempting to do bodily Injury by sending, &c. dangerous Substances, guilty of Felony.

V. And be it enacted, That whoever shall be convicted of any Felony herein-before mentioned shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Punishment for Felonies herein-before specified.

VI. And be it enacted, That whoever shall unlawfully and maliciously place or throw in, into, upon, against, or near any Building or Vessel any Gunpowder or other explosive Substance with Intent to do any bodily Damage to any Person, or to destroy or damage any Building or Vessel, or any Machinery, working Tools, Fixtures, Goods, or Chattels, shall, whether or not any Explosion take place, and whether or not any Injury is effected to any Person, or any Damage to any Building, Vessel, Machinery, working Tools, Fixtures, Goods, or Chattels, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fifteen Years, or to be imprisoned for any Term not exceeding Two Years.

Punishment for Persons attempting to blow up Buildings, &c.

VII. And be it enacted, That whoever shall unlawfully and maliciously by any overt Act attempt to set fire to any Building, Vessel, or Mine, or to any Stack or Steer, or to any Vegetable Produce of such Kind, and with such Intent that if the Offence were complete the Offender would be guilty of Felony, and liable to be transported beyond the Seas for the Term of his natural Life, shall, although such Building, Vessel, Mine, Stack, Steer, or Vegetable Produce be not actually set on fire, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fifteen Years, or to be imprisoned for any Term not exceeding Two Years.

Punishment for Persons attempting to set fire to Buildings.

VIII. And be it enacted, That whoever shall knowingly have in his Possession, or make or manufacture, any Gunpowder, explosive Substance, or any dangerous or noxious Thing, or any

Punishment for making any Article for Purpose of offending against Act.

Machine, Engine, Instrument, or Thing, with Intent by means thereof to commit, or for the Purpose of enabling any other Person to commit, any Offence against this Act, shall be guilty of a Misdemeanor, and on Conviction thereof shall be liable to be imprisoned for any Term not exceeding Two Years.

Male Offenders under Eighteen Years of Age convicted under this Act may be publicly or privately whipped.

IX. And be it enacted, That every Male Person under the Age of Eighteen Years who shall be convicted of any Offence under this Act, or who shall be convicted of feloniously setting fire to any Building, Vessel, or Mine, or to any Stack or Steer, shall be liable, at the Discretion of the Court before which he shall be convicted, in addition to any other Sentence which may be passed upon him, to be publicly or privately whipped in such Manner and as often, not exceeding Thrice, as the Court shall direct.

As to the Punishment of Accessories before and after the Fact.

X. And be it enacted, That in the Case of every Felony punishable under this Act, every Principal in the Second Degree and every Accessory before the Fact shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years.

Persons liable to Imprisonment may be kept to hard Labour, and in solitary Confinement.

XI. And be it enacted, That where any Person shall be convicted of any Offence punishable under this Act for which Imprisonment may be awarded, it shall be lawful for the Court to sentence the Offender to be imprisoned, or to be imprisoned and kept to hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, not exceeding One Calendar Month at any One Time, and not exceeding Three Calendar Months in any One Year, as to the Court in its Discretion shall seem meet.

Justices may issue Warrants for searching for explosive Substances, &c.

XII. And be it enacted, That any Justice of the Peace of any County, Riding, Division, Liberty, Borough, or Place in which any Gunpowder or other explosive, dangerous, or noxious Substance is suspected to be made or kept for the Purpose of being used in committing an Offence under this Act, upon reasonable Cause assigned upon Oath by any Person or Persons, may issue a Warrant or Warrants under his Hand and Seal for searching in the Daytime any House, Shop, Cellar, Yard, or other Place, or any Vessel in which such Gunpowder or other explosive, dangerous, or noxious Substance is suspected to be made or kept for such Purpose as aforesaid; and that every Person acting in the Execution of any such Warrant shall have, for seizing, removing to proper Places, and detaining all such Gunpowder, explosive, dangerous, or noxious Substances, found upon such Search, which he shall have good Cause to suspect to be intended to be used in committing an Offence under this Act, and the Barrels, Packages, and Cases in which the same shall be, the same Powers which are given to Persons searching for unlawful Quantities of Gunpowder under the Warrant of a Justice by an Act passed in the Twelfth Year of the Reign of King George the Third, intituled *An Act to regulate the making, keeping, and Carriage of Gunpowder within Great Britain, and to repeal the Laws heretofore made for any of those Purposes.*

Persons executing such Warrants to have same Powers as given by 12 G. 3. c. 61.

XIII. And

XIII. And be it enacted, That it shall be lawful for any Constable or Peace Officer to take into Custody, without a Warrant, any Person whom he shall find lying or loitering in any Highway, Yard, or other Place during the Night, and whom he shall have good Cause to suspect of having committed or being about to commit any Felony under this Act, and to detain such Person until he can be brought before a Justice of the Peace to be dealt with according to Law.

Suspected Persons loitering at Night may be taken into Custody without Warrant;

XIV. Provided always, and be it enacted, That no such Person having been so apprehended shall be detained after Noon of the following Day without being brought before a Justice of the Peace.

Period of Detention.

XV. And be it enacted, That neither the Justices of the Peace acting in and for any County, Riding, Division, or Liberty, nor the Recorder of any Borough, shall at any Session of the Peace, or at any Adjournment thereof, try any Person or Persons for any Offence under this Act.

Offences not to be tried by Justices, &c. at Sessions.

XVI. And be it enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons in Great Britain*, or in an Act passed in the Fourth Year of the Reign of King George the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in England and Wales*.

Nothing in this Act to affect Powers of 5 & 6 W. 4. c. 38. and 4 G. 4. c. 64.

XVII. And be it enacted, That where any Felony punishable under this Act shall be committed within the Jurisdiction of the Admiralty of *England* or of *Ireland*, the same shall be dealt with, inquired of, tried, and determined in the same Manner as any other Felony committed within that Jurisdiction.

As to Offences committed in Admiralty Jurisdiction.

XVIII. And be it enacted, That nothing in this Act contained shall extend to *Scotland*.

Not to extend to Scotland.

XIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

C A P. XXVI.

An Act for abolishing the Office of Superintendent of Convicts under Sentence of Transportation. [3d July 1846.]

WHEREAS by an Act passed in the Fifth Year of the Reign of King George the Fourth, intituled *An Act for the Transportation of Offenders from Great Britain*, it was enacted, that it should be lawful for His Majesty, by any Order or Orders in Council, to declare His Royal Will and Pleasure that Male Offenders convicted in *Great Britain*, and being under Sentence or Order of Transportation, should be kept to Labour either at Land or on board any Vessel, to be provided by His Majesty, within the Limits of any Port or Harbour in any Part of His Majesty's Dominions out of *England* to be named in such Order or Orders in Council, and Provision was therein made for the

5 G. 4. c. 84.

‘ Custody of such Offenders under the Management of a Superintendent to be appointed by His Majesty, and of an Overseer also to be appointed by His Majesty, for every such Vessel or other Place of Confinement: And whereas it is expedient that the Custody and Management of such Offenders when so kept to Labour out of *England* should be under the Authority of the Governor of that Part of Her Majesty’s Dominions:’ 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, That so much of the said Act as gives the Custody and Management of any such Male Offenders out of *England* to the Superintendent of Convicts confined in *England* under Sentence of Transportation shall be repealed; and that the Governor of every Colony named in any such Order or Orders in Council shall be by virtue of his Office the Superintendent of such Male Offenders as shall be removed from *Great Britain* under Sentence or Order of Transportation, and kept to Labour in such Colony under any such Order or Orders in Council, and shall exercise all the Powers and fulfil all the Duties vested in and imposed on the said Superintendent by the said Act with respect to such Offenders kept to Labour in such Colony, and that no other Superintendent, nor any Assistant or Deputy to such Superintendent, shall be appointed for any such Colony under the said Act; and that the Overseer already appointed or hereafter to be appointed for any such Colony under the said Act shall exercise his Authority and perform the Duties required of him by the said Act under the Direction of the Governor; and that every Overseer hereafter to be appointed under the said Act in any of Her Majesty’s Colonies shall be appointed and may be suspended or dismissed by the Governor of the Colony for which he is appointed, subject in each Case of Appointment or Dismissal to the Approval of One of Her Majesty’s Principal Secretaries of State.

So much of recited Act as gives the Custody, &c. of Male Offenders out of England to the Superintendent in England, &c. repealed, and Powers to be exercised by the Governor in each Colony.

Upon the next Vacancy in the Office of Superintendent of Convicts, &c. the same shall be abolished.

II. And be it enacted, That upon the next Vacancy in the Office of Superintendent of Convicts in *England* under Sentence or Order of Transportation, so much of the said Act as provides for the Appointment of such Superintendent by Her Majesty, or any Overseer or any Assistant or Deputy to such Superintendent, shall be repealed; and that all Male Offenders in *England* under Sentence or Order of Transportation shall be thenceforth in the Custody and Management of such Person or Persons as shall be for that Purpose appointed by One of Her Majesty’s Principal Secretaries of State; and the Provisions of the first-recited Act, not altered by this Act, with respect to the Superintendent and Overseer having Custody of any Offenders under the said Act, shall apply to the Persons severally having the Custody and Management of such Offenders under this Act.

Act to be construed with 5 G. 4. c. 84. Act may be amended, &c.

III. And be it enacted, That this Act shall be construed with and as Part of the said Act.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

C A P. XXVII.

An Act to amend the Laws relating to Friendly Societies.

[3d July 1846.]

WHEREAS by an Act passed in the Fifth Year of the Reign of His late Majesty, intituled *An Act to amend an Act of the Tenth Year of His late Majesty King George the Fourth, to consolidate and amend the Laws relating to Friendly Societies*, it is enacted, that it shall and may be lawful for any Number of Persons in Great Britain and Ireland to form themselves into and to establish a Society, under the Provisions of the said recited Act, for the mutual Relief and Maintenance of all and every the Members thereof, their Wives, Children, Relations, or Nominees, in Sickness, Infancy, advanced Age, Widowhood, or any other natural State or Contingency whereof the Occurrence is susceptible of Calculation by way of Average, or for any other Purpose which is not illegal: And whereas Doubts have been entertained for what Purposes a Society may be established under the Provisions of the said Act, and it is expedient that such Purposes be better defined: 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, That a Society may be established, under the Provisions of the said Acts, for any of the following Purposes; (that is to say,)

Purposes for which Societies may be formed under 10 G. 4. c. 56. and 4 & 5 W. 4. c. 40.

1. For the lawful Insurance of Money to be paid on the Death of the Members to their Husbands, Wives, or Children, Kindred or Nominees, or for defraying the Expences of the Burial of the Members, their Husbands, Wives, or Children; provided that no Person under the Age of Six shall be allowed to become a Member of such Society, and that no Insurance shall be effected on the Life of any Child under Six Years of Age:
2. For the Relief, Maintenance, or Endowment of the Members, their Husbands, Wives, Children, Kindred, or Nominees, in Infancy, old Age, Sickness, Widowhood, or any other natural State of which the Probability may be calculated by way of Average:
3. Toward making good any Loss sustained by the Members by Fire, Flood, or Shipwreck, or by any Contingency of which the Probability may be calculated by way of Average, whereby they shall have sustained any Loss or Damage of their Live or Dead Stock, or Goods or Stock in Trade, or of the Tools or Implements of their Trade or Calling:
4. For the frugal Investment of the Savings of the Members for better enabling them to purchase Food, Firing, Clothes, or other Necessaries, or the Tools or Implements of their Trade or Calling, or to provide for the Education of their Children or Kindred, with or without the Assistance of charitable Donations: Provided always, that the Shares in any such Investment Society shall not be transferable, and that the Investment of each Member shall accumulate or be employed

employed for the sole Benefit of the Member investing, or the Husband, Wife, Children, or Kindred of such Member, and that no Part thereof shall be appropriated to the Relief, Maintenance, or Endowment of any other Member or Person whomsoever, and that the full Amount of the Balance due according to the Rules of such Society to such Member shall be paid to him or her on withdrawing from the Society, and that no such last-mentioned Society shall be entitled or allowed to invest its Funds, or any Part thereof, with the Commissioners for the Reduction of the National Debt:

5. For any other Purpose which shall be certified to be legal in *England* or *Ireland* by Her Majesty's Attorney or Solicitor General, and in *Scotland* by the Lord Advocate, and which shall be allowed by One of Her Majesty's Principal Secretaries of State as a Purpose to which the Powers and Facilities of the said Acts ought to be extended; provided that the Amount of the Sum or Value of the Benefit to be assured to any Member, or any Person claiming by or through him or her, by any Society for any Purpose so certified and allowed as herein-before mentioned, shall not exceed in the whole Two hundred Pounds; and that this Limitation shall be inserted in the Rules of every Society established for any Purpose so certified and allowed; and that no such last-mentioned Society shall be entitled or allowed to invest its Funds or any Part thereof with the Commissioners for the Reduction of the National Debt.

Member may withdraw from Society, the Rules of which do not prescribe the Time, &c. on giving Notice, and paying all Arrears.

II. And be it declared and enacted, That any Member of a Friendly Society, the Rules of which do not prescribe the Time when or the Conditions on which Members shall be allowed to withdraw themselves, shall be allowed to withdraw himself or herself at any Time from such Society on giving written Notice to the Secretary or other proper Officer of the Society of his or her Intention to do so, and on Payment of all Arrears due by such Member; but after giving such Notice as aforesaid no Member shall be entitled to have any Benefit from the Funds of the Society, or be liable to any further Subscription or Payment other than the Amount of the Arrears due from him or her at the Time of giving such Notice.

Payments to Society shall be kept distinct for each Purpose, &c.

III. And be it enacted, That when a Society is formed, under the Provisions of the said Acts or this Act, for any Purpose in addition to that of providing Relief, Maintenance, or Endowment, in case of Infancy, old Age, Sickness, Widowhood, or other natural State as aforesaid, the Contributions or Payments for every such other Purpose shall be kept separate and distinct, or the Charges defrayed by extra Subscriptions of the Members, at the Time such Contingencies take place.

Separate Accounts to be kept for each particular Benefit.

IV. And be it enacted, That the Rules of every Friendly Society established after the passing of this Act shall provide that a Book or Books be kept, in which all Monies received or paid on account of any particular Fund or Benefit for which the Rules of the Society provide shall be entered in a separate Account, distinct from the Monies received and paid on account of any other Benefit or Provision.

V. And

V. And be it enacted, That the Returns of the Rate of Sickness and Mortality required by Law to be sent by every Friendly Society at Intervals of Five Years to the Barrister or Advocate by whom the Rules of the Society may have been certified shall be henceforth sent to the Registrar of Friendly Societies in *England, Scotland, and Ireland* respectively, according to such Form as shall be prepared for that Purpose by the said several Registrars under the Direction of One of Her Majesty's Principal Secretaries of State; and with every such Return shall be sent a Report of the Assets and Liabilities of such Society; and this Provision shall be inserted in the Rules of every Society which shall be established after the passing of this Act.

Returns of the Rates of Sickness and Mortality, Assets, and Liabilities, shall be sent to Registrar every Five Years.

VI. And be it enacted, That the Treasurers, Trustees, Stewards, or other principal Officer of every such Society, who by the Rules of such Society are or is bound to prepare or cause to be prepared the yearly general Statement of the Funds and Effects of such Society, shall be the Persons who shall be respectively bound to make or cause to be made, and to send to the Registrar of Friendly Societies the said Returns of the Rate of Sickness and Mortality, and the said Report of the Assets and Liabilities of such Society; and every such Person who shall refuse or wilfully neglect to make or cause to be made or to send the said Returns of Sickness or Mortality, or the said Report of the Assets and Liabilities of such Society, at the Time and in the Manner prescribed by the said Acts or this Act, shall be liable to a Penalty not exceeding the Sum of Five Pounds, to be recovered, with Costs, before any Two Justices of the Peace having Jurisdiction where such Society shall have its Place of Meeting; and on Nonpayment thereof, the same, with the reasonable Costs of Conviction, shall be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders by Warrant under the Hand and Seal of such Justices.

Penalties for not making Returns to the Registrar required by Law.

VII. And be it enacted, That any Friendly Society established before the passing of this Act for any Purpose which is herein-before specified, or for any legal Purpose which shall be certified and allowed as is herein-before provided, and shall not have been adjudged not to be within the Provisions of the first-recited Act by any Court of competent Jurisdiction, shall be deemed to have been within the Provisions of the said Act from the Time at which the Rules thereof shall have been or may be certified or allowed by the Barrister or Advocate appointed to certify the Rules of Friendly Societies.

For establishing the Legality of certain Societies.

VIII. And be it enacted, That so much of the said Acts of the Tenth Year of the Reign of King *George* the Fourth, and of the Fifth Year of the Reign of His late Majesty, as specifies the Objects or Purposes for which a Society may be established under the Provisions of the said Acts or either of them, or as gives to any Court of Sessions of the Peace any Power of confirming and allowing the Rules of any such Friendly Society rejected or disapproved by the Barrister or Advocate appointed to certify the Rules of Friendly Societies, shall be repealed: Provided always, that the Repeal of so much of the said Acts as is herein repealed shall not exclude from the Benefit of the said Acts any Society legally established according to the Provisions of the said Acts,

Repeal of Part of 10 G. 4. c. 56. and 4 & 5 W. 4. c. 40.

Societies legally established not excluded from Benefit of said Acts.

the

the Rules of which were certified and enrolled before the passing of this Act.

Provisions of 39 G. 3. c. 79. and 57 G. 3. c. 19. not to extend to Friendly Societies.

IX. And be it enacted, That the Provisions of an Act passed in the Thirty-ninth Year of the Reign of King *George the Third*, intituled *An Act for the more effectual Suppression of Societies established for seditious and treasonable Purposes, and for better preventing treasonable and seditious Practices*, and also of another Act passed in the Fifty-seventh Year of the Reign of King *George the Third*, intituled *An Act for the more effectual preventing seditious Meetings and Assemblies*, shall not extend to any Society duly established under the Statutes in force relating to Friendly Societies, or to any Meeting of the Members or Officers thereof, in which Society or at which Meeting no Business whatever other than that of the Relief, Maintenance, or Endowment of the several Persons to whom Benefits are assured by the Rules of such Society are treated of, and which is established solely for the Purpose of assuring Benefits depending on the Laws of Sickness or Mortality.

Barrister appointed to certify Rules to be styled Registrar of Friendly Societies in England, &c. and shall be paid by a Salary instead of Fees.

X. And be it enacted, That after the passing of this Act the Barrister or Advocate appointed to certify the Rules of Friendly Societies shall be styled the Registrar of Friendly Societies in *England, Ireland, and Scotland* respectively, and shall be appointed by the Commissioners for the Reduction of the National Debt, and shall hold his Office during the Pleasure of the said Commissioners, and that the Registrar of Friendly Societies in *England* shall be paid by Salary instead of Fees; and that it shall be lawful for Her Majesty to grant to the Barrister already appointed for that Purpose in *England* a Salary equal to the net average Amount of Fees received by him during the last Three Years for certifying the Rules of Friendly Societies, after deducting the Expences incurred by him for Office Rent, Salaries of Clerks, Stationery, and other Expences incident to the Execution of his Office, to be ascertained by the Commissioners of Her Majesty's Treasury, provided such Salary shall not exceed the Sum of One thousand Pounds by the Year, and to every Registrar of Friendly Societies in *England* hereafter to be appointed a Salary not greater than Eight hundred Pounds by the Year, and every such Salary shall be paid by Four equal quarterly Payments; and any Registrar of Friendly Societies in *England* who shall be appointed, or shall die, resign, or be removed from his Office, in the Interval between Two quarterly Days of Payment, shall be entitled to a Part of his Salary proportional to that Part of such Quarter of a Year during which he shall hold his Appointment.

Registrar to retain out of the Fees received by him sufficient Money to defray Salaries and Expences of Office.

XI. And be it enacted, That the Commissioners of Her Majesty's Treasury may allow the Registrar of Friendly Societies in *England* to retain out of the Fees received by him for certifying the Rules of Friendly Societies, and for making Awards and other Proceedings as herein-after provided, such Sum as will defray the Salary due to him, and also such Sum as will defray the Expences from Time to Time allowed by the said Commissioners for Office Rent, Salaries of Clerks, Stationery, and other Expences incident to the Execution of his Office; and the Balance, if any, shall be paid over to the Account of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*; and the said

said Commissioners shall from Time to Time regulate the Manner in which such Fees are to be received, kept, and accounted for; and if such Fees shall not in any Year be sufficient to defray such Salary and Expences, the Balance shall be paid out of the said Consolidated Fund.

In case Fees not sufficient.

XII. And be it enacted, That so much of the said Act of King *George* the Fourth as requires that a Transcript of the Rules of any Society established under that Act, or to which the Provisions of that Act have been extended and made applicable, shall be deposited with or filed by the Clerk of the Peace of any County, Riding, or Division of a County in *England*, and a Certificate thereof returned to the Society, and that the same shall be laid before and allowed and confirmed by the Justices at any Session of the Peace, shall be repealed; and that all Transcripts of such Rules which are now filed with the Rolls of the Sessions of the Peace in any County, Riding, or Division of a County shall be taken off the File, and returned to the said Registrar of Friendly Societies in *England*, *Ireland*, and *Scotland* respectively; and that after the passing of this Act each of the said Registrars shall keep one of the Transcripts of all Rules of any such Society certified by him, and all the Transcripts of Rules which shall be so returned to him, in such Manner as shall be from Time to Time directed by One of Her Majesty's Principal Secretaries of State; and that all Rules certified by any such Registrar shall be of the same Force, and all the Provisions of the said Act of His Majesty King *George* the Fourth shall apply to them, as if they had been confirmed by the said Justices, and filed with the Rolls of the Sessions of the Peace.

Part Repeal of 10 G. 4. c. 56.

Rules now filed, &c. to be taken off, &c.

Copies of Rules to be kept by Registrar.

Rules certified by Registrar to be of full Force.

XIII. And be it enacted, That after the passing of this Act the Registrar of Friendly Societies in *England*, *Scotland*, or *Ireland* shall not certify the Rules of any Friendly Society established after the passing of this Act for the Purpose of securing any Benefit depending on the Laws of Sickness or Mortality, unless such Society shall adopt a Table which shall have been certified to be a Table which may be safely and fairly adopted for such Purpose under the Hand of the Actuary to the Commissioners for the Reduction of the National Debt, or of some Person who shall have been for at least Five Years an Actuary to some Life Insurance Company in *London*, *Edinburgh*, or *Dublin*; and the Name of the Actuary by whom any such Table shall have been certified shall be set forth in the Rules, and printed at the Foot of all Copies of such Table printed for the Use of the Society.

Registrar shall not certify Rules unless Society adopt Tables certified by the Actuary of National Debt Office, &c.

XIV. And be it enacted, That whenever any Person seised or possessed of any Lands, Tenements, or Hereditaments, or other Property, or any Estate or Interest therein, as a Trustee of any such Society, shall be out of the Jurisdiction of or not amenable to the Process of the High Court of Chancery or Court of Exchequer in *England* or *Ireland*, or the Court of Session or Sheriff Court in *Scotland*, or shall be idiot, lunatic, or of unsound Mind, or it shall be unknown whether he or she be living or dead, it shall be lawful for the Registrar of Friendly Societies in *England*, *Ireland*, and *Scotland* respectively, on behalf and in the Name of the Person seised or possessed as aforesaid, to convey, surrender, release, assign, or otherwise assure the said Lands, Tenements,

For appointing new Trustees in certain Cases.

Here-

Hereditaments, or Property, or Estate or Interest, to the Person duly nominated as Trustee of such Society in his or her Stead, either alone or with any continuing Trustee or Trustees; and every such Conveyance, Release, Surrender, Assignment, or Assurance shall be as valid and effectual to all Intents and Purposes as if the Person being out of the Jurisdiction or not amenable to the Process of the said Courts, or not known to be alive, or being idiot, lunatic, or of unsound Mind, had been at the Time of the Execution thereof present, living, of sane Mind, Memory, and Understanding, and had by himself or herself executed the same.

Settlement of Disputes between Managers and Members, &c. may be referred to Registrar, unless Law Officers refer the same to a Superior Court.

XV. And be it enacted, That every Dispute between the Trustees or Managers of any Friendly Society and any Member or Officer thereof, or any Executor, Administrator, or next of Kin of any such Trustees, Managers, Member, or Officer, or any Creditor or Assignee of any Trustees, Managers, Member, or Officer of any such Society who may become bankrupt or insolvent, or any Person claiming to be such Executor, Administrator, next of Kin, Creditor, or Assignee, or to be entitled to any Money paid to such Society, or to any Benefit arising therefrom, or with respect to the Management of the Affairs of such Societies, for the Settlement of which, according to the Laws now in force, recourse must be had in *England* or *Ireland* to One of Her Majesty's Superior Courts of Law or Equity, and in *Scotland* to the Court of Session or Sheriff Court, may be referred in Writing to the Registrar of Friendly Societies in *England*, *Ireland*, and *Scotland* respectively; and where the Value of such Subject Matter in dispute does not exceed Twenty Pounds, every such Dispute shall be so referred, unless in *England* or *Ireland* Her Majesty's Attorney or Solicitor General, or in *Scotland* the Lord Advocate, shall certify in Writing under his Hand that such Dispute ought to be decided by the Judgment of a Superior Court of Law or Equity; and the said Registrar shall have Power to proceed *ex parte* on Notice in Writing to the said Trustees or Managers left or sent by the said Registrar to the Office of the said Institution, or to the last known Place of Residence of such Trustees, Managers, Members, or Officers; and whatever Award, Order, or Determination shall be made by the said Registrar shall be binding and conclusive on all Parties, and shall be final to all Intents and Purposes, without any Appeal; and all Payments, Assignments, Sales, and Transfers made in pursuance of any such Order shall be good in Law; and no Submission to or Award or Determination of the said Registrar shall be subject or liable to or charged with any Stamp Duty whatever.

On such Reference Registrar may inspect Books, &c.

False Evidence, Perjury.

XVI. And be it enacted, That on any such Reference the said Registrar shall be authorized to inspect and to require the Production before him of any Book or Books belonging to the said Institution relating to the Matter in dispute, and to administer an Oath to any Witness appearing before him; and every Person who, upon such Oath, shall wilfully and corruptly give any false Evidence before such Registrar shall be deemed to be guilty of Perjury.

When Trustees shall be absent, &c. Registrar

XVII. And be it enacted, That whenever it shall happen that every Person in whose Name any Part of the several Stocks, Annuities, and Funds transferable or which hereafter shall be made transferable

transferable at the Bank of *England*, or in the Books of the Governor and Company of the Bank of *England*, is or shall be standing as a Trustee of any such Society, shall be out of *England*, *Ireland*, or *Scotland*, respectively, or shall be a Bankrupt, Insolvent, or Lunatic, or it shall be unknown whether such Trustee is living or dead, it shall be lawful for the Registrar of Friendly Societies in *England*, *Ireland*, or *Scotland* respectively to direct that the Accountant General, Secretary, or Deputy Secretary, or other proper Officer for the Time being of the Governor and Company of the Bank of *England*, do transfer in the Books of the said Company such Stock, Annuities, or Funds standing as aforesaid to and into the Name of such Person as such Society may appoint, and also pay over to such Person as aforesaid the Dividends of such Stock, Annuities, or Funds; and whenever it shall happen that One or more only, and not all or both, of such Trustees as aforesaid shall be so absent, or a Bankrupt, Insolvent, or Lunatic, or it be unknown whether any One or more of such Trustees be living or dead it shall be lawful for the said Registrar to direct that the other and others of such Trustees who shall be forthcoming and ready and qualified to act do transfer such Stock, Annuities, or Funds to or into the Name of such Person as aforesaid, and also that such forthcoming Trustee do also receive and pay over the Dividends of such Stock, Annuities, or Funds as such Society shall direct; and all such Transfer and Payments so made shall be valid and effectual to all Intents and Purposes whatsoever.

XVIII. And be it enacted, That One of Her Majesty's Principal Secretaries of State shall be empowered from Time to Time to fix reasonable Fees to be paid on any such Reference, and for such other Proceedings as aforesaid, and all such Fees shall be paid in the first instance by the Trustees or Managers of the Society, and the Registrar shall determine in and by his Award by which of the Parties and in what Proportion the Expence of such Fees shall be finally borne, and the Trustees or Managers of such Society, having paid such Fees, shall be entitled to recover them from the Party or Parties against whom they shall be so finally awarded.

XIX. And for enforcing Payment of such Fees, and of any Sum of Money so awarded to be paid, be it enacted, That any One Justice of the Peace residing within the County within which such Society shall be held, or within which the Party resides against whom such Award is made, upon Complaint made upon Oath by the Party desiring to have the Benefit of the Award, or, in case of the Managers or Trustees of any such Society, by an Officer of such Society appointed for that Purpose, may summon the Person against whom such Award shall be made to appear at a Time and Place to be named in such Summons; and upon his or her Appearance, or in default thereof upon due Proof upon Oath of the Service of such Summons, any Two Justices residing within the County aforesaid, upon due Proof of the Execution of such Award, may order Payment of the Fees and Money thereby awarded to be paid to the Party appearing to be entitled thereunto, with such Costs as shall be awarded by the said Justices, not exceeding the Sum of Ten Shillings; and in case the Person against whom such Order shall be made shall not pay the Sum of Money so ordered

may order Stock to be transferred and Dividends paid.

Secretary of State to fix Amount of Fees payable on Reference, and Registrar to determine who shall pay them.

Justices empowered to enforce Payment of Fees under Awards.

If Persons do not pay Money pursuant to

Order, the same, together with Costs, may be levied by Distress.

to the Person and at the Time specified in the said Order such Justices shall, by Warrant under their Hands and Seals, cause the same to be levied by Distress and Sale of the Goods of the Person on whom such Order shall have been made, or by other legal Proceeding, together with such Costs as shall be awarded by the said Justices, not exceeding the Sum of Ten Shillings, and also the Costs and Charges attending such Distress and Sale or other legal Proceeding, returning the Overplus (if any) to the Owner : Provided always, that in *Scotland* it shall be competent to enforce Payment of such Fees, and of any Sum of Money so awarded to be paid, by Proceeding before the Sheriffs in the same Manner as is by the Law of *Scotland* competent for the Recovery of any Debt of the like Amount.

Proviso as to Scotland.

Rules and Awards may be received in Evidence.

XX. And be it enacted, That every Transcript of the Rules of any such Society purporting to be certified by the Registrar of Friendly Societies in *England, Ireland, or Scotland*, and every Award or other Proceeding as aforesaid purporting to be executed under the Hand of the said Registrar, shall be receivable in all Courts and before all Justices and others as Evidence that such Rules have been duly certified or such Award made, or such Proceeding had, until the contrary shall be made to appear.

Forms set forth in the Schedule to this Act may be used.

XXI. And be it enacted, That the Forms of Certificate and Award which are set forth in the Schedule annexed to this Act may be used with such Alterations as may be necessary to adapt them to the particular Circumstances of each Case, and that no Objection shall be made or Advantage taken for Want of Form in any such Proceedings by any Persons whomsoever.

Act to be construed with 10 G. 4. c. 56. and 4 & 5 W. 4. c. 40.

XXII. And be it enacted, That this Act shall be construed with and as Part of the said Acts of the Tenth Year of the Reign of King *George* the Fourth, and of the Fifth Year of the Reign of His late Majesty.

Act may be amended, &c.

XXIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this Session of Parliament.

SCHEDULE to which this Act refers.

Form of Registrar's Certificate.

I hereby certify, That these Rules (or Alterations of Rules) are in conformity to Law, and to the Provisions of the Statutes in force relating to Friendly Societies.

A.B.

The Registrar of Friendly Societies
in *England (Ireland or Scotland)*.

Day of

Form of Registrar's Award.

In pursuance of the Provisions contained in the Act to amend the Laws relating to Friendly Societies, I, *A.B.*, the Registrar of Friendly Societies in *England, (Ireland or Scotland)*, do hereby award, order, and determine that *C.D. (specifying the Name of the Party or Officers of the Society)*, do on the Day of at pay to *E.F.* the Sum of ; and

and I do further award, order, and determine that the Fees of this my Award, amounting to the said shall be borne and paid by

A.B.

The Registrar of Friendly Societies
in England (Ireland or Scotland).

Day of

C A P. XXVIII.

An Act to facilitate the Dissolution of certain Railway Companies. [3d July 1846.]

WHEREAS it is expedient to facilitate the Dissolution of certain Railway Companies as hereafter mentioned, and to afford Facilities for the winding up the Concerns of such Companies: May it therefore please Your Majesty that it may be enacted; and 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, That when any Persons or Companies, before the passing of this Act, shall have entered into any Contract usually called a Subscription Contract, or any other Agreement or Agreements, in Writing or otherwise, for the Formation of a Company or Partnership for making any Railway which cannot be carried into execution without obtaining the Authority of Parliament, and in respect of which an Act shall not before the passing of this Act have been obtained, it shall be lawful for such Persons or Companies to dissolve the said Company or Partnership, Contract or Agreement, in manner herein-after mentioned, and that whether or not such Contract or Agreement shall contain any Powers or Provisions for Dissolution of the Company or Partnership intended to be thereby formed: Provided nevertheless, that nothing herein contained shall prevent any such Persons or Companies from exercising any such Power or Provision for Dissolution in their Contract or Agreement contained, if they shall see fit, at any Time before availing themselves of the Powers in this Act contained: Provided also, that the Provisions of this Act shall be taken to apply to any Contract or Partnership for the making any Railway, notwithstanding that the Agreement or Partnership may relate to any other Objects in connexion therewith; and (unless a separate Capital and separate Subscription shall exist as regards the different Objects) then, on a Dissolution under the Provisions of this Act, the Dissolution shall extend to the whole Objects of the Contract or Partnership.

Persons who shall have entered into a Contract for the Formation of a Company for making a Railway, &c. may dissolve the same pursuant to this Act.

II. And be it enacted, That it shall be lawful for the Committee, Provisional Directors, or other Persons by such Contract or Agreement as aforesaid intrusted with the Management and carrying into effect of the Undertaking, and who are herein-after called "the Committee," to call a Meeting of the Shareholders for the Purpose of determining whether the Partnership or Company so as aforesaid intended to be formed (and which is herein-after called "the Company") shall be dissolved; and that

Committee, &c. may call Meetings of Shareholders to consider Dissolution.

if such Meeting shall determine, as after mentioned, that the Company shall be dissolved, then as from the Date of the Resolution come to at such Meeting the Company shall be taken to be dissolved, and the Committee shall not have Power to proceed any further with the Undertaking.

Shareholders may require Committee to call Meeting, and in default may call it themselves.

III. And be it enacted, That it shall be lawful for any Five Shareholders, as after defined, by Writing under their Hands, to require the Committee to call a Meeting for the Purpose aforesaid; and that if the Committee shall refuse or neglect, for Six Days after any such Requisition shall have been left at the registered Place of Business of the Company, as regards *England and Ireland*, and as regards *Scotland* at the usual Place of Business, or shall have been served personally on any Member of the Committee, to call such Meeting by Notice as after mentioned, or if for any Reason whatever such Meeting shall not be convened and held in pursuance of the Directions herein contained, it shall be lawful for any Five Shareholders to call such Meeting; and after any such Requisition shall have been left or served as aforesaid, it shall not be lawful for the Committee or any of them to make any Payments out of the Monies of such Company, except in Discharge of *bonâ fide* Debts or Liabilities, or in Performance of Contracts or Engagements, previously entered into, and in Payment of the Expences of calling and holding such Meeting or any adjourned Meeting, nor to enter into any Contracts or Engagements on behalf of the Company or affecting the Property thereof, nor to issue any Shares or Scrip of or representing the Capital Stock of such Company, until the Meeting called as aforesaid shall have determined the Question of Dissolution.

Meeting duly called, although certain Votes disallowed.

IV. And be it enacted, That the Meeting shall be held to have been duly called, although the Votes of the Parties calling the same, or any of such Votes, shall be disallowed at the Meeting by the Scrutineers to be appointed as herein-after mentioned.

Notice of Meeting to be by Advertisement.

V. And be it enacted, That the calling of any such Meeting shall be by Notice, signed either on behalf of the Committee by any One Member of the same, or in case the Meeting shall be called by the Shareholders, then by the Shareholders calling the same, such Notice to be advertised in the *London Gazette* Eight clear Days and not more than Fifteen Days before the Time to be therein fixed for holding such Meeting, and also, within the before-mentioned Limits as to Time, in Three *London* daily Newspapers; that in the Case of Railways to be made in *Ireland*, the said Notice shall also be advertised within the before-mentioned Limits as to Time, in the *Dublin Gazette* and in Two Newspapers in common Circulation in the City of *Dublin*; and as to Railways to be made in *Scotland*, the said Notice shall also be advertised, within the before-mentioned Limits as to Time, in the *Edinburgh Gazette* and in Two Newspapers in common Circulation in the City of *Edinburgh*.

Notices to specify the Day, Hour, &c. of Meeting.

VI. And be it enacted, That every Notice of Meeting shall specify the Day, Hour, Place, and Purpose of meeting; and the Parties entitled to be present at such Meeting shall be the Persons producing the Shares, Scrip, or Receipts herein-after defined, or the Proxies after mentioned.

VII. And

VII. And be it enacted, That every Meeting so called shall elect a Chairman within One Hour of the Time appointed for holding such Meeting, and that the Person to be in the Chair at every such Meeting shall be some Member of the Committee, to be elected by a Majority of the Members of the Committee present at the Meeting, and in case the Votes of the Members of the Committee present shall be equally divided, or if from any Cause there shall be no Member of the Committee so elected, then some Shareholder entitled to vote shall be elected by the Meeting; and every Person present, either in respect of Shares or of a Proxy, shall have One Vote only for the Election of the Chairman and Scrutineers; and every Chairman shall have a casting Vote, in addition to any other Vote which he may be entitled to; and if any such Chairman shall refuse to give his casting Vote on the Question of Dissolution or Bankruptcy as after mentioned, the Question shall be considered as carried in the Affirmative for Dissolution or Bankruptcy.

Chairman to be elected by a Majority of Committee if present.

Chairman to have a casting Vote.

VIII. And be it enacted, That the Chairman at every such Meeting shall be bound to put to the Meeting any Question proposed for the Dissolution of the Company, or as to the Bankruptcy thereof, and also as to the Election of Scrutineers, and that no Business shall be transacted at any such Meeting other than the Consideration of any such Question so proposed, and the Election of a Chairman and Scrutineers.

Chairman bound to put Questions proposed, and no other Business to be done.

IX. And be it enacted, That immediately after the Election of a Chairman the Meeting shall proceed to elect as Scrutineers Three Shareholders in the Company, whose Business it shall be to verify as after mentioned and take the Votes of the Shareholders entitled to vote, and cast up and declare the same; and the Decision in Writing of them, or of any Two of them, shall be final in all respects.

Three Scrutineers to be elected.

X. And be it enacted, That in case it shall be discovered by or shown to the Scrutineers that the Chairman at any Meeting is not entitled to vote as a Shareholder, it shall be lawful for the Meeting either to elect a new Chairman or to maintain such existing Chairman, but such Chairman so maintained in Office shall not thereby acquire the Right of voting as a Shareholder, or of giving a casting Vote; and in case the Votes shall be equally divided the Resolutions shall be considered as carried in the Affirmative for the Dissolution and as to the Bankruptcy of the Company: Provided always, that all Votes, Acts, and Deeds by any Chairman not entitled to vote, or by the Meeting presided over by him, given or done before the Discovery of his not being so entitled, or given afterwards if he be so maintained, shall be valid and effectual; and as regards the Election of Chairman and Scrutineers by the Votes of the Parties present, and producing Scrip or Proxies, no Objection after the Election shall be made on its being shown that they were not entitled to be present.

Case of the Chairman not being entitled to vote.

XI. And be it enacted, That at any such Meeting as aforesaid, in the event of the prescribed Quorum after mentioned not being present and voting at such Meeting, then the Chairman shall cause the Votes of the Persons constituting the said Meeting to be taken and recorded, and shall then adjourn the same to be

In the event of a Quorum not being present at such Meetings, the same to be adjourned, and Votes of Per-

sons present at both Meetings to be received as if given at one and the same Meeting.

held at the same Place, and at a Day to be declared by the Chairman, such Day not being less than Three Days and not more than One Week from the original Day of Meeting, such Day and the Time of Meeting in the meantime, as regards any Meeting held in any Part of *England*, being advertised twice in each of Three *London* daily Newspapers, and in the Case of a Meeting held at *Edinburgh* twice in Two *Edinburgh* Newspapers, and in the Case of a Meeting held in *Dublin* twice in Two *Dublin* Newspapers; and at such adjourned Meeting the Votes of such Persons constituting the same as had not voted at the original Meeting shall be taken and recorded, and the total Amount of Votes given at the original and adjourned Meeting shall be received as if given at one and the same Meeting.

As to the Right of Persons entitled to vote at Meetings of the Shareholders.

XII. And be it enacted, That the only Persons entitled to be present and vote at any such Meeting as Shareholders, by themselves or Proxies, shall be those Persons who shall for the Time being be in possession of and produce Certificates or Receipts declaring Parties entitled to Shares in any Company, or acknowledging the Receipt of a Deposit in such Company, usually termed "Scrip" or "Receipts" for Deposits on Shares, and that notwithstanding the Party in possession may not be the Party to whom the same was originally granted, or that the same may not have been legally assigned to the Party in possession, or notwithstanding the same may be possessed by the Holder as a mere Mortgagee, or in any other Manner, or the same may be subject to any Charge or Lien, and which Parties are by this Act called "Shareholders;" provided that nothing herein contained shall authorize more than One Vote, either for Dissolution or Bankruptcy, to be given in respect of the same Share, notwithstanding any Transfer or Delivery of such Share after a Vote shall have been given in respect thereof.

Scale of voting.

XIII. And be it enacted, That every Shareholder shall, in voting on the Questions of Dissolution and Bankruptcy, be entitled to One Vote, by himself or Proxy, in respect of every Share held by him, or in respect of which Scrip or Receipts may have been issued or Deposits paid, and that all Shareholders producing such Shares, Scrip, or Receipts shall be entitled to attend Meetings and to appoint Proxies according to the Form contained in the Schedule hereunto annexed, or in some Form to the like Effect: Provided always, and be it enacted, that the Fact of any such Party attending any such Meeting shall not in anywise increase or alter, either in Law or Equity, his Rights or Liabilities.

Proxies shall be signed before a Master in Chancery in *England*, or Sheriff, &c. in *Scotland*.

XIV. And be it enacted, That the Appointment of any such Proxy shall be signed by the Party appointing the same before a Master or Master Extraordinary of the Court of Chancery in *England* or *Ireland*, or a Justice of the Peace in *England* or *Ireland*, or before a Sheriff or Sheriff Substitute or Justice of the Peace in *Scotland*, or, where such Shares, Scrip, or Certificate shall be in possession of any Parties beyond Seas, the said Proxy shall be signed as aforesaid before any of Her Majesty's Consuls or Vice Consuls or a Notary Public; and that, on signing the same, the Share, Scrip, or Receipt in respect of which the Proxy is intended to be appointed shall be produced to the Master, Justice, Sheriff, Sheriff Substitute, Consul, Vice Consul, or Notary Public;

and

and the Number of the Shares, or the Number of Shares referred to in such Scrip or Receipt, and the Name of the Company, shall be ascertained and verified, with the Number and Name of the Company stated in the Appointment of Proxy, before such Master, Sheriff, Sheriff Substitute, Justice, Consul, Vice Consul, or Notary Public.

XV. And be it enacted, That to constitute a Meeting under the Provisions of this Act for the Purpose of deciding on a Dissolution or Bankruptcy, Persons representing at least One Third Part of the Shares in the Undertaking actually issued or given, either as Shares, Scrip, or Receipts, must be present and vote; and that for the Purpose of effecting a Dissolution, and as to Bankruptcy, there must be either a Majority of the Votes of the whole Scrip of the Company issued as aforesaid, or at least Three Fifths of the Votes of Persons present and voting, either as Shareholders or Proxies, in favour of the Motion for Dissolution, and for the Bankruptcy, if so resolved on.

XVI. And be it enacted, That the Chairman at every such Meeting shall sign a Minute of the Proceedings, and that every Minute so signed shall be advertised within the shortest possible Time in the same Papers as those in which Notice of the original Meeting is herein-before required to be given; and a Copy of the *London Gazette* containing the Advertisement of such Minute shall be Evidence of the Meeting having been duly called and held, and of the Resolutions recorded having been duly passed by the Majorities therein mentioned; and such Minutes shall be countersigned by at least Two of the Three Scrutineers aforesaid; and that any Party signing Minutes false or incomplete in any material Particular, or any Person who shall insert or cause to be inserted in the *London Gazette* any Advertisement under the present Clause, knowing the same to be false in any material Particular, shall be guilty of a Misdemeanor; and the Minute directed to be advertised shall also be registered with the Registrar of Joint Stock Companies, without any Fee being chargeable for such Registration.

XVII. And be it enacted, That as regards all projected Railways as aforesaid any Portion of the intended Line of which is situate in *England* or *Wales*, the Meeting aforesaid may be held, as shall be specified in the Notice calling the same, either in *London* or *Westminster*, or at the registered Place of Business of the Company; or as regards any Railways any Portion of the intended Line of which is situate in the Counties of *Lancaster* or *Chester*, such Meeting may be held at *Manchester* or *Liverpool*, notwithstanding that the registered Place of Business may not be at either of such Places; or as regards any Railways any Portion of the intended Line of which is situate in the County of *York*, such Meetings may be held at *York* or *Leeds*, notwithstanding that the registered Place of Business may not be at either of such Places; that as regards Railways situate in *Ireland*, the Meetings may be held either in *London* or *Dublin*, or at the registered Places of Business, as shall be specified in the Notice; and that as regards Railways situate in *Scotland*, the Meetings may be held either in *London* or *Edinburgh*, or at the usual Places of Business, as shall be specified in the Notice.

Number of Persons, &c. necessary to constitute a Meeting.

Majority must consist of at least Three Fifths of Persons present.

Minutes of Proceedings to be advertised.

London Gazette to be Evidence.

Penalty on signing false Minutes, &c.

Places of Meetings shall be held as specified in Notice.

No Votes allowed except for Scrip, &c. actually issued or given before 31st March 1846.

Mode of ascertaining the Issues.

7&8 Vict. c.110.

Registrars of Joint Stock Companies to require Return of Issues, but Omission of Registrar to send Notice not to exempt Committee from Penalties.

Committees in Scotland to lodge a Return with the Sheriff Clerk of Edinburgh within 12 Days from passing of this Act.

Penalty for not lodging Return.

The Sheriff Clerk to give

XVIII. And be it enacted, That no Parties shall be entitled to vote except in respect of Scrip, Receipts, or Shares actually issued or given before the Thirty-first Day of *March* One thousand eight hundred and forty-six, and that the Shares, Scrip, or Receipts actually issued or given shall for the Purposes of this Act be taken to constitute the whole Number of Shares in the Undertaking, although the Contract may have provided that the Undertaking shall consist of a greater Number; and that for the Purpose of ascertaining the Number of Shares, Scrip, or Receipts actually issued or given, the Committee of every projected Railway Company to which the Powers given by this Act apply (except in regard to Railways to be made in *Scotland*) shall, within Twelve Days after the passing of this Act, be bound to send in unto the Registrar of Joint Stock Companies a Return in Writing under the Hand of any Member of such Committee specifying the Number of Shares, Scrip, or Receipts actually issued or given as aforesaid, the Amount of each Share, and of the Deposit paid or to be paid thereon; and that in case such Return shall not be so sent in within the aforesaid Period, every Member of the Committee shall forfeit a Sum not exceeding Twenty Pounds, to be recovered in like Manner as any Penalty under the Act intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies*, is recoverable.

XIX. And be it enacted, That the Registrar of Joint Stock Companies shall, within Six Days from the passing of this Act, send to the registered Place of Business of every such Company a Notice in Writing under his Hand requiring such Return to be made; but the Omission to send any such Notice by the Registrar shall not exempt the Committee of any such Company from the Penalties aforesaid; and every Person shall be at liberty to inspect any Returns made to the Registrar under this Act on Payment of a Fee of Two Shillings and Sixpence; and the Certificate of the said Registrar, under his Seal of Office, as to the total Amount of the Shares, Scrip, or Receipts, shall be Evidence as to the Amount specified in such Return, and for such Certificate a Fee of Two Shillings and Sixpence shall be paid; and no Proceedings at any Meeting shall be invalidated by reason of any Defect or Error in such Return, but any Party making such Return knowing it to be false shall be guilty of a Misdemeanor.

XX. And be it enacted, That in regard to projected Companies for Railways to be made in *Scotland* the Committee of every such Company to which the Powers given by this Act apply shall, within Twelve Days after the passing of this Act, be bound to lodge with the Sheriff Clerk of the Shire of *Edinburgh* a Return in Writing under the Hand of a Quorum of such Committee, or of every Member thereof, specifying the Number of Shares, Scrip, or Receipts actually issued or given as aforesaid, the Amount of each Share, and the Deposit paid or to be paid thereon; and that in case such Return shall not be lodged within the aforesaid Period every Member of such Committee shall forfeit a Sum not exceeding Twenty Pounds, to be recovered by summary Petition to the Court of Session at the Instance of the said Sheriff Clerk.

XXI. And be it enacted, That the said Sheriff Clerk shall, within Six Days after the passing of this Act, cause to be published

lished in the *Edinburgh Gazette*, and in Two Newspapers in common Circulation in the City of *Edinburgh*, a Notice by him requiring such Returns to be made ; and every Person shall be at liberty to inspect any Returns made to the Sheriff Clerk ; and no Proceeding at any Meeting shall be invalidated by reason of Defect or Error in any such Return, but any Party making such Return, knowing it to be false, shall be held to be guilty of Falsehood and Fraud, and shall be liable to Prosecution and Punishment accordingly ; and the necessary Expences of the Sheriff Clerk in regard to such Returns and Notices shall be paid by the several Committees making or bound to make Returns, and shall be recovered in such Amount from each of such Committees as the Sheriff of the Shire of *Edinburgh* shall by a Writing under his Hand fix and determine.

XXII. Provided always, and be it enacted, That if by any Reason whatever such Return of the Number of Shares, Scrip, or Receipts actually issued shall not be made within One Calendar Month from the passing of this Act, then a Meeting may be called and held under the Provisions of this Act, and may resolve on Dissolution or Bankruptcy as by this Act is provided, if Persons representing Shares as before defined equal to at least One Third Part of the whole Capital of the Undertaking are present and vote ; and any such Meeting shall have the same Powers as before conferred on a Meeting representing One Third of the Shares actually issued as aforesaid.

XXIII. And be it enacted, That, in addition to the Question of Dissolution, it shall be imperative on the Meeting to decide whether such Dissolution shall or shall not be taken to be an Act of Bankruptcy for the Purpose of having the Affairs of the Company wound up under the Provisions of the Act after mentioned ; but this Provision shall not extend to the Case of Railways to be made in *Scotland*.

XXIV. And be it enacted, That in case the Meeting shall resolve that the Affairs of the Company shall not be so wound up, or in the Case of a Railway to be made in *Scotland* if the Majority shall resolve in favour of Dissolution, then (subject to the Power herein-after given to the Committee and to Creditors of the Company to petition for a Fiat) the Affairs of the said Company shall be wound up according to the Rules applicable to the Dissolution of Partnership Undertakings, and as if the Undertaking had been dissolved by mutual Consent.

XXV. Provided always, and be it enacted, That the Resolution to dissolve the Company, or the actual Dissolution thereof, shall not alter or affect the Rights of Creditors or other Persons not being Shareholders in the Company, nor any Engagements whatsoever which the Committee may have entered into, and shall not affect any Suits pending before the passing of this Act.

XXVI. And be it enacted, That where any Meeting called to consider the Question of Dissolution shall have determined the Question of the Dissolution of the Company in the Negative, no new Meeting shall be called to consider the Question of Dissolution, or any Matter relating thereto, until the Lapse of Six Months from the Day in which the Question was last resolved in the Negative.

Notice by Advertisement for Returns of issued Scrip, &c. to be made.

In default of Return Meeting may be called, which must represent One Third of Capital of the Company.

Meeting to decide if Dissolution to be an Act of Bankruptcy.

Scotland exempted.

If Meeting decide that Affairs shall not be so wound up, then like ordinary Partnerships.

Dissolution not to affect Rights of Creditors.

If Dissolution rejected, no Meeting to be called for Six Months.

Any Three of the Committee, or any Creditor or Creditors, may petition for a Fiat in Bankruptcy.

XXVII. And be it enacted, That it shall be lawful for any Three of those who were of the Committee of any Company dissolved, at any Time after the Dissolution thereof shall have been resolved, or for any Creditor or Creditors of such Company to such Amount as is now by Law requisite to support a Fiat in Bankruptcy in *England* and *Ireland*, or a Sequestration in *Scotland*, within Three Months after the Dissolution thereof shall have been resolved, to petition that a Fiat in Bankruptcy may issue against such Company if in *England* or *Ireland*, or that the Estates of the Company may be sequestrated if in *Scotland*.

On issuing of Fiats, Companies to be subject to the Provisions of the Acts for winding up the Affairs of Joint Stock Companies.

XXVIII. And be it enacted, That upon the Production of a Copy of the *London Gazette* containing the Resolution of any such Meeting as aforesaid, whereby it shall be resolved that the Dissolution of the Company shall be an Act of Bankruptcy, or upon the Petition of any Three of the Committee as aforesaid, or of any Creditor under the last preceding Clause, a Fiat in Bankruptcy shall issue against such Company by the registered Name or Style of such Company; and the Company shall thereupon be deemed to be within the Provisions of an Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for facilitating the winding up of Joint Stock Companies unable to meet their pecuniary Engagements*; and of another Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the winding up of Joint Stock Companies in Ireland unable to meet their pecuniary Engagements*, in all respects as if a Fiat in Bankruptcy had issued against it under the said Act before its Dissolution; but this last Provision not to extend to *Scotland*.

7 & 8 Vict. c. 111.

8 & 9 Vict. c. 98.

Sequestration of Estates of dissolved Scotch Railway Companies may be awarded.

XXIX. And be it enacted, That if the Company be a Company for making a Railway or Railways in *Scotland* Sequestration of the Estates of such Company shall be awarded on Petition for Sequestration in common Form presented in Name of any Three of the Committee, or of any Creditor or Creditors of such Company to such Amount and on such Evidence of Debt or Debts of such Creditor or Creditors as is now by Law requisite for obtaining Sequestration of the Estates of any Company liable to Sequestration, there being always produced along with the Petition for Sequestration a Copy of the *London* or *Edinburgh Gazette* containing the Resolution whereby the Dissolution of the Company shall have been resolved upon; and such Sequestration being so awarded, shall be followed out in regard to the Election of an Interim Factor and Trustee and Commissioners, and in regard to the Proof and ranking of Debts, the Recovery and Distribution of the Estate, and all other Matters necessary thereto, in the same Manner and by the same Course of Procedure, as nearly as may be, as is by Law provided in Cases of Sequestration of the Estates of Trading Companies in *Scotland*: Provided always, that such Sequestration shall not extend to or affect the Estates of the individual Partners of the Company, nor preclude the Rights or Remedies otherwise competent by Law to the Creditors of such Company against the individual Partners thereof, or the Estates of such individual Partners.

As to new Railways by

XXX. And be it enacted, That when any Company for making any Railway, actually incorporated before the passing of this Act,

shall

shall have agreed to form any new or other Railway or an Extension thereof, and in respect of which a new or further Capital shall have been agreed to be raised or contributed, and Shares as herein-before defined shall have been issued or otherwise appropriated, and Deposits paid thereon, then such Company or Partnership (as regards the new Undertaking) shall in all respects be considered as a Company or Undertaking within the Provisions of this Act; and Meetings shall be held, and Shareholders entitled to Shares as aforesaid in the new Undertaking shall in manner herein-before provided have Power to dissolve such new Undertaking, and to decide as to Bankruptcy, in all respects as is provided with regard to the Companies herein-before mentioned or defined.

incorporated
Companies.

XXXI. And be it enacted, That where the Dissolution of a Company shall have been resolved under this Act, if Judgment shall have been recovered or shall afterwards be recovered in any Action against any Member of the Committee for any Debt due from such Company or from such Committee in respect of the Undertaking, the Member against whom such Judgment shall have been recovered shall be entitled at Law to a Contribution from each of the other Members of such Committee towards the Payment of the Monies recovered by such Judgment, and of all Costs and Expences in relation thereto, of such a Share of the whole Amount of such Monies, Costs, and Expences as would have been borne by such respective Member upon an equal Contribution by all the Members of such Committee, and may recover the Contributions to which he may be so entitled, or any of them, by Action or Actions of Debt or on the Case against all or any of such other Members of such Committee, but so that no such Member shall be liable in any such Action as aforesaid for more than the Share to which he shall respectively be liable to contribute under this Provision.

Member against
whom Judgment shall have
been recovered
to be repaid by
Contribution
from other
Members, together
with Costs.

XXXII. And be it enacted, That after the Dissolution of any Company shall have been resolved under this Act no Action or Suit shall be brought for the Recovery of any Fees, Charges, or Disbursements for any Business done for such Company by any Attorney or Solicitor, whether in his Character of Attorney or Solicitor, or as Agent or otherwise, until the Expiration of One Calendar Month after a Bill of such Fees, Charges, and Disbursements, signed by the Claimant, shall have been delivered to the Committee or Official Assignee authorized to wind up the Affairs of such Company, or left at their or his Place of Business; and it shall be lawful for the Court of Queen's Bench, Common Pleas, or Exchequer, or any Judge of either of such Courts, and they are respectively hereby required, on the Application of such Committee or of such Official Assignee, to refer such Bill to be taxed and settled by any Taxing Officer of the Court in which such Reference shall be made; and the Court or Judge making such Reference shall restrain the Claimant from commencing any Action or Suit touching his Demand pending such Reference, and such Taxing Officer may take such Evidence in relation to such Bill as he may think fit; and the Costs of such Reference shall be paid according to the Event of such Taxation, (that is to say,) if such Bill when taxed be less by a Sixth Part than the Bill delivered, then the Claimant

After Dissolu-
tion of Company
no Action, &c.
to be brought by
any Attorney,
&c. until One
Month after Bill
of Fees shall
have been deli-
vered.

Courts may
refer Bills for
Taxation to
Taxing Officers.

Claimant shall pay such Costs, and if the Bill when taxed shall not be less by a Sixth Part than the Bill delivered, then the Party on whose Application the Reference shall have been made shall pay such Costs, to be considered and allowed nevertheless as Part of the Costs, Charges, and Expences of executing the Trusts and Powers of this Act; and every Order to be made for such Reference shall direct the Officer to whom such Reference shall be made to tax such Costs of such Reference to be so paid as aforesaid, and to certify what upon such Reference shall be found to be due to or from such Claimant in respect of such Bill, and of the Costs of such Reference, and after such Reference as aforesaid no further or other Sum than shall be so found due shall be recoverable in respect of such Bill.

Interpretation
of Act.

XXXIII. And be it enacted, That the following Words and Expressions shall have the Meanings hereby assigned to them respectively, so far as such Meanings are not excluded by the Context or Subject Matter; (*videlicet*,)

The Word "Month" shall mean Calendar Month :

The Word "Person" shall include Corporations.

Act may be
amended, &c.

XXXIV. And be it enacted, That this Act may be amended, altered, or repealed by any Act to be passed in this Session of Parliament.

SCHEDULE to which this Act refers.

Form of Proxy.

Railway Company.

Proxy to vote in respect of Shares.

I A.B. of Holder of
Shares, [*or Scrip, or Receipts for Shares (as the Case may be)*],
numbered respectively [*here insert the Numbers, unless the Shares,
Scrip, Receipts, or Letter do not show the denoting Numbers*], in
the projected Railway Company, do hereby appoint
C.D. of to be my Proxy upon any
Matter relating to the Dissolution or Bankruptcy of the said Com-
pany, to vote, dissent, and act as he shall think proper.

Witness my Hand, the Day of

Taken before me, having verified the
Numbers and Name of the Company
with the Documents produced to me,

Signed

And add whether,

Master Extraordinary, Sheriff, Sheriff
Substitute, Justice, Consul, Vice
Consul, *or* Notary Public.

C A P. XXIX.

An Act for granting to Her Majesty, until the Fifth Day of
August One thousand eight hundred and forty-six, certain
Duties on Sugar imported into the United Kingdom.

[3d July 1846.]

" Duties imposed on Sugar and Molasses by 8 & 9 *Vict.* c. 5.
" continued till 5th *August* 1846."

C A P. XXX.

An Act to define the Notice of Elections of Members to serve in Parliament for Cities, Towns, or Boroughs in *Ireland*. [16th July 1846.]

‘ WHEREAS it is expedient to establish the new Form of Notice for Election of Members to serve in Parliament in ‘ all Cities, Towns, and Boroughs in *Ireland* :’ 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, That in every City or Town of *Ireland*, being a County of itself, and in every Borough in *Ireland* returning or contributing to return a Member or Members to serve in Parliament, the Sheriff or other Officer to whom the Duty of giving such Notice belongs shall proceed to Election within Eight Days after the Receipt of the Writ or Precept, giving Three clear Days’ Notice at least of the Day appointed for the Election, exclusive of both the Day of Proclamation and the Day appointed for the Election.

Three clear Days Notice to be given of Elections for Cities and Towns in *Ireland*.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

C A P. XXXI.

An Act to settle an Annuity on Viscount *Hardinge*, and the Two next surviving Heirs Male of the Body of the said Viscount *Hardinge* to whom the Title of Viscount *Hardinge* shall descend, in consideration of his great and brilliant Services.* [27th July 1846.]

“ An Annuity of Three thousand Pounds to be paid to Viscount *Hardinge* and his Two next Heirs, § 1. Treasury to direct Payment of the Annuity, § 2. If the *India* Company grant an Annuity the Annuity granted by this Act shall not be paid, § 3. “ Annuity not to be alienated or incumbered, § 4.”

C A P. XXXII.

An Act to settle an Annuity on Lord *Gough*, and the Two next surviving Heirs Male of the Body of the said Lord *Gough* to whom the Title of Lord *Gough* shall descend, in consideration of his important Services. [27th July 1846.]

“ An Annuity of Two thousand Pounds to be paid to Lord *Gough* and his Two next Heirs, § 1. Treasury to direct Payment of the Annuity, § 2. Only Half of the Annuity to be paid so long as the Annuity of Two thousand Pounds granted by the *East India* Company shall be paid, § 3. Annuity not to be alienated or incumbered, § 4.”

* See ante, Cap. 21.

C A P. XXXIII.

An Act to amend the Laws relating to Corresponding Societies and the licensing of Lecture Rooms. [27th July 1846.]

39 G. 3. c. 79.

57 G. 3. c. 19.

Proceedings under recited Acts shall not be commenced unless in the Name of the Law Officers of the Crown.

Act may be amended, &c.

‘ **W**HEREAS by an Act passed in the Thirty-ninth Year of the Reign of His Majesty King George the Third, intituled *An Act for the more effectual Suppression of Societies established for seditious and treasonable Purposes, and for better preventing treasonable and seditious Practices*, and by an Act passed in the Fifty-seventh Year of the same Reign, intituled *An Act for the more effectually preventing seditious Meetings and Assemblies*, certain Offences are created, and certain Penalties are attached to the Commission thereof: And whereas the Provisions of the said Acts have given Occasion to vexatious Proceedings by common Informers: 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, That from and after the passing of this Act it shall not be lawful for any Person or Persons to commence, prosecute, enter, or file, or cause or procure to be commenced, prosecuted, entered, or filed any Action, Bill, Plaint, or Information in any of Her Majesty’s Courts, or before any Justice or Justices of the Peace, against any Person or Persons, for the Recovery of any Fine or Forfeiture made or incurred or which may hereafter be incurred under the Provisions of the recited Acts or either of them, unless the same be commenced, prosecuted, entered, or filed in the Name of Her Majesty’s Attorney General or Solicitor General in *England*, or Her Majesty’s Advocate in *Scotland*; and every Action, Bill, Plaint, or Information which shall be commenced, prosecuted, entered, or filed in the Name or Names of any other Person or Persons than is in that Behalf before mentioned, and every Proceeding thereupon had, shall be null and void to all Intents and Purposes.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

C A P. XXXIV.

An Act to enable the Commissioners of Her Majesty’s Woods to construct a new Street from *Spitalfields* to *Shoreditch*. [27th July 1846.]

1 & 2 W. 4. c. 76.

‘ **W**HEREAS by an Act of Parliament passed in the Session held in the First and Second Years of the Reign of King William the Fourth, intituled *An Act for regulating the Vend and Delivery of Coals in the Cities of London and Westminster, and in certain Parts of the Counties of Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire, and Berkshire*, it was amongst other things enacted, that for the Purpose of defraying the Charges of erecting and maintaining a Coal Market in the City of *London*, and the Salaries of Clerks and other Persons employed in the Execution of the Act now in recital, and for

‘ the

' the other Purposes therein mentioned or referred to, it should
 ' be lawful for the Mayor, Aldermen, and Commons of the City
 ' of *London*, in Common Council assembled, to demand and take
 ' from every Ship laden with Coals, Cinders, or Culm arriving
 ' at her Moorings within any Part of the Port of *London* at or
 ' to the Westward of *Gravesend* the Sum of One Penny per Ton
 ' for every Ton of Coals, Cinders, or Culm, such Payments to be
 ' collected in manner therein mentioned; and it was also enacted,
 ' that so soon as the Costs of procuring the passing of the Act now
 ' in recital, and of forming such Coal Market as therein mentioned,
 ' and certain Compensations therein directed to be made, and the
 ' Sums of Money to be borrowed under the Authority therein in
 ' that Behalf contained, and the Interest thereof, should have been
 ' paid off and discharged, and the said Duty of One Penny per
 ' Ton should be more than sufficient for maintaining such Coal
 ' Market as aforesaid, and for Payment of the Compensations,
 ' Salaries, and other Expences requisite for carrying the Act now
 ' in recital into execution as therein mentioned, then the Residue
 ' or Overplus to be produced by the said Duty of One Penny per
 ' Ton should from Time to Time, as and when received, be in-
 ' vested in the Purchase of Stock in some of the Public Stocks
 ' or Funds, or upon Government or Real Securities, at Interest, in
 ' the Names of the Chamberlain, Town Clerk, and Comptroller of
 ' the Chamber of the City of *London* for the Time being, who
 ' should from Time to Time invest the yearly Dividends or In-
 ' terest of such Stocks, Funds, and Securities in like Manner for
 ' the Purpose of Accumulation, until the yearly Dividends and
 ' Interest of all the Stocks, Funds, and Securities so purchased
 ' should be sufficient for the Payment of the Salaries and other
 ' Payments to Clerks and other Persons employed in the Execu-
 ' tion of the Act now in recital, and for defraying the other Ex-
 ' pences of carrying the same into execution, and that then and
 ' from thenceforth the said Duty of One Penny per Ton should
 ' cease: And whereas by an Act of Parliament passed in the Ses-
 ' sion held in the First and Second Years of Her present Ma-
 ' jesty, intituled *An Act to continue for Seven Years an Act for* 1&2 Vict. c. 101.
 ' *regulating the Vend and Delivery of Coals in London and*
 ' *Westminster, and in certain Parts of the adjacent Counties, it*
 ' was amongst other things enacted, that the said recited Act,
 ' and all Powers, Authorities, Clauses, and Things therein con-
 ' tained, (except as repealed or altered by the Act now in
 ' recital,) should be continued for the further Term of Seven
 ' Years from the Thirty-first Day of *December* One thousand
 ' eight hundred and thirty-eight: And whereas by an Act of
 ' Parliament passed in the Session held in the Eighth and Ninth
 ' Years of Her said Majesty, intituled *An Act to continue until* 8&9 Vict. c. 101.
 ' *the Fifth Day of July One thousand eight hundred and sixty-*
 ' *two the Acts for regulating the Vend and Delivery of Coals*
 ' *in London and Westminster, and in certain Parts of the ad-*
 ' *acent Counties, and to alter and amend the said Acts, it was*
 ' amongst other things enacted, that the said Acts of the First
 ' and Second Years of King *William* the Fourth, and the First
 ' and Second Years of Her said Majesty, and all the Powers,
 ' Authorities, Clauses, and Things therein respectively contained,
 ' (except

(except such Parts thereof respectively as were repealed or altered,) should be continued until the Fifth Day of *July* One thousand eight hundred and sixty-two; and it was also enacted, that all and singular the Duties by the said recited Acts authorized to be levied upon Coals, Culm, and Cinders contained in any Ship arriving at her Moorings within any Part of the Port of *London* at or to the Westward of *Gravesend*, or brought near *London* by the *Grand Junction* or *Paddington* Canals, or by the River *Thames*, and by other Acts then in force authorized to be levied upon Coals, Culm, and Cinders brought near *London* by certain Railways in the same Acts particularly mentioned, should be extended, and the same were by the Act now in recital imposed and authorized to be levied, until the said Fifth Day of *July* One thousand eight hundred and sixty-two, upon all Coals, Culm, and Cinders brought to any Place within the Port of *London*, or within the Cities of *London* and *Westminster* and the Borough of *Southwark*, or to any Place within the Distance of Twenty Miles from the General Post Office in the City of *London*, by any Railway then constructed or thereafter to be constructed, or by Inland Navigation, or by any other Mode of Conveyance, and the same Duties should be payable in like Manner and should be applied to the same Purposes to which the like Duties authorized to be levied by the said recited Acts should from Time to Time by Law be applicable; and it was by the Act now in recital also enacted, that in order to provide a Fund for the opening of poor and densely populated Districts in the Metropolis, and for keeping open Spaces in the immediate Vicinity of the same, the Duty of One Penny *per* Ton on Coals, Cinders, or Culm contained in any Ship arriving at her Moorings within any Part of the Port of *London* at or to the Westward of *Gravesend*, and also the like Duty of One Penny *per* Ton on Coals, Culm, and Cinders brought near *London* by the *Grand Junction* or *Paddington* Canals, or by the River *Thames*, imposed by the said Act of the First and Second Years of King *William* the Fourth, and by the Act now in recital and other Acts extended to Coals, Culm, and Cinders brought near *London* by Railway, Inland Navigation, or other Mode of Conveyance, should, after the Thirty-first Day of *December* One thousand eight hundred and forty-five, be applied to the Creation of a Fund for the Execution of such Improvements in the Metropolis as Parliament might thereafter direct or sanction; and it was also enacted, that after the said Thirty-first Day of *December* One thousand eight hundred and forty-five the said Duty of One Penny *per* Ton on Coals, Cinders, and Culm so imposed and extended as aforesaid should from Time to Time, when and as received, be invested in the Purchase of Stock in some of the Public Stocks or Funds, or upon Government or Real Securities, at Interest, in the Names of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to an Account to be intituled "The Metropolis Improvement Fund Account," and that the said Commissioners should from Time to Time invest the yearly Dividends or Interest of the Stocks, Funds, and Securities so to be purchased in their Names on the

Account

‘ Account aforesaid, in like Manner for the Purpose of Accumu-
 ‘ lation in the meantime and until the said Fund should be
 ‘ required for and appropriated by Parliament to the Execution
 ‘ of Improvements in the Metropolis : And whereas in pursuance
 ‘ of the said last-recited Act the Monies received from the Thirty-
 ‘ first Day of *December* One thousand eight hundred and forty-
 ‘ five to the Twenty-fifth Day of *March* One thousand eight hun-
 ‘ dred and forty-six, in respect of the said Duty of One Penny
 ‘ *per Ton* on Coals, Cinders, and Culm so created, imposed, and
 ‘ extended as aforesaid, have been laid out and invested in the
 ‘ Names of the said Commissioners in the Purchase of Three thou-
 ‘ sand and thirty-one Pounds Seven Shillings and Eight-pence
 ‘ Three Pounds *per Centum* Consolidated Bank Annuities, and such
 ‘ Annuities are now standing in the Names of the said Commis-
 ‘ sioners on the Account directed by the said Act : And whereas
 ‘ by an Act of Parliament passed in the Session held in the Third
 ‘ and Fourth Years of Her present Majesty, intituled *An Act to*
 ‘ *enable Her Majesty’s Commissioners of Woods, Forests, Land*
 ‘ *Revenues, Works, and Buildings to make additional Thorough-*
 ‘ *fares in the Metropolis*, it was amongst other things enacted,
 ‘ that it should be lawful for the said Commissioners, by and out
 ‘ of certain Monies and Funds therein specified, to form several new
 ‘ Streets and Improvements therein particularly mentioned, and,
 ‘ among others, a new Street from the *London Docks* to *Spital-*
 ‘ *fields Church* ; and in the Act now in recital were contained di-
 ‘ vers Powers and Provisions for enabling the said Commissioners
 ‘ of Her Majesty’s Woods, Forests, Land Revenues, Works, and
 ‘ Buildings to construct the several Streets therein mentioned,
 ‘ and to purchase the necessary Land and other Hereditaments,
 ‘ and for ascertaining the Value of such Land or Hereditaments,
 ‘ and for the Payment of the Purchase Money for the same, and
 ‘ otherwise : And whereas the Commissioners appointed by Her
 ‘ most Gracious Majesty to inquire into and consider the most
 ‘ effectual Means of improving the Metropolis, and of providing
 ‘ increased Facilities of Communication within the same, did, by
 ‘ their Report, dated the Twenty-third Day of *April* One thou-
 ‘ sand eight hundred and forty-five, (which has been laid before
 ‘ both Houses of Parliament by Her Majesty’s Command,) humbly
 ‘ recommend to Her Majesty, that, out of any Monies to be there-
 ‘ after raised as a Fund for Metropolitan Improvements, Provision
 ‘ should be made for the Completion of a Line of Street from
 ‘ *Spitalfields Church* to the Station of the *Eastern Counties Rail-*
 ‘ *way in Shoreditch*, in continuation of the new Street and Im-
 ‘ provement now in progress of Formation by the said Commis-
 ‘ sioners of Her Majesty’s Woods under the Authority of the
 ‘ said last-recited Act : And whereas Her Majesty has been gra-
 ‘ ciously pleased to approve of the Recommendation of Her said
 ‘ Commissioners ; and it is expedient, in accordance therewith,
 ‘ that the Commissioners of Her Majesty’s Woods, Forests, Land
 ‘ Revenues, Works, and Buildings should be empowered to form
 ‘ and open (in continuation of the Street from the *London Docks*
 ‘ to *Spitalfields Church* herein-before mentioned) a new Street
 ‘ and Thoroughfare from the North End of *Commercial Street*,
 ‘ *Spitalfields*, into *Shoreditch*, such new Thoroughfare or Street
 ‘ to

3 & 4 Viet. c. 87.

‘ to commence at the North End and in continuation of *Commercial Street* aforesaid, crossing the West End of *Fashion Street* and the East End of *White’s Row*, and to pass Northwards in or nearly in a Line with and along *Red Lion Street*, crossing the Ends of *Union Street* and *Church Street* and the Ends of *Lamb Street* and *Brown’s Lane*, and from thence to run in a North-west Direction across *Vine Street*, *Vine Place*, *Wheeler Street*, *Fleur de Lis Street*, *Maidenhead Court*, *Elder Street*, and *Blossom Street*, to *Shoreditch*, South of and adjoining the present Terminus of the *Northern and Eastern Counties Railway*; and for the Purpose of providing a Fund to enable the said Commissioners of Her Majesty’s Woods, Forests, Land Revenues, Works, and Buildings to effect the Objects aforesaid, it is expedient that the said Commissioners should be authorized to raise out of or to charge the said Funds and Duties by the said recited Act of the Eighth and Ninth Years of Her present Majesty made applicable to the Improvement of the Metropolis, as herein-before is mentioned, with a Sum or Sums not exceeding in the whole the Sum of One hundred and twenty thousand Pounds: And whereas the Commissioners of Her Majesty’s Woods, Forests, Land Revenues, Works, and Buildings have, with the Consent and Approbation of the Commissioners of Her Majesty’s Treasury, caused a Survey and Plan to be made of the said intended Thoroughfare or new Street herein-before mentioned, and the said Survey and Plan have been submitted to the said Commissioners of Her Majesty’s Treasury, and have been approved by them:’ May it therefore please Your Majesty that it may be enacted; and 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, That it shall be lawful for the Commissioners of Her Majesty’s Woods, Forests, Land Revenues, Works, and Buildings for the Time being, and they are hereby authorized and empowered, to make, form, and complete the said intended new Street from the North End of *Commercial Street*, *Spitalfields*, into *Shoreditch*, and to carry the Purposes of this Act into execution in manner herein-after mentioned, and according to such Plan as aforesaid.

Commissioners of Woods, &c. empowered to make a new Street from Spitalfields to Shoreditch.

Commissioners of Woods, &c. incorporated for the Purposes of this Act.

II. And be it enacted, That for the Purposes of this Act, and of all Matters and Things hereby authorized to be done under the Authority of this Act or of any other Act, the said Commissioners of Her Majesty’s Woods, Forests, Land Revenues, Works, and Buildings for the Time being shall be and they are hereby constituted a Corporation by the Name and Style of “The Commissioners of Her Majesty’s Woods, Forests, Land Revenues, Works, and Buildings,” in order to enable them to execute and carry into effect the several Powers and Purposes of this Act, and such other Powers and Purposes as aforesaid; and by that Name, for the Purposes aforesaid, they the said last-mentioned Commissioners shall and may have perpetual Succession, and use a Common Seal, to be by them from Time to Time altered as they shall think fit, and shall and may sue and be sued, implead and be impleaded, and take Lands and Hereditaments to them and their Successors for ever, for the Purposes of this Act.

III. And be it enacted, That for providing a Fund for the Purposes of this Act, it shall and may be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, from Time to Time, with the Consent and Approbation of the Lord High Treasurer, or of the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, from Time to Time, or at any one Time, to levy and raise, by the Sale of the whole or any Portion of the Stocks, Funds, and Securities from Time to Time constituting the said Fund called "The Metropolis Improvement Fund," so created or appropriated by the said Act of the Eighth and Ninth Years of Her present Majesty as aforesaid, or by Charge upon all and singular the Duties and Revenue in and by the same Act made applicable to the Formation of such Fund, any Sum or Sums of Money not exceeding in the whole the Sum of One hundred and twenty thousand Pounds, together with Interest on the Sum or Sums to be charged from the Time of charging the same, not exceeding Five Pounds *per Centum per Annum*.

Commissioners of Woods, &c. empowered to raise 120,000*l.* by Sale of or Charge upon the Metropolis Improvement Fund.

IV. And be it enacted, That the Duties and Revenue so to be charged as aforesaid shall be paid and applied in satisfaction and discharge of all Monies to be charged thereon by the said Commissioners for executing this Act as aforesaid, and the Interest thereof, in such Manner and from Time to Time as the same shall be received, and as the said Commissioners for executing this Act shall direct.

Fund to be applied in satisfaction of all Charges thereon.

V. And be it enacted, That for the Purposes of this Act it shall be lawful for the said Commissioners for executing this Act, with the Consent and Approbation of the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, for the Time being, or any Three or more of them, to borrow and raise any Sum or Sums of Money, not exceeding in the whole the Sum of One hundred and twenty thousand Pounds, upon the Credit of the said Monies and Interest so made chargeable as aforesaid, and thereupon to assign and dispose of such Monies and Interest, in such Shares, and by way of Debenture or otherwise, and with such Priorities, and in such Manner, as the same Commissioners shall think fit, as a Security for the Monies so to be borrowed; and such Monies so to be raised shall be paid into the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, by such Instalments, in such Proportions, at such Times, and in such Manner, as the same Commissioners shall direct.

Commissioners, with Consent of the Treasury, may borrow 120,000*l.* upon the Credit of Monies chargeable by this Act.

VI. And be it enacted, That the Sum and Sums of Money which the said Commissioners for executing this Act are hereby authorized to raise or charge, or which may be borrowed at Interest by the same Commissioners in pursuance of the Powers of this Act, shall be applied, in the first place, in paying all the Charges and Expences of or incident to the obtaining and passing this Act, and afterwards in paying and discharging the necessary Expences of surveying, designing, laying out, making, and completing the said intended new Street.

Application of Monies raised.

VII. And be it enacted, That the Receipts in Writing of any Two of the said Commissioners for executing this Act, for any Monies payable to them under or by virtue of this Act, shall be sufficient

Receipts of Commissioners of Woods, &c. to be sufficient

Discharges for Monies received by them.

sufficient Discharges for the same to the Persons paying the same, who shall not afterwards be liable for any Misapplication thereof: Provided nevertheless, that it shall be lawful for the said Commissioners to invest all or any Part of the Monies which may be raised for the Purposes of this Act in the Names of them, or any Two of them, in the Purchase of Public Stocks or Funds of *Great Britain*, or of Exchequer Bills, as a temporary Investment until such Monies shall be wanted for the Purposes of this Act.

Monies received by Commissioners of Woods, &c. to be paid into the Bank of England to their Account.

VIII. Provided always, and be it enacted, That, subject as aforesaid, all Sums of Money, Bills, and Drafts which shall be received by the said Commissioners for executing this Act shall from Time to Time, within Two Days after the same shall have been received, or within Two Days after any Bill shall have been accepted, completed, and perfected, if the same shall not be accepted, completed, and perfected at the Time it shall be received, be paid by them into the Hands of the Governor and Company of the Bank of *England*, for which the Receipt of the Cashier or One of the Cashiers of the Bank of *England* shall be a sufficient Discharge; and all such Monies, Bills, and Drafts so to be paid as aforesaid shall from Time to Time be placed to the Account in the Books of the said Governor and Company, intituled "The Account of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, making the Improvements in the Metropolis," and shall be applied and disposed of by the said Commissioners for executing this Act for and towards the carrying the several Purposes thereof into execution.

Monies for casual Payments not exceeding 1,000*l.* may be lodged with private Bankers.

IX. Provided nevertheless, and be it enacted, That it shall be lawful for the said Commissioners for executing this Act to reserve, out of the Monies to be received by them by virtue of this Act, for casual and ordinary Payments for the Purposes thereof, in the Hands of any private Banker, any Sum not exceeding at any One Time One thousand Pounds, to be drawn for by the said Commissioners for executing this Act, or any One of them; and if at any Time the Sum so reserved shall be reduced below Three hundred Pounds, then it shall be lawful for the Commissioners for executing this Act from Time to Time to make up the same to the Sum of One thousand Pounds by Drafts upon the Funds to be deposited in the Hands of the Governor and Company of the Bank of *England* as aforesaid.

Commissioners to make all Payments by Drafts on the Bank of England.

X. And be it enacted, That the Commissioners for executing this Act shall make all Payments required to be made out of the Monies to be deposited in the Bank of *England* by Drafts on the said Bank, to be signed by Two of the said Commissioners, and shall specify in every such Draft the particular Service, or other Charge, Purpose, or Cause, for which such Draft shall be given; and every such Draft shall also have marked in the Margin thereof a Figure corresponding to the Page of a Book to be kept by the said Commissioners, wherein Entry shall be made of the particular Service, Salary or other Charge, Purpose or Cause, for which such Draft shall be given.

Drafts drawn pursuant to this Act to be a sufficient Authority

XI. And be it enacted, That all Drafts drawn pursuant to the Directions of this Act shall be sufficient Authority to the Bank of *England* to pay the Amount thereof to the Persons mentioned in such Drafts, or to the Bearer of them, and that the said Commis-

sioners for executing this Act, observing the Rules and Regulations hereby prescribed, shall not be answerable, either collectively or individually, for any Money which they or any of them shall have so paid into the Bank of *England*, and that the Governor and Company of the said Bank shall be answerable for all Monies which shall be actually received by them from the said Commissioners.

XII. And be it enacted, That there shall be yearly laid before each House of Parliament, within Twenty-one Days after the meeting of Parliament, a true Account, made up to the Thirty-first Day of *December* in the preceding Year, of the Receipts and Applications of the Sums of Money which shall be received and are directed to be applied by virtue of this Act.

XIII. And be it enacted, That the said Map or Plan describing the Line of the said intended Street, and the Places, Buildings, Tenements, and Hereditaments on the Site of which the same Street is proposed to be made, shall, when signed by the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, be deposited at the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenue, Works, and Buildings; and the Map or Plan so deposited at the Office of the said Commissioners shall remain at the said Office, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

XIV. And be it enacted, That no Alteration or Change shall be made in the Line of the said intended Thoroughfare or Street as shown in such Plan, unless the same shall be approved by the Lord High Treasurer, or the said Commissioners for executing the Office of Lord High Treasurer for the Time being, or some Three or more of them.

XV. And be it enacted, That the said Commissioners for executing this Act, in making the said intended new Street, Alterations, and Improvements, shall not deviate more than Fifty Feet from the Line described in the aforesaid Map or Plan, without the Consent and Approbation of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Tenements such Deviation shall be made.

XVI. And be it enacted, That the said Commissioners for executing this Act shall and may and they are hereby empowered from Time to Time to appoint such and so many Clerks and other Officers and Persons as they shall deem necessary to employ in the Execution of this Act, and may from Time to Time remove such Clerks, Officers, and other Persons, or any of them, and appoint others in their Stead, and also shall and may, out of the Monies to be raised by virtue of this Act, allow to such Clerks and other Officers, and such other Persons as shall be assisting in or about the Execution of this Act, such Salaries or Allowances as to them the said Commissioners shall seem meet, and as shall be approved of by the said Lord High Treasurer, or the said Commissioners for executing the Office of Lord High Treasurer for the Time being, or any Three or more of them: Provided always, that the said Commissioners for executing this Act shall and may, if they

to the Bank to pay them.

Annual Accounts to be rendered to both Houses of Parliament.

Plan to be deposited in the Office of Woods, &c., and be open to Inspection.

No Alteration to be made in Plan, unless approved by the Treasury.

Limits of Deviation from Plan.

Commissioners of Woods, &c. empowered to appoint Clerks and Officers.

shall think proper so to do, take such Security, either to themselves or Her Majesty, from any Clerk, Officer, or other Person to be appointed by virtue of this Act, for the due and faithful Execution of his Office, as they the said Commissioners shall think fit.

Minute Books of Commissioners to be admitted as Evidence.

XVII. And be it enacted, That all Orders and Proceedings of the said Commissioners in the Execution of this Act which shall be entered in a Book or Books to be kept for that Purpose shall, when so entered and signed by the said Commissioners, or any Two of them, be deemed to be Originals, and such Book or Books shall be admitted as Evidence in all Courts whatsoever.

Powers and Provisions of recited Act 3 & 4 Vict. c. 87. extended to this Act.

XVIII. And be it enacted, That for the Purpose of laying down and constructing the said intended new Street the said Commissioners for executing this Act shall have such and the same Powers, Authorities, Privileges, and Exemptions as in and by the said recited Act of the Third and Fourth Years of Her present Majesty are given to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Purpose of or with reference to the laying down and constructing the several new Streets and Improvements therein specified, so far as the same shall be applicable to the said intended new Street, and also that all Powers authorizing incapacitated Persons to convey in the said Act contained shall extend to all the Lands and Hereditaments to be taken under this Act; and that all and singular the Enactments, Exemptions from Stamp Duties, and Provisions in the said last-mentioned Act contained shall extend and be construed in all respects as if the said last-mentioned Act had been passed for the Purpose of authorizing the laying down and Construction of the new Street by this Act authorized to be laid down and constructed, and for the Purchase and taking of Hereditaments, and for the leasing, selling, managing, and disposing of the Hereditaments to be taken and the Buildings to be erected thereon, and as if the Hereditaments comprised in the Schedule to this Act had been comprised in the Schedule to the said last-mentioned Act, and as if the Monies authorized to be raised by this Act had been authorized to be raised by the said last-mentioned Act, and as if the said Street hereby authorized to be made had been by the said Act authorized to be made, except that, with respect to any Monies payable into the Bank of England, the same shall be paid to the Account of the Accountant General of the Court of Chancery, pursuant to the Method prescribed by an Act of the Twelfth Year of King George the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of East India Bonds, and Indorsements thereon, and likewise Indorsements on South Sea Bonds, and pursuant to the general Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King George the Second, intituled An Act to empower the High Court of Chancery to lay out, on proper Securities, any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of England belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of the Accountant General of the said Court, in like Manner as*

12 G. 1. c. 32.

12 G. 2. c. 24.

Monies

Monies are by the said Act of the Third and Fourth Years of Her present Majesty directed to be paid to the Account of the Accountant General of the Court of Exchequer; and such Monies shall be applied, under the Direction of the Court of Chancery, in like Manner as Monies are by the said last-mentioned Act directed to be applied under the Direction of the Court of Exchequer.

XIX. And be it enacted, That all Pains and Penalties which may be incurred, imposed, or inflicted under or by virtue of the said Act of the Third and Fourth Years of Her present Majesty, for the Offences against the Provisions thereof therein specified, shall and may be incurred, imposed, and inflicted for similar Offences against the Provisions of this Act, and in all respects as if the same were here repeated.

Penalties of revised Act 3 & 4 Vict. c. 87. extended to this Act.

XX. And be it enacted, That it shall and may be lawful for the Commissioners for issuing Exchequer Bills for Public Works, acting in execution of an Act of the Fifty-seventh Year of King George the Third, and of the several subsequent Acts for amending and extending the same, and they are hereby authorized, to advance and lend to the said Commissioners for executing this Act any Sum or Sums of Money in Exchequer Bills on Mortgage of the Hereditaments to be acquired under this Act, and either before or after the same shall have been acquired, and also on the said Monies and Interest, and the growing Accumulations thereof, authorized and directed to be raised by the said Act of the Eighth and Ninth Years of the Reign of Her present Majesty, and at such Rate of Interest as the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, shall approve.

Exchequer Bill Commissioners empowered to lend Money to Commissioners of Woods, &c. at such Rate of Interest as the Treasury may approve.

XXI. And be it enacted, That upon the said Commissioners for the issuing of Exchequer Bills making any such Advance as last aforesaid, the said Commissioners for executing this Act shall thereupon convey or agree to convey to the Secretary for the Time being of the said Commissioners for the issuing of Exchequer Bills, his Heirs and Assigns, or as the same Commissioners shall direct, all or any Part of the Hereditaments to be acquired under this Act, or such Monies and Interest as aforesaid, or any Part thereof, as a Security for the Repayment of the Amount of the said Exchequer Bills, with Interest thereon, at such Time or Times as the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, shall appoint; and any such Advance may be made, although at the Time of the making thereof the Value of the said Hereditaments, or the Monies and Interest actually accumulated, may not be a sufficient Security for the Monies and Interest to be secured.

Commissioners of Woods, &c. to give Security to Exchequer Bill Commissioners for Advances made.

XXII. And be it enacted, That this Act may be altered or amended by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

XXIII. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Public Act.

SCHEDULE to which the foregoing Act refers.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
47 and 20	Red Lion Street, West Side. White's Row	Thomas King - Louis Robert Ves- trisme -	- - -	Thomas Griffin.
46	Red Lion Street, West Side.	Ditto -	-	— Cummins.
45	Ditto -	Ditto -	-	— Chapple.
44 and 21	Ditto - Dorset Street	Ditto - Ditto -	- -	Joseph Goodlad.
43 and 22	Red Lion Street, West Side. Dorset Street	} Felix Ladbrooke -	} Richard Shef- field and Jo- seph Hall Hurrell.	Ditto.
42	Red Lion Street, West Side.			Ditto -
41	Ditto -	Ditto -	Ditto -	George Smith.
40	Ditto - Gateway to Yard, Sheds, Stables, Rooms, and Premises over ditto. Yard, Premises, Lofts, &c., with Gates to Street, and large House facing Union Street.	Ditto - Ditto -	Ditto - Ditto -	Richard Sheffield and Joseph Hall Hurrell. J. F. Hart.
33	Church Street -	Samuel Mills -	- - -	Catherine LaPorte.
12	Red Lion Street, the Bells Public House, East Side.	Truman, Hanbury, & Company.	Edward Waldron	Edward Waldron.
13	Red Lion Street, East Side.	Ditto -	Samuel Perkins	Samuel Perkins.
14	Ditto -	Thomas Newman, Beriah Drew, and George Drew.	Charlotte Smith & Son and Sa- muel Perkins.	Samuel Perkins, Charlotte Smith and Son.
15	Ditto -	Ditto -	Ditto -	Ditto.
16	Ditto -	Hugh Parnell -	- - -	William James Penny.
17	Ditto -	Ditto -	- - -	Ditto.
18	Ditto -	Alexander Thomas La Porte, George Gow, Charles Ring, M ^r G. Gregory, John Gregory, Richard Sheffield, and Robert Green.	- - -	Alexander Tho- mas La Porte.
19	Ditto -	Ditto -	- - -	Robert Brocking- ton.
1	Red Lion Court -	Ditto -	- - -	Jacob Hyman.
2	Ditto -	Ditto -	- - -	Mary Small.
3	Ditto -	Ditto -	- - -	Caroline Judge.
4	Ditto -	Hugh Parnell -	- - -	Ann Noble.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
5	Red Lion Court -	Alexander Thomas La Porte, George Gow, Charles Ring, M ^{rs} G. Gregory, John Gregory, Richard Sheffield, and Robert Green.	- - -	James Goddard.
7	Ditto - -	Ditto - -	John Leschallas -	Thomas Haynes.
14	Ditto - -	Ditto - -	- - -	James George Telfer.
15	Ditto - -	John Leschallas and William Leschallas.	- - -	James Goddard.
16	Ditto - -	Benjamin Cherry -	- - -	Benjamin Cherry and his Under-tenants.
17	Ditto - -	Ditto - -	- - -	Ditto.
18	Ditto - -	Ditto - -	- - -	Ditto.
1	Lamb's Place -	Alexander Thomas La Porte, George Gow, Charles Ring, M ^{rs} G. Gregory, John Gregory, Richard Sheffield, and Robert Green.	- - -	Henry James Tolley and his weekly Tenants.
2	Ditto - -	Ditto - -	- - -	Ditto.
3	Ditto - -	Ditto - -	- - -	Ditto.
4	Ditto - -	Ditto - -	- - -	Ditto.
5	Ditto - -	Ditto - -	- - -	Ditto.
6	Ditto - -	Ditto - -	- - -	Ditto.
7	Ditto - -	Ditto - -	- - -	Ditto.
8	Ditto - -	Ditto - -	- - -	Ditto.
20	Red Lion Street, East Side.	Ditto - -	Truman, Hanbury, & Company.	Thomas Gilkes.
20	Ditto - -	Ditto - -	Ditto -	Abraham Hyman.
21	Ditto - -	John Farrow -	- - -	John Farrow.
22	Ditto - -	Samuel Wilson -	William Bailey -	William Bailey.
23	Ditto - -	Ditto - -	William Wall -	William Wall.
24	Ditto - and Premises at Back, with Gateway to Brown's Lane, Stables, Sheds, covered Buildings, &c.	William Thompson and Eleanor Hewett Halford.	Thomas Spencer Hall and William John Hall.	Hall & Company.
25	Red Lion Street, East Side.	Hugh Parnell -	James Wilson -	James Wilson.
26	Ditto - -	M ^{rs} Broadbank -	J. Wilson -	J. Wilson.
27	Ditto - -	William West -	Ditto -	Ditto.
28	Ditto - -	James Soames -	Richard Hamer -	Richard Hamer.
28	Red Lion Street, West Side.	Sir L. L. Goldsmid	John Spurling	James Wing.
and 1			James Wing	
29	Red Lion Street, West Side.	Ditto - -	John Spurling and Joseph Proudman.	Joseph Proudman.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
30	Red Lion Street, West Side.	Sir I. L. Goldsmid	John Spurling and William Cobb.	William Cobb.
31	Ditto - -	Ditto - -	- - -	Robert John Stainton.
32	Ditto - -	Ditto - -	John Norman -	John Norman.
33	Ditto - -	Ditto - -	John Spurling -	James Shardelow.
34	Ditto - -	Ditto - -	Ditto - -	Thomas Newton.
35	Ditto - -	Ditto - -	Ditto - -	John Cook.
1	Brown's Lane -	Jasne Tadd -	William Strode -	Richard Fryer and David Vaughan.
2	Ditto - -	Charles Greenwood	- - -	George Jeremiah Mercer.
3	Ditto - -	William Thompson	- - -	Joseph Pervinck- ler and Charles Gantsman.
4	Brown's Lane and Gateway to Peake's Yard, &c.	Ditto - -	- - -	Joseph Jones.
37	Brown's Lane and large Workshop, &c.	John Leachman -	Robert Tatham -	Robert Tatham.
38	Brown's Lane -	Daniel Cronin -	- - -	William Bavin.
39	Ditto - -	Ditto - -	- - -	Charles Poupard.
40	Ditto - -	Henry Merceron -	Thomas Mitchell	Thomas Mitchell.
41	Ditto - -	Eleanor Hewett Halford.	- - -	Eleanor Hewett Halford.
20	Lamb Street, with Yard and Ground, &c., called the Wheel Yard.	Mary Jane Marlow, the Rev. Henry Watts Wilkinson, the Rev. Marlow Watts Wilkinson, the Rev. Watts Wilkinson, Dr. Charles Wilkin- son, Rebecca Ann Wilkinson, Sarah Wilkinson, Mary Ann Wilkinson, and Elizabeth Charlotte Stevens.	Henry Bilke, Thomas Piper, John Le Blond, and George Riddle.	Patent Iron Wheel Company.
21	Lamb Street -	Ditto - -	Henry Bilke -	Robert Boulton.
22	Ditto - -	Ditto - -	Henry Bilke and James Eaton.	James Eaton.
23	Ditto - -	Ditto - -	Henry Bilke and Samuel De- benham.	Samuel Deben- ham.
	Stables and Lofts in Vine Court.	Ditto - -	Samuel Deben- ham.	John Day.
1	Vine Court -	Ditto - -	Henry Bilke -	— Turnan.
2	Ditto - -	Ditto - -	Ditto - -	George Saltar.
3	Ditto - -	Ditto - -	Ditto - -	Ditto.
4	Ditto - -	Ditto - -	Mary Holmwood and John Ver- nell.	Robert Brunson.
5	Ditto - -	Ditto - -	Ditto - -	— Thorpa
6	Ditto - -	Ditto - -	Ditto - -	— Jenkins.
7	Ditto - -	Ditto - -	Ditto - -	Thomas Piper and John Le Blond.
8	Ditto, with Houses in New Court.	Ditto - -	- - -	Weekly Tenants.

N ^o of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
24	Lamb Street -	William Death -	Nathan Negus and George Davy Negus.	George Davy Negus.
25	Ditto - and Warehouses, &c.	Phoebe Beck Walton and William Walton.	William Kennett and Thomas Hammor Reynolds.	Kennett & Reynolds.
15	Vine Court, West Side.	Robert Boyce -	- - -	William Parker and his weekly Tenants.
14	Ditto - -	William Walker -	- - -	William Walker and his weekly Tenants.
16	Ditto - -	James Boyce -	William Parker	William Parker and his weekly Tenants.
17	Ditto - -	Ditto - -	Ditto -	Ditto.
18	Ditto - -	Ditto - -	Ditto -	Ditto.
19	Ditto - and Warehouse, &c.	Henry Hyde and Edmund Hyde.	George Chapman	George Chapman.
20	Ditto - -	Ditto - -	Ditto -	Ditto.
21	Vine Court (West-Side), Gateway, Lofts, Stables, Sheds, Drying-houses, Store-houses, &c.	Edward Meyrick -	Charles Heaton -	Charles Heaton.
22	Vine Court, West Side.	William Death -	Nathan Negus -	Nathan Negus and his weekly Tenants.
23	Ditto - -	Ditto - -	Ditto -	John Flood.
24	Ditto - -	Ditto - -	Ditto -	John Taylor.
1	Boyce's Court -	William Walker -	- - -	Henry Cardosa.
2	Ditto - -	Ditto - -	- - -	Thomas Stone.
3	Ditto - -	Ditto - -	- - -	Ann Boston.
4	Ditto - -	Ditto - -	- - -	John Tilney.
6	Vine Place -	Robert Boyce -	- - -	William Parker and his weekly Tenants.
7	Ditto - -	Ditto - -	- - -	Ditto.
8	Ditto - -	Ditto - -	- - -	Ditto.
1	White Horse Court	Isaac Walker -	Joseph Edwards	Joseph Edwards and his weekly Tenants.
2	Ditto - -	Ditto - -	Ditto -	Ditto.
3	Ditto - -	Ditto - -	Ditto -	Ditto.
4	Ditto - -	Ditto - -	Ditto -	Ditto.
5	Ditto - -	Ditto - -	Ditto -	Ditto.
6	Ditto - -	Ditto - -	Ditto -	Ditto.
7	Ditto - -	Ditto - -	Ditto -	Ditto.
8	Ditto - -	Ditto - -	Ditto -	Ditto.
9	Ditto - -	Ditto - -	Ditto -	Ditto.
10	Ditto - -	Ditto - -	Ditto -	Ditto.
11	Ditto - -	Ditto - -	Ditto -	Ditto.
12	Ditto - -	Ditto - -	Ditto -	Ditto.
13	Ditto - -	Ditto - -	Ditto -	Ditto.
14	Ditto - -	Ditto - -	Ditto -	Ditto.
15	Ditto - -	Ditto - -	Ditto -	Ditto.
4	Wheeler Street -	Ann Strachan -	Henry Taylor -	M ^{rs} Collins.
5	Ditto - -	Ditto - -	Ditto -	Ditto.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
6	Wheeler Street and vacant Ground.	Ann Strachan -	Hallows Hatfield and Temple Tolley.	—
1	Hatfield Place -	Ditto - -	Hallows Hatfield	Hallows Hatfield and his weekly Tenants.
2	Ditto - -	Ditto - -	Ditto -	Ditto.
3	Ditto - -	Ditto - -	Ditto -	Ditto.
4	Ditto - -	Ditto - -	Ditto -	Ditto.
7	Wheeler Street, with Workahops and Stables.	Ditto - -	Ditto -	Ditto.
8	Wheeler Street -	Ditto - -	Ditto -	Thomas Mills.
9, now 11	Ditto - -	Ditto - -	Ditto -	Henry James Tolley & his weekly Tenants.
10	Ditto - -	Ditto - -	Hallows Hatfield and Henry James Tolley.	William Paxman.
9	Ditto - -	William John Rickaby Kiddle.	- - -	Thomas Reid.
11 Houses unfinished Warehouse	Ditto - -	{ Charles Bratt, William Bratt.	} —	—
	Ditto - -	Isaac Walker -		Thomas Gaskill and Edwin Downs.
17	Ditto - -	Ditto - -	Joseph Edwards	John Hurst.
18	Ditto - -	Ditto - -	- - -	Joseph Edwards and his weekly Tenants.
19	Ditto - -	Ditto - -	John Mensbury	Ditto.
20	Ditto - -	Ditto - -	Elizabeth Chamberlain.	Elizabeth Chamberlain.
21	Ditto - -	Ditto - -	— Dean and Eliza Meredith.	Eliza Meredith.
20	White Lion Street, Warehouses, Stables, Gateway, and Buildings, also Gateway in Wheeler Street.	John Bartholomew	Eleaser Hart -	Eleaser Hart.
21A	White Lion Street	Joseph Bartholomew.	- - -	Mary Greenwood.
21	White Lion Street, with Gateway, Yard, and Premises.	Samuel Betterly -	Thomas Gaskill and Edwin Downs.	Thomas Gaskill and Edwin Downs.
63	Wheeler Street, West Side.	Charles Wheeler -	William John Rickaby Kiddle and Charlotte Elizabeth Kiddle.	W. J. R. Kiddle, C. E. Kiddle, and their Under-tenants.
64	Ditto - -	Ditto - -	Ditto - -	Ditto.
65	Wheeler Street, West Side, and Stabling.	Ditto - -	James Soames and Louis Soames.	James Soames and Louis Soames.
65½	Wheeler Street, West Side.	Ditto - -	Edward Steele and — Oliver.	James Taylor.
66	Ditto - -	Ditto - -	Ditto -	Ditto, and his weekly Tenants.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
67	Wheeler Street, West Side.	Charles Wheler -	Edward Steele and — Oliver.	James Taylor and his weekly Tenants.
68	Wheeler Street, West Side, and back Premises.	James Nalson -	- - - -	James Nalson.
69	Wheeler Street, West Side, and Stable.	Sir Francis Desange.	George Augustus Dorington.	George Augustus Dorington.
70	Wheeler Street, West Side.	Ditto - -	John Witchalls -	John Witchalls.
71	Ditto - -	James Winch Grave and John Biggs Grave.	- - - -	Jacob Walker.
72	Ditto - -	Ditto - -	William Palmer	William Palmer.
73	Ditto - -	Samuel Ashe -	James Brown -	James Brown.
74	Ditto - -	Ditto - -	- - - -	Elizabeth Kington and her weekly Tenants.
75	Ditto - -	William Williams, James Chamberlain, Thomas James, and Thomas Willatts.	- - - -	Ditto.
Gateway and Part of Brewery.	} Ditto - - {	Thomas Gaskill and Edwin Downs.	} - - - {	Thomas Gaskill and Edwin Downs.
77		Ditto - -		William Westbrook Langmede.
78	Ditto - -	Thomas Brushfield	- - - -	Thomas Brushfield and his weekly Tenants.
79	Ditto - -	Charles Bratt and William Bratt.	- - - -	Charles Bratt and William Bratt, and their weekly Tenants.
80	Wheeler Street, West Side.	Ditto - -	- - - -	Ditto.
81	Ditto - -	Thomas Brushfield	- - - -	Thomas Brushfield.
82	Ditto - -	Ditto - -	- - - -	Thomas Brushfield and his weekly Tenants.
83	Ditto - -	Ditto - -	- - - -	Ditto.
84	Ditto - -	Ditto - -	- - - -	Ditto.
85	Ditto - -	Ditto - -	- - - -	Ditto.
3	Fleur-de-Lis Court	Melinda Wilkinson, Committee of the Estate of Joshua Richard Wilkinson.	Charles Bratt -	Charles Bratt.
4	Ditto - -	Ditto - -	Ditto -	Ditto.
5	Ditto - -	Ditto - -	Ditto -	Ditto.
6	Ditto - -	Samuel Ash -	Thomas Griffith	Thomas Griffith and his weekly Tenants.
7	Ditto - -	Ditto - -	Ditto -	Ditto.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
9	Fleur-de-Lis Court	Gray Riggs, Rev. Charles Moore, and Mary Moore.	C. E. Kiddle and W. J. R. Kiddle.	C. E. Kiddle, W. J. R. Kiddle, and their weekly Tenants.
10	Ditto - - -	Ditto - - -	Ditto - - -	Ditto.
11	Ditto - - -	Melinda Wilkinson, Committee of the Estate of Joshua Richard Wilkinson.	Charles Bratt -	Charles Bratt.
12	Ditto, with Yard and Passageway to Maidenhead Court.	Ditto - - -	Ditto - - -	Ditto.
13	Fleur-de-Lis Court and Passage to Reeves Court, and Four Houses in Reeves Court.	William Bradshaw	John Mackall Reeves.	John Benstead, John Mackall Reeves, and his Under-tenants.
15	Fleur-de-Lis Court, and back Premises, Stables, &c., and Gateway to Maidenhead Court.	J. G. Biggs and J. W. Grave.	C. Parry and Henry M. Parry.	Catherine Parry and Henry M. Parry.
7	Fleur-de-Lis Street, Dyehouse, Yards, and Premises.	Rev. Richard Tildard.	Executors of the late William Wilson and Edward de Boos.	Edward de Boos.
8	Fleur-de-Lis Street	Ditto - - -	Ditto - - -	Thomas Clarke Knight.
1	Maidenhead Court	Isaac Gable -	- - -	Isaac Gable and his Under-tenants.
2	Ditto - - -	David Thomas and John Ward.	- - -	David Thomas and John Ward and their weekly Tenants.
3	Ditto - - -	Ditto - - -	- - -	Ditto.
4	Ditto - - -	William Bradshaw	John Mackall Reeves.	John Mackall Reeves and his Under-tenants.
Gateway -	Ditto - - -	J. W. Grave and J. G. Biggs.	Catherine Parry and Henry M. Parry.	Catherine Parry, Henry M. Parry, and their Under-tenants.
8	Ditto, and Gateway to Premises in Fleur-de-lis Court.	Ditto - - -	Ditto - - -	Ditto.
6	Maidenhead Court	Ditto - - -	Ditto - - -	Ditto.
7	Ditto - - -	Ditto - - -	Ditto - - -	Ditto.
8	Ditto - - -	Charles Wheler -	James Soames and Louis Soames.	James Soames and Louis Soames.
9	Ditto - - -	Ditto - - -	Ditto - - -	Ditto.
10	Ditto - - -	Ditto - - -	Ditto - - -	Ditto.
11	Ditto - - -	Ditto - - -	Ditto - - -	Ditto.

N ^o of House.	Situation.	Freeholders.	Leaseholders.	Ocupiers.
1	Elder Place -	Richard Tillard -	Executors of William Wilson.	The Executors of William Wilson, and their weekly Tenants.
2	Ditto - - -	Ditto - - -	Ditto - - -	Ditto.
3	Ditto - - -	Ditto - - -	Ditto - - -	Ditto.
4	Ditto - - -	Ditto - - -	Ditto - - -	Ditto.
5	Ditto - - -	Ditto - - -	Ditto - - -	Ditto.
6	Ditto - - -	Ditto - - -	Ditto - - -	Ditto.
1	Elder Street, Stables, Warehouses, Sheds, &c. adjoining.	Richard Tillard -	James and Louis Soames.	James and Louis Soames.
2	Elder Street -	Ditto - - -	- - -	Edmund Lucas.
Cookhouse, Stable, &c.	} Ditto - - -	Ditto - - -	{ Robert James Hendrie.	Robert James Hendrie.
Vacant Ground.				
Piece of Ground, Continuation of Street.	} Now the Street -	Weaver's Company	James Clarke.	-
Ditto -				
Ditto -	Ditto - - -	James Clarke and Louisa his Wife.	Robert James Hendrie.	-
1	Marshall's Buildings.	James Clarke and Louisa his Wife.	- - -	James Clarke and his Under-tenants.
2	Ditto - - -	Ditto - - -	- - -	Ditto.
3	Ditto - - -	Ditto - - -	- - -	Ditto.
4	Ditto - - -	Ditto - - -	- - -	Ditto.
5	Ditto - - -	Ditto - - -	- - -	Ditto.
6	Ditto - - -	Ditto - - -	- - -	Ditto.
1	St. Leonard's Place	Ditto - - -	- - -	Ditto.
2	Ditto - - -	Ditto - - -	- - -	Ditto.
3	Ditto - - -	Ditto - - -	- - -	Ditto.
4	Ditto - - -	Ditto - - -	- - -	Ditto.
1	St. John's Place -	Ditto - - -	- - -	Ditto.
2	Ditto - - -	Ditto - - -	- - -	Ditto.
3	Ditto - - -	Ditto - - -	- - -	Ditto.
4	Ditto - - -	Ditto - - -	- - -	Ditto.
1	St. James's Place -	Ditto - - -	- - -	Ditto.
2	Ditto - - -	Ditto - - -	- - -	Ditto.
3	Ditto - - -	Ditto - - -	- - -	Ditto.
4	Ditto - - -	Ditto - - -	- - -	Ditto.
Dye-house, Warehouse, Yard, &c.	} South of Terminus of Eastern Counties Railway adjoining the Weavers Almshouses -	Ditto - - -	{ Thomas Grover Hatton.	} Sophia Hatton.
Dye-house, &c. adjoining above -				
	- - -	Ditto - - -	Ditto - - -	Ditto.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
Stone-yard, with Messuage, Premises, &c. adjoining the above	- - -	{ James Clarke and Louisa his Wife. }	Samuel Rutty -	Samuel Rutty.
1	Blossom Terrace -	The Rev. Richard Tillard.	Henry Hunt and Joseph Ferry.	— Culyer.
2	Ditto - - -	Ditto - - -	Ditto - - -	Daniel Hewitt.
3	Ditto - - -	Ditto - - -	Ditto - - -	Edward Tyler.
4	Ditto - - -	Ditto - - -	Ditto - - -	Ester Randall.
5	Ditto - - -	Ditto - - -	Ditto - - -	Ebenezer John Marmory.
6	Ditto - - -	Ditto - - -	Ditto - - -	John Lucombe.
7	Ditto - - -	Ditto - - -	Ditto - - -	M ^r Breadinge.
8	Ditto - - -	Ditto - - -	Ditto - - -	Joseph Isaacs.
9	Ditto - - -	Ditto - - -	Ditto - - -	George Hollis.
Weavers Almshouses.	Opposite Blossom Terrace.	—	—	—
1	Ditto - - -	Weavers Company.	—	—
2	Ditto - - -	Ditto.	—	—
3	Ditto - - -	Ditto.	—	—
4	Ditto - - -	Ditto.	—	—
5	Ditto - - -	Ditto.	—	—
6	Ditto - - -	Ditto.	—	—
Almshouses for Poor of Norton Folgate.	—	—	—	—
14	Ditto - - -	Trustees and Overseers of the Liberty of Norton Folgate.	- - -	Trustees and Overseers of the Liberty of Norton Folgate.
2	Ditto - - -	Ditto - - -	- - -	Ditto.
3	Ditto - - -	Ditto - - -	- - -	Ditto.
4	Ditto - - -	Ditto - - -	- - -	Ditto.
1	Blossom Court -	Ditto - - -	- - -	Ditto and their Under-tenants.
2	Ditto - - -	Ditto - - -	- - -	Ditto.
Cooperage	At Back of Norton Folgate Almshouses, &c.	Ditto - - -	- - -	Trustees and Overseers of the Poor of Norton Folgate.
Two Warehouses, &c.	Ditto - - -	Ditto - - -	- - -	Ditto.
10	Little Blossom Street.	The Rev. Richard Tillard.	M ^r Howes -	M ^r Howes.
11 and 12	Ditto - - -	Ditto - - -	Ditto - - -	Ditto.
13	Ditto - - -	Ditto - - -	Joshua Le Mare -	Joshua Le Mare.
Vacant Ground	{ Between Railway Station and Shoreditch.	Eastern Counties Railway Company.	- - -	Eastern Counties Railway Company.
37	Shoreditch -	Ditto - - -	- - -	Ditto.
36	Ditto - - -	Mary Gordon and Elizabeth Sophia Rae.	John Doggett -	John Doggett.

N° of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
Uni- corn or Griffin Public House 34	Shoreditch - -	Mary Gordon and Elizabeth Sophia Rae.	Truman, Han- bury, and Com- pany.	George Nathaniel Edwards.
33 and 32	Ditto - -	Ditto - -	James Richard Hancorm.	James Richard Hancorm.
31	Ditto - -	Ditto - -	George Green- wood and Tho- mas Greenwood.	George Green- wood and Tho- mas Greenwood.
			John Hopkins -	John Hopkins.

C A P. XXXV.

An Act to continue until the Thirty-first Day of *December* One thousand eight hundred and forty-eight, and to the End of the then next Session of Parliament, an Act of the Tenth Year of King *George* the Fourth, for providing for the Government of His Majesty's Settlements in *Western Australia* on the Western Coast of *New Holland*.

[27th July 1846.]

[10 G. 4. c. 22. continued as in Title.]

C A P. XXXVI.

An Act to continue until the First Day of *January* One thousand eight hundred and fifty-one, and to the End of the then next Session of Parliament, and to amend, an Act for establishing an Office for the Benefit of Coalwhippers of the Port of *London*.

[27th July 1846.]

WHEREAS an Act was passed in the Session of Parliament held in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for regulating the Vend and Delivery of Coals in the Cities of London and Westminster, and in certain Parts of the Counties of Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire, and Berkshire*: And whereas an Act was passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to continue for Seven Years an Act for regulating the Vend and Delivery of Coals in London and Westminster, and in certain Parts of the adjacent Counties*: And whereas an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to continue until the Fifth Day of July One thousand eight hundred and sixty-two the Acts for regulating the Vend and Delivery of Coals in London and Westminster, and in certain Parts of the adjacent Counties; and to alter and amend the said Acts*: And whereas an Act was passed in the Session of Parli-
ment

1 & 2 W. 4.
c. lxxvi.

1 & 2 Vict. c. ci.

8 & 9 Vict. c. 101.

6 & 7 Vict. c. cl.

‘ment held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for establishing an Office for the Benefit of Coalwhippers of the Port of London, and for staying certain Actions in respect of Fitters Certificates*: And whereas the said last-mentioned Act will expire at the End of the present Session of Parliament, and it is expedient that the same should be renewed and amended:’ Be it therefore 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, That from and immediately after the End of this present Session of Parliament it shall be lawful for the Lords of the Committee of Her Majesty’s Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations to appoint Four fit and proper Persons as Commissioners for carrying this Act into execution, and from Time to Time to remove any Person who shall have been so appointed by them, and also from Time to Time to fill up any Vacancy which shall occur in the Number of the Commissioners so appointed, either by reason of Removal, Resignation, Death, or otherwise.

I.

Government of Coalwhippers.

Board of Trade may appoint Four Commissioners, and may remove them, and fill up Vacancies.

The Corporation of London may appoint Four Commissioners, and may remove them, and supply Vacancies.

Chairman of Committee of the General Shipowners Society of London to be a Commissioner.

Style of Commissioners.

Commissioners appointed under 6 & 7 Vict. c. cl. to remain in Office until removed.

Existing Contracts to remain in force.

II. And be it enacted, That from and immediately after the End of this present Session of Parliament it shall be lawful for the Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, to appoint Four other fit and proper Persons to be Commissioners for carrying this Act into execution, and also from Time to Time to remove any Person who shall have been appointed by virtue of this Enactment, and also from Time to Time to fill up any Vacancy which shall occur in the Number of the Commissioners appointed by them, either by reason of Removal, Resignation, Death, or otherwise.

III. And be it enacted, That the Chairman of the Committee of the General Shipowners Society of *London* for the Time being shall be a Commissioner for carrying this Act into execution, and the said Chairman for the Time being of the said Committee of the said General Shipowners Society of *London*, and the said several Persons who shall be so from Time to Time respectively appointed by the said Lords of the said Committee of Privy Council, and by the said Mayor, Aldermen, and Commons, in Common Council assembled as aforesaid, shall be and are hereby constituted Commissioners for carrying this Act into execution, and shall be styled “Commissioners for the Registration and Regulation of Coalwhippers in the Port of *London*.”

IV. Provided always, and be it enacted, That the Commissioners appointed by virtue of the said recited Act of the Sixth and Seventh Years of the Reign of Her present Majesty shall continue and be Commissioners for carrying this Act into execution, until Commissioners shall have been appointed, both by the said Lords of the said Committee of Her Majesty’s Privy Council, and by the said Mayor, Aldermen, and Commons, in Common Council assembled, pursuant to the Provisions of this Act.

V. And be it enacted, That all Contracts, Covenants, Agreements, Engagements, and Securities which at the Time of the Commencement of this Act shall have been entered into or given to or by the said Commissioners, or any Registrar, Branch Registrars,

trars, Clerks, or other Officers and Servants appointed by the said Commissioners under the Authority of the said Act of the Sixth and Seventh Years of the Reign of Her present Majesty, shall continue and may be enforced in the same Manner as if the same had been entered into or given under the Authority of this Act.

I.
Government of Coalwhippers.

VII. And be it enacted, That the Commissioners acting under or by virtue of this Act, or any Three of them, shall meet at such Time and Place as the Nine Commissioners to be appointed under or by virtue of this Act, or the greater Number of them, shall direct, by Notice in Writing, signed by the greater Number of the said Commissioners; and such Meeting shall be called a Board of Commissioners, and all Boards of the said Commissioners shall be held from Time to Time at such Time and Place and upon such Notice as may be resolved upon by Rules or Regulations of any Board for that Purpose: Provided always, that every Board of Commissioners shall consist of not less than Three Commissioners.

Meetings of Commissioners.

Quorum.

VIII. And be it enacted, That at the first Meeting of the Commissioners in every Year they shall elect, by a Majority of Votes of the Commissioners present, some One Commissioner to be the Chairman of the said Commissioners for the Remainder of the Year, and some One other Commissioner to be the Vice-Chairman of the said Commissioners for the Remainder of the Year; and in case the Chairman shall be absent from any Meeting of the Commissioners, the Vice-Chairman shall in that Case act as Chairman; and in case at any Meeting of the Commissioners neither the Chairman nor the Vice-Chairman shall be present, the Commissioners then present shall elect a Chairman for that Meeting; and all Questions shall be determined by the Votes of the Majority of the Commissioners present at the Board, including the presiding Chairman, and in case of an Equality of Votes the presiding Chairman shall have the casting Vote.

Chairman and Vice-Chairman to be appointed every Year.

Presiding Chairman to have a casting Vote.

IX. And be it enacted, That all and every the Powers and Authorities and Duties by this Act vested in or imposed upon the said Commissioners shall be exercised by the Board of Commissioners, and the Decision or Resolution of any Board shall be deemed to be the Decision and Resolution of the Commissioners.

Powers of Commissioners vested in the Board.

X. And be it enacted, That all Orders and Proceedings of any Board of Commissioners shall be entered in a Book to be kept by the Registrar, Clerk, or other Officer to be appointed by virtue of this Act, and shall be signed by the presiding Chairman of the Board.

Proceedings to be entered in a Book.

XI. And be it enacted, That the said Commissioners may sue and be sued, in all Actions, Suits, and other Proceedings, in the Name of their Registrar for the Time being, and that no Action, Suit, or Process shall abate or be stayed by reason of the Death or Removal of any such Registrar, but the Registrar for the Time being shall be deemed to be the Party, Plaintiff or Defendant, as the Case may be: Provided always, that all Costs, Charges, and Expences which may be incurred by the said Registrar in any such Action, Suit, or Proceeding shall be repaid to him by the said Commissioners out of the Monies applicable by them to the Purposes of this Act.

Commissioners to sue and be sued in the Name of the Registrar.

II.

*Coalwhippers
Register.*

Commissioners
to keep a Register,
and appoint a Registrar.

Registrar to
enter Names,
&c. of Coalwhippers;

and to deliver
Certificates,
and renew the
same, and to
keep the Register
according to
the Act.

Where a Person
has been duly
registered he
need not be
again registered.

Register to be
Evidence.

XI. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby required to provide and keep, at some convenient Place or Places in the City of *London*, or on the Banks of that Part of the River *Thames* which for the Purposes of this Act is to be deemed within the Port of *London*, One or more Book or Books for registering of Coalwhippers in the Port of *London*, and also to appoint some fit and proper Person to be the Registrar thereof, with such Salary or Remuneration, not exceeding Four hundred Pounds *per Annum*, as they may think reasonable, and as the Lords of the Committee of Privy Council may approve, and to regulate the Duties of the Office of Registrar, and to supply any Vacancy in the said Office caused by Death, Resignation, or by such Removal as herein-after is mentioned, or otherwise.

XII. And be it enacted, That the Registrar so appointed shall and he is hereby required, from Time to Time, upon the Application of any Person desirous of following or continuing to follow the Employment of a Coalwhipper, and upon Payment of such Fee (not exceeding Four-pence) as shall be prescribed in that Behalf under the Authority of this Act to enter or cause to be entered in the said Register the Christian Name and Surname, the Age, and the Place of Abode, and any other Particulars required under the Authority of this Act, of any Person who at the Time of the passing of this Act shall follow the Employment of a Coalwhipper, and who shall at the Time of such Application be desirous of continuing therein, and of any other able-bodied Male Person whatever who shall be desirous of entering on the said Employment; and immediately upon such Entry being made the said Registrar shall, without any further Fee or Reward, deliver or cause to be delivered to every Person so registered a Certificate of such Entry having been made, and of the Number, Date, and Particulars thereof; and the said Registrar shall from Time to Time, upon Payment of such Fee as shall be prescribed, and in such Cases as shall be mentioned, in that Behalf respectively under the Authority of this Act, renew or cause to be renewed such Certificate; and the said Registrar shall at all Times and in all respects keep or cause to be kept the said Register in accordance with the Provisions and the Regulations to be established under the Authority of this Act: Provided always, that where any Person shall have been duly registered as a Coalwhipper under the Provisions of the said recited Act of the Sixth and Seventh Years of the Reign of Her present Majesty, and shall be in possession of a valid Certificate of his Registration, such Person shall not be required to be again registered under the Provisions of this Act, but his Registration shall be as effectual as if made under such Provisions, and the same, and the Certificate thereof, shall be subject to the same Regulations and Provisions as if the Registration had been made and the Certificate granted under this Act.

XIII. And be it enacted, That in all Courts, and before any Justices of the Peace, and upon all Occasions whatever, the Entries made or contained in such Register shall be received as Evidence, and be deemed sufficient Proof of all Matters and Things therein registered or contained, without any further Proof than

than the Production of such Register, and any Person shall be at liberty to inspect any such Register, during the Hours of Attendance at the Office, without Payment of any Fee or Reward; and that the Entries in such Register, and the Certificates to be delivered under this Act, and the Contracts made for the Discharge of Coals by Coalwhippers, registered and sent from the Coalwhippers Office under this Act, and the Receipts given for Wages under the Provisions of this Act, shall not be liable to any Stamp Duty; and that if any Person applying to be registered under this Act, or procuring or attempting to procure any such Certificate, shall make or cause to be made any false Representation in regard to his Name, Age, or Place of Abode, or if he shall not truly answer all Questions which shall be demanded of him in relation to such Application or Certificate, every Person so offending shall forfeit for every such Offence any Sum not exceeding Twenty Shillings; and that if any Person or Persons shall forge, counterfeit, or falsify, or cause or procure to be forged, counterfeited, or falsified, or act or assist in forging, counterfeiting, or falsifying, any Entry or Certificate of Registry, or any other Document to be made or given in pursuance of this Act, the Person or Persons so offending, and being thereof lawfully convicted, shall be deemed guilty of a Misdemeanor, and shall be liable to be punished by Fine or Imprisonment or by both, such Imprisonment to be in the Common Gaol or House of Correction, and either with or without hard Labour, as the Court shall think fit; and it shall be lawful for any Person to detain any such Certificate, and for any Peace Officer to seize and take away any such Certificate, in order that the same may be produced in Evidence against the Offender, or be disposed of, as the said Registrar shall think proper.

XIV. And be it enacted, That it shall not be lawful for any Person, except such Persons and in such Cases as is in this Act provided, to follow or exercise the Employment of a Coalwhipper, or to labour in the Discharge, by the Process of whipping, of the Cargo of any Vessels laden with Coals in the Port of *London*, unless such Person shall be registered as a Coalwhipper, and shall have a Certificate under this Act, and then remaining in force; and if any Person not so registered, or not having such Certificate, except as last aforesaid, shall follow or exercise the said Employment, or shall labour as aforesaid, he shall for every such Offence forfeit any Sum not exceeding Two Pounds: Provided always, nevertheless, that it shall be lawful for any Person or Persons being actually Part of the Crew of any Vessel in the Port of *London* to labour in the Discharge of Coals, by whipping or otherwise, from the same or any other Vessel, and also for the actual Servants or Labourers of the *bonâ fide* Owner or Purchaser of the Cargo of any Vessel laden with Coals, or of any Part thereof, such Servants and Labourers having been *bonâ fide* engaged in the Service of such Owner or Purchaser for a Period of not less than Fourteen Days, to labour in the Discharge of such Cargo by the Process of whipping, and also for the actual Servants or Labourers of the several Dock Companies having Docks near to the *River Thames*, such Servants and Labourers having been *bonâ fide* engaged in the Service of such respective Companies for a

Entry and Certificate not subject to Stamp Duty.

Penalty on Persons making Misrepresentations.

No Person to follow the Employment of a Coalwhipper unless he be registered, and have Certificate.

Exception in favour of the Crews of Colliers, and of the actual Servants or Labourers of the Owner or Purchaser of the Cargo.

Period of not less than Fourteen Days, to labour in the Discharge of Coals, by the Process of whipping, from any Vessels in the Docks of such Companies respectively, and such Crews, Servants, and Labourers may so labour with or without the aid of One or more Person or Persons being registered Coalwhippers.

III.

Coalwhippers Office.

Corporation of London may hire Lands and Buildings for Offices and Stations, and remove the same at Request of the Commissioners.

XV. And for the Purpose of providing a Head Office and convenient Branch Offices and Stations for the Resort of Coalwhippers in the Port of *London*, and the Deposit of the Implements and Tackle required in that Business, be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, at the Request of the said Commissioners, to be signified by a Resolution of their Board, signed by the Chairman, at any Time or Times and from Time to Time to treat and agree for the hiring or renting of, and to hire or rent, any Buildings, Ground, and Hereditaments, as the said Commissioners shall think necessary for the Purposes of this Act, and also to adapt and fit up the same for Offices and Stations for the Resort of Coalwhippers, and for the Deposit of the Tackle and Implements required in that Employment, and for the Transaction of the Business of the Commissioners under this Act, and also from Time to Time to repair and maintain the Buildings and Premises so acquired and held by virtue of this Act; and also at any Time or Times, at the Request of the said Commissioners, to be signified by a Resolution of their Board, signed by their Chairman, to remove any of the said Offices or Stations to any other Situation or Place which the said Commissioners shall deem more convenient: Provided always, that in case the said Mayor, Aldermen, and Commons, in Common Council assembled, shall, after such Request of the said Commissioners, signified as aforesaid, neglect or refuse to comply with such Request, it shall be lawful for the said Commissioners from Time to Time to rent or hire any Buildings, Ground, and Hereditaments, and to adapt and fit up the same for the Purposes aforesaid, and also from Time to Time to repair and maintain the same, and to remove any of the said Offices or Stations to any other Situation or Place.

Commissioners to provide Tackle for the Use of Vessels discharging their Cargoes.

XVI. And be it enacted, That it shall be lawful for the said Commissioners to provide and keep from Time to Time such Stages, Planks, Gins, Baskets, Shovels, and other Tackle and Implements, as are commonly used in the Discharge of Cargoes of Coals, and of such Description and in such Quantities as they shall think sufficient, and to supply to such Ships as may require the same such Tackle and Implements, upon Payment of such Sum for the Use thereof as may be fixed by the said Commissioners, not exceeding in any Case the Sum of Seven Shillings and Sixpence *per* Cargo when the Vessel is of Two hundred and fifty Tons Burden or upwards, and not exceeding Five Shillings *per* Cargo when the Vessel is of less Burden than Two hundred and fifty Tons; and if any Person whomsoever shall let out to Hire, or permit to be used, for the Discharge of the Coals from any Vessel by registered Coalwhippers engaged from the Coalwhippers Office under this Act, any Tackle or Implements to or by any Person or Persons (except on behalf of the Coalwhippers Office), every Person so hiring out or permitting to be used any such Tackle or Implements shall, for each and every Occasion of hiring

Penalty on other Persons letting out Tackle or other Implements.

hiring out or permitting to be used the same, forfeit the Sum of Five Pounds: Provided nevertheless, that nothing herein contained shall prevent the Master of any Vessel laden with Coals in the Port of *London* from using such of the aforesaid Tackle and Implements as may be required, and as may belong to the Owner of such Vessel, notwithstanding the Cargo of such Vessel shall be discharged by Coalwhippers engaged from the Coal-whippers Office, or shall prevent any such Master from hiring, or any Person whomsoever from letting out to Hire, any such Tackle or Implements as aforesaid, in any Case in which such Vessel shall be lawfully unladen according to the Provisions of this Act by Persons not being registered Coalwhippers.

XVII. And be it enacted, That it shall be lawful for the said Commissioners to appoint such and so many Branch Registrars, Clerks, and other Officers and Servants as they may think necessary for carrying this Act into execution, with such Salaries and Allowances as they may think reasonable, and as the said Lords of the said Committee of Her Majesty's Privy Council shall approve, and to supply Vacancies among them caused by such Removal as herein-after is mentioned, or by Death, Resignation, or otherwise: Provided always, that it shall be lawful for the said Lords of the said Committee of Her Majesty's Privy Council from Time to Time to remove the Registrar, Branch Registrars, Clerks, and other Officers and Servants appointed by the said Commissioners by virtue of this Act, and any Person so removed shall not be afterwards appointed to any Office or Situation under this Act without the Consent of the Lords of the said Committee: Provided always, that the present Registrar, Branch Registrars, Clerks, and other Officers shall continue in Office until they shall respectively die or resign, or be removed as aforesaid.

XVIII. 'And whereas, in order to secure the Objects of this Act, it is expedient to make certain Provisions respecting the Discharge of the Cargoes of Vessels laden with Coals in the Port of *London*;' be it therefore enacted, That the Master or Mate of every Vessel laden with Coals, the whole or Part of the Cargo whereof it shall be intended to discharge in the Port of *London* by Coalwhippers, or some other Person on behalf of the Master, shall make Application in Writing to the Head Office or the nearest Branch Office of Coalwhippers, stating the certificated Quantity of Coals, and, if only Part of the Cargo is wanted, the Quantity of Coals required to be discharged, and the Time at which he desires that the Discharge of such Coals shall commence, and the Time within which it shall be completed, and the Rate per Ton which he agrees to pay for the Discharge thereof.

XIX. And be it enacted, That the Clerk or other Officer appointed under this Act, upon every such Application for Coalwhippers as aforesaid, shall forthwith give Notice of the Application to the Gangs of Coalwhippers in attendance at the Office where such Application shall have been made, and, in case several Gangs shall offer to unload the Cargo mentioned in the Application at the Price named, shall permit the Gangs in attendance to tender to unload the Cargo at any lower Price, and shall select for the Performance of the Work the Gang who shall offer the lowest Terms; and in case of no such lower Tender, or of

Nothing to prevent Owners, &c. from using their own Tackle.

Commissioners to appoint Officers, and award such Salaries as Board of Trade shall approve of.

IV. Coalwhipping.

Where Cargo to be discharged by Coalwhippers, Shipmaster to apply to the Coalwhippers Office.

Duties of Clerks, &c. as to Employment of Coalwhippers in unloading Vessels.

IV.
Coalwhipping.

Equality of Tenders, the Gang who, according to the Bye Laws of the Commissioners, shall stand next in Rotation for Employment, and shall be willing to accept the same shall be so selected; and if no Gang shall be willing to accept the Terms proposed in such Application, the said Clerk or other Officer shall permit the Gangs in attendance to tender to unload the Cargo mentioned in the Application at any higher Price, and shall select for the Performance of the Work (subject to the Consent of the Master or other Person as aforesaid making the Application) the Gang who shall offer the lowest Terms, and in case of Equality of Tenders, the Gang who shall stand next in such Rotation for Employment as aforesaid; and the said Clerk or other Officer shall forthwith, by Notification in Writing, acquaint the Master or other Person as aforesaid making the Application with the Price (if any) at which the selected Gang has agreed to perform the Work, or (as the Case may be) with the Fact that no Gang is willing to perform the Work; provided always, that such Notification in Writing shall be given to the Master or other Person making the Application within One Hour after the Receipt of the Application by the Clerk or other Officer of the Coalwhippers Office, if such Master or other Person shall still be in attendance at the Office, but if he shall have previously quitted the Office, then as soon afterwards as he shall apply for the Information: Provided also, that such Notification in Writing shall, in all Proceedings in any Court or before any Justice or Justices of the Peace against any Party for employing Persons not being registered Coalwhippers, contrary to the Provisions of this Act, be received as Evidence, and be deemed sufficient Proof of the Price at which the Gang or Gangs therein referred to have offered to perform the Work therein mentioned, or (as the Case may be) of the Fact that no Gang has offered to perform the Work therein mentioned.

Clerk to send a proper Gang with Tackle to the Vessel to be unladen.

XX. And be it enacted, That the said Clerk or other Officer shall send, and he is hereby required to send, within One Hour of the Time appointed in such Application for the Discharge of such Coals, the Gang or Gangs or Part of a Gang of Coalwhippers who shall have been so selected as aforesaid, with the necessary Tackle and Implements, if required, to the Vessel to be unladen, for the discharging of the Cargo or Part thereof; and if such Clerk or other Officer shall neglect or refuse on such Application to send such Gang or Part of a Gang with such Tackle and Implements, and within such Time as aforesaid, he shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Penalty on Master not permitting Vessels to be discharged.

XXI. And be it enacted, That the Master or other Person having the Charge of the Vessel in respect of which the Application for the Discharge of Coals shall have been so made as aforesaid shall permit the same to be discharged by the Coalwhippers sent from the Coalwhippers Office, according to the Provisions herein contained; and if any Master or any other Person or Persons shall prevent, obstruct, or interrupt, or attempt to prevent, the Discharge of such Coals being proceeded in and completed by the Coalwhippers to be sent from the Coalwhippers Office in consequence of such Application, or shall wilfully obstruct or prevent any Person in the Execution of this Act, then and

in every such Case the Person so offending shall forfeit any Sum not exceeding Ten Pounds.

XXII. And be it enacted, That if the Master of any such Vessel as aforesaid or any other Person shall employ, or permit or suffer to be employed, any Person not being a Coalwhipper registered and sent from the Coalwhippers Office under this Act (except such Persons or in such Cases as are mentioned in the Provisoes herein-after contained) to labour in the Discharge of the Coals from such Vessel, or of any Part thereof, by the Process of whipping, he shall for every such Offence forfeit a Sum not exceeding Ten Pounds: Provided nevertheless, that it shall and may be lawful for the Master or other Person having the Charge of any such Vessel as aforesaid to employ in the Discharge of Coals therefrom, by the Process of whipping, any Person or Persons being actually Part of the Crew thereof, or of any other Vessel in the Port of London, and also for the *bonâ fide* Owner or Purchaser of the Cargo of any Vessel laden with Coals, or of any Part thereof, to employ his actual Servants or Labourers, having been *bonâ fide* engaged in his Service for a Period of not less than Fourteen Days, to labour in the Discharge of such Cargo by whipping, and also for the several Dock Companies herein-before mentioned to employ such their Servants and Labourers as aforesaid to labour in the Discharge of Coals, by the Process of whipping, from any Vessel which shall be in the respective Docks of the said Companies respectively, and to make Application for and obtain, in the Manner herein-before mentioned, the Services of a sufficient Number of Coalwhippers, although less than a complete Gang, to assist the Persons so employed: Provided always, that it shall be lawful for the Master or other Person having the Charge of any such Vessel as aforesaid to employ Persons not being registered Coalwhippers to discharge such Coals by whipping in the following Cases; (that is to say,) in case he shall not, within the Time within which the Clerk or other Officer is herein-before required to send a Gang or Gangs of Coalwhippers for the Discharge of such Coals, be supplied with such Gang or Gangs and such requisite Implements and Tackle as are mentioned in his Application, or in case he shall receive from such Clerk or other Officer such Notification as aforesaid that no Gang of Coalwhippers have declared themselves willing to discharge such Coals at the Price named in his Application; and the several Persons not being registered Coalwhippers who shall be employed in the before-mentioned Cases shall not be liable to the Penalties herein-before imposed upon non-registered Persons for discharging Coals from Vessels by whipping: Provided nevertheless, that if such Clerk or other Officer shall state in such Notification that a Gang or Gangs of Coalwhippers are willing to discharge such Coals at some stated Price *per* Ton higher than that named in such Application, and such Master or other Person shall not agree to such higher Price, it shall not be lawful for such Master or other Person to pay to the Persons not being registered Coalwhippers whom he shall employ to discharge such Coals a greater Price than that which is so stated in such Application, or to allow to such Persons a longer Period or any other Advantage to complete the Discharge of such Coals than the Time

Penalty on Shipmaster employing non-registered Persons as Coalwhippers.

Shipmaster may employ Crews of Colliers to discharge the Coals by the Process of whipping.

Shipmaster may employ non-registered Coalwhippers in certain Cases.

Proviso.

IV.

Coalwhipping.

mentioned in that Behalf in such Application; and if he shall pay to such Persons any such greater Price, or shall allow to such Persons any such longer Period or any other Advantage, he shall be liable to forfeit for every such Offence any Sum not exceeding Ten Pounds.

After Discharge of Cargo, Shipmaster to pay Wages to the Person authorized to receive the same.

XXIII. And be it enacted, That immediately after the Discharge of the Cargo or the Part thereof undertaken to be discharged by the Coalwhippers sent from the Coalwhippers Office shall be finished, the Master of the Vessel in which they were employed, or such other Person as aforesaid, shall pay to some Person authorized by the said Commissioners the full Hire and Wages due in respect of the Labour of such Coalwhippers, and the Charge for Baulk Days by reason of Detention, and for the Hire of Tackle (if any), in current Money of the United Kingdom, and in default thereof the Master or such other Person as aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and so much of the said Act passed in the First and Second Years of the Reign of Her present Majesty as relates to the Payment of the Wages of Persons employed in the Discharge or Delivery of Coals from Vessels laden therewith in the Port of *London* shall be and the same is hereby repealed: Provided always, that such Master or other Person as aforesaid shall not be compellable to pay such Hire or Wages except on board the Vessel.

So much of 1&2 Vict. c. 101. as relates to Payment of Wages, repealed.

Recovery of Wages, &c.

XXIV. And be it enacted, That all Money due for Labour performed and for the Hire of Tackle under the Provisions of the said Act of the Sixth and Seventh Years of the Reign of Her present Majesty or of this Act, and for Baulk Days by reason of Detention, shall be recoverable in like Manner and in all respects as Wages due to Seamen for Labour performed on board Ship.

Person authorized by Commissioners shall pay the Coalwhippers the Wages due to them, after making the requisite Deductions.

XXV. And be it enacted, That the Person so authorized as aforesaid by the said Commissioners shall receive the Money to be paid as Hire or Wages for the Labour of the Coalwhippers so discharging the Cargo, or Part thereof, of such Vessel as aforesaid, and for Baulk Days, and for the Hire of Tackle (if any), and shall forthwith pay the same at the nearest Head Office or Branch Office to the Clerk or other Person appointed by the said Commissioners to receive the same; and if any such authorized Person as aforesaid shall neglect or refuse to pay the Money received by him as aforesaid at the Time and Place aforesaid, he shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds; and the Person so authorized as aforesaid by the said Commissioners after deducting therefrom the Sum or Proportion prescribed under the Authority of this Act, not exceeding One Farthing in each Shilling, shall forthwith pay and divide the Residue of the Monies so received for Wages and Baulk Days to and among the Coalwhippers so employed, without any other Deduction or Abatement, except as herein-after mentioned, and without imposing any Terms or Conditions whatever; and if any such Clerk or other Person as aforesaid shall make any other Deduction than as aforesaid, or shall impose any Terms or Conditions on making such Payment, he shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Penalty.

XXVI. ' And

XXVI. ' And whereas in dividing the Monies aforesaid Fractions undivisible in the usual Coin of the Realm will occasionally ' occur;' be it therefore enacted, That it shall be lawful for the said Commissioners to deduct and retain such undivisible Fractions, and to distribute the same for the Benefit of the registered Coalwhippers as the said Commissioners shall see fit, and that an Account shall be kept of the same, to be called the " Fraction Fund."

XXVII. And for better carrying into execution the Purposes of this Act, be it enacted, That it shall be lawful for the said Commissioners to make, when and as they shall deem necessary, Bye Laws and Regulations for keeping the Register by this Act established, and prescribing the Testimonials, Proofs, and Particulars to be required of Persons before or upon Registration therein, and settling the Terms of Entry therein, and of the Certificates to be delivered, and fixing the Fees, not exceeding in any Case the Sum of Four-pence, for any such Registration or renewed Certificate, to be paid for Registration and renewed Certificates under this Act, and for fixing the Amount, not exceeding the Sum herein-before limited, of the Deduction to be made out of such Hire or Wages for the Purposes of this Act; and for the settling of Demands, the paying in and withdrawing of Monies, the Payment of Orders, and the Disposal of Funds, and the keeping, auditing, and Publication of Accounts under this Act; and for determining the Time of Attendance of the Coalwhippers at the Coalwhippers Office or its Branches, their Division into Gangs, and the Rotation of their Employment; and for securing the due Performance on the Part of the Coalwhippers of their Contracts to discharge Coals, with reference to the Time, Price, and other Terms specified in each such Application as aforesaid; for the Completion of the Discharge of the Cargo, or Parts of Cargoes, as well as in other respects; and for annulling such Contracts in case of their Misbehaviour, or other sufficient Cause, and for promptly substituting other Coalwhippers in such Cases for the Fulfilment of such Contracts; and for the Guidance, Government, and Control in all respects of the Coalwhippers certificated, and for the Management of the Offices and Stations established, and the Officers and Servants appointed under this Act; and for securing the due Performance of the Contracts entered into by Masters of Ships and other Persons employing Coalwhippers or hiring Tackle under this Act, and for carrying this Act fully into execution; and to impose the Suspension or Forfeiture of the Employment of Coalwhippers, or of any Office or Place created under this Act, or to fix any reasonable Penalties (not exceeding the Sum of Five Pounds for any Offence) for the Breach or Non-observance of any such Bye Law or Regulation; and from Time to Time, by any other Bye Law or Regulation, to rescind, suspend, alter, or vary any Bye Law or Regulation by them made: Provided always, that the said Commissioners shall submit all Bye Laws and Regulations proposed to be made by them to the Lords of the said Committee of Her Majesty's Privy Council for their Consideration and Supervision, and shall receive and consider any Amendments which they may suggest therein; and One Week after such Submission the said Commissioners shall cause a Copy

Application of
Fractions.

V.

Regulations.

Commissioners
to make Bye
Laws for the
Government
of the Coal-
whippers, and
Management of
the Offices.

Proposed Bye
Laws to be
submitted to
the Board of
Trade.

of

V.
Regulations.

Publication of
Bye Laws as
sanctioned by
the Board of
Trade.

of such proposed Bye Laws and Regulations to be publicly affixed in some conspicuous Place in the Coal Market, and (if the same shall be established) in the Head Coalwhippers Office in *London*; and if such proposed Bye Laws and Regulations should be sanctioned by the Lords of the said Committee without Alteration, or if the Amendments which they shall suggest therein shall be adopted, or if the said Committee should fail to express an Opinion on the Bye Laws and Regulations to them submitted within the Space of Four Weeks next after such Submission, the said Commissioners shall make public such Bye Laws and Regulations by the Advertisement thereof once in the *London Gazette*, and by affixing Copies thereof in some conspicuous Place or Places in the Coal Market and Custom House of the City of *London*, and in the Head Coalwhippers Office (if any) established under this Act, and in the respective Custom Houses at *Gravesend, Newcastle, Sunderland, Stockton-on-Tees, and Leith*, and at such other Places and in such other Manner as to them shall seem fit: Provided also, that the Bye Laws and Regulations made under the Powers contained in the said recited Act of the Sixth and Seventh Years of the Reign of Her present Majesty, and now in force, shall continue and be the Bye Laws and Regulations under this Act, until the same shall have been rescinded, suspended, altered, or varied under the Provisions of this Act.

Board of Trade
to notify San-
ction, Disap-
proval, or
Amendment
within Four
Weeks.

XXVIII. And be it enacted, That it shall be lawful for the said Lords of the said Committee of Her Majesty's Privy Council to sanction or to disapprove of such proposed Bye Laws and Regulations, or to suggest any Amendments therein, so that such Sanction or Disapproval or such suggested Amendments be notified to the said Commissioners within the Space of Four Weeks next after the Submission of such proposed Bye Laws and Regulations to the said Committee.

Time when Bye
Laws to come
in force.

XXIX. And be it enacted, That such Bye Laws and Regulations shall have full legal Effect at the Termination of Four Weeks from the Time when they were so made public by the said Commissioners, and a Copy purporting to be made of any such Bye Law or Regulation, and authenticated by the Signature of the Chairman for the Time being of the said Commissioners, shall, without any further Proof, be received as Evidence of the Bye Law or Regulation of which it purports to be a Copy, and of such Bye Law or Regulation having been duly made, submitted, issued, and published.

Penalty on
Commissioners
being interested
in any Con-
tract.

XXX. And be it enacted, That if any Person, being a Commissioner under this Act, shall be directly or indirectly interested or concerned in any Contract which shall be made or entered into by or on behalf of the said Commissioners for or concerning any Work to be done under this Act, or Materials to be employed therein, every such Contract shall be void, and the Person who, being a Commissioner, shall be so interested or concerned, shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same.

VI.
*Legal
Proceedings.*

Recovery and
Application of

XXXI. And be it enacted, That all Fines, Penalties, or Forfeitures by this Act, or by any Bye Law or Regulation made in pursuance thereof, imposed, not exceeding Twenty-five Pounds, shall be sued for within Three Calendar Months after the Offence or Offences

Offences committed ; and all such Fines, Penalties, and Forfeitures shall be levied and recovered before any Justice or Justices of the Peace for the County, City, or Place where the Offence shall be committed ; and such Justice or Justices is and are hereby empowered and required, upon Information or Complaint to him or them made, to grant a Summons or Warrant to bring before him or them such Offender or Offenders at the Time and Place as shall be in such Warrant specified ; and if, on the Conviction of the Offenders respectively, either on his, her, or their Confession, or on the Evidence of any One or more credible Witness or Witnesses upon Oath (which Oath such Justice or Justices is and are hereby empowered to administer), such Fine, Penalty, or Forfeiture shall not be forthwith paid, the same shall be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of such Justice or Justices ; and the Overplus of the Money (if any) raised by such Distress and Sale, after deducting the Fine, Penalty, or Forfeiture, and the Costs and Charges of making such Distress and Sale, shall be rendered to the Owner of the Goods and Chattels so distrained ; and for Want of Distress, or in case the Fine, Penalty, or Forfeiture shall not be forthwith paid, it shall and may be lawful to and for such Justice or Justices to commit every such Offender to the Common Gaol or House of Correction for the County, City, or Place where the Offence shall be committed, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Fine, Penalty, or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid ; and all such Fines, Penalties, and Forfeitures, when recovered, shall be paid as herein-after directed.

XXXII. And be it enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable before a Justice of the Peace it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act, or any Bye Law or Regulation made in pursuance thereof, to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice ; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

XXXIII. Provided always, nevertheless, and be it enacted, That it shall be lawful for any Justice or Justices before whom any such Conviction shall take place, if they or he shall think fit, to order and direct any Part, not exceeding One Half, of such Fines, Penalties, and Forfeitures, to be paid or applied to or for the Use of the Informer or Informers, or other Persons aiding or assisting in the Apprehension of the Offender or Offenders or any of them.

XXXIV. And be it enacted, That it shall be lawful for any Justice or Justices before whom any Person or Persons shall be brought or convicted for any Offence for which a Penalty is imposed by this Act, or by any Bye Law or Regulation made in pursuance

Fines and Penalties not exceeding 25*l*.

If Penalties not paid the same may be levied by Distress.

If Distress not sufficient, Offender may be committed.

Justices may proceed by Summons in the Recovery of Penalties.

Power to the Justice to give Part of Penalties to Informers.

Power to Justices to order Expences of Witnesses, &c. to be paid.

VI.
Legal
Proceedings.

suance thereof, to direct all or any Part, according to the Discretion of such Justice or Justices, of the reasonable Expences of any Constable, Police Officer, or other Witness of the Matter which shall be charged, and of such Compensation (if any) for the Time and Trouble of such Witness, as such Justice or Justices shall think reasonable, to be paid either by the Offender or Offenders, or the Complainant or Complainants; and the Sum so ordered to be paid shall and may be recovered, together with any Penalty of which the Person by whom the same shall be ordered to be paid shall have been convicted, or without, in the same Manner as any Penalty is directed to be recovered by this Act, and shall be paid to such Constable, Police Officer, or other Witness.

Persons convicted may appeal to the Quarter Sessions, upon giving Security.

XXXV. And be it enacted, That it shall and may be lawful to and for any Person or Persons so convicted by any Justice or Justices of the Peace as before mentioned of any Offence or Offences against this Act, or against any Bye Law or Regulation made in pursuance thereof, to appeal to the Justices of the Peace assembled at the next General Quarter Sessions or General Sessions to be holden for the County, City, or Place where such Conviction shall be made, on giving immediate Notice of such Appeal, and finding sufficient Security to the Satisfaction of such Justice or Justices for prosecuting the said Appeal with effect, and abiding the Determination of the Court therein; and such Justices in such General Quarter Sessions or General Sessions shall hear and determine the Matter of such Appeal, and may either confirm or quash and annul the said Conviction, and award such Costs to either Party, as to them the said Justices shall seem just and reasonable; and the Decision of the said Justices therein shall be final, binding, and conclusive; and no Proceedings to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form only, or be removed by Certiorari or any other Writ or Process whatsoever into any of Her Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary thereof in anywise notwithstanding.

Justices may summon Witnesses.

XXXVI. And be it enacted, That it shall and may be lawful to and for any such Justice or Justices of the Peace before whom any such Fines, Penalties, or Forfeitures shall be sued for to summon before him or them any Person who shall, in or by the Complaint or Information made to him or them, appear to be a necessary Witness as to the Matters thereby charged, to appear before him or them at a Time and Place to be specified in the Summons; and in case such Person so summoned shall not appear according to such Summons, then, upon due Proof of the Service of such Summons in manner aforesaid, such Person so summoned, and not appearing in compliance therewith, shall forfeit and pay the Sum of Twenty-five Pounds, to be levied and recovered in such Manner and by such Ways and Means as are herein-before directed as to other Penalties; and it shall and may be lawful to and for the said Justice or Justices to cause such Person to be apprehended by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, and to be brought before him or them; and thereupon, whether such Person shall appear upon Summons as aforesaid, or shall be apprehended as aforesaid, such Justice or Justices shall and may proceed to examine him or her upon

Penalty on Persons refusing to attend when summoned.

upon Oath as to the Matter of such Complaint or Information ; and in case such Person shall refuse to be sworn or to answer or to give Evidence therein, then and in every such Case it shall and may be lawful to and for such Justice or Justices, by Warrant under his Hand and Seal or their Hands and Seals, to commit such Person so refusing to be sworn or to answer or to give Evidence as aforesaid to the Common Gaol or House of Correction of the City, County, or Place in or for which such Justice or Justices shall then act, there to remain for any Space of Time not exceeding Six Calendar Months.

XXXVII. And be it enacted, That if any Person or Persons, upon his, her, or their Examination upon Oath before any Justice or Justices of the Peace acting in execution of this Act, shall wilfully and corruptly give false Evidence touching any Matter or Thing relating to this Act, or if any Person or Persons shall take or make any false Oath or Affidavit with respect to any Matter or Thing relating to this Act, every such Person so offending, and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law in force and effect Persons guilty of wilful and corrupt Perjury are subject and liable to.

XXXVIII. And be it enacted, That all Fines, Penalties, or Forfeitures exceeding the Sum of Twenty-five Pounds by this Act imposed for any Offence or Offences committed against this Act shall and may be recovered by Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record at *Westminster*, by the Person or Persons who shall inform and sue for the same within One Calendar Month after the Offence or Offences shall be committed ; and one Moiety of all such Fines, Penalties, or Forfeitures shall be to and for the Use of our Sovereign Lady the Queen, Her Heirs and Successors, and the other Moiety thereof (together with full Costs of Suit) shall be to and for the Use of the Person or Persons who shall inform or sue for the same.

XXXIX. And be it enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or the Proceedings relating thereto, nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio* on Account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage sustained in an Action on the Case.

XL. And for the more easy and speedy Conviction of Offenders against this Act, be it enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn according to the following Form ; (*videlicet*)

' B E it remembered, That on the
in the Year of our Lord
' A.B. is convicted before me

Day of
One of Her
' Majesty's

VI.
Legal
Proceedings.

Persons giving
false Evidence
liable to
Punishment
for Perjury.

Penalties above
25l. may be
recovered by
Action in
Superior
Courts.

Distress not to
be unlawful for
Want of Form,
nor the Parties
to be deemed
Trespassers
ab initio.

Form of Con-
viction.

VI.
Legal
Proceedings.

‘ Majesty’s Justices of the Peace for the [*here specify the Offence, and the Time and Place when and where committed, as the Case may be*], contrary to an Act of Parliament made in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*]. Given under my Hand and Seal the Day and Year first above written.

‘ C.D.’

Plaintiff not to
recover after
Tender of
Amends.

XLI. And be it enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-one Days before such Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no Tender shall have been made it shall and may be lawful to and for the Defendant or Defendants in any such Action, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceeding, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of
Actions.

XLII. Provided always, and be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act after Three Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County or Place where the Cause of Action shall arise; and if any such Action or Suit shall be brought before Twenty-one Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover full Costs, and have such Remedy for recovering the same as any Defendant hath for Costs of Suit in any other Cases by Law.

Pecuniary
Forfeitures to
go to the Fund
of the Act, un-
less otherwise
applied.

XLIII. And be it enacted, That all pecuniary Penalties and Forfeitures which shall be recovered for any Offences against this Act, or any Bye Law or Regulation established under the Authority hereof, shall, unless the Application thereof be herein or therein or otherwise directed, be paid to some Officer on behalf of the Coalwhippers Office, and shall be applied in aid of the Fund established by this Act; and that the Enactments contained in an Act passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for regulating the Police Courts in the Metropolis*, with respect to the Application of Penalties and Forfeitures, shall not extend to any Penalties or Forfeitures recovered under this Act.

2 & 3 Vict. c. 71.

XLIV. And

XLIV. And in reference to the Monies to be received under or by the Authority of this Act, be it enacted, That all Monies which shall arise from the Deduction out of the Wages of Coalwhippers by this Act authorized to be made, and from the Fees or Payment for their Registration and for renewed Certificates to them delivered and the pecuniary Penalties and Forfeitures which shall be recovered under this Act, and the Monies which shall remain (after Payment of all Expences) from the Produce of the Sale of any Materials or Hereditaments sold under this Act, or from the Hire of Tackle and the Rent of any Hereditaments let under this Act, shall be paid into the Chamber of the City of *London*, and shall be carried to the Account of the said Commissioners, and shall be and constitute the Coalwhippers Fund; and the said Monies in such Fund shall be appropriated and applied by the Order of the said Commissioners in Writing, signed by any Three or more of the said Commissioners, (that is to say,) firstly, in defraying the Expences of or incident to the passing of this Act; secondly, in paying to the said Commissioners appointed or to be appointed under this Act, for their Attendance, such Sum or Sums of Money as the said Lords of the said Committee of Her Majesty's Privy Council may from Time to Time direct, not exceeding in the whole in any One Year the Sum of Two hundred and fifty Pounds; thirdly, in defraying the Salaries and Allowances of the Officers and Servants appointed under the Authority of this Act, the Rent, Repairs, Taxes, Interest, or Principal Money borrowed, and other current and incidental Expences of the Registrar, and the Offices and Stations to be established under the Provisions or Authority of this Act, or otherwise to be incurred in carrying this Act into execution; fourthly, in the Discharge of any Principal Money which shall have been raised on the Credit of the Coal Duty of One Penny per Ton for the Purposes of the said recited Act of the Sixth and Seventh Years of the Reign of Her present Majesty, or in refunding to the Stock or Fund created by the said first herein-before mentioned Act the Amount of any Principal Monies and Interest which shall have been so raised, and shall have been paid off and discharged by the said Duty; and the Residue, if any, shall be held over as a Balance of Account, or, if the Commissioners shall think fit, shall be invested in the Purchase of Stock in some of the Public Stocks or Funds, or upon Government or Real Securities, at Interest, in the Names of the Commissioners for the Time being, and shall from Time to Time be applied as the Commissioners shall think fit in diminution of the Deduction herein-before authorized to be made from the Hire or Wages of the Coalwhippers: Provided always, that all Monies which shall have accumulated at the Time of the Commencement of this Act, and shall then be in the Chamber of the City of *London* or otherwise to the Credit of the Coalwhippers Fund, shall be applied in the same Manner as if the same had been received under the Authority of this Act.

XLV. And be it enacted, That there shall be provided and kept One or more Book or Books in which all the Monies which shall be received and paid by virtue of this Act shall be entered and

VII.
Coalwhippers
Fund.

Monies received under the Act to be paid into the Chamber of the City, and to constitute a Fund.

Appropriation of the Fund.

Account to be kept, and Statement laid before Parliament yearly.

and set down, with the Dates, Occupations, and Particulars of such Receipts and Payments; and the said Commissioners shall in each and every Year lay before both Houses of Parliament, within Six Weeks after the Time of their meeting, an Account of the Sums received and paid under the several Heads of Receipt and Payment herein-before enumerated.

VIII.

Miscellaneous.

Limits of the
Port of Lon-
don.

XLVI. And be it enacted, That for the Purposes of this Act the Limits of the Port of *London* shall be considered to be so much of the Port of *London*, not higher than *London Bridge*, and not lower than *Gravesend* in the County of *Kent*, as shall be fixed from Time to Time by the said Commissioners; and that this Act and the Provisions thereof shall extend to Coals laden, transhipped, or reshipped in the said Port by the Process of whipping, as well as to Coals unladen therein by that Process; and the Term "whipping" shall be construed to mean the discharging of Coal from a Vessel by raising the Coal from the Hold in a Basket or Box by manual Labour only, with the Aid of Ropes and a Pulley, and shall include not only the Persons who so raise the Coal, but also those who fill and empty the Basket or Box so raised; and that the Word "Gang" shall be construed to mean not only a complete Gang, consisting of Nine Coalwhippers, but also a Portion of a Gang when the Services of a Portion of a Gang are required.

For staying cer-
tain Actions.

XLVII. And be it enacted, That no Action, Bill, Complaint, or Information for any Fine, Penalty, or Forfeiture imposed by the aforesaid Act of the First and Second Years of the Reign of His late Majesty King *William* the Fourth, or the aforesaid Act of the First and Second Years of the Reign of Her present Majesty, for not inserting in the Fitters Certificate the Day of the Month and Year of the Loading, or the usual Names of the several and respective Collieries out of which the Coals should be wrought and gotten, or the Price paid for the same, shall be commenced, or, if now or hereafter commenced, shall be prosecuted or carried on, by any common Informer, or by any other Person, except the Solicitor of the Corporation of *London*, or some Person interested in such Certificate, without the Consent in Writing of some Judge of one of the Superior Courts at *Westminster*; and that immediately from and after the passing of this Act it shall be lawful for any Person or Persons against whom any Action, Bill, Complaint, or Information shall have been or may be sued out, commenced, or prosecuted for the Recovery of any such pecuniary Penalty or Penalties incurred under the said Acts or either of them, except as aforesaid, without such Consent in Writing as aforesaid, to apply to the Court in which such Action, Bill, Complaint, or Information shall have been or may be sued out, commenced, or prosecuted, or to any Judge of any of the Superior Courts at *Westminster*, for an Order that such Action, Bill, Complaint, or Information shall be discontinued upon Payment of the Costs thereof incurred to the Time of such Application being made, such Costs to be taxed according to the Form of such Court; and every such Court and Judge is hereby authorized and required, upon such Application, to make such Order as aforesaid; and upon the making such Order and Payment or Tender of such Costs as aforesaid, such Action, Bill, Complaint, or Information shall be forth-

with

with discontinued: Provided always, that if it shall appear to the Satisfaction of the said Court or Judge, by Affidavit or otherwise, that any Penalty or Penalties sought to be recovered in any such Action, Bill, Plaint, or Information has or have been incurred by the Fraud of the Defendant or Defendants in such Action, Bill, Plaint, or Information, then and in every such Case it shall be lawful for such Court or Judge to refuse to make such Order as to such Penalty or Penalties, and thereupon to make such other Order as the said Court or Judge shall deem expedient.

XLVIII. And be it enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such.

XLIX. And be it enacted, That this Act, and the Provisions herein contained, shall take effect from and immediately after the End of this present Session of Parliament, and not before, and shall continue and be in force until the First Day of *January* One thousand eight hundred and fifty-one, and to the End of the then next Session of Parliament.

L. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

VIII.
Miscellaneous.

Public Act.

Commence-
ment and Con-
tinuance of
Act.

Act may be
amended, &c.

C A P. XXXVII.

An Act to amend the Laws relating to the Office of Coroner and the Expences of Inquests in *Ireland*.

[27th July 1846.]

‘ **W**HEREAS it is expedient to amend the Laws now in force in *Ireland* relating to the Election, Qualification, and Payment of Coroners, and to the Proceedings at Coroners Inquests, and to the Payment of Expences at such Inquests: And whereas it is expedient that the several Acts and Parts of Acts herein-after mentioned, relating to the several Matters and Things aforesaid, should be repealed: Be it therefore 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, That from and after the Commencement of this Act the several Acts and Parts of Acts herein-after mentioned, specified, and set forth shall cease and determine, and shall, except only so far as is herein-after excepted and provided for, be repealed; (that is to say,) an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to repeal an Act made in the Fifteenth Year of the Reign of His late Majesty, for regulating the Fees of Coroners in Ireland upon holding Inquisitions; and to make other Provisions for that Purpose*; an Act passed in the Third Year of His said late Majesty, intituled *An Act to regulate the Qualification of Persons holding the Office of Coroner in Ireland*; so much of an Act passed in the Fourth Year of His said late Majesty, intituled *An Act to regulate the Amount of Presentments by Grand Juries for Payment of the public Officers of the several Counties in Ireland*, as relates to the Payment of Coroners; so much of an Act passed in the Fifth Year of His said late Majesty, intituled *An Act to amend the Acts of the last Session of Parliament, relating to Presentments by*

From and after
Commence-
ment of this
Act the follow-
ing Acts and
Parts of Acts
repealed; viz.
1 G. 4. c. 28.

3 G. 4. c. 115.

4 G. 4. c. 45.

5 G. 4. c. 93.

Grand Juries for Payment of the Salaries of public Officers of the several Counties in Ireland, as relates to the Payment of Coroners ; so much of an Act passed in the Sixth Year of His said late Majesty, intituled An Act to amend an Act of the last Session of Parliament, for amending former Acts relating to Presentments by Grand Juries for Payment of the Salaries of Treasurers and public Officers of the several Counties in Ireland, as relates to the Payment of Coroners ; so much of an Act passed in the Tenth Year of His said late Majesty, intituled An Act to amend the Laws relating to Coroners in Ireland, as relates to the Payment of Medical Witnesses and to the Duration of Elections of Coroners ; so much of an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King William the Fourth, intituled An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland, as relates to the Payment of Coroners and of Medical Witnesses ; so much of an Act passed in the Seventh Year of His said late Majesty, intituled An Act to amend an Act passed in the Seventh Year of His present Majesty, for consolidating and amending the Laws relating to the Presentment of Public Money by Grand Juries in Ireland, as relates to the Payment of Medical Witnesses at Inquests held by and before Justices of the Peace ; so much of an Act passed in the Seventh and Eighth Year of Her present Majesty, intituled An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of Dublin, as relates to the Payment of Coroners, and the summoning and Payment of Medical Witnesses ; and the said several hereinbefore recited Acts and Parts of Acts are hereby repealed accordingly, save and except so far as the said Acts or Parts of Acts respectively, or any of them, repeal the whole or any Part of any other Act or Acts, and save and except as to all Matters or Things done or performed before the passing of this Act, which shall be valid as if this Act had not passed.

6 G. 4. c. 52.

10 G. 4. c. 37.

6 & 7 W. 4. c. 116.

7 W. 4. & 1 Vict. c. 2.

7 & 8 Vict. c. 106.

Power to Lord Lieutenant to direct a Special Sessions to be holden in each County for dividing the same into Coroners Districts.

II. And be it enacted, That from and after the passing of this Act it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, if he or they shall so think fit, to order and direct that a Special Sessions shall be holden in each County, Riding, or Division in *Ireland*, for the dividing of such County, Riding, or Division into Coroners Districts, for the Purposes of this Act, and to fix the Time and Place or Times and Places for such Sessions, and to order and direct the Clerk of the Peace for such County to give Notice thereof to each Justice of the Peace for such County ; and the said Clerk of the Peace shall give Notice of the Time and Place for holding such Sessions to each Justice of the Peace for such County within Fifteen Days after the Receipt of the said Order.

Justices at Sessions to divide their Counties into Districts, for carrying this Act into effect;

III. And be it enacted, That it shall be lawful for the Justices of the Peace of any such County in *Ireland* assembled at such Sessions, and they are hereby required, to divide such County, Riding, or Division into such convenient Districts as to the Majority of such Justices shall seem best calculated to carry the Purposes of this Act into effect, according to the Number of County Coroners by Law allowed for such County respectively, and with a due regard to the Extent of the Population, to the prevailing Employ-

Employments in the respective Parts of such County, Riding, or Division, and to the Size of such Districts; and to affix to each of such Districts the Name of some principal Parish, Township, or Place within the same; and to fix and determine some convenient Place within such District at which the Court for the Election of Coroner for such District shall be holden; and also to fix and determine One or more Polling Place or Places in each District at which the Poll at such Election shall be taken; and they shall cause a List to be prepared by the Clerk of the Peace, containing the Names of the several Baronies and Parishes, or Parts of Baronies and Parishes, as the Case may be, in each of the several Districts into which the County, Riding, or Division shall be divided; and the said Clerk of the Peace shall specify in such List the Place at which the said Justices shall have appointed the Court for the Election of a Coroner for such District to be holden, and the Polling Place or Polling Places which the said Justices shall have fixed and determined; and the Chairman of the said Justices so assembled as aforesaid shall sign such List, and such List shall be enrolled by the Clerk of the Peace among the Records of the County; and the Clerk of the Peace for such County shall, within Fifteen Days after such List shall have been signed as aforesaid, send or cause to be sent a true Copy thereof, signed and certified by him, to each Coroner within the County.

IV. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, if he or they shall so think fit, from Time to Time, upon the Receipt of any Memorial signed by Five Justices of the Peace of any County, praying that a new Division into Coroners Districts of such County, Riding, or Division shall be made, to order and direct that a Special Sessions for the Division of such County into Districts be holden, and to fix the Time and Place for such Sessions; and the Clerk of the Peace of such County shall give Notice thereof to the Justices of the Peace of such County in manner as aforesaid, and the Justices of the Peace assembled at such Sessions shall thereupon proceed to divide their respective County, Riding, or Division, or to amend and alter any Division of such County, Riding, or Division as shall have been heretofore made, into such convenient Districts as shall be best calculated to carry the Purposes of this Act into effect, and shall cause a List, or an amended List, as the Case may be, to be made in like Manner as was directed to be done when such County was first divided into Coroners Districts under the Authority of this Act; and the Clerk of the Peace shall enrol the same among the Records of the County, and shall send or cause to be sent a true Copy of such List, or of such amended List, signed and certified as aforesaid, to every Coroner within the County.

V. And be it enacted, That the Justices of the Peace of each County, Riding, or Division assembled as aforesaid shall cause a Copy of the List, containing the Names of the several Baronies or Parishes, or Parts of Baronies or Parishes, as the Case may be, to be comprised within each of the Districts into which they shall have divided their respective County, Riding, or Division, to be inserted Three Times in the County or other local Newspapers, and also once in the *Dublin Gazette*; and from and after the

to affix to each District the Name of some Parish at which a Court shall be held for Election of Coroner;

and to cause Lists to be prepared of all Baronies, &c.

Clerks of the Peace to send Lists to each Coroner.

Lord Lieutenant may from Time to Time order a new Division of Counties into Coroners Districts.

Order for Division of County, &c. into Districts to be valid after Publication.

the Publication thereof as aforesaid in the Gazette each such County, Riding, or Division shall be and be deemed to be divided into Districts for all the Purposes of this Act.

Appointment
of present
Coroners to
Districts.

VI. And be it enacted, That the Grand Jury assembled at the Assizes or Presenting Term next after the said Special Sessions shall appoint One of the Persons who shall then hold the Office of Coroner of their respective County, Riding, or Division to be the Coroner of and for One of each of the Districts to be formed under the Authority of this Act, and shall, so far as may be practicable and convenient, appoint such Coroner to that District within which he shall have heretofore acted; and in case there shall be no Coroner for any of said Districts the Foreman of the Grand Jury shall certify such Vacancy in the Office of Coroner to the Lord Chancellor of *Ireland*, who shall, if he so think fit, order a Writ De coronatore eligendo to be issued: Provided always, that upon the Death or Removal of any Coroner his Successor shall be elected to the Office of Coroner according to the Provisions of this Act.

Future Ap-
pointments of
Coroners.

Sheriff to hold
a special Court
for the Election
of Coroner.

VII. And be it enacted, That from and after the Division of any County, Riding, or Division into Coroners Districts, upon the issuing of such Writ, the Sheriff of the County wherein such District shall be situate shall hold a Court for such Election, at the Place fixed and determined for this Purpose as aforesaid, on some Day to be by him appointed, which Day shall not be less than Seven Days nor more than Fourteen Days after the Receipt of the Writ De coronatore eligendo; and in case the said Election be not then and there determined upon the View, with the Consent of the Electors there present, but that a Poll shall be demanded for Determination thereof, then the said Sheriff, or in his Absence his Under Sheriff, shall adjourn the said Court to Eight of the Clock in the Forenoon of the next Day but one, unless such next Day but one shall be *Saturday* or *Sunday*, and then to the *Monday* following; and the said Sheriff, or in his Absence the Under Sheriff, with such others as shall be deputed by him, shall then and there proceed to take the said Poll; and such polling shall continue for Two Days only, for Eight Hours in each Day; and no Poll shall be opened before Eight of the Clock in the Forenoon, or kept open later than Four of the Clock in the Afternoon, of either of the said Days.

If Election not
determined on
the View, then
to proceed to
take a Poll.

Duration of
Poll.

Qualification of
Electors voting
for Coroners.

VIII. And be it enacted, That at the Election of a Coroner for any such District the Person so to be elected shall be chosen by the Majority of those Persons residing within the District who at the Time of such Election shall be qualified to vote at the Election of a Member or Members to serve in Parliament for the County within which such District shall be situate.

Sheriff em-
powered to
erect Polling
Booths for the
Purposes of the
Election.

IX. And be it enacted, That at every contested Election of a Coroner for any such District the Sheriff or his Under Sheriff shall, if required by any Candidate, or by any Person duly authorized, acting on his Behalf, at any Time before the Election, and if not so required may if it shall appear to him expedient, cause a Booth or Booths to be erected for taking the Poll at the Court or principal Place of Election, and also at each of the Polling Places within the District appointed as aforesaid, and shall cause to be affixed on the most conspicuous Part of each of the said Booths

the Names of the several Baronies, Parishes, or Places for which such Booth is respectively allotted; and no Person shall be permitted to vote at any such Election, except at the Booth so allotted for the Barony, Parish, or Place within which he shall reside, or within which the Property with respect to which he claims to vote shall be situate, and if no Booth shall be allotted for the same then at any of the said Booths.

X. And be it enacted, That for the more due and orderly Proceeding in the said Poll the Sheriff or his Under Sheriff as aforesaid shall appoint such Number of Poll Clerks as to him shall seem meet for the taking thereof, which Clerks shall take the said Poll in the Presence of the said Sheriff or his Under Sheriff, or such Person as he shall depute, and before they begin to take the said Poll every such Clerk shall be sworn truly and indifferently to take the same, and to set down the Names of each Elector, and the Place of his Residence, and for whom he shall poll, and to poll no Elector who is not sworn, if required to be sworn by any Candidate, or by any Person acting on his Behalf, as aforesaid (and which Oaths of the said Clerks the said Sheriff or his Under Sheriff is hereby empowered to administer); and the Sheriff, or in his Absence his Under Sheriff, shall appoint for each Candidate such One Person as shall be nominated to him by the Candidate, or by the Person acting on his Behalf, as aforesaid, to be Inspector of any such Clerk; and every Elector, before he is permitted to poll at such Election, shall, if required by any Candidate, or by the Person acting on his Behalf, as aforesaid, first take the Oath in the Schedule (A.) hereto annexed, which Oath the Sheriff or his Under Sheriff, or such sworn Clerk as aforesaid, shall have Authority to administer.

XI. And be it enacted, That the said Poll Clerks shall at the Close of the Poll enclose and seal their several Poll Books, and deliver the same, so enclosed and sealed, to the Sheriff or his Under Sheriff, or to such Person as shall be deputed by him for that Purpose, who shall give a Receipt for the same; and every such Person so deputed as aforesaid, when he shall have received the said Poll Books, shall forthwith deliver the same, so enclosed and sealed, to the Sheriff or his Under Sheriff, who shall upon the re-assembling of the Court on the Day next but one after the Close of the Poll, unless such next Day but one shall be *Sunday*, and then on the *Monday* following, in open Court break the Seals thereon, and cast up the Number of Votes as they appear on the said several Books, and openly declare the State of the Poll, and make Proclamation of the Person chosen, not earlier than Ten of the Clock in the Forenoon nor later than Two of the Clock in the Afternoon of the said Day.

XII. And be it enacted, That before any Candidate shall be put in nomination for the Office of Coroner he shall, if so required, lodge in the Hands of the said Sheriff or his Under Sheriff such Sum of Money as shall be necessary to defray all the reasonable Costs, Charges, and Expences which the said Sheriff or his Under Sheriff, or other Person so deputed by him as aforesaid, shall expend or be put to in and about the providing of Poll Books, Booths, and Clerks (the said Clerks not to be paid more than One Guinea each *per Diem*), for the Purpose of taking the

No Voter to poll out of the District where he resides, &c.

Sheriff to appoint Poll Clerks, who shall be sworn.

Sheriff to appoint Inspectors of Poll Clerks.

Electors, if required by Candidates, to be sworn.

Custody of the Poll Books, and Declaration of the Poll.

Expences of Sheriff, &c. to be paid by Candidates in equal Proportions.

Poll at any such Election; and the said Costs, Charges, and Expences shall be borne and paid by the several Candidates at such Election in equal Proportions.

Candidates shall deliver a Statement of the Property whereby they mean to qualify to the Sheriff, who shall allow it to be inspected.

If Candidate fail to deliver such Statement, Sheriff not to allow him to be nominated.

Candidate, if required, to take the Oath in Schedule (B.)

XIII. And be it enacted, That every Candidate for the Office of Coroner shall, before he shall be put in nomination, deliver or cause to be delivered to the Sheriff or his Under Sheriff a Statement in Writing containing a full and correct Account of the Nature and Quality, Name, Situation, or other Description of the Property then in his Possession and Enjoyment, from, out of, or by reason of which he is qualified, as herein-after mentioned, to be elected and chosen and to hold the said Office of Coroner; and the Sheriff or his Under Sheriff shall permit such Statement to be inspected and examined by any Candidate or Elector at all reasonable Times before and during such Election; and if any such Candidate shall fail to deliver or cause to be delivered such Statement as aforesaid to the said Sheriff or his Under Sheriff, the said Sheriff or his Under Sheriff shall not allow such Candidate to be put in nomination; and if the said Sheriff or his Under Sheriff shall be called upon by any Candidate or any Elector so to do, he shall require every such Person who shall be a Candidate for the said Office at such Election to take the Oath in the Schedule (B.) hereto annexed (which Oath the said Sheriff or his Under Sheriff is hereby empowered to administer), as to the Nature, Name, and Sufficiency of the Property in right of which he is qualified to be chosen as Coroner for such County, Riding, or Division, or any District thereof; and if such Candidate shall refuse or neglect to make such Oath, when required by the Sheriff or his Under Sheriff so to do, the said Sheriff or his Under Sheriff, or Person deputed by him as aforesaid, as the Case may be, shall not permit or suffer such Candidate to be put in nomination, nor shall he receive or suffer to be received any Votes which shall or may be tendered to him for such Candidate until such Candidate shall have taken such Oath; and the said Sheriff or his Under Sheriff shall, within Ten Days after the Termination of such Election, deliver or cause to be delivered to the Clerk of the Peace of the County wherein such Election shall have been held the Statement as aforesaid of the Qualification of the Person so elected to the Office of Coroner, and the said Clerk of the Peace shall enrol the same among the Records of the County.

Oath to be without Fee. Not to alter the Mode of Elections in Cities, &c.

Qualification of Coroner.

XIV. And be it enacted, That no Fee or Reward shall be given or accepted by any Person for the administering of the said Oath.

XV. And be it enacted, That nothing herein contained shall extend to affect or alter the Mode whereby Coroners for Counties of Cities or Counties of Towns or Boroughs in *Ireland* are at present chosen or elected.

XVI. And be it enacted, That from and after the passing of this Act no Person shall be elected or chosen to the Office of Coroner for any County, Riding, or Division, or District thereof, or for any County of a City, County of a Town, or Borough, or District thereof, who shall not at the Time of being so elected or chosen be seized to and for his own Use and Benefit of some Estate of Inheritance of the clear annual Value of Fifty Pounds Sterling, over and above all Charges and Incumbrances that may affect the same, or of an Estate of Freehold for his own Life, or

for the Life or Lives of some other Person or Persons, either at Law or in Equity, of the clear yearly Value of One hundred Pounds Sterling, over and above all Charges and Incumbrances which may affect the same, of or in Lands, Tenements, or Hereditaments situate within the County, County of a City, County of a Town, or Borough for which or for any District of which he shall be elected or chosen as aforesaid, or within the County next thereto adjoining; and in case any Person shall be elected or chosen to serve the Office of Coroner, from and after the passing of this Act, who shall not at the Time of his being so elected or chosen be seised of such an Estate in Lands, Tenements, or Hereditaments as is herein-before required, such Election shall be null and void.

XVII. And be it enacted, That if it shall appear to any Two or more Justices of the Peace for any County, Riding, or Division, or for any County of a City, County of a Town, or Borough, for which or for any District of which any Coroner shall be elected or chosen, under the Provisions of this Act, that such Coroner has lost or encumbered his Property, so as not to be then in possession or enjoyment of such an Estate as is hereby required to qualify him to be elected and chosen as aforesaid, the said Justices shall give to such Coroner, or cause to be left at his usual Place of Residence, Fifteen clear Days before the next ensuing Assizes or Presenting Term for such County, Riding, or Division, City, Town, or Borough, a Notice in Writing, to be signed by them, of their Intention to complain to the Grand Jury which shall next assemble that such Coroner has lost or encumbered his Estate, and is not then qualified in respect of Property as aforesaid to hold or continue to hold the said Office of Coroner; and if the said Justices of the Peace shall lodge such a Complaint in Writing with the Grand Jury which shall next assemble for such County, Riding, or Division, County of a City, County of a Town, or Borough, (as the Case may be,) it shall and may be lawful for the Foreman of such Grand Jury to issue a Summons or Summonses requiring such Coroner, and such Witnesses as he may deem necessary, to appear before the said Grand Jury, and to examine the said Coroner and Witnesses upon Oath (which Oath the Foreman of such Grand Jury is hereby empowered to administer) touching the Matter of such Complaint; and if it shall appear to the said Grand Jury that the said Coroner has lost or encumbered his Property, so as not to be then in possession and enjoyment of some Estate of Inheritance or Freehold as aforesaid within the County, City, Town, or Borough for which or for some District of which he shall have been elected or chosen Coroner, or within the County next thereto adjoining, of the clear yearly Value of Fifty Pounds Sterling, or One hundred Pounds Sterling, as the Case may be, or if such Coroner, upon Proof that such Summons as aforesaid had been duly served upon him, or left at his usual Place of Residence, shall neglect or fail to attend the said Grand Jury, or if such Coroner shall refuse to be sworn, or to answer any Question which may be put to him touching his said Qualification, then and in every such Case it shall be lawful for the said Grand Jury to prepare or cause to be prepared a Memorial to the Lord Chancellor of *Ireland*, detailing such Facts concerning the Want of Quali-

Two Justices of the Peace for the County, &c. for which any Coroner is elected, may, if he has lost his Qualification, give Notice to him of their Intention to complain to the Grand Jury.

Coroner to be summoned, to be examined touching the Matter of such Complaint.

If Coroner has lost his Qualification, Grand Jury to memorialize the Lord Chancellor.

cation by such Coroner as shall appear to such Grand Jury to be true and correct, and praying that such Coroner may be removed from the Office of Coroner for such County, Riding, or Division, County of a City, County of a Town, or Borough, as the Case may be; and the Foreman of such Grand Jury shall sign the same, and shall direct that such Memorial shall forthwith be delivered to the said Lord Chancellor.

Foreman to sign Memorial.

Lord Chancellor, upon Receipt of Memorial, may declare the Office to be vacant, and issue a Writ for a new Election.

XVIII. And be it enacted, That it shall and may be lawful for the Lord Chancellor of *Ireland*, upon the Receipt of any Memorial as aforesaid from the Grand Jury of any County, Riding, or Division, County of a City, County of a Town, or Borough, if he shall be satisfied that such Coroner was not then seised or possessed of such an Estate as would have qualified him to be elected Coroner under the Provisions of this Act, or if on any Complaint made in Writing he shall be satisfied that such Coroner has acted as Sub-Sheriff, contrary to the Provisions of this Act, to declare the Office of such Coroner to be vacated, and to direct a Writ to be issued for the Election of a Coroner for such County, Riding, or Division, County of a City, County of a Town, or Borough, or District thereof, (as the Case may be,) to or for which such Coroner may have been elected or chosen.

No Coroner shall act as Sub-Sheriff.

XIX. And be it enacted, That from and after the passing of this Act no Person who shall hold the Office of Coroner shall be appointed or shall act, by himself, or by his Partner, directly or indirectly, as Sub-Sheriff in any County, City, Town, or Borough.

Lord Chancellor may, upon receiving Certificate from Two Justices of Vacancy, issue Writ for Election of Coroner.

XX. And be it enacted, That whenever a Vacancy shall occur in the Office of Coroner of any County, Riding, or Division, County of a City, County of a Town, or Borough, or District thereof, and any Two or more Justices of the Peace of such County, City, Town, or Borough shall deliver or cause to be delivered to the Clerk of the Peace acting in and for such County, City, Town, or Borough a Certificate under their Hands and Seals of such Vacancy having occurred, the said Clerk of the Peace shall and he is hereby required, within Twenty-one Days after the Receipt of such Certificate, to transmit the same to the Lord Chancellor of *Ireland*, who shall thereupon direct a Writ to be issued for the Election of a Coroner for such County, Riding, or Division, County of a City, County of a Town, or Borough, or District thereof, (as the Case may be,) where such Vacancy shall have happened.

Coroner to reside within his District, or forfeit his Emoluments.

XXI. And be it enacted, That when any County shall have been divided into Districts under the Authority of this Act, every Person elected or chosen to serve the Office of Coroner of any such District in *Ireland* shall reside within the District to or for which he shall be elected or chosen Coroner; and in case any such Coroner shall fail or neglect to reside within his District he shall forfeit and lose all Right and Claim to the Fees and Emoluments herein-after provided for the Payment of Coroners, so long as he shall so fail and neglect to reside within the same; and if it shall happen that any such Coroner shall have been absent from his District, except in the Case of Illness, for any Period exceeding in the whole Twenty-eight Days in any One Year, it shall be lawful for the Lord Chancellor of *Ireland*, upon the Complaint in Writing of any Two Magistrates of such District,

to declare, if he shall so think fit, the Office of such Coroner to be vacant, and to order a Writ for the Election of a Coroner for such District to be issued.

XXII. And be it enacted, That when any dead Body shall be found, or any Case of sudden Death, or of Death attended with suspicious Circumstances, shall occur in any District, the Sub-Inspector of the Constabulary of such District, or the Constable or Sub-Constables acting in and for the Place where such dead Body shall be found or such Death happen, shall give or cause to be given immediate Notice thereof to the Coroner of such District, together with such Information as he or they shall have been able to obtain touching the finding of such dead Body or such Death; and the said Coroner shall, if upon the Receipt of such or other sufficient Notice and Information he shall deem it necessary to hold an Inquest upon such dead Body, issue his Precept to the Sub-Inspector of such District, or in his Absence to the Head or other Constable acting for him, to summon a sufficient Number of Persons to attend and be sworn as Jurors upon such Inquest at the Time and Place specified in such Precept; and the said Coroner shall issue a Summons for every Witness whom he shall deem necessary to attend such Inquest at the Time and Place therein specified, for the Purpose of giving Evidence relative to such dead Body; and he shall deliver or cause to be delivered all such Summonses to the Constable or some One of the Sub-Constables acting in and for the Place where such Inquest is to be held, who shall forthwith proceed to serve the same.

XXIII. And be it enacted, That such Sub-Inspector or Constable shall summon or cause to be summoned in Writing, as Jurors upon such Inquest, such Persons as shall be resident within the District and rated to the Relief of the Poor in a Sum of not less than Four Pounds: Provided always, that if the Attendance of a sufficient Number of Jurors, qualified as aforesaid, cannot conveniently be had, it shall be lawful for the Sub-Inspector or Constable as aforesaid to summon or cause to be summoned such and so many other fit and proper Persons being Householders, and residing within the County where such Inquest is to be holden, as shall be necessary, to attend and be sworn as Jurors upon such Inquest: Provided also, that no Person who is now exempted from serving upon Juries under and by virtue of an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland*, or of any Act amending the same, shall be liable to be summoned as a Juror upon any Inquest to be holden under the Authority of this Act.

XXIV. And be it enacted, That every Coroner by or before whom any Inquest *post mortem* shall be taken shall make an Abstract of the Inquisition and Finding of the Jury, and shall state in such Abstract the Names of the Jurors in any such Inquest, and the Names of all the Witnesses who shall have been examined at the same, and shall annex thereto an Account of all Sums of Money paid or advanced by him, as herein-after mentioned, for or on account of any such Inquest, or to or for or on account of any Witness or Witnesses who shall have attended the same, and also

Notice of the finding of any dead Body, or of sudden Death, to be given to the Coroner, who shall issue Summons for Jurors and Witnesses.

Qualification of Jurors upon Inquests.

No Person now exempted under 3 & 4 W.4. c.91. to be summoned under this Act.

Coroner to make Abstract of the Inquisition and Finding of the Jury; and annex an Account of Money paid;

and Number of Miles he has travelled ;

and shall certify such Abstract and Account to be true, and lodge them with the Secretary of the Grand Jury ;

Grand Jury shall examine such Abstracts, &c.

Presentments for and Limitation of Payments to Coroners.

Proviso as to more than One Inquest in One Day.

Payment of Coroners by Grand Jury for

also an Account of the Number of Miles which he shall have been compelled to travel from his usual Place of Residence to take such Inquest, and of the Number of Days during which such Inquest, or any Adjournment thereof (if any) shall have continued, and shall certify such Abstract and Account to be true and correct in all Particulars, and shall sign the same, and shall lodge such Abstract and Account with the Secretary of the Grand Jury of the County, Riding, or Division, County of a City, County of a Town, or Borough, as the Case may be, for which or for any District of which he is the Coroner, Ten clear Days at least before the assembling of the Grand Jury for such County, Riding, or Division, City, Town, or Borough ; and the said Secretary shall permit such Abstracts and Accounts to be inspected and examined in his Office by any Rate-payer of such County, Riding, or Division, City, Town, or Borough, who shall apply to him for the Purpose, at all Hours between Ten of the Clock of the Forenoon and Four of the Clock of the Afternoon during the said Ten Days ; and the said Secretary shall lay the same before the Grand Jury acting in and for such County, Riding, or Division, City, Town, or Borough, which shall next assemble ; and the said Grand Jury shall examine such Abstracts and Accounts, and shall and may, if they shall deem it necessary, examine the said Coroner upon Oath (which Oath the Foreman of such Grand Jury is hereby empowered to administer) as to the Truth and Correctness of all or any of the Statements or Items contained in such Abstracts or Accounts, or as to the Belief which such Coroner may at the Time of holding any such Inquest have entertained of the Necessity for holding the same ; and the said Abstracts and Accounts shall, when approved of by the said Grand Jury, be signed by the Foreman, and preserved among the Records of such County, Riding, or Division, City, Town, or Borough.

XXV. And be it enacted, That it shall and may be lawful to and for the Grand Jury of any County, Riding, or Division, when they shall have examined and approved of such Abstracts and Accounts as aforesaid, to present for the Payment of any Coroner within such County, Riding, or Division the Sum of One Pound Ten Shillings Sterling for each and every Inquest held by him respectively since the preceding Assizes, or since his last Application for a Presentment, but such Sums not to exceed in the whole the Sum of Fifty Pounds Sterling at any One Assizes ; and such Grand Jury shall present in addition thereto, and over and above such Payment, such further and other Sum, at the Rate of Sixpence *per* Mile for every Mile which such Coroner shall have been obliged to travel from his usual Place of Residence for the Purpose of taking such Inquest : Provided always, that whenever any Coroner shall have held more than One Inquest on the same Day, then in respect of every such Inquest taken after the first the said Sum of Sixpence *per* Mile shall be computed and paid to such Coroner for every additional Mile only which he shall have been compelled to travel in consequence of holding more than One Inquest on the same Day.

XXVI. And be it enacted, That it shall and may be lawful to and for the Grand Jury of any County, Riding, or Division to present such Sum as to them shall seem fit for the Payment of the Allowances

Allowances for travelling as aforesaid to any Coroner who shall show to the Satisfaction of such Grand Jury that he had been compelled in the Discharge of his Office to travel from his usual Place of Residence for the Purpose of taking an Inquisition, but which in the Exercise of his Discretion, he deemed to be unnecessary, and declined to take.

XXVII. And be it enacted, That it shall and may be lawful to and for the Grand Jury acting in and for any County of a City, County of a Town, or Borough in *Ireland*, when they shall have examined and approved of such Abstracts and Accounts as aforesaid, to present for the Payment of any Coroner within such City, Town, or Borough the Sum of One Pound Ten Shillings Sterling for each and every Inquest held by him respectively since the last Assizes or Presenting Term, or since his last Application for a Presentment: Provided always, that it shall not be lawful for any Grand Jury as aforesaid to present for the Payment of any Coroner any larger Amount or Sum than Sixty-five Pounds Sterling at any Assizes or Presenting Term.

XXVIII. And be it enacted, That it shall and may be lawful for any Coroner who shall hold any Inquest to pay to any Medical or other Witness who, having been summoned by him, shall attend and be examined at such Inquest, or to any other Person who shall do or perform any Matter or Thing relating to such Inquest in pursuance of the Order of such Coroner, or to the Owner or Occupier of any private House (not being related to or connected with the Deceased) who shall afford the Accommodation necessary for the Deposit of such dead Body or for the holding of such Inquest, any Sum or Sums of Money not exceeding the Sum contained in the Schedule (C.) hereunto annexed, as to such Coroner shall seem just and reasonable, upon obtaining from such Witness or other Person a Receipt duly signed for such Payment; and the said Coroner shall deliver all such Receipts, together with the Abstract and Accounts of such Inquest, to the Secretary of the Grand Jury acting in and for the County, Riding, or Division, County of a City, County of a Town, or Borough, as the Case may be, for which or for any District of which he is a Coroner.

XXIX. And be it enacted, That it shall be lawful for the Grand Jury of any County, County of a City, or County of a Town, other than the County of *Dublin*, if they shall so think fit, at any Assizes or Presenting Term, to present for the Board of Superintendence of the Gaols of such County, City, or Town such Sum or Sums of Money as they shall deem necessary for the Payment of all Expences incident to the holding of Coroners Inquests within the County, City, or Town, until the next ensuing Assizes or Presenting Term; and the Treasurer of such County, City, or Town, out of the Public Monies which shall then be in his Hands or shall next come into his Hands, shall pay to such Board of Superintendence the Sum so presented; and it shall be lawful for the said Board of Superintendence, if they shall so think fit, to pay to every Coroner of such County, City, or Town such Sums as he shall have advanced in Payment of the Witnesses or other Expences, not exceeding the Sums mentioned in the Schedule (C.) hereto annexed, incident to the holding of any such Inquest,

travelling when no Inquest is held.

Grand Jury of City, &c. to present to Coroner 1l. 10s. for each Inquest.

Not to exceed 65l. at any Assizes or Presenting Term.

Coroner may pay Witnesses as per Schedule, upon obtaining Receipts from Witnesses.

Coroner to deliver Receipts, &c. to Secretary of Grand Jury.

Grand Juries may present for Expences incident to the holding of Inquests, until the next Assizes.

Board of Superintendence may pay to Coroner Sums advanced to Witnesses.

Inquest, and to pay all Orders upon the Treasurer of such County, City, or Town which any Justices of the Peace may have issued to any Witnesses or other Person for or concerning any Inquest held by them as herein-after mentioned.

Grand Jury to present for such Sums as shall be necessary to pay Witnesses and Expences of Inquests.

XXX. Provided always, and be it enacted, That in case the Grand Jury of any County, County of a City, or County of a Town shall have omitted to make such Presentment as last aforesaid, or in case the Presentment made by such Grand Jury shall have been insufficient to discharge all the Expences incident to the holding of Inquests in such County, City, or Town, it shall be lawful for the Grand Jury of such County, City, or Town, when they shall next assemble, and they are hereby required, to present for the Coroner of such County, Riding, or Division, City, Town, or Borough, or any District thereof, such Sum or Sums as shall be necessary to repay such Coroner the Monies paid and advanced by him in and about the holding of any Inquest, and shall also present, to and for the Treasurer of such County, City, Town, or Borough, such Sum or Sums as shall be necessary to pay and discharge all Orders for the Payment of Witnesses and other Persons upon such Treasurer as any Two Justices of the Peace acting for and in the Absence of a Coroner, as herein-after mentioned, shall have given to any Witness or other Person since the last Assizes or Presenting Term; and the said Treasurer, out of the Public Monies of such County, City, or Town which shall then be in his Hands or shall next come to his Hands, shall pay the said Sum or Sums so presented to the said Coroner or to the said Witnesses or other Persons as aforesaid; and it shall be lawful for the Grand Jury acting in and for any County, Riding, or Division, County of a City, County of a Town, or Borough to direct and order that all such Sums of Money necessary for the Payment of any such Coroner, or of the other Expences incident to the holding of any Inquest, or such Part and Proportion thereof as to them shall seem meet and right, shall be raised and levied off the whole of such County, Riding, or Division, City, Town, or Borough, or off such District, Barony, or Parish thereof, as the Case may be, as they shall appoint.

Grand Jury may direct the Expences of Coroner or Inquests to be levied off any particular District, &c.

Coroner may order an Analysis to be made.

XXXI. And be it enacted, That it shall and may be lawful for any Coroner who shall consider an Analysis of any Matter or Thing of or concerning any dead Body necessary to order and direct that such Analysis be made by such legally qualified Medical Practitioner as he and the Majority of the Jury sworn upon any Inquest shall appoint; and he shall annex to the Abstract and Accounts of such Inquest a Certificate to be signed by him of such his Opinion, and of the Facts relating to such Analysis, which Certificate, together with the said Abstracts and Accounts, shall be laid before the Grand Jury acting in and for the County, Riding, or Division, County of a City, County of a Town, or Borough, as the Case may be, which shall next assemble; and it shall be lawful for the said Grand Jury to present to and for their Treasurer any Sum of Money not exceeding the Sum of Five Guineas for the Loss of Time, Labour, and Expence incurred by such Medical Practitioner in consequence of making such Analysis as to them shall seem fit; and the Sum so presented by the Grand Jury shall be paid to such Medical Practitioner by the

Grand Jury may present a Sum not exceeding Five Guineas for making such Analysis.

Treasurer

Treasurer of such County, Riding, or Division, City, Town, or Borough, in like Manner, and shall and may be raised and levied in like Manner, as the Sums already presented by any such Grand Jury.

XXXII. And be it enacted, That when any Inquest shall be holden on the Body of any Person who has died in any public Hospital or Infirmary, or in any Building or Place belonging thereto, or used for the Reception of the Patients thereof, or who has died in any County or other Lunatic Asylum, or in any public Infirmary or other public Medical Institution, whether the same be supported by Endowments or by voluntary Subscriptions, then and in such Case nothing herein contained shall be construed to entitle the Medical Officer whose Duty it may have been to attend the deceased Person as a Medical Officer of such Institution as aforesaid to the Fees or Remuneration herein provided.

XXXIII. And be it enacted, That from and after the passing of this Act, in all Cases where any Coroner shall hold an Inquest upon any dead Body, and shall deem the Attendance of some Medical Witness to be necessary at such Inquest, he shall summon as such Witness any legally qualified Medical Practitioner, being at the Time in actual Practice at or near the Place where such Death happened; and it shall be lawful for the Coroner, at any Time between the issuing of such Summons and the Termination of such Inquest, to direct the Performance of a *post-mortem* Examination by such Medical Witness; provided that if any Person shall state upon Oath before the Coroner that in his or her Belief the Death of the deceased Individual was caused partly or entirely by the improper or negligent Treatment of any Medical Practitioner or other Person, such Medical Practitioner or other Person shall not be allowed to perform or assist at the *post-mortem* Examination of the Deceased.

XXXIV. And be it enacted, That whenever it shall appear to the Majority of the Jurors upon any Inquest that the Cause of Death has not been satisfactorily explained by the Evidence of such Medical Practitioner, or of the Witness or Witnesses who shall have been examined at such Inquest, it shall be lawful for the said Jurors, by a Requisition in Writing, to call upon the Coroner to issue his Summons for the Attendance of some other legally qualified Medical Practitioner or Practitioners; and if the Coroner, on the Receipt of such Requisition, shall refuse or neglect to issue his Summons as aforesaid, he shall be deemed guilty of a Misdemeanor.

XXXV. And be it enacted, That when any Person shall have been duly summoned to attend as a Juror or as a Witness at any Inquest, and such Person shall fail or neglect to attend at the Time and Place specified in such Summons, it shall be lawful for the Coroner to cause such Person to be openly called in his Court Three Times to appear and serve as a Juror, or to appear and give Evidence at such Inquest, and upon the Nonappearance of such Person, and Proof that such Summons had been served upon him, or left at his usual Place of Abode, to impose such Fine upon the Person so making default, not exceeding the Sum of Forty Shillings, as to such Coroner shall seem fit; and such Coroner shall make out and sign a Certificate, containing the Christian and

No Remuneration to be presented to Medical Officer of Hospitals, &c. for Inquests on Inmates.

Coroner may summon Medical Practitioner to attend Inquest.

Jury may require further Medical Evidence.

Penalty on Coroner for Refusal.

Coroner may fine Jurors or Witnesses for Nonattendance at Inquest, and transmit the Account of the same to the Clerk of the Peace.

and Surname, the Residence, and Trade or Calling of every Person so making default, together with the Amount of the Fine which shall have been imposed, and the Cause of such Fine, and shall transmit such Certificate to the Clerk of the Peace acting in and for the County, Riding, or Division, City, Town, or Borough, in which such Person shall reside, on or before the First Day of the Quarter Sessions of the Peace then next ensuing, and shall cause a Copy of such Certificate to be served upon the Person so fined, by having it left at his usual Place of Residence, or by sending the same through the Post Office, addressed as aforesaid, Three Days at the least before the First Day of the said Quarter Sessions; and the said Clerk of the Peace shall copy the Fine or Fines so certified on the Roll on which all Fines and Forfeitures imposed at such Quarter Sessions of the Peace shall be copied, and the same shall be levied and applied in like Manner, and subject to the like Powers, Provisions, and Penalties in all respects, as if such Fine or Fines had been imposed at such Quarter Sessions; provided always, that nothing herein contained shall be construed to affect any Power now by Law vested in any Coroner for compelling any Person to appear as Juror, or to appear and give Evidence before him on any Inquest or other Proceeding, or for punishing any Person for Contempt of Court in not so appearing as Juror, or in not so appearing and giving Evidence, or otherwise.

Coroner may order dead Body to be deposited in the nearest Public House until Inquest held.

XXXVI. And be it enacted, That whenever any dead Body shall be found, and any Coroner shall in consequence of the Information received by him, consider it necessary to hold an Inquest thereon, it shall and may be lawful for such Coroner to order and direct that such dead Body shall be brought into the nearest convenient Tavern, Public House, or House licensed for the Sale of Spirits; and the Owner or Occupier of such Tavern, public or other licensed House, shall and he is hereby required to permit and allow such dead Body to be deposited within the same, or within some Part of the Premises thereof, until the Inquest shall have taken place; and if such Owner or Occupier shall refuse to permit such dead Body to be deposited within the said House, or some Part of the Premises thereof, it shall be lawful for the said Coroner to impose such Fine, not exceeding the Sum of Forty Shillings, upon such Owner or Occupier, for such Refusal or Neglect, as to such Coroner shall seem fit.

Owner or Occupier refusing to admit the same may be fined.

Coroner not to act professionally in any Case which may have come before him as Coroner.

XXXVII. And be it enacted, That from and after the passing of this Act, in all Cases in which any Person shall be charged by any Coroner's Inquisition with the Commission of any Crime, and shall be subsequently put upon his Trial, either on such Inquisition or in pursuance of any Bill of Indictment for the same Crime, the Coroner before whom such Inquisition shall have been found shall be wholly incompetent to act as an Attorney in Prosecution or Defence of such Person for such Crime, either by himself or his Partner, directly or indirectly; and that in all Cases in which it shall appear to the Judge before whom such Person shall be tried that any Coroner shall have so acted contrary to the Provisions and Intentions of this Act, such Judge shall impose upon every Coroner so offending such Penalty, not exceeding Fifty Pounds, as the said Judge shall in his Discretion think fit.

Penalty.

XXXVIII. And

XXXVIII. And be it enacted, That every Coroner appointed or chosen under the Authority of this Act, although such Coroner may be designated as the Coroner of any particular District of a County, Riding, or Division, City, Town, or Borough, shall for all Purposes whatsoever, except as herein-after mentioned, be considered as a Coroner for the whole of such County, City, Town, or Borough, and shall have the same Jurisdiction, Rights, Powers, and Authorities throughout the said County, City, Town, or Borough, as if he had been elected by the Electors of such County, City, Town, or Borough at large.

XXXIX. And be it enacted, That every Coroner appointed or elected under the Provisions of this Act shall, except during the Illness, Incapacity, or Absence of the Coroner for any other District, or during a Vacancy in the Office of Coroner for any other District, hold Inquests only within the District to and for which he shall have been so appointed or elected; and that if any Coroner shall hold an Inquest in any District, save that to and for which he shall have been appointed or elected, he shall state in the Abstract of such Inquest as aforesaid the Reason of his having held such Inquest; and it shall be lawful for the Grand Jury before whom the Abstract and Accounts of such Inquest shall be laid to refuse, if they shall so think fit, to present any Sum of Money for the Payment of any Coroner who shall hold an Inquest beyond the Limits of the District to which he shall have been appointed or elected.

XL. And be it enacted, That every Order which, by and under the Provisions of this Act, any Coroner, or any Two Magistrates acting for and in the Absence of such Coroner, shall make and issue, shall be signed and sealed by such Coroner or such Magistrates; and that any Order which any Coroner or Magistrate as aforesaid shall make or issue, and which shall not be signed and sealed as aforesaid, shall be of no Force or Effect whatsoever, nor shall any Person be subject to or visited with any Fine or other Punishment for Disobedience thereof.

XLI. And be it enacted, That it shall not be lawful for the Grand Jury acting in and for any County, Riding, or Division, County of a City, County of a Town, or Borough to present any Sum of Money for the Payment of any Coroner, if such Coroner shall appear to them to have been guilty of Neglect of Duty in not attending to take any Inquest; nor shall it be lawful for any Grand Jury to present any Sum of Money for the Payment of any Coroner for or in respect of any Inquest other than such as he shall have held since the then last preceding Assizes or Presentment Term, or since his last Application for a Presentment.

XLII. And be it enacted, That if any Coroner shall from and after the passing of this Act be convicted of any Extortion, or wilful Neglect of Duty, or Misdemeanor, in his Office, it shall be lawful for any Judge of Assize before whom he shall be so convicted to adjudge that he shall be removed from his Office, and thereupon a Writ shall issue removing him from his Office, and for electing another Coroner in his Stead.

XLIII. And be it enacted, That if any Person shall have been removed from the Office of Coroner in consequence of any such Conviction as aforesaid he shall be for ever afterwards incapable of

Coroner, although elected for a District, to be considered a Coroner of the County or City at large.

Coroner to hold Inquests only in the District to which he is appointed, except in certain Cases.

All Orders of Coroners, &c. to be signed and sealed.

Any Order not signed, &c. to be of no Effect.

Grand Jury not to present for any Coroner guilty of Neglect, &c.

Coroner may be removed by Judge for Extortion or Neglect of Duty.

Coroner, if once removed from his Office, incapable of being again elected.

of being re-elected as Coroner for any District, nor shall it be lawful for any Sheriff or Sub-Sheriff to put any such Person in nomination when a Vacancy in the Office of Coroner in any County, Riding, or Division, City, Town, or Borough, shall occur.

In the Absence of Coroner, Two Magistrates may hold Inquest, and summon Jurors and Witnesses.

XLIV. And be it enacted, That when any dead Body shall be found, or any Death attended with suspicious Circumstances shall occur, and no Inquest shall be held on the same within the Space of Two Days from the finding of such dead Body or of such Death, it shall be lawful for any Two Magistrates of such District to hold an Inquest relative to the Death of any such Person, and to summon such Jurors and such medical and other Witnesses to attend such Inquest, and to administer all necessary Oaths, and to give such Orders and Directions, and to impose such Fines for Neglect or Refusal, in like Manner as any Coroner is empowered to do under the Provisions of this Act, and also to sign and issue to such medical or other Witnesses summoned and examined before them, and to the Owner or Occupier of any private House (the same not being related to or connected with the Deceased) wherein such dead Body shall have been deposited, or wherein such Inquest shall have been held, and to any Person or Persons who shall do or perform any Matter or Thing relating to such Inquest, in pursuance of the Order of such Magistrates, an Order upon the Treasurer of the County, County of a City, County of a Town, or Borough, as the Case may be, for such Sum or Sums of Money as such Coroner is hereby empowered to pay to such Witnesses or other Persons, and as to them shall seem just and reasonable; and the said Magistrates shall make out and lodge with the Secretary of the Grand Jury for such County, Riding, or Division, City, Town, or Borough, an Abstract of the Inquisition and Finding of the Jury, together with the Names of the Jurors and of the Witnesses who shall have been examined at such Inquest, and an Account of all Orders upon the Treasurer for Payment of such Witnesses or other Persons, issued by them, Ten Days at least before the Grand Jury acting in and for such County, Riding, or Division, County of a City, County of a Town, or Borough, shall next assemble.

Persons swearing falsely guilty of Perjury.

XLV. And be it enacted, That if any Elector or other Person shall wilfully and falsely take any Oath or Affirmation appointed by the Authority of this Act to be taken, or if any Person shall corruptly procure or suborn any Elector or other Person wilfully and falsely to take any Oath or Affirmation hereby appointed to be taken, for the Purpose of such Person being polled at any Election of a Coroner, and he or they shall be convicted thereof, he or they shall for every such Offence incur all such Pains and Penalties as are by Law inflicted on Persons guilty of Perjury or Subornation of Perjury.

Inquisitions not to be quashed on account of technical Defects.

XLVI. 'And whereas it is expedient to make Provision for supporting Coroners Inquisitions, and for preventing the same from being quashed on account of technical Defects; be it therefore enacted, That from and after the passing of this Act no Inquisition found upon or by any Coroner's Inquest, nor any Judgment recorded upon or by virtue of any such Inquisition, shall be quashed, stayed, or reversed for Want of the Averment therein of any Matter unnecessary to be proved; nor for the Omission of

Words

Words "with Force and Arms," or of the Words "against the Peace," or of the Words "against the Form of the Statute;" nor for the Omission or Insertion of any other Words or Expressions of mere Form or Surplusage; nor for the Insertion of the Words "upon their Oath" instead of the Words "upon their Oaths;" nor for omitting to state the Time at which the Offence was committed, when Time is not the Essence of the Offence; nor for stating the Time imperfectly; nor because any Person or Persons mentioned in any such Inquisition is or are designated by a Name of Office or other descriptive Appellation, instead of his, her, or their proper Name or Names; nor by reason of the Noninsertion of the Names of the Jurors in the Body of any such Inquisition, or of any Difference in the spelling of the Names of any of the Jurors in the Body of any such Inquisition, and the Names subscribed thereto; nor because any Juror or Jurors shall have set his or their Mark or Marks to any such Inquisition, instead of subscribing his or their Name or Names thereto; nor because any such Mark or Marks is or are unattested, provided the Name or Names of such Juror or Jurors is or are set forth; nor because any Juror or Jurors has or have signed his or their Christian Name or Names by means of an initial or partial Signature only, and not at full Length; nor because of any Erasures or Interlineations appearing in any such Inquisition, unless the same shall be proved to have been made therein after the same was signed; nor for Want of a proper Name, where the Inquest shall appear or purport to have been taken by a Coroner or any Two Magistrates of or for the County, Riding, or Division, City, Town, or Borough, or Place, in which it shall appear or purport to have been taken; nor (except only in Cases of Murder or Manslaughter) for or by reason of any such Inquisition not being duly sealed or written on Parchment; nor because the Coroner and Jury did not all view the Body at one and the same Instant, provided they all viewed the Body at the first Sitting of the Inquest; nor because all or any of the Jurors upon such Inquest may not have been rated to the Relief of the Poor; and in all or any of such Cases of technical Defect as are herein-before mentioned it shall be lawful for any Judge of either of Her Majesty's Courts in *Dublin*, or any Judge of Assize or Gaol Delivery, if he shall so think fit, upon the Occasion of any such Inquisition being called in question before him, to order the same to be amended in any of the respects aforesaid, and the same shall forthwith be amended accordingly.

XLVII. 'And whereas it was provided by the herein-before recited Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, that it shall be lawful for the Grand Jury of the County of *Dublin* at each Presenting Term to present any Sum, not exceeding in the whole in any One Year the Sum of One hundred Pounds, for the Payment of each and every Coroner in such County respectively; provided that no Coroner shall receive more than at the Rate of One Pound Ten Shillings for each Inquest so held by him; be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal or alter the said Provision.

XLVIII. And be it enacted, That it shall be lawful for the Grand Jury of the County of *Dublin* at each Presenting Term to present

Nothing in this Act to affect the Provisions of 7 & 8 Vict. c. 106. s. 31.

Grand Jury of the County of *Dublin* to present

sent for Expenses of Inquests in advance.

Finance Committee of County of Dublin to pay the Expenses of Coroner, &c.

Coroners to make Returns yearly of Inquests to Lord Lieutenant.

Commencement of Act.

Interpretation of Act.

Act may be amended, &c.

present in advance such Sum as they shall deem necessary for the Payment of all Expenses incident to the holding Inquests within the said County during the ensuing Year, which Sum shall be apportioned and levied in like Manner, and with the same Powers and Authorities, and subject to the same Rules and Regulations, as are enacted with reference to all other Sums presented by the said Grand Jury under and by virtue of the said last-recited Act.

XLIX. And be it enacted, That it shall be lawful for the Finance Committee of the County of *Dublin* to pay to any Coroner of the said County all Sums of Money which he shall have advanced to any Witness or other Person under the Provisions of this Act, or to pay all Orders for Money which any Two Magistrates shall under the Provisions of this Act have given to any Witness or other Person for or concerning any Inquest held by them : Provided always, that such Payments shall not in any Case exceed the Sums of Money contained in the Schedule (C.) hereto annexed.

L. And be it enacted, That from and after the passing of this Act every Coroner in *Ireland* shall, on or before the Tenth Day of *January* in each Year, make out and transmit to the Lord Lieutenant of *Ireland* a Return in Writing, according to such Form as the said Lord Lieutenant shall from Time to Time direct, of all the Cases in which he shall have been called upon to hold an Inquest touching the Death of any Person during the Year ending on the Thirty-first Day of *December* immediately preceding, and a Copy of the Finding of the Jury on every such Inquest.

LI. And be it enacted, That this Act shall commence and take effect on the First Day of *January* One thousand eight hundred and forty-seven.

LII. And be it enacted, That in this Act the Word "Oath" shall in all Cases be construed and interpreted to signify and include all Affirmations which may now by Law be made and tendered by or to any Person or Persons in *Ireland*.

LIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Form of Oath to be taken by Electors at any Election for the Office of Coroner.

I *A.B.* do swear [or affirm], That I am a registered Elector of the County [or Borough] of _____ in right of my _____ [state the Nature of the Franchise, whether it be an Estate of Freehold, Leasehold, or of any other Nature, and the Townland, Parish, and Barony where situate], and that the Place of my Abode is at _____ [if it be a Place consisting of more Places or Streets than One, specify what Street or Place], and that I have not been polled before at this Election [adding, except in Cases of Affirmation]

So help me GOD.

SCH-

SCHEDULE (B.)

Form of Oath to be taken by Candidates at any Election for the Office of Coroner.

I *A.B.* do swear [*or affirm*], That I truly and bonâ fide have, to and for my own Use and Benefit, such an Estate of Inheritance of the annual Value of Fifty Pounds Sterling [*or of Freehold for my own Life, or for the Life of* _____ *or for the Lives of* _____ *of the annual Value of One hundred Pounds Sterling, as the Case may be*], in Law or Equity, as I have described in the Statement thereof delivered by me to the Sheriff [*or Under Sheriff*] of _____ of and in the Lands, Tenements, or Hereditaments, over and above all Charges and Incumbrances that may affect the same, and as doth qualify me to be elected and chosen to serve the Office of Coroner for the County of _____ [*Riding, or Division, County of a City, County of a Town, or Borough, or District thereof, as the Case may be*], according to the Tenor and Meaning of an Act passed in the Ninth and Tenth Years of Her present Majesty, intituled "An Act to amend the Laws relating to the Office of Coroner and the Expences of Inquests in Ireland;" and that my said Lands, Tenements, or Hereditaments are lying and being at [*if in a Street in a City, Town, or Borough, or other Place, specify what Street,*] in the Parish of _____ in the Barony of _____ [*or Ward of* _____ *as the Case may be*] and County of _____ [County of _____ the City of _____ County of the Town of _____ or Borough of _____ *as the Case may be,*] aforesaid.
So help me GOD.

SCHEDULE (C.)

Table of Payments which any Coroner, or any Two Magistrates in his Absence, may make to any Witness or other Person who, being summoned, shall attend and give Evidence at any Inquest, or shall do any other Act or Thing in obedience to the Order of such Coroner or of such Two Magistrates as aforesaid.

	£	s.	d.
To any poor Witness, for each Day of Attendance at any Inquest, any Sum not exceeding, per Diem	0	1	0
To the Owner or Occupier of any private House who shall permit any dead Body to be deposited therein (if such Owner or Occupier be not related to or connected with the Deceased), any Sum not exceeding, per Diem	0	3	6
To the Owner or Occupier of any private House who shall afford Accommodation to the Coroner (or to any Two Magistrates during his Absence), Jurors and Witnesses, for the holding of an Inquest therein (in case such Owner or Occupier shall not be related to or connected with the Deceased), any Sum not exceeding, per Diem	0	3	6

	£	s.	d.
To the Person or Persons who shall, pursuant to an Order from any Coroner or of any Two Magistrates, disinter and afterwards bury any dead Body - -	0	5	0
To any legally qualified Medical Practitioner who, in pursuance of the Summons and Order of any Coroner or of any Two Magistrates, shall attend and examine any dead Body, and give Evidence as a Witness, at any Inquest held thereon, the Sum of - - -	1	1	0
To any legally qualified Medical Practitioner who, in obedience to the Order of any Coroner or of any Two Magistrates, shall make a post-mortem Examination of any dead Body, and shall attend and give Evidence at the Inquest held thereon, the further Sum of - - - - -	1	1	0
To any Person or Persons who shall, pursuant to an Order in Writing from any Coroner or any Two Magistrates, have provided a Coffin, and buried the Body of any Stranger on which an Inquest shall have been held, the Sum of - - - - -	0	10	0

C A P. XXXVIII.

An Act to empower the Commissioners of Her Majesty's Woods to form a Royal Park in *Battersea Fields* in the County of *Surrey*.
[3d August 1846.]

‘ **W**HEREAS the Commissioners appointed by Her most
 ‘ Gracious Majesty to inquire into and consider the most
 ‘ effectual Means of improving the Metropolis, and of providing
 ‘ increased Facilities of Communication within the same, did by
 ‘ their Fifth Report, dated the Twenty-third Day of *July* One
 ‘ thousand eight hundred and forty-five, (which has been laid
 ‘ before both Houses of Parliament by Her Majesty's Command,)
 ‘ humbly recommend to Her Majesty that a Royal Park should
 ‘ be formed on the Site of the Lands now called *Battersea Fields*
 ‘ in the Parish of *Saint Mary Battersea* in the County of *Surrey*,
 ‘ or certain Parts thereof, consisting in the whole of Three hundred
 ‘ and twenty Acres or thereabouts, together with an Embankment
 ‘ on the Right Bank of the River *Thames*: And whereas Her said
 ‘ Majesty has been graciously pleased to assent to the Recommen-
 ‘ dation of Her said Commissioners; but the same cannot be
 ‘ carried into effect without the Authority of Parliament: And
 ‘ whereas the Queen's most Excellent Majesty in right of Her
 ‘ Crown claims to be seised of the Ground or Soil and Bed of the
 ‘ River *Thames*, and the Shores thereof so far as the Tide flows
 ‘ and reflows in the same River, and the Mayor and Commonalty
 ‘ and Citizens of the City of *London* are Conservators of the
 ‘ same River, and claim also to be entitled to so much of the
 ‘ Ground and Soil and Bed of the said River and the Shores
 ‘ thereof as lie within the Limits and Bounds of their Jurisdiction
 ‘ as Conservators, and a Suit has been instituted by Her Majesty's
 ‘ Attorney General, on behalf of Her Majesty, against the said
 ‘ Mayor and Commonalty and Citizens, for the Purpose of ascer-
 ‘ taining

‘ taining and determining the Rights of Her Majesty and of the
 ‘ said Mayor and Commonalty and Citizens respectively, and such
 ‘ Suit is still pending : And whereas the Plan of the said Embank-
 ‘ ment has, without Prejudice to the Right and Title of the Crown,
 ‘ been submitted to and received the Approval of the Lord Mayor
 ‘ of the City of *London*, the Conservator of the said River
 ‘ *Thames* :’ May it therefore please Your Majesty that it may be
 enacted ; and 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, That the Commissioners of Her
 Majesty’s Woods, Forests, Land Revenues, Works, and Buildings
 for the Time being shall and may, with the Consent and Appro-
 bation of the Lord High Treasurer, or of the Commissioners for
 executing the Office of Lord High Treasurer of the United
 Kingdom of *Great Britain* and *Ireland* for the Time being, or
 any Three or more of them, form a Royal Park in *Battersea Fields*
 in the Parish of *Saint Mary Battersea* in the County of *Surrey*,
 and for that Purpose lay out and apply any Monies which shall
 from Time to Time come into their Hands as such Commissioners
 as aforesaid from the Sale of any of the Possessions of the Crown,
 not exceeding in the whole the Sum of Two hundred thousand
 Pounds, in the Purchase of the Lands and Hereditaments required
 for the Purposes of this Act, and in laying out and planting the
 same, and forming the Embankment and other Works herein-after
 mentioned, and carrying the other Purposes of this Act into execu-
 tion ; and such Lands and Hereditaments, when purchased, shall
 be conveyed and assured to Her Majesty, Her Heirs and Suc-
 cessors, and when so conveyed shall for ever thereafter be a Royal
 Park by the Name of *Battersea Park*, and Part and Parcel of
 the Possessions and Land Revenues of Her Majesty in right of the
 Crown ; and all Laws, Provisions, and Regulations now in force
 or hereafter to be in force with respect to Royal Parks shall be
 taken to extend and apply to such Park, except that the Commis-
 sioners of Her Majesty’s Woods, Forests, Land Revenues, Works,
 and Buildings for the Time being may, in such Manner as by
 Law is provided with regard to the Hereditary Revenues of the
 Crown, not being Royal Parks, lease such Parts of the said
 intended Park as, with such Consent and Approbation as afore-
 said, they shall deem it expedient to lease, for the Purposes of
 Sites for Dwelling Houses or ornamental Buildings, and Offices
 and Gardens thereto annexed ; and that all and every the Powers
 and Provisions with regard to Leases for the Purposes aforesaid,
 to be made or granted by the Commissioners of Her Majesty’s
 Woods, Forests, Land Revenues, Works, and Buildings for the
 Time being, of the Hereditary Revenues of the Crown, not being
 Royal Parks, shall extend to such Part or Parts of the said
 intended Park so to be leased as aforesaid.

Commissioners
 of Woods, &c.
 empowered to
 purchase Lands
 for a Royal
 Park, to be
 called Battersea
 Park.

II. And be it enacted, That the Commissioners of Her Ma-
 jesty’s Woods, Forests, Land Revenues, Works, and Buildings
 for the Time being may, by and out of the aforesaid Monies, lay
 out, plant, and enclose the said intended Park, and build any
 Lodge or Lodges, Museums, or other ornamental Buildings therein,
 and in such Manner as they may think fit ; and it shall be lawful

Commissioners
 of Woods, &c.
 may lay out,
 plant, and en-
 close the in-
 tended Park,
 erect Buildings,
 &c., make Re-

gulations, and
appoint
Officers.

for the said Commissioners from Time to Time to make Orders and Regulations for opening and closing the Gates and Entrances of the said Park, or any of them, at such Hours as they shall think fit, and to appoint Park-keepers and other Officers to preserve Order therein, and generally to exercise as ample Powers of Control and Management in and over the said Park as the said Commissioners, or the Rangers of any other of Her Majesty's Royal Parks, may lawfully exercise in or over any of such other Royal Parks.

Treasury em-
powered to
authorize Ex-
chequer Bill
Commissioners
to advance
Monies on the
Credit of the
Land Revenues
of the Crown.

III. And be it enacted, That it shall be lawful for the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer for the Time being, or any Three or more of them, if he or they shall think fit, from Time to Time to authorize the Commissioners for issuing Exchequer Bills for Public Works, acting in the Execution of an Act passed in the Fifty-seventh Year of the Reign of King *George* the Third, and of several subsequent Acts for amending and extending the same, to advance and lend to Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings, for the Time being, any Sum or Sums of Money in Exchequer Bills not exceeding in the whole the said Sum of Two hundred thousand Pounds, and the Repayment thereof, with Interest from the Time or respective Times of advancing the same, not exceeding the Rate of Four Pounds *per Centum per Annum*, shall be secured in such Manner as the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer for the Time being, or any Three or more of them, shall direct; and the said Lord High Treasurer, or Commissioners for executing the Office of Lord High Treasurer, may authorize and direct such Sum of Money to be advanced by such Instalments and from Time to Time as he or they shall think fit.

Commissioners
of Woods, &c.
empowered to
mortgage
Hereditaments
purchased
under this Act,
to secure the
Repayment of
Loans.

IV. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Time being, with such Consent and Approbation as aforesaid, notwithstanding any Provisions, Restrictions, or Clauses contained in any Act or Acts of Parliament relating to Her Majesty's Land Revenue, from Time to Time to take up and borrow, at any Rate of Interest not exceeding the Rate of Five Pounds *per Centum per Annum*, and on such Terms and Conditions as they shall think proper, such Sum or Sums of Money as the said Commissioners, with such Consent and Approbation as aforesaid, shall judge necessary for the Purposes of this Act, not exceeding the said Sum of Two hundred thousand Pounds, and to secure the Repayment of any Sum or Sums so to be advanced to them as aforesaid, with Interest for the same, by Mortgage of all or any Part or Parts of the Hereditaments to be purchased under the Authority of this Act, and for that Purpose, with such Consent and Approbation as aforesaid, to execute any Grant, Demise, or Mortgage of all or any Part of the same Hereditaments to any Person or Persons, Bodies Politic or Corporate, his or their Executors, Administrators, Successors, or Assigns, for any Term of Years, so that every such Grant, Mortgage, or Security be made with a Proviso or Condition to cease and be void when the Sum or Sums of Money thereby to be secured, and the Interest thereof, shall

shall be fully paid and satisfied ; and every such Grant, Mortgage, or Security may be in a Form similar to that set forth in an Act of the Fourth and Fifth Years of Her present Majesty, intituled *An Act to empower the Commissioners of Her Majesty's Woods to raise Money for certain Improvements in the Metropolis on the Security of the Land Revenues of the Crown within the County of Middlesex and City of London*; and every such Grant, Demise, or Mortgage as aforesaid, and every Assignment thereof, shall be enrolled in the Office of Land Revenue Records and Enrolments, and entered in the Office of Woods, within Three Calendar Months from the Date thereof; and every such Grant, Demise, or Mortgage shall be good and valid, notwithstanding any Provisions, Restrictions, or Clauses contained in any such Act or Acts of Parliament as aforesaid.

V. And be it enacted, That it shall be lawful for the said Commissioners in all respects to make and grant such Leases and Agreements for Leases, and to accept a Surrender of any Lease or Leases granted or to be granted of any Hereditaments comprised in any Mortgage made or to be made in pursuance of this Act, and on any such Surrender to grant any other Lease or separate Leases of the Hereditaments so to be surrendered, for any Term which they are or may be authorized to grant, in all respects whatsoever as if such Mortgage or Mortgages had not been made, so as the Rent to be reserved in respect of any Hereditaments to be comprised in any new Lease to be made on the Surrender of a former Lease be not less in Amount than the Rent which was reserved by the surrendered Lease, or (when more than One Lease shall be granted of any Hereditaments comprised in a Lease which shall have been surrendered) so as the aggregate Amount of Rents to be reserved by the separate Leases be not less in Amount than the Rent reserved by the Lease so surrendered.

VI. And be it enacted, That the Person or Persons, Body or Bodies, to whom any such Mortgage as aforesaid shall be granted, shall (in respect of such Leases so to be granted, and during the Continuance of such Mortgage Securities,) have such and the same Powers of Distress, Entry, and otherwise, for the Recovery of the Rents by any such Leases so to be granted reserved, and shall have such and the same Benefit of the Covenants in such Leases to be contained, and on the Part of the Lessees to be performed, as they would have had if they had been Parties to such Leases, and the Rents and Rights of Distress and Entry had been reserved to them, and the Covenants entered into with them, in all respects whatsoever, but not so as to give any subsequent Mortgagee any Right or Priority over the prior Mortgagee.

VII. And be it enacted, That the Maps or Plans already made, describing the Site or intended Site and Boundaries or intended Boundaries of the said intended Park, after the same shall have been authenticated in Duplicate by the Signature of the Right Honourable the Speaker of the House of Commons, shall be deposited in the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and in the Office of Land Revenue Records and Enrolments respectively, and the Maps or Plans so authenticated and deposited shall remain in such Offices respectively, to the end that all Persons may at all season-

Commissioners empowered to lease notwithstanding Mortgages.

Saving Rights of Distress and Entry of Mortgages.

Maps or Plans to be deposited in the Office of Woods and in the Land Revenue Record Office.

able Times inspect and peruse the same at their Will and Pleasure, on paying the Sum of One Shilling for every such Inspection.

No Deviation to be made from such Plans without Consent.

VIII. And be it enacted, That the said Commissioners, in making, forming, and completing the said intended Park, shall not deviate more than Fifty Yards from the Lines described in the aforesaid Maps or Plans as the Boundaries or intended Boundaries of the said Park, nor, in the Case of Ground or Hereditaments belonging to the *Southwark and Vauxhall* Waterworks Company, make any Deviation from such Lines, without the Consent of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Tenements such Deviation shall be made.

Power to stop up and alter Roads, and to make Approaches to the Park.

IX. And be it enacted, That it shall be lawful for the said Commissioners to stop up, divert, widen, or alter all or any of the Roads, Ways, Paths, or Passages, Drains or Watercourses, which now lead into, upon, through, across, or over any Part or Parts of the Site or intended Site of the said intended Park, and to set out and make such other Roads, Ways, Paths, or Passages, Sewers, Drains, or Watercourses, as to the said Commissioners may seem fit and necessary, and to make and form such convenient Approaches to the said Park as they may deem suitable and proper; and the Ground and Soil of such Roads, Ways, Paths, or Passages, Drains or Watercourses, as shall be so stopped up, and the Fee Simple and Inheritance thereof, shall be and the same is hereby vested in Her Majesty, Her Heirs and Successors, for the Purposes of this Act.

Sewers for Drainage of Houses to be under Jurisdiction of Commissioners of Sewers, but no Outlet to be made into the Thames.

X. And be it enacted, That all Sewers and Drains which shall be made and constructed for the Sewerage and Drainage of Houses and Buildings to be erected on such Parts of the said intended Park as shall be leased by the said Commissioners for the Purposes of Sites for Dwelling Houses or ornamental Buildings and Offices and Gardens thereto annexed, and the Power and Authority of rating the said Houses, Buildings, and Premises, or the Owners or Occupiers thereof respectively, shall be under the Care, Management, Control, and Jurisdiction of the Commissioners of Sewers for the Limits extending from *East Moulsey* in the County of *Surrey* to the *Ravensbourne* in the County of *Kent*: Provided always, that no Outlet shall at any Time be made from any Sewer into the River *Thames* through or under any Part of the said intended Embankment, or through, under, or in front of any Lands or Tenements lying between the extreme Limits comprised in the Schedule to this Act.

Power to embank the Shore of the River adjacent to the Park.

XI. And be it enacted, That it shall be lawful for the said Commissioners to enclose and embank so much of the Shore and of the Ground and Soil of the River *Thames* on the Right Bank thereof as bounds or is adjacent to the Hereditaments comprised in the Schedule to this Act, and to stop up, remove, or alter any Piers, Stairs, Hards, or Landing Places on so much of the Right Bank of the said River as bounds the said Hereditaments comprised in the Schedule of this Act as shall be necessary for that Purpose, and to construct Piers, Stairs, Hards, or Landing Places at such Part or Parts of such Embankment and the Ground and Soil so to be embanked as are described upon the said Plan, either on the Sites marked on such Plan, or within the Distance of Fifty Feet from such Sites respectively; and all such Piers, Stairs, Hards,

Hards, or Landing Places so to be constructed as aforesaid shall be and remain vested in Her said Majesty, Her Heirs and Successors, for an Estate in Fee Simple, for the Purposes of this Act.

XII. And be it enacted, That for the Purpose of forming such Embankment, Piers, Stairs, Hards, or Landing Places as aforesaid it shall be lawful for the said Commissioners to remove Shoals and to excavate and deepen the Bed of the River *Thames*, in any Places between *Battersea* and *Vauxhall* Bridges where it shall require to be deepened, or may be deepened without Injury, and to take away the Gravel, Sand, Earth, Ballast, or other Materials which shall be raised from the Bed of the said River in executing any such Works: Provided always, that all Gravel, Sand, Earth, Ballast, or other Materials which shall be raised as aforesaid shall be wholly removed and taken away from the said River without screening or returning any Part thereof into the said River after the same shall have been so raised: Provided also, that the said Commissioners shall and they are hereby required to level all Holes and Pits that shall be dug or caused by such Excavation as aforesaid, and in all Places where they shall deepen the Bed of the said River to deepen the same uniformly.

Soil raised from the River may be used to form Embankment.

XIII. And be it enacted, That nothing contained in this Act shall be deemed or construed to extend, either directly or by Implication or otherwise, to prejudice or affect any Right of Property or Title belonging to Her Majesty, Her Heirs or Successors, in or to the Ground or Soil and Bed of the River *Thames* or the Shores thereof, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Saving Rights of Her Majesty.

XIV. Provided always, and be it enacted, That nothing in this Act contained shall prejudice or be deemed or construed to extend to prejudice any Right of Property or Title of the said Mayor, Commonalty, and Citizens of the City of *London*, or their Successors, in or to the Soil and Bed of the River *Thames* or the Shores thereof, or prejudice or derogate from any of the Estates, Rights, Privileges, Franchises, Jurisdiction, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor for the Time being of the same City, or prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the River *Thames*, or otherwise, did or might lawfully claim, use, or exercise.

Saving Rights of the Corporation of London.

XV. And be it enacted, That for the Purpose of making, forming, and completing the said intended Park, it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, on behalf of Her Majesty, and they are hereby authorized and empowered, to take and use, or cause to be taken and used, any Lands, Tenements, or Hereditaments, and pull down and remove or cause to be pulled down and removed any Houses or Buildings which they may deem necessary and expedient to take, use, or pull down and remove for the Purposes of this Act, at any Time, at the Expiration of Six Calendar Months after Notice in Writing from the said Commissioners, or their Agent duly authorized, of the Intention to

Power to take Lands and Houses.

take

take or use the same shall either be given to the principal Officer of the Body Politic, Corporate, or Collegiate, or to the Person or Persons who shall be the Owners and Occupiers of such Tenements or Hereditaments, or, in case he, she, or they cannot be found or ascertained, left at the usual or last Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of the same Tenements or Hereditaments, or shall be fixed upon the same Premises; and for the Purposes of this Act the Owner shall be any Person hereby capacitated to sell.

No House, &c. to be taken without Consent, unless in Schedule.

XVI. Provided always, and be it enacted, That no Lands, Hereditaments, Houses, or Buildings shall be taken or made use of for the Purposes of this Act, except such as are mentioned in the Schedule hereunto annexed, or as are situated within the Limits of the Deviation herein-before authorized, without the Consent in Writing of the Owner or Owners thereof being first had and obtained for that Purpose.

Houses and Lands may be taken, notwithstanding Errors in the Schedule.

XVII. And be it enacted, That it shall be lawful for the said Commissioners to purchase, take down, and use, for the Purposes of this Act, any of the Houses, Buildings, Lands, and other Hereditaments described in the said Plan or Plans to be deposited as aforesaid as intended to be taken for the Purposes of this Act, although the same Houses, Buildings, Lands, and other Hereditaments, or the Name or Names of the Owner or Owners, Occupier or Occupiers thereof, may happen to be erroneously stated or omitted in the Schedule hereunto annexed, in case it shall appear to any Two or more Justices of the Peace for the County of *Surrey*, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information.

Power to enter and survey Houses and Lands.

XVIII. And be it enacted, That it shall be lawful for the Commissioners, and for their Surveyors, Officers, and Workmen, from Time to Time, at all seasonable Times in the Daytime, upon giving for the first Time Twenty-four Hours and afterwards from Time to Time Twelve Hours previous Notice in Writing, to enter into and upon all or any of the said Lands, Tenements, and Hereditaments authorized to be taken and used as aforesaid, or any of them, for the Purpose of surveying or valuing the said Premises, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment on account of entering or continuing upon any Part or Parts of the said Lands, Tenements, or Hereditaments, for the Damages that shall be thereby occasioned.

Commissioners empowered to treat for the Purchase of Lands.

XIX. And be it enacted, That it shall be lawful for the said Commissioners on behalf of Her Majesty, and they are hereby empowered, to treat and agree for the Purchase of any Lands, Tenements, and Hereditaments which they may deem necessary for the Purposes of this Act to be taken and used by them, and of any subsisting Leases, Terms, Shares, Estates, and Interests therein, and Charges thereon, or such of them, or such Part or Parts thereof respectively as the said Commissioners shall think proper, and for that Purpose to enter into any Contract or Contracts which they may think fit.

Bodies Politic and Trustees empowered

XX. And be it enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and for all Trustees and Feoffees in Trust for charitable and

and other Purposes, and all Executors and Administrators, not only for and on behalf of themselves, their Successors, Heirs, Executors, and Administrators respectively, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Femes Covert, Idiots, Lunatics, or Persons not born or not ascertained, or any other Person or Persons whomsoever, and to and for all Tenants for Life or for Years absolute or determinable on any Life or Lives, and all Persons having any other partial or qualified Estate or Interest, not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Issue, but also for and on behalf of the Person or Persons entitled in remainder, reversion, expectancy, or contingency, or for any other future Estate or Interest, where such Person or any of such Persons, whether entitled to the next or any subsequent Estate or Interest, or any Part thereof, shall not be ascertained, or shall be incapable of contracting for, selling, and conveying the same, and for all Guardians on behalf of their respective Wards, Husbands on behalf of their respective Wives, Committees on behalf of the Persons of whose Estates they shall be Committees, and the Heirs, Executors, and Administrators, and Issue of such Wards, Wives, or Persons respectively, and to and for all Femes Covert entitled in their own Right to any such Lands, Tenements, or Hereditaments, or to Dower or other Interest therein, on behalf not only of themselves but also of their respective Heirs, Executors, Administrators, and Issue, and also, where such Wards, Wives, Persons, or Femes Covert respectively shall be Tenants for Life or in Tail or for Years, or have any other partial or qualified Estate or Interest, to and for such Guardians, Husbands, Committees, and Femes Covert on behalf of the Person or Persons on behalf of whom such Wards, Wives, Persons, or Femes Covert respectively, if of full Age, unmarried, and of sound Mind, might have contracted for, sold, and conveyed the same Lands, Tenements, or Hereditaments, and to and for all and every other Person or Persons whomsoever who are or shall be seised or possessed of or interested in any Lands, Tenements, or Hereditaments which by the said Commissioners shall be thought necessary for any of the Purposes of this Act, to contract for, sell, and convey the same and every or any Part thereof to the Queen's most Excellent Majesty, Her Heirs and Successors, or to such Person or Persons as a Trustee or Trustees on behalf of Her Majesty, Her Heirs and Successors, as the said Commissioners, or any Two of them, shall direct; and all Contracts, Agreements, Bargains, Sales, Conveyances, and Assurances, Acts and Deeds, which shall be made by such Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons as aforesaid, shall be valid and effectual in Law, and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, contracting or conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which they, he, or she, or any of them, shall respectively make by virtue or in pursuance of this Act.

XXI. And be it enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, and other Person and Persons herein-before capacitated to contract for, sell, and

to sell and convey.

Satisfaction may be accepted for Lands taken.

and convey any such Lands, Tenements, or Hereditaments as aforesaid, and any other Owner or Owners of any such Lands, Tenements, or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein or Charge or Charges thereon, may accept and receive such Satisfaction and Recompence for the Value thereof, and such Body or Bodies, Trustee or Trustees, Person or Persons, Owner or Owners, and also any Tenant or Tenants or other Occupier or Occupiers of any such Premises entitled to any Compensation for Tenants Fixtures, or for any other Injury or Damage which shall be sustained on account of the Execution of this Act, or in anywise relating thereto, may accept and receive such Sum of Money in respect thereof as shall be agreed upon between them respectively and the said Commissioners on behalf of Her Majesty; and in case the said Commissioners and the said Parties interested in such Lands, Tenements, or Hereditaments, or Fixtures, or sustaining any Injury or Damage, cannot or do not agree as to the Amount or Value of such Satisfaction, Recompence, or Compensation, the same respectively shall be ascertained and settled by a Jury in manner herein-after directed.

Parties to deliver Statements of their Claims within One Month after Notice.

XXII. And be it enacted, That on or before the Expiration of One Calendar Month next after Notice in Writing from the said Commissioners, or any Two of them, or their Agent duly authorized, of the Intention to take or use any Lands, Tenements, or Hereditaments, or any Part thereof, for the Purposes of this Act, shall have been given, left, or affixed as herein-before is mentioned, all and every Body and Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and other Person and Persons, seised, possessed of, or interested in, or authorized by this Act to accept and receive Satisfaction or Recompence for the Value of the same, or any Estate, Share, or Interest therein or Charge thereon, having or claiming to be entitled to any Compensation for any Tenants Fixtures, or for any Injury or Damage sustained on account of the Execution of this Act, shall deliver or cause to be delivered to the said last-named Commissioners for the Time being, by leaving the same at their Office, a Statement in Writing of the Particulars of the Estate, Share, Interest, or Charge which he, she, or they claim to be entitled to or to be authorized to receive Satisfaction or Recompence for, and of the Tenants Fixtures, and of the Injury or Damage (if any) sustained by him, her, or them, and of the Amount of the Sum or Sums of Money which he, she, or they may expect and be willing to receive in satisfaction or discharge for the Value of such Estate, Share, Interest, or Charge, and also the Amount of the Sum or Sums of Money which he, she, or they may expect and be willing to receive as Compensation for such Fixtures, and for such Injury or Damage respectively.

If Parties refuse to treat, or shall not agree, a Jury to be summoned.

XXIII. And be it enacted, That if any Owners or Proprietors, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Trustees, Femes Covert, or any other Person or Persons, seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or in any Share or Shares, Estate or Estates, Interest or Interests therein or Charge or Charges thereon, which the said Commissioners, on behalf of
Her

Her Majesty, are hereby empowered to purchase, take, and use for the Purposes aforesaid, shall neglect or refuse to treat or shall not agree in the Premises, or by reason of Absence or Disability shall be prevented from treating with the said Commissioners, or with the Person or Persons authorized by them, for the Sale and Disposal of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Commissioners, then and in every or any such Case the Sheriff of the County of *Surrey*, or his Under Sheriff, or in case such Sheriff or Under Sheriff shall be in anywise interested in the Matter in question, then some One of the Coroners of the said County of *Surrey* not interested therein shall, upon the Warrant of the said Commissioners, in manner herein-after mentioned, and he or they is and are hereby required and authorized to cause it to be inquired into and ascertained, upon the Oaths of a Jury of Twelve indifferent Men of the said County of *Surrey* (which Oaths the said Sheriff, Under Sheriff, or Coroner is and are hereby empowered and required to administer), what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested, for the Value of such Lands, Tenements, or Hereditaments, and of the proportionable Value of the respective Estates and Interests of every Person or Persons seised or possessed thereof or interested therein, or of or in any Part thereof, and assess or award the Sum or Sums of Money to be paid to such Person or Persons, Party or Parties respectively, for the Purchase of such Lands, Tenements, or Hereditaments, and of such respective Estates and Interests therein, and also for any Injury or Damage whatsoever that may affect any such Person or Persons, Party or Parties, provided such Compensation shall be estimated by what in the Opinion of such Jury the Premises would have been worth in case the Alterations or Improvements intended by this Act had not been in contemplation; but no Sum of Money shall be awarded for or in respect of any Building or Improvement which in the Opinion of such Jury shall have been constructed or made with a view to obtaining Compensation under this Act, beyond the actual Cost of building and the Materials used; and the said Jury, in estimating such Recompence and Satisfaction, shall take into their Consideration the Increase in Value of the Residue of any contiguous Property of which such Lands, Tenements, or Hereditaments shall form Part; and in order thereto the said Sheriff or Coroner is and are hereby empowered and required, from Time to Time, as Occasion shall require, to summon and call before the said Jury, and examine upon Oath, all and every Person or Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises (which Oath the said Sheriff, Under Sheriff, or Coroner is and are hereby empowered to administer); and such Sheriff, Under Sheriff, or Coroner respectively shall order and cause the Jury to view the Places in question, if there be Occasion, and use all other lawful Ways and Means, as well for his and their own as for the Jury's better Information in the Premises, as the said Sheriff, Under Sheriff,

Sheriff, or Coroner shall think fit; and after the said Jury shall have inquired of and ascertained and settled such Damage, Recompence, and Satisfaction, the said Sheriff, Under Sheriff, or Coroner shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Commissioners to the said Owners or Occupiers of or other Persons interested therein, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition and Order so had and made shall be final, binding, and conclusive, to all Intents and Purposes, upon and against all Bodies Politic, Corporate, or Collegiate, and Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Parties and Persons whomsoever; and for the summoning and returning of such Jury or Juries the said Commissioners are hereby empowered to issue their Warrant or Warrants to the said Sheriff, Under Sheriff, or Coroner to summon, impanel, and return, at some convenient Place in the said County of *Surrey*, a Jury of not less than Thirty-six or more than Forty-eight honest and indifferent Men, qualified according to Law to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under Sheriff, or Coroner at such Time and Place as in such Warrant shall be appointed; and Fourteen Days Notice at the least in Writing under the Hands of the said Commissioners or any Two of them, of the Time and Place at which such Jury are so required to be returned, shall be given to such Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons interested in the Premises, before the Time of meeting of the said Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or of the head Officer of such Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued; and the said Sheriff, Under Sheriff, or Coroner is and are hereby empowered and required to impanel, summon, and return such Number accordingly, and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff, Under Sheriff, or Coroner shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen the said Sheriff, Under Sheriff, or Coroner shall return other honest and indifferent Men of Standers-by, or that can be speedily procured to attend that Service (being qualified as last aforesaid), to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel, Solicitors, and Agents, to attend and be heard, and to adduce Evidence before the Sheriff, Under Sheriff, or Coroner respectively; and such Persons shall also have their lawful Challenge against any of the said Jurymen when they come to be sworn, but shall not challenge the Array.

Where Part of an Estate is taken, the Remainder to be valued.

XXIV. And be it enacted, That if the Owner, Lessee, or Occupier of any Lands, Tenements, or Hereditaments authorized to be taken by virtue of this Act shall not be inclined to sell or part with the whole thereof, or his or her Interest in the whole thereof, and it shall not be found necessary to take the whole for the Purposes of this Act, and the said Parties cannot agree as to the Sum

of Money to be paid for the Part which the said Commissioners, or any Person or Persons authorized by them, shall think it necessary to purchase, then and in such Case the Jury which shall be summoned to value the said Premises shall assess the Value of the whole Premises according to the Condition in which they are at the Time of taking the View, and also the Value of that Part of the Premises which will remain after the said Commissioners, or the Person or Persons authorized by them, have taken away so much as they shall think necessary for the Purposes of this Act; and in such last Valuation the said Jury shall take into their Consideration the Improvements or Depreciation which the Remainder of the Premises is likely to receive or sustain from the Alteration intended to be made; and the Jury having made these Two Valuations, the Difference between them shall be the Price to be paid by the said Commissioners on behalf of Her Majesty for that Part which they shall have Occasion for, and such Price shall be recorded as the Verdict of the Jury for the Value of the same.

XXV. And be it enacted, That no Jury to be summoned by virtue of this Act shall be allowed to assess or award any Sum or Sums of Money to any Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, by way of Compensation for Tenants Fixtures, or any Injury or Damage alleged to have been sustained by him or them by reason or means of this Act, or any thing which shall or may be done in the Execution hereof, unless such a Statement as herein-before is mentioned of the Particulars of every such Claim, and how and in what Manner the Amount thereof is made out and computed, shall have been given to the said Commissioners, or left at their Office as aforesaid, by and on behalf of such Person or Persons, Ten Days at least before the Time of the Meeting of such Jury.

Notice to be given of Compensation claimed.

XXVI. And be it enacted, That if the Sheriff, Under Sheriff, or Coroner, so directed to summon and return a Jury as aforesaid, shall make default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds to the Party who shall be prejudiced or injured thereby, to be recovered, with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*; and if any Person, so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned as a Witness shall not appear, or appearing refuse to be examined or to give Evidence, any Person so offending, having no reasonable Excuse, to be allowed by the Justices hereinafter mentioned, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; which several and respective Penalties shall and may be levied, by virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the said County of *Surrey*, by Distress and Sale of the Goods and Chattels of the Person so offending, the Person making such Distress and Sale rendering to him or her the Overplus of the Money thereby produced (if any) after such Penalty and all such Charges of such Distress and Sale shall be deducted, and all such

Penalty on Sheriff, Jury, and Witnesses for Neglect of Duty.

Fines

Fines shall be paid to the said Commissioners, to be applied for the Purposes of this Act.

Jury shall, if required, assess Value of Fee Simple, and then apportion the Values of respective Interests therein.

XXVII. And be it enacted, That in all Cases in which a Verdict shall be given for the Value of any Lands, Tenements, or Hereditaments, or Share or Shares therein, the Jury shall, if required so to do by or on behalf of the said Commissioners, inquire of, assess, and ascertain the Value of the Fee Simple of the Entirety of the said Premises, and shall afterwards apportion and divide the Value so ascertained between and among all the different Shares and Charges which shall be claimed, and also between different Parts of the said Lands, Tenements, or Hereditaments alleged to be held under different Titles: Provided always, that the Verdict of any Jury shall not defeat or prejudice any Contract or Sale which shall have been previously made of any Share or Charge, although the Value of the same may be ascertained to be different from the Amount of the Price, Recompence, or Satisfaction agreed to be paid for the same.

Value of Lands and Damages to be awarded separately.

XXVIII. And be it enacted, That the Jury and Juries so to be summoned as aforesaid shall award all Determinations, Judgments, and Verdicts which they shall make and give in execution of the Powers hereby vested in them concerning the Value of the Lands, Tenements, or Hereditaments, or of any Share or Shares, Estate or Estates, Interest or Interests therein or any Charge or Charges thereon, separately and distinctly from the Consideration of any Loss or Damage to be sustained by any Person or Persons in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charges thereon, and the Money assessed or adjudged for such Loss or Damage as aforesaid, separately and apart from each other; and when any Money shall be assessed or adjudged for such Loss or Damage as aforesaid the Jury shall, if required by the said Commissioners, award and declare whether the Statement delivered by the Claimant or Claimants of the Manner in which any Amount of the Money which shall have been demanded as a Compensation for the same has been computed and made up gave sufficient Particulars to enable the said Commissioners to make a proper Offer.

Providing for Expenses of Jury.

XXIX. And be it enacted, That in case any Jury to be summoned and sworn pursuant to the Authority of this Act shall give in a Verdict or Assessment for more Money as a Recompence, Compensation, or Satisfaction for the Rights, Interests, or Property of the Person or Persons in any such Lands, Tenements, or Hereditaments, or for any such Injury or Damage as aforesaid, than shall have been agreed to be given and offered for the same in the aggregate by the said Commissioners before the summoning and returning of such Jury, or where, by reason of Absence in Foreign Countries or other Incapacity or Disability as aforesaid, there shall not be found any Person or Persons legally capacitated to enter into any Contract with the said Commissioners on behalf of Her Majesty, then and in every such Case all the reasonable Costs, Charges, and Expences of causing and procuring such Recompence, Compensation, or Satisfaction to be assessed by a Jury shall be settled by the Sheriff, Under Sheriff, or Coroner before whom such Claim shall have been tried, and shall be paid by the said

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Commis-

Commissioners on behalf of Her Majesty ; but in every Case in which any Jury so summoned and sworn as aforesaid shall be of opinion that the Statement delivered by the Claimant or Claimants of the Manner in which any Amount of Money which shall have been demanded as a Compensation has been computed and made up did not give sufficient Particulars to enable the said Commissioners to make a proper Offer, and in every other Case in which any such Jury shall give in a Verdict or Assessment for no more or for less Money as such Recompence, Compensation, or Satisfaction as aforesaid than shall have been agreed to and offered by the said Commissioners in the aggregate for the same, before the summoning and returning of the said Jury, or in case no Damages shall have been given by the Verdict where the Dispute is for Damages only, or where the causing or procuring such Jury to be summoned shall have arisen from a Refusal to treat or agree with the said Commissioners by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever, who is or are by the Provisions of this Act or otherwise legally empowered to treat, then (except where by reason of Absence such Person shall be prevented from treating with the said Commissioners) all such Costs, Charges, and Expences, to be settled by such Sheriff, Under Sheriff, or Coroner in manner aforesaid, shall be paid to the said Commissioners on behalf of Her Majesty by the said Body or Bodies Corporate or Collegiate, or other Person or Persons so claiming such Compensation, or refusing to treat and agree as before mentioned respectively (save only and except where by reason of Absence or other like Cause any Person shall have been prevented from treating or agreeing as aforesaid, in which Case no Costs, Charges, or Expences shall be allowed to either Party as against the other); and all Costs, Charges, and Expences hereby directed to be paid to the said Commissioners on behalf of Her Majesty, shall and may be deducted and retained by them out of the Money so adjudged or assessed to be paid by them as so much Money advanced to or for the Use of the Person and Persons entitled to such Money so adjudged, and Payment or Tender of the Remainder of such Money shall be deemed and taken to be a Payment or Tender of the whole Sum or Sums so adjudged or assessed; or in case no Money or no sufficient Sum of Money shall be awarded or assessed to be paid by the said Commissioners on behalf of Her Majesty, whereout such Costs, Charges, and Expences can be deducted, then the same shall and may be recovered, by virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the said County of *Surrey*, by Distress and Sale of the Goods and Chattels of the Person or Persons liable to the Payment of the same, the Party making such Distress and Sale rendering to such Person or Persons as aforesaid the Overplus of the Money thereby produced (if any), after such Costs, Charges, and Expences, and the Charges of such Distress and Sale, shall be deducted.

XXX. And be it enacted, That all the said Judgments and Verdicts shall be recorded in the Office of Land Revenue Records and Enrolments, and a Minute or Docquet thereof respectively entered in the Office of the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and all such

Judgments and Verdicts to be recorded.

Judgments and Verdicts shall be afterwards deposited with the Clerk of the Peace of the said County of *Surrey*, to be kept and preserved by him amongst the Records of the Quarter Sessions of the said County, and shall be deemed to be Records to all Intents and Purposes whatsoever; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for each such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy-two Words, and so in proportion for any less Number of Words.

Commissioners to purchase the whole, if the Owners decline to sell a Part.

XXXI. And be it enacted, That if in any Case the Owner or Owners of any House or Building, or of any Yard or Curtilage occupied therewith, Part only of which Premises shall at any Time be required by the said Commissioners to be applied for the Purposes aforesaid, shall be unwilling to sell or dispose of such Part only of such House, Building, Yard, or Curtilage as shall be required by the said Commissioners, it shall be lawful for the said Commissioners, on behalf of Her Majesty, and they are hereby required, at the Option of any Owner or Owners of any such House, Building, Yard, or Curtilage, to purchase of and from the said Owner or Owners the whole or such Part thereof, over and above such Part thereof as may be wanted for the Purposes of this Act, as such Owner or Owners shall think fit, and to apply so much and such Part thereof as they the said Commissioners shall see fit for the Purposes aforesaid; and that if such Owner or Owners shall not or cannot agree with the said Commissioners for the Price to be paid for the Purchase of the whole or such Part as aforesaid of such House, Building, Yard, or Curtilage, then the Value thereof shall be settled and ascertained by a Jury in such Manner as the Price for any Premises to be taken in pursuance of this Act is directed to be settled and ascertained; and all such other Proceedings shall take place respecting the said Premises as are hereinbefore mentioned and directed with respect to the Premises the Value of which shall be ascertained by a Jury in the Manner aforesaid.

Persons holding under Leases to produce the same.

XXXII. And be it enacted, That in all Cases in which any Person or Persons shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he, she, or they shall claim to be possessed of or entitled unto in any Lands, Tenements, or Hereditaments intended to be taken or used under the Authority of this Act, under or by virtue of any Demise or Lease, or Agreement for Demise or Lease, or Grant thereof, the said Commissioners are hereby authorized to require such Person or Persons to produce or show the Demise or Lease, or Agreement for Demise or Lease, or Grant, in respect of which such Claim to Satisfaction or Compensation shall be made, or the best Evidence thereof in his, her, or their Power; and if such Demise or Lease, or Agreement for Demise or Lease, or Grant, or such best Evidence thereof as aforesaid, shall not be produced or shown within Twenty-one Days after Demand made by the said Commissioners, or any Person by them authorized, the Person or Persons claiming such Satisfaction or Compensation shall be considered and treated as holding only from Year to Year.

XXXIII. And

XXXIII. And with respect to any Lands, Tenements, or Hereditaments which shall be of Copyhold or Customary Tenure, or of the Nature thereof, be it enacted, That every Conveyance of any such Lands, Tenements, or Hereditaments to a Trustee or Trustees on behalf of Her Majesty, Her Heirs and Successors, shall be entered on the Rolls of the Manor or Manors of which the same shall be held or Parcel, and on Payment to the Steward of the Manor of such Fees as would be due to him on the Surrender of the same Lands, Tenements, or Hereditaments, to the Use of a Purchaser thereof, he shall make such Enrolment; and every such Conveyance, when so enrolled, shall have the like Effect, in respect of such Copyhold or Customary Lands, Tenements, or Hereditaments, as if the same had been of Freehold Tenure.

Conveyance of Copyhold Land to be enrolled.

XXXIV. And be it enacted, That before the said Commissioners, on behalf of Her Majesty, shall make use of any such Copyhold or Customary Lands, Tenements, or Hereditaments for the Purposes of the said intended Park, they shall procure the same to be enfranchised, and for that Purpose they shall, with all reasonable Speed after the Enrolment of the Conveyance thereof, apply to the Lord or Lords, Lady or Ladies of the Manor or Manors whereof such Lands are held, to enfranchise the same, and shall pay to him, her, or them such Compensation in respect thereof as shall be agreed upon between Her Majesty's said Commissioners, on behalf of Her Majesty, and the Lord or Lords, Lady or Ladies of such Manor or Manors; and if the Parties fail to agree respecting the Amount of the Compensation to be paid for such Enfranchisement, the same shall be determined as in other Cases of disputed Compensation; and in estimating such Compensation the Loss in respect of Fines, Heriots, and other Services payable on Death, Descent, or Alienation, which will be lost by the vesting such Copyhold or Customary Lands, Tenements, or Hereditaments in Her Majesty, Her Heirs and Successors, or in a Trustee or Trustees on behalf of Her Majesty, Her Heirs and Successors, or by the Enfranchisement of the same, shall be allowed for.

Copyhold Lands to be enfranchised, making Compensation to the Lords, &c. of Manors.

In case Parties disagree as to Compensation, &c.

XXXV. And be it enacted, That, upon Payment or Tender of the Compensation so agreed upon or determined, the Lord or Lords, Lady or Ladies of the Manor or Manors whereof such Copyhold or Customary Lands, Tenements, or Hereditaments shall be holden, shall enfranchise such Lands, Tenements, or Hereditaments; and the Lands, Tenements, or Hereditaments so enfranchised shall for ever thereafter be vested in Her Majesty, Her Heirs and Successors; and if upon such Payment or Tender to the Lord or Lords, Lady or Ladies of such Manor or Manors, he, she, or they fail to enfranchise such Lands, or fail to produce a good Title to the Manor or Manors whereof such Lands, Tenements, or Hereditaments shall be holden or parcel, the said Commissioners, on behalf of Her Majesty, shall pay the Amount of such Compensation into the Bank of *England* in manner required in other like Cases of Monies required to be deposited, and thereupon such Lands, Tenements, or Hereditaments shall be deemed to be enfranchised, and well and effectually vested in Her Majesty, Her Heirs and Successors for ever.

Lords of Manors to enfranchise on receiving Compensation.

XXXVI. And be it enacted, That in all Cases where there shall be Occasion to cut through, take, or use, for the Purposes of this

As to Commons and Wastes.

Act, any Part or Parts of any Commons or Waste Grounds, or other Lands or Hereditaments which shall be charged with or subject to any Right or Rights of Common, whether of Pasture, Turbary, Estover, or Piscary, or other Easements whatsoever, appendant, appurtenant, or in gross, or whether created or subsisting by Grant, Prescription, Custom, or otherwise howsoever, the Conveyance thereof by any Body Politic, Corporate, or Collegiate, or other Person or Persons, having such and the like Estate and Interest of and in the Manor wherein such Lands, Commons, Waste Grounds, or Hereditaments shall be situate, or if the same shall not be the Waste of any Manor, then having such and the like Estate and Interest of and in the Soil of such Lands, Commons, Wastes, and Hereditaments as the Body or Bodies Politic, Corporate, or Collegiate, or Persons, who are hereby enabled to sell and convey other Lands and Hereditaments, shall be a good and sufficient Conveyance of the Fee Simple and Inheritance of such Waste Grounds or Common or other Lands or Hereditaments, for the Purposes of this Act, as fully and effectually as if every Person having such Right or Rights of Common upon such Common or Waste Ground, Lands, or Hereditaments were seised thereof in Fee Simple in possession, and had joined in and executed such Conveyance; and that the Compensation to be paid for any Right of Common upon any such Common or Waste Ground, Lands, or Hereditaments which shall be settled by a Jury in manner herein-before mentioned shall be paid to the Churchwardens of the Parish or respective Parishes in which such Common or Waste Lands shall lie, and shall be by such Churchwardens applied for such general and public Purposes within such Parishes respectively as a Vestry of such respective Parishes, to be convened by such Churchwardens for that Purpose, shall direct; and that in Cases in which such Rights, Commons, or Easements shall be and extend over and be enjoyed and taken out of any other Lands or Hereditaments other than such Wastes and Commons, the Compensation shall be paid or tendered to the Person or Persons, Bodies Politic, Corporate, or Collegiate, having such Estate or Interest as aforesaid in the said Rights, Commons, and Easements, or in the Lands, Tenements, or Hereditaments whereunto the same shall be appendant or appurtenant, or shall be deposited in the Bank of *England* in manner by this Act directed, as the Case may be; provided that in all Cases where any such Manor is vested in Freeholders or Inhabitants at large, or in any greater Number of Persons than Three, or where it is not known to what Lord or Lady such Manor belongs, or in what Manor such Common or Waste Ground is situate, the Conveyance aforesaid, executed by Four at least of the Freeholders whose Estates have Common Rights in such Common or Waste Ground, and whose said Estates amount in yearly Value as assessed to the Poor Rates to Three Fifths at least of the whole of the Estates which have such Common Right, shall also be a good and sufficient Conveyance.

Apportionment
of Copyhold
Rents.

XXXVII. And be it enacted, That if any Copyhold or Customary Lands, Tenements, or Hereditaments, as herein-before mentioned, be subject to any Customary or other Rent, and Part only of the Lands, Tenements, or Hereditaments subject to any such Rent be required to be taken for the Purposes of this Act,

the Apportionment of such Rent may be settled by Agreement between the Owner of the Lands and the Lord or Lords, Lady or Ladies of the Manor or Manors on the one Part, and the said Commissioners on behalf of Her Majesty on the other Part ; and if such Apportionment be not so settled by Agreement, then the same shall be settled by Two Justices ; and the Enfranchisement of any Copyhold or Customary Lands, Tenements, or Hereditaments taken by virtue of this Act, or Apportionment of such Rents, shall not affect in other respects any Custom by or under which any such Copyhold or Customary Lands, Tenements, or Hereditaments not taken for the Purposes of this Act shall be held ; and if any of the Lands, Tenements, or Hereditaments so required be released from any Portion of the Rents to which they were subject jointly with any other Lands, Tenements, or Hereditaments, such last-mentioned Lands, Tenements, or Hereditaments shall be charged with the Remainder only of such Rents ; and with reference to any such apportioned Rents the Lord or Lords, Lady or Ladies of the Manor or Manors shall have all the same Rights and Remedies over the Lands, Tenements, or Hereditaments to which such apportioned Rents shall have been assigned or attributed as he had previously over the whole of the Lands, Tenements, or Hereditaments subject to such Rents, for the whole of such Rents.

XXXVIII. And be it enacted, That in case any Difference shall arise between the said Commissioners and any of the Owners or Occupiers of the Property to be taken or used for the Purposes of this Act as to the Amount or Value of the Damage done by the said Commissioners, their Agents or Workmen, to such Property, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the Parties, the same shall, in case the Amount of Damages claimed does not exceed the Sum of Fifty Pounds, be ascertained and determined by some Two or more Justices of the Peace of the said County of *Surrey*, and who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Commissioners on behalf of Her Majesty ; and such Magistrates may examine Witnesses and administer Oaths, in all respects and with the same Consequences as to false swearing as if the same were a judicial Matter brought before them on which they were by Law entitled to adjudicate.

For settling Disputes as to Damages of small Amount.

XXXIX. Provided always, and be it enacted, That all Sums of Money, or other Consideration, Recompence, or Satisfaction to be made or paid pursuant to any such Agreement or Verdict as aforesaid, shall be paid or tendered to the Party or Parties entitled to the same, or into the Bank of *England*, as herein mentioned, before the said Commissioners, or any Person or Persons authorized by them, shall proceed to take possession of, on behalf of Her Majesty, or pull down, any House or Houses or other Erections or Buildings comprised in or affected by such Agreement or Verdict respectively, or to use the Ground for any of the Purposes of this Act.

Commissioners not to take possession till Purchase Money is paid or tendered.

XL. And be it enacted, That if any Body or Bodies, Person or Persons seised or possessed of or interested in any such Lands, Tenements, or Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, as

Commissioners may take possession on Payment of Purchase Money into the Bank of *England*.

aforesaid, cannot be found, or shall not be known or ascertained, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Conveyances thereof, then and in any of such Cases, upon Payment of such Sum or Sums of Money as shall have been contracted and agreed, or shall have been assessed and awarded by any Referee or Referees, or by any Jury or Juries, in manner aforesaid, to be paid for the Purchase of or for the Value of the same Premises, into the Bank of *England*, as herein-after directed and required, (in case the same shall be requisite,) for the Use of such Person or Persons so interested in or entitled as aforesaid, such Lands, Tenements, or Hereditaments, or Parts, Shares, Estates, Interests, or Charges, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and in Equity, of the Body or Bodies, Person or Persons, or unknown Person or Persons, to whose Credit such Money shall be paid in, to and out of the Lands, Tenements, Hereditaments, and Premises to be purchased as aforesaid, shall from thenceforth vest in the Queen's most Excellent Majesty, Her Heirs and Successors, as Part and Parcel of the Possessions and Land Revenues of Her Majesty in right of the Crown, who shall be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes, freed and discharged from all former and other Estates, Rights, Titles, Interests, Liens, Claims, and Demands, as fully and effectually as if every Body or Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale enrolled, or Feoffment with Livery of Seisin, or any other Conveyance or Assurance whatsoever, and with the Assent of any Protector of the Settlement whose Assent might be necessary; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand of the Body or Bodies, Person or Persons, or unknown Person or Persons, of, in, and to the same Premises, to whose Credit such Payment or Tender shall have been made, but also shall extend to and be deemed and construed to bar the Dower and Dowery of the Wife and Wives of such Person or Persons, and all Estates Tail and other Estates in possession, reversion, remainder, expectancy, or contingency, and the Issue and Issues of such Person or Persons, and every other Person whomsoever; and the same Premises shall and may thereupon be pulled down, made use of, and employed for the Purposes aforesaid, according to the Direction of the said Commissioners, and under the Regulations in this Act mentioned and contained.

XLI. And be it enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or for any other Right, Matter, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Infant, Lunatic, or other Person or Persons under any Disability or Incapacity, or not legally entitled absolutely to dispose of the Premises by the Sale of which such Money shall be produced, such Money shall, in case the same shall amount to or exceed the Sum

Application of
Purchase
Money when
amounting to
2000.

of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there, *ex parte* "The Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings," pursuant to the Method prescribed by an Act passed in the Twelfth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of East India Bonds and Indorsements thereon, and likewise Indorsements on South Sea Bonds*, and pursuant to the General Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies not exceeding a Sum therein limited, out of the common and general Cash in the Bank of England belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of Accountant General of the said Court*; and such Money shall remain so deposited until the same be applied, under the Direction of the said Court, to be signified by an Order made upon Petition, to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts or other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing and undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments

12 G. 1. c. 32.

12 G. 2. c. 24.

so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than
200*l.* and
amounting to
20*l.*

XLII. Provided also, and be it enacted, That if any Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, purchased, taken, or used for the Purposes aforesaid, belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments, or Parts, Shares, Estates, Interests, or Charges so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid at the like Option to Two or more Trustees, to be nominated by the Body or Bodies, Person or Persons making such Option, and approved of by the said Commissioners, such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating and approving Parties, in order that such Principal Money and the Dividends arising thereon may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Where less than
20*l.*

XLIII. Provided always, and be it enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Hereditaments, Parts, Shares, Estates, Interests, and Charges so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit; or in case of the Infancy or Lunacy of such Person or Persons, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not
making out
Titles.

XLIV. And be it enacted, That in case the Body or Bodies, Person or Persons to whom any Sum or Sums of Money shall be agreed to be paid, or shall be awarded by any Referee or Referees or Umpire, or by any Jury or Juries, for the Purchase of any Lands, Tenements, or Hereditaments, or any Parts, Shares, Estates, or Interests therein, or Charge thereon, to be purchased, taken, or used by virtue of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Assignment thereof, or in case the Person or Persons to whom such Sum or Sums of Money shall be so agreed or awarded to be paid as aforesaid

said cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners to pay the said Sum or Sums of Money so awarded or agreed to be paid as aforesaid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Party or Parties, if known, who shall be interested in the said Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges (describing such Tenements or Hereditaments), but if such Party or Parties shall not be known, then to the Credit of the said Commissioners, subject to the Order, Control, or Disposition of the said Court of Chancery, which said Court, on the Application of any Body or Bodies, Person or Persons making claim to any such Sum or Sums of Money or any Part thereof, by Motion or Petition, shall be and the same is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Body or Bodies, Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XLV. Provided always, and be it enacted, That where any Question shall arise touching the Title of any Body or Bodies, Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or of any Estate, Right, Title, Charge, or Interest in, to, or upon any Lands, Tenements, or Hereditaments to be purchased or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends of any such Bank Annuities, the Body or Bodies, Person or Persons who shall have been in possession of such Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, at the Time of such Purchase, and all Body or Bodies, Person or Persons claiming under such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, and Hereditaments, Parts, Shares, Estates, Interest, or Charges, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that

Persons in possession shall be deemed entitled, until the contrary be shown.

such

such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or Part or Parts thereof, or to some Estate or Interest therein or Charge thereon.

Court may order Expences of Purchases to be paid by the Commissioners.

XLVI. Provided also, and be it enacted, That where, by reason of any Disability or Incapacity of the Body or Bodies, Trustee or Trustees, Corporation, or other Person or Persons entitled to any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order so much of the Expences of any Purchase to be made in pursuance of this Act as the said Court shall deem reasonable to be paid by the said Commissioners, who shall pay the same out of the Monies applicable to the Purposes of this Act, as the said Court shall direct.

Where the Title is defective by reason of the Lands required for the Act being subject with other Lands to any Rent, the Money paid into the Bank to be laid out in the Purchase of other Estates, which shall be subject to the Rent in lieu of the Lands required for the Act.

XLVII. And be it enacted, That where the Money awarded to be paid for any Lands, Tenements, or Hereditaments which shall be taken for the Purposes of this Act shall be paid into the Bank of *England* in the Manner herein-before directed, in consequence of a good Title not having been made to such Lands, Tenements, or Hereditaments to the Satisfaction of the said Commissioners, or any Person or Persons authorized by them, by reason of the same Lands, Tenements, or Hereditaments respectively being subject, together with other Hereditaments not required for the Purposes of this Act, to a Rent payable to some Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, unable or unwilling to release therefrom the Lands, Tenements, or Hereditaments so to be taken, then and in every or any such Case the Lands, Tenements, or Hereditaments for the Value of which the Money to be paid into the Bank, together with the Money (if any) to be retained for Costs and Charges, under the Authority of this Act, shall be assessed and be awarded to be paid, shall be and are hereby released and for ever discharged from such Rent, and all Claims and Demands in respect thereof; and the Money to be paid into the Bank of *England* shall be laid out and invested, under the Direction and with the Approbation of the Court of Chancery, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments for the Value of which such Monies respectively shall have been paid as aforesaid, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled (subject, together with such other Lands, Tenements, or Hereditaments, to such Rent,) to the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments so to be taken as aforesaid stood settled or limited, or such of them as at the Time of making

making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto, be invested by the Accountant General of the said Court, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Cents* Reduced Bank Annuities; and in the meantime and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid the Dividends and annual Produce of the said Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments hereby directed to be purchased, in case such Purchase and Settlement were made; and the Lands, Tenements, or Hereditaments so to be purchased and settled shall be subject to the Rent to which the same shall be declared as aforesaid in the Conveyance and Settlement thereof to be subject, in the same Manner, to all Intents and Purposes, as the Lands, Tenements, or Hereditaments taken or to be taken for the Purposes of this Act as aforesaid were subject thereto; and the Body or Bodies, Person or Persons to whom such Rent shall be payable shall have such and the same Powers and Remedies for enforcing the Payment thereof or of any Part thereof, out of or upon the Lands, Tenements, or Hereditaments to be comprised in such Conveyance and Settlement, and declared to be subject thereto, as they, he, or she would have been entitled to if such Rent had originally been reserved out of or charged upon the same, instead of the Lands, Tenements, or Hereditaments to be taken for the Purposes of this Act, and in the same Manner, to all Intents and Purposes, as such Rent was reserved out of or charged upon such last-mentioned Lands, Tenements, or Hereditaments, together with the other Lands, Tenements, or Hereditaments subject thereto; and in the meantime and until such Purchase shall be made, it shall be lawful for the said Court, if the said Court shall think proper, upon Application thereto, to order any Part of the Dividends and annual Produce of the Bank Annuities in which the said last-mentioned Money shall be invested, to be paid from Time to Time to the Body or Bodies, Person or Persons for the Time being entitled to the said Rent, in discharge thereof or Part thereof, as the Case may be.

XLVIII. And be it enacted, That where any Lands, Tenements, or Hereditaments purchased or wanted or intended to be purchased by the said Commissioners on behalf of Her Majesty shall be subject solely, or jointly with other Lands, Tenements, or Hereditaments not intended or wanted to be purchased, to or with any Rent Service, Rent-charge, or Chief Rent, or other Rent, Payment, or Incumbrance, it shall be lawful for the said Commissioners, on behalf of Her Majesty, to agree for the Release of the Lands, Tenements, or Hereditaments so purchased or wanted or intended to be purchased from such Rent, Payment, or Incumbrance, and also (where necessary or convenient) for an Apportionment of such Rent, Payment, or Incumbrance, for such gross

Power to purchase Release of Incumbrances, or to apportion the same.

Sum

Sum as shall be agreed upon between the said Commissioners and the Party who under the Provisions of this Act shall agree to sell or apportion the same, and which Agreement may be entered into by all Persons and Corporations by this Act authorized and empowered to sell or convey Lands, and the Monies to be paid shall be paid and applied in manner herein-before directed with regard to the Purchase Monies on the Sale of Lands; and in case any Difference shall arise respecting the Value of such Rent, Payment, or Incumbrance, or respecting the Apportionment thereof, the same shall be determined by a Jury, if required, in like Manner as the Price of Lands is by this Act directed to be settled in case of Dispute as to the Value thereof, which Jury shall assess and determine the Value of the Rent, Payment, or Incumbrance affecting the Lands, Tenements, or Hereditaments purchased or wanted or intended to be purchased, and shall also (where necessary or convenient) apportion the Rent, Payment, or Incumbrance affecting the Lands, Tenements, or Hereditaments jointly subject to Rent, Payment, or Incumbrance, as herein-before mentioned, according to the respective Values of the Lands, Tenements, or Hereditaments purchased or wanted or intended to be purchased, and of the Lands, Tenements, or Hereditaments not purchased or wanted or intended to be purchased by the said Commissioners; and all Contracts which shall be made by and between the said Commissioners, on behalf of Her Majesty, and any such Party as aforesaid, respecting such Release, shall be valid and effectual in the Law; and all Conveyances and Assurances which shall be made to Her Majesty, Her Heirs and Successors, respecting such Releases, shall extinguish the whole or a proportionate Part of such Rent, Payment, or Incumbrance (as the Case may be): Provided always, that when the Party entitled to such Rent, Payment, or Incumbrance shall consider the remaining Part of the Lands, Tenements, or Hereditaments so jointly subject to be sufficient Security for such Rent, Payment, or Incumbrance, and shall be willing to release the Lands, Tenements, or Hereditaments so purchased by the said Commissioners, on behalf of Her Majesty, therefrom, then and in such Case it shall be lawful for the Party entitled or by this Act capacitated as aforesaid to apportion such Rent, Payment, or Incumbrance, or to release the Lands, Tenements, or Hereditaments so purchased (with the Consent of the Owner of the Lands so purchased) from the Rent, Payment, or Incumbrance so affecting the same as aforesaid jointly with other Lands, Tenements, or Hereditaments, on condition or in consideration of such other Lands, Tenements, or Hereditaments continuing or remaining wholly and exclusively subject to the whole of such Rent, Payment, or Incumbrance, and thereupon such other Lands, Tenements, or Hereditaments shall in all respects continue wholly and exclusively subject to the whole of such Rent, Payment, or Incumbrance; and the Release of Part of the Hereditaments theretofore charged or subject shall not operate to release the remaining Parts of such Hereditaments, or to prejudice the Title to such Rent, Payment, or Incumbrance, or the Remedies for Recovery thereof, wholly and exclusively out of such remaining Parts: Provided also, that when any of the Lands, Tenements,

Tenements, or Hereditaments purchased by the said Commissioners shall be released from a Part only of any Rent, Payment, or Incumbrance affecting the same jointly with other Lands, Tenements, or Hereditaments not purchased by the said Commissioners, such last-mentioned Lands, Tenements, or Hereditaments shall be charged only with the Remainder of such Rent, Payment, or Incumbrance; and such Apportionment shall not prejudice the Title to the remaining Rent or the Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Lands not so purchased had been originally charged with that Amount only: Provided also, that when a Part of any Rent, Payment, or Incumbrance shall be released it shall be lawful for the said Commissioners, on Tender for that Purpose of any Deed or Instrument creating or transferring such Rent, Payment, or Incumbrance, to endorse a Memorandum on such Deed or Instrument declaring what Part of the Lands, Tenements, or Hereditaments originally subject to such Rent, Payment, or Incumbrance shall have been purchased by virtue of this Act, and what Proportion of the said Rent, Payment, or Incumbrance shall continue payable; and such Memorandum shall be Evidence in all Courts of the Facts therein stated, but shall not exclude any other Evidence of the same Facts.

XLIX. And be it enacted, That in all Cases in which a Part only of any Lands, Tenements, or Hereditaments comprised in any Lease or Agreement for Lease for a Term of Years unexpired, or for a Life or Lives, or for a Term determinable on a Life or Lives, shall be required for the Purposes of this Act, the Rent payable in respect of any Lands, Tenements, or Hereditaments comprised in such Lease or Agreement for Lease shall be apportioned between the Lands, Tenements, or Hereditaments required for the Purposes of this Act and the Residue of such Lands, Tenements, and Hereditaments; and such Apportionment shall, in case the same shall not be settled by Agreement between the Parties, be ascertained and settled by the Verdict of a Jury, if required, in like Manner as the Price of any Lands, Tenements, or Hereditaments to be taken in pursuance of this Act is directed to be settled in case of Dispute as to the Value thereof; and in case such Apportionment shall be settled by Agreement between the Parties, such Agreement shall be made with, and not be valid without, the Consent and Approbation of the Lessor from whom such Lands, Tenements, or Hereditaments are holden or agreed to be holden; and any Person hereby capacitated to sell who shall be a Lessor shall be capacitated to assent and to bind the Property in respect of such Assent; and after such Apportionment the Tenant or Lessee of the Lands, Tenements, or Hereditaments comprised in such Lease or Agreement for Lease shall, as to all future accruing Rent, be liable only to so much of the Rent reserved in such Lease or Agreement for Lease as shall have been apportioned in respect of the Lands, Tenements, or Hereditaments not required for the Purposes of this Act; and the Lessor of the said Lands, Tenements, or Hereditaments shall have all such and the same Remedies for Rent so apportioned, in respect of the Lands, Tenements, or Hereditaments not required for the Purposes of this

Rents reserved
in Leases to be
apportioned.

this Act, as before such Apportionment he had or was entitled to in respect of the Rent reserved or agreed to be reserved in such Lease or Agreement for Lease; and such Apportionment shall not prejudice or affect any of the Covenants, Conditions, or Agreements in such Lease or Agreement for Lease contained, so far as the same relate to the Lands, Tenements, or Hereditaments comprised in such Lease or Agreement for Lease, and not required for the Purposes of this Act; but the same shall, as to such last-mentioned Lands, Tenements, or Hereditaments, but not further or otherwise, continue in full Force and Operation.

Persons having Mortgages on Lands, &c. required for the Purposes of this Act shall, on Payment or Tender of Money secured thereon, convey the same to Her Majesty.

L. And be it enacted, That all Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and all other Persons having any Mortgage on any Lands, Tenements, or Hereditaments which shall be required to be taken for the Purposes of this Act, (and whether entitled thereto in their own Right, or in trust for any other Body or Bodies, Person or Persons, and whether in possession of such Lands, Tenements, or Hereditaments by virtue of such Mortgage or not, and whether such Mortgage shall affect such Lands, Tenements, or Hereditaments solely or jointly with any other Lands, Tenements, or Hereditaments which shall be so required,) shall, on Payment or Tender by the said Commissioners, or by any Person by them authorized, of the Principal Money and Interest due on or secured by such Mortgage, and whether the Principal Monies thereby secured shall under the Terms of such Mortgage be then actually payable or not, and the just Costs (if any) then due, together with the Amount of Six Calendar Months Interest on the said Principal Money, (which Tender and Payment the said Commissioners are hereby authorized to make, and to deduct the same from any Sum agreed or directed to be paid for the Estate or Interest of the Party or Parties entitled to the Equity of Redemption of and in the Lands, Tenements, or Hereditaments so mortgaged, in case the same shall be sufficient for the Purpose,) immediately convey, assign, and transfer the respective Interests of such Mortgagees in the Lands, Tenements, or Hereditaments which shall be so required, to the Queen's most Excellent Majesty, Her Heirs and Successors, or to such Person as the said Commissioners on behalf of Her Majesty shall appoint; or in case such Mortgagees shall have Notice in Writing from the said Commissioners, or from the Party or Parties entitled to the Equity of Redemption of and in the same Lands, Tenements, or Hereditaments, that they will pay off the Principal Money and Interest which shall be due on or secured by such Mortgage, at the End of Six or a less Number of Calendar Months, to be computed from the Day of giving such Notice, then at the End of Six or any less Number of Calendar Months, on Payment or Tender by the said Commissioners of the Principal and the Interest which would become due at the End of Six Calendar Months from the Time of giving such Notice, together with any Costs then due, such Mortgagees shall convey, assign, and transfer their respective Interests in the Lands, Tenements, or Hereditaments which shall be so required for the Purposes of this Act, to the Queen's most Excellent Majesty, Her Heirs and Successors, or as the said Commissioners shall direct; and in case any such Mortgagee shall refuse

refuse

refuse to assign or transfer as aforesaid, on such Payment or Tender respectively as aforesaid, then, on Payment of such Money, Interest, and Costs into the Bank of *England*, as hereinafter mentioned, all Interest on every such Mortgage Debt, and all Claim and Right of every such Mortgagee thereto, shall thenceforth cease and determine : Provided always, that in case any such Mortgagee shall in either of the Cases aforesaid neglect or refuse to convey, assign, or transfer as aforesaid, then, upon Payment of the Principal Money and Interest, and the Costs (if any) due on any such Mortgage as aforesaid, into the Bank of *England*, at the End of Six Calendar Months from the Time of giving such Notice as aforesaid, or as soon after as possible, or in lieu of such Notice, and in addition to the said other Monies, of Six Calendar Months Interest in advance, for the Use of such Mortgagee, at any Time after Tender of the Principal, Interest, and Costs, and Six Calendar Months Interest in advance, as aforesaid, the Cashier of the said Bank shall give a Receipt for the said Money, in like Manner as is by this Act directed in Cases of other Payments into the said Bank ; and thereupon, or upon such Conveyance, Assignment, or Transfer by any such Mortgagee as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in trust for him, or for whom he shall be Trustee, shall vest in the Queen's Majesty, Her Heirs and Successors, who shall be deemed to be in the actual Possession of the Premises and Estate comprised in such Mortgage, or so much thereof as shall be required for the Purposes of this Act, to all Intents and Purposes whatsoever.

LL. And be it enacted, That in all Cases in which any Lands or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, which Lands, Tenements, or Hereditaments shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of the Lands, Tenements, or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, and such Part shall be of less Value than the Principal Monies, Interest, and Costs secured on such Lands, Tenements, or Hereditaments, and the Mortgagee or Mortgagees thereof shall not consider the remaining Part of such Lands, Tenements, or Hereditaments to be a sufficient Security for the Monies charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due and to become due thereon, and all Costs, the Value of such Lands, Tenements, or Hereditaments, or, as the Case may be, of such Part of the said Lands, Tenements, or Hereditaments as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done in respect of the Parts so required, shall be settled and agreed upon by and between such Mortgagee or Mortgagees, and the Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, Person or Persons, entitled to the Equity of Redemption of such Lands, Tenements, or Hereditaments, whether absolutely, or for such Estate as might capacitate him, her, or them to convey for the Purposes of this Act, on the one Part, and the said Commissioners, on behalf of Her Majesty, on the other Part, and

As to Cases where Mortgage Money is more than the Value of the Premises, or a Part only of the Premises is taken.

and in case of any Difference between them then such Value and Compensation shall be determined by the Verdict of a Jury, in the same Manner as in other Cases of Difference; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee or Mortgagees in satisfaction of his, her, or their Claim, so far as the same will extend; and such Mortgagee or Mortgagees shall thereupon convey, assign, and transfer all his, her, or their Interest in such mortgaged Lands, Tenements, or Hereditaments, the Value whereof shall so have been agreed upon or determined as aforesaid; or in case of his, her, or their neglecting or refusing to convey, assign, or transfer, as herein-before directed, then the Amount of such Value and Compensation shall be paid into the Bank of *England*, to the Credit of the said Mortgagee or Mortgagees, as by this Act is provided in Cases of a like Nature; and such Payment to the Mortgagee or Mortgagees, or into the Bank, as last aforesaid, shall be accepted in satisfaction of the Claim of such Mortgagee or Mortgagees, so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon; and thereupon such mortgaged Lands, Tenements, or Hereditaments shall become absolutely vested in the Queen's Majesty, Her Heirs and Successors, who shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever: Provided nevertheless, that all Mortgagees shall have the same Powers and Remedies for recovering or compelling Payment of their Mortgage Money or the Residue thereof, (as the Case may be,) or the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands, Tenements, or Hereditaments not required for the Purposes aforesaid, as they would have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands, Tenements, or Hereditaments originally comprised in such Mortgage: Provided also, that when a Part only of the Lands, Tenements, or Hereditaments (subject to any Mortgage) shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Lands, Tenements, or Hereditaments so taken shall, on the Assignment or Conveyance thereof to the Queen's Majesty, Her Heirs and Successors, have been paid to the Mortgagee or Mortgagees thereof in part Satisfaction of his, her, or their Mortgage Debt, a Memorandum of what shall have been so paid shall be endorsed on the Deed creating such Mortgage at the Time of executing such Assignment or Conveyance to Her Majesty, and shall be signed by such Mortgagee or Mortgagees; and a Copy of such Memorandum shall at the same Time (if required) be furnished by the said Commissioners to the Person or Persons so entitled as aforesaid to the Equity of Redemption of the Lands, Tenements, or Hereditaments comprised in such Mortgage Deed.

Tenants at Will
or from Year to
Year to quit
after Notice.

LII. And be it enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons in possession of any such Lands, Tenements, or Hereditaments, or any Part thereof, which shall be purchased by virtue of this Act, or vested in Her Majesty

Majesty for the Purposes aforesaid, who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year or from Year to Year shall, at the End of Six Calendar Months next after Notice in Writing, signed by the said Commissioners, shall have been given to him, her, or them, or left at the Premises which are the Subject of such Notice, and whether such Notice be given with reference to the Time or Times of such Tenants Holding or not, quit and relinquish the said Premises unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession thereof; and in case any such Lessee shall be compelled to quit before the Expiration of his or her Term or Interest in any such Premises, then and in such Case the said Commissioners shall give Satisfaction and Compensation for the Loss or Damage which he or she shall sustain thereby; and in case of any Difference as to the Amount of such Satisfaction or Compensation, the same shall or may be settled and ascertained by a Jury in the same Manner as the Sums of Money to be paid for the Purchase of any Lands, Tenements, or Hereditaments are herein-before directed to be ascertained; or, if the said Commissioners and the other Parties in difference shall agree, the same may be settled by a Reference to the Award of Arbitrators, to be chosen by the Parties in difference; and that all and every Person or Persons, Bodies Corporate or Collegiate or Ecclesiastical, Corporations Aggregate or Sole, in possession of any Lands, Tenements, or Hereditaments which shall or may be purchased in pursuance of this Act by the said Commissioners, or vested in Her Majesty for any of the Purposes aforesaid, shall upon Tender or Payment as aforesaid of such Recompence or Satisfaction for any of his, her, or their Term, Estate, or Interest in the Premises as shall be mutually agreed upon, or as shall be settled, ascertained, and awarded by any Referee or Referees or Umpire, or by Verdict or Inquisition of a Jury, in manner aforesaid, quit and relinquish the said Premises so in their respective Possessions unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession of the same; and all the Leases, Demises, Contracts, and Agreements whatsoever under or by virtue whereof any such Person or Persons shall hold the said Premises shall at and from the End and Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, be absolutely void and of none Effect as against Her Majesty, Her Heirs and Successors, or the said Commissioners; and if any such Tenant at Will or Lessee, or other Person or Persons, Bodies Corporate or Collegiate or Ecclesiastical, Corporations Aggregate or Sole, as aforesaid, shall refuse or neglect to deliver up the Premises in his, her, or their Possession at the Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, it shall be lawful for any Justice of the Peace for the said County of Surrey to issue his Precept or Warrant to the Constables of the said County or any of them, or to any Person or Persons to be by such Justice appointed a Constable or Constables for that especial Purpose, commanding and requiring such Constable or Constables, or any of them, to cause Possession of the said Premises to be taken, and afterwards delivered to such Person or Persons

as shall in such Precept or Warrant be nominated to receive the same by such Commissioners, on behalf of Her Majesty; and the said Constables and every of them are and is thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly.

Persons authorized to sell may refer to Arbitrators to fix the Price.

LIII. And be it enacted, That all Persons hereby capacitated to sell, and who may not agree with the said Commissioners as to the Price to be paid, may, if they shall think fit, agree with the said Commissioners, on behalf of Her Majesty, to refer it to any Person or Persons to ascertain the Amount to be paid; and every such Agreement shall be in all respects binding and effectual.

Power to clear the Ground, and sell old Materials.

LIV. And be it enacted, That it shall be lawful for the said Commissioners, on behalf of Her Majesty, and they are hereby empowered, to pull down all Houses and other Erections and Buildings which shall be purchased by virtue of this Act, or such of them or such Part thereof as they shall think proper to be pulled down, and to level and clear the Ground whereon the same shall stand, and all other the Ground to be purchased by virtue of this Act, in such Manner as they shall think proper, and to sell or cause to be sold the Materials of the Houses and other Buildings to be taken down and removed pursuant to this Act; and the Monies to be produced by the Sale thereof, after deducting the Expences in pulling down such Houses and Buildings respectively, and of such Sale or Sales, and also the Rents and Profits of such Tenements and Hereditaments to be purchased or taken by virtue of this Act until the same shall be pulled down or cleared, shall be applied and disposed of for or towards the Purposes of this Act or any of them.

Power to sell or exchange Lands for the Formation of the Park.

LV. And be it enacted, That it shall be lawful for the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, notwithstanding any thing herein-before contained, at any Time or Times before the Completion of the said intended Park, to sell and dispose of, either by way of absolute Sale, or in exchange for other Hereditaments to be applied to the Purposes of this Act, and absolutely to grant and convey any of the Hereditaments which may be purchased or acquired for the Purposes of this Act, and which it shall be found are not required for the Purposes thereof, or may be advantageously exchanged, subject, nevertheless, to such Conditions and Stipulations as they may think fit; and thereupon the same shall be conveyed and assured by the said Commissioners as they shall think fit.

Penalty on Persons giving false Evidence.

LVI. And be it enacted, That all Persons who upon any Examination to be taken by virtue of this Act shall wilfully and corruptly give false Evidence, or otherwise forswear themselves, before any Jury, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in force subject and liable to.

Limitation of Time for purchase of Lands.

LVII. And be it enacted, That if the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues,

Works,

Works, and Buildings, on behalf of Her Majesty, shall not within the Space of Five Years, to be computed from the passing of this Act, purchase or take the Lands, Tenements, and Hereditaments, or Parts thereof respectively, which they are empowered by this Act to take and use or purchase as aforesaid, then and from thenceforth the Powers hereby granted to them for compulsory Purchase shall cease.

LVIII. ' And whereas when the said intended Park has been made it may be found desirable to form new Roads, Avenues, or Approaches thereto, in addition to those now existing or hereinbefore specially provided for, and it is expedient that the Commissioners for the Time being of Woods, Forests, Land Revenues, Works, and Buildings should be empowered to take, use, or acquire any Lands, Messuages, Tenements, or Hereditaments that may be found necessary for the Purpose of making such Roads, Avenues, or Approaches to the said Park; be it therefore enacted, That all the Clauses and Provisions hereinbefore contained for authorizing the said Commissioners to take and use or acquire, and all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, Feoffees in Trust, Tenants for Life or Years, Executors, Administrators, Guardians, Husbands, Committees, Femes Covert, and all other Trustees and Persons, to convey the Lands, Messuages, Tenements, or Hereditaments mentioned or described in the Schedule to this Act, shall extend and be applicable to any Lands, Messuages, Tenements, or Hereditaments which the said Commissioners, with the Consent of the Lord High Treasurer, or any Three or more of the Commissioners for the Time being for executing the Office of Lord High Treasurer, shall think proper or expedient to be acquired for the Purpose of making, forming, and completing such new Roads, Avenues, or Approaches as aforesaid to the said Park; provided that nothing herein contained shall authorize the said Commissioners to take or use any Lands, Messuages, Tenements, or Hereditaments for the Purpose of making such new Roads, Avenues, or Approaches, against the Consent of the Parties interested in such last-mentioned Lands, Messuages, Tenements, or Hereditaments, and hereby authorized and empowered to convey the same.

Power of purchasing Lands for Approaches to the Park, with Consent of Treasury;

but not without Consent of Parties interested.

LIX. And be it enacted, That nothing contained in this Act, or to be contained in any Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument entered into, made, taken, or executed by the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any of them, or by any Trustee or Trustees, on behalf of Her Majesty, Her Heirs or Successors, in execution of the Powers of this Act, shall extend to charge the Persons or Person of all or any of the Commissioners, Trustee or Trustees, executing any such Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument, or the Heirs, Executors, or Administrators of the same Commissioners, Trustee or Trustees, or any of them, or their or any of their own proper Lands, Tenements, Goods, or Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Agreement, Contract,

Commissioners exempted from personal Liability.

Lease, Assignment, Conveyance, or other Instrument to be contained, on the Part of the same Commissioners, Trustee or Trustees, or any of them; and the same Commissioners shall not be bound to see to the Application or be answerable for the Misapplication or Nonapplication of any Monies to be paid by them under the Direction in this Act contained; and the Amount of all Sums, Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit or Suits at Law or in Equity against them the said Commissioners, Trustee or Trustees, or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of any such Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners, Trustee or Trustees, or any of them, or their or any of their Heirs, Executors, or Administrators, shall bear, pay, expend, or be put to or which shall be occasioned to them, for or by reason or means of any such Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument, or any Covenant, Condition, or Agreement therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them or any of them thereupon, shall respectively be paid and discharged by and out of the Monies to be raised, arise, or be received from the Possessions and Land Revenues of the Crown.

Receipts of Commissioners to be sufficient Discharges.

LX. And be it enacted, That the Receipts in Writing of Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings for the Time being, for any Monies payable to them under or by virtue of this Act or the Powers herein contained, shall be sufficient Discharges for the same to the Person or Body paying the same.

Deeds, &c. not liable to Stamp Duty.

LXI. And be it enacted, That no Lease, Mortgage, Contract, Award, Conveyance, or other Instrument which shall be made, granted, or executed under any Powers or Authorities hereby granted, nor any Contract, Bond, Assignment, Conveyance, or other Deed or Instrument which shall be made, entered into, or executed by any Person or Persons to or with the said last-mentioned Commissioners, or otherwise, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty whatever imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specifically charged in and by such future Act.

Public Act.

LXII. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHEDULE to which the foregoing Act refers.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
1	Garden Ground -	William Howey -	- - -	Henry Barwell.
2	Garden Ground and Buildings.	Henry Jeur -	Henry Barwell -	Henry Barwell.
3	Garden Ground -	Henry Jeur -	Henry Barwell -	Henry Barwell.
4	Tivoli Gardens Beerhop, Buildings, Steam Boat House, Pier, Wharf, &c.	Henry Jeur -	Henry Barwell and Perren Mehew.	Perren Mehew.
5	Vacant Land -	John Cornelius Park	Charles Wyatt -	Charles Wyatt.
6	Albert Tavern, Beerhop, Wharf, &c.	John Cornelius Park	Charles Wyatt -	Charles Wyatt.
7	Three unfinished Houses and Land.	John Cornelius Park	Joseph Harris and Joseph Haine.	Joseph Harris and Joseph Haine.
8	Vacant Land -	John Cornelius Park	— Hoskin -	James Hoskin.
9	Wharf, Land, and Dock.	John Cornelius Park	- - -	John Cornelius Park.
10	House and Garden	John Cornelius Park	John Lye -	John Lye.
11	House and Garden	John Cornelius Park	John Roe -	John Roe.
12	Unfinished House, Wharf, and Land	John Cornelius Park	John Roe -	John Roe.
13	Wharf, Land, and Dock.	Edward Pain -	- - -	William Waterhouse Smith.
14	House, Buildings, and Garden Ground.	Henry Jeur -	Henry Barwell -	Henry Barwell.
15	Garden Ground -	William Edward East.	William Benjamin Powell	William Edward East.
16	House and Garden	William Edward East.	George Gaines -	George Gaines.
16 ^a	Unfinished Houses and Land.	William Edward East.	Jacob Hart -	Jacob Hart.
17	House, Buildings, and Garden Ground.	William Edward East.	William Benjamin Powell.	William Edward East.
18	Cottage and Garden	William Edward East.	William Benjamin Powell.	James Cooke.
19	House and Garden	William and Jane Rogers.	- - -	William and John Rogers.
20	House and Garden	William and Jane Rogers.	- - -	William Henry Wilson.
21	House and Garden	William and Jane Rogers.	- - -	James Robson.
22	House and Garden	William and Jane Rogers.	- - -	Henry Lockett.
23	House and Garden	John Cornelius Park	Charles Newnham	Charles Newnham.
24	House, Workshops, Garden, and Land.	John Cornelius Park	- - -	John Cornelius Park.
25	House and Garden	Roger Bagley -	Frederick William Spooner.	Frederick William Spooner.
26	House and Garden	Roger Bagley -	Frederick William Spooner.	Mary Gaines.
27	House and Garden	Roger Bagley -	Frederick William Spooner.	William Foster.
28	Garden Ground -	Edward Pain -	- - -	William Waterhouse Smith.
29	House and Garden	Nathan Bridge -	- - -	Thomas Friswell.
30	Garden Ground -	Nathan Bridge -	- - -	Nathan Bridge.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
31	Two unfinished Houses and Land.	Edward Underhill	- - -	Edward Underhill.
32	Two unfinished Houses and Land.	George Gaines	- - -	George Gaines.
33	Garden Ground -	William Edward East.	George Gaines and Edward Underhill.	Edward Underhill and Gabriel Gusterson.
34	Garden Ground -	William Edward East.	George Gaines	George Gaines.
35	Garden Ground -	James Ivyleaf	- - -	George Gaines.
36	Garden Ground -	Edward Pain	- - -	Robert Spencer.
37	House and Garden	Samuel Mosley	- - -	Samuel Mosley.
38	House and Garden	Richard Mosley	- - -	Benjamin Rose.
39	House and Garden	Richard Mosley	- - -	Richard Mosley.
40	House and Garden	Samuel Beverton	- - -	John Hunt and William Carpenter.
41	Garden Ground -	Thomas Cadbury	- - -	Robert Lough.
42	Garden Ground -	Rev. Thomas John Wyld.	- - -	Mary Gaines.
43	Garden Ground and Buildings.	Andrew Duncan M'Kellar.	- - -	Mary Gaines.
44	Field - -	William Pearce	- - -	George Gaines.
45	Field - -	Catherine Pilkington.	- - -	Andrew Symonds.
46	Field - -	Edward Pain	- - -	William Waterhouse Smith.
47	Field - -	James Orlebar Cottingham.	- - -	William Waterhouse Smith.
48	Field - -	Edward Pain	- - -	John Hall.
49	Field - -	Catherine Pilkington.	- - -	Andrew Symonds.
50	Meadow Land -	Edward Pain	- - -	Edward Pain.
51	Meadow Land -	William Haines	- - -	Edward Pain.
52	Meadow Land -	Edward Pain	- - -	Edward Pain.
53	Meadow Land -	Andrew Duncan M'Kellar.	- - -	John Hall and George Gaines.
54	Beershop and Land	Edward Pain	James Gwynne	John Hall and George Gaines.
55	Meadow Land -	Andrew Duncan M'Kellar.	- - -	John Hall and Andrew Symonds.
56	Rough Pasture -	Andrew Duncan M'Kellar.	- - -	Mary Gaines.
57	Rough Pasture -	Andrew Duncan M'Kellar.	- - -	Mary Gaines.
58	Rough Pasture -	Catherine Pilkington.	- - -	Mary Gaines.
59	Rough Pasture -	Mary Gaines	- - -	Mary Gaines.
60	Dock - -	Andrew Duncan M'Kellar.	- - -	Thomas and William Druce.
61	Dock and rough Land.	Edward Pain	- - -	Edward Pain.
62	Dock and rough Land.	Andrew Duncan M'Kellar.	- - -	Andrew Duncan M'Kellar.
63	Dock and rough Land.	Charles Chabot	- - -	Charles Chabot.
64	Dock and rough Land.	Charles Chabot	- - -	Charles Chabot.
65	Dock and rough Land.	Thomas Cubitt	- - -	Thomas Cubitt.
66	Open Field, Marsh Land.	Andrew Duncan M'Kellar.	- - -	Mary Gaines.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
67	Open Field, Marsh Land.	William Keeton	- - -	Charles Wright.
68	Open Field, Marsh Land.	Richard Southby	Edward Matson	Edward Matson.
69	Open Field, Marsh Land.	William Haines	- - -	Edward Pain.
70	Open Field, Marsh Land.	Edward Pain	- - -	John Hall.
71	Open Field, Marsh Land.	Richard Southby	Edward Matson	Edward Matson.
72	Open Field, Marsh Land.	Henry White	- - -	John Hall.
73	Open Field, Marsh Land.	Edward Pain	- - -	Edward Pain.
74	Open Field, Marsh Land.	William Haines	- - -	Edward Pain.
75	Open Field, Marsh Land.	Edward Pain	- - -	Edward Pain.
76	Open Field, Marsh Land.	Edward Pain	- - -	Edward Pain.
77	Open Field, Marsh Land.	William Haines	- - -	Edward Pain.
78	Open Field, Marsh Land.	Charles Chabot	- - -	Charles Chabot.
79	Open Field, Marsh Land.	William Haines	- - -	Edward Pain.
80	Open Field, Marsh Land.	Edward Pain	James Gwynne	John Hall.
81	Open Field, Marsh Land.	Andrew Duncan M'Kellar.	- - -	Andrew Symonds.
82	Open Field, Marsh Land.	Andrew Duncan M'Kellar.	- - -	Andrew Symonds.
83	House and Land	Edward Pain	Christopher Lands	Christopher Lands.
84	Open Field, Marsh Land.	Thomas Cubitt	- - -	James Weller and Charles Wright.
85	Open Field, Marsh Land.	William Pearce	- - -	Walter Parry.
86	Open Field, Marsh Land.	Richard Southby	Edward Matson	Edward Matson and Walter Parry.
87	Open Field, Marsh Land.	William Pearce	- - -	Walter Parry.
88	Open Field, Marsh Land.	Richard Southby	Edward Matson	Edward Matson.
89	Open Field, Marsh Land.	William Pearce	- - -	Edward Matson.
90	Open Field, Marsh Land.	Richard Southby	- - -	Edward Matson.
91	Open Field, Marsh Land.	Charles Wright	- - -	Charles Wright.
92	Open Field, Marsh Land.	Thomas Cubitt	- - -	Charles Wright.
93	Open Field, Marsh Land.	Thomas Cubitt	Charles Alderman	Charles Wright.
94	Open Field, Marsh Land.	Eliza Carter	- - -	Charles Wright.
95	Open Field, Marsh Land.	Charles Wright	- - -	Charles Wright.
96	Open Field, Marsh Land.	Charles Wright	- - -	Charles Wright.
97	Open Field, Marsh Land.	Thomas Cubitt	- - -	Charles Wright.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
98	Open Field, Marsh Land.	Thomas Cubitt -	Charles Alderman	Charles Wright.
99	Open Field, Marsh Land.	Thomas Cubitt -	- - -	Charles Alderman and James Rock.
100	Open Field, Marsh Land.	Charles Wright -	- - -	Charles Wright.
101	Open Field, Marsh Land.	Edward Pain -	- - -	Charles Prockter.
102	Open Field, Marsh Land.	William Pearce -	- - -	Charles Prockter.
103	British Flag Beer-shop, and Steamboat Pier.	William Pearce -	Samuel Gawthorpe	Charles Prockter.
104	Thames Bank -	The Honourable and Rev. Robert Eden.	- - -	Charles Wright.
105	Meadow Land -	Thomas Cubitt -	- - -	Charles Wright.
105 a	Meadow Land -	William Keeton -	- - -	Charles Wright.
106	Cottage -	Thomas Cubitt -	- - -	Charles Wright and Joseph Clifford.
107	Red House Tavern, Outbuildings, and Gardens.	Thomas Cubitt -	Charles Wright -	Charles Wright.
108	Marsh Land -	The Honourable and Rev. Robert Eden.	- - -	Charles Wright.
109	Marsh Land -	Edward Pain -	James Gwynne -	Charles Wright.
110	Thames Bank -	Thomas Cubitt -	- - -	James Rock.
111	Two Cottages and Gardens.	Thomas Cubitt -	- - -	James Rock.
112	Mill and Bank -	Thomas Ponton -	Benjamin Smith -	Benjamin Smith.
113	Cottage, Garden, and Bank.	Thomas Ponton -	Benjamin Smith -	William Mellersh.
114	Wharf -	The Honourable and Rev. Robert Eden.	- - -	Benjamin Smith.
118	Road -	Earl Spencer.	- - -	-
120	Rough Land -	Thomas Cubitt -	- - -	Southwark Water Company.
121	Wharf, Dock, Kilns, and rough Land.	His Grace the Archbishop of York.	J. S. Aldersey, and Charles Francis.	Charles Francis.
122	Wharf, Dock, and Buildings.	Thomas Ponton -	John and James Heighington.	John and James Heighington.
123	Wharf, Dock, and Buildings.	Thomas Ponton -	John Bethell, and John and James Heighington.	John Bethell.
124	House, and Timber-yard.	Thomas Ponton -	Thomas M'Laren, Executor of Michael Pass, and John Bethell, and John and James Heighington.	William Robins.
125	Wharf, Buildings, Dock, and Land.	Thomas Ponton -	Thomas M'Laren, Executor of Michael Pass.	Michael Pass.
126	Wharf, Buildings, Dock, and Land.	Thomas Ponton -	John Downey, and John and James Heighington.	John Downey.
126 a	Field -	Thomas Ponton -	Henry Hutton -	Henry Hutton.

N° on Plan.	Description of Property.	Owners.	Lessee.	Occupiers.
127	Field, Cottage, and Garden.	Edward Pain -	- - - -	Henry Davis and Edward Pain.
128	Open Field, Marsh Land.	Edward Pain -	- - - -	Edward Pain.
129	Open Field, Marsh Land.	Edward Pain -	- - - -	Edward Pain.
130	Open Field, Marsh Land.	Thomas Cubitt -	- - - -	Robert Speneer.
131	Open Field, Marsh Land.	Eliza Carter -	- - - -	Thomas Carter.
132	Open Field, Marsh Land.	Thomas Cubitt -	Charles Alderman	James Barnett.
133	Open Field, Marsh Land.	Catherine Pilkington.	- - - -	Andrew Symonds.
134	Open Field, Marsh Land.	Andrew Duncan M'Kellar.	- - - -	Andrew Symonds.
135	Open Field, Marsh Land.	Andrew Duncan M'Kellar.	- - - -	Andrew Symonds.
136	Open Field, Marsh Land.	William Haines -	- - - -	Edward Pain.
137	Open Field, Marsh Land.	Andrew Duncan M'Kellar.	- - - -	Andrew Symonds.
138	Open Field, Marsh Land.	Catherine Pilkington.	- - - -	Andrew Symonds.
139	Open Field, Marsh Land.	Thomas Cubitt -	- - - -	James Weller and Charles Wright.
140	Open Field, Marsh Land.	Edward Pain -	James Gwynne -	James Weller.
141	Open Field, Marsh Land.	Richard Southby -	- - - -	Edward Matson.
142	Open Field, Marsh Land.	James Skerritt -	- - - -	James Skerritt.
143	Open Field, Marsh Land.	Edward Pain -	- - - -	Edward Pain.
144	Open Field, Marsh Land.	Edward Pain -	James Gwynne -	John Hall.
145	Open Field, Marsh Land.	Richard Southby -	Edward Matson -	Edward Matson.
146	Open Field, Marsh Land.	Thomas Cubitt -	Charles Alderman	James Barnett.
147	Open Field, Marsh Land.	William Pearce -	- - - -	John Keates.
148	Open Field, Marsh Land.	William Pearce -	- - - -	Walter Parry.
149	Open Field, Marsh Land.	Richard Southby -	Edward Matson -	Edward Matson.
150	Open Field, Marsh Land.	Edward Pain -	James Gwynne -	James Weller.
151	Open Field, Marsh Land.	Charles Wright -	- - - -	Charles Wright.
152	Open Field, Marsh Land.	Richard Southby -	Edward Matson -	Edward Matson.
153	Open Field, Marsh Land.	Thomas Cubitt -	- - - -	Charles Wright.
154	Open Field, Marsh Land.	Thomas Cubitt -	- - - -	Charles Wright.
155	Open Field, Marsh Land.	Edward Pain -	- - - -	William Waterhouse Smith.
156	Open Field, Marsh Land.	Edward Pain -	- - - -	William Waterhouse Smith.
157	Inclosed Land -	Andrew Cuthell -	- - - -	Charles Wright.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
158	Road - -	Earl Spencer.	-	-
159	Meadow Land - -	Edward Pain -	James Gwynne -	John Hall and William Burrowes.
160	Meadow Land -	Andrew Duncan M ^c Kellar.	- - -	William Hawkins.
161	Meadow Land -	Andrew Duncan M ^c Kellar.	- - -	William Hawkins.
162	Meadow Land -	Andrew Duncan M ^c Kellar.	- - -	William Hawkins.
164	Four Houses and Land.	John Cornelius Park	- - -	John Cornelius Park.
165	Meadow - -	John Cornelius Park	- - -	John Cornelius Park.
166	Factory - -	John Cornelius Park	- - -	George Rogers and Edmund Moorwood.
167	Market Garden and rough Ground.	Andrew Duncan M ^c Kellar.	Robert Spencer -	Robert Spencer.
168	Market Garden, Ground, House, and Outbuildings.	Andrew Duncan M ^c Kellar.	- - -	Robert Spencer.
169	Open Field, Marsh Land.	James Orlebar Cottingham.	- - -	John Ambrose jun.
170	Open Field, Marsh Land.	Edward Pain -	- - -	John Ambrose jun.
171	Open Field, Marsh Land.	Thomas Cubitt -	Charles Alderman	John Ambrose jun.
172	Open Field, Marsh Land.	Edward Hayward	- - -	William Carpenter.
173	Open Field, Marsh Land.	James Orlebar Cottingham.	- - -	Andrew Symonds.
174	Open Field, Marsh Land.	James Gray and John Hunt.	- - -	William Carpenter.
175	Open Field, Marsh Land.	Edward Pain -	- - -	William Carpenter.
176	Open Field, Marsh Land, and Buildings.	John Hunt and James Gray.	- - -	William Carpenter.
177	Open Field, Marsh Land.	Thomas Ponton -	- - -	Thomas Carter and William Carpenter.
178	Open Field, Marsh Land.	Edward Pain -	- - -	John Hunt.
179	Open Field, Marsh Land.	Edward Pain -	James Griffin -	John Hunt.
180	Open Field, Marsh Land.	John Hunt -	- - -	John Hunt and William Carpenter.
181	Open Field, Marsh Land.	Richard Southby	Edward Matson -	Edward Matson.
181 a	Open Field, Marsh Land.	John Hunt -	- - -	John Hunt and William Carpenter.
182	Open Field, Marsh Land.	Thomas Ponton	- - -	James Weller.
183	Open Field, Marsh Land.	Thomas Ponton -	- - -	William Glenny and John Hunt.
184	Open Field, Marsh Land.	Thomas Ponton -	- - -	James Weller.
185	Open Field, Marsh Land.	William Pearce -	- - -	William Pearce.
186	Open Field, Marsh Land.	Catherine Pilkington.	- - -	Andrew Symonds.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
187	Open Field, Marsh Land.	Thomas Ponton	- - -	James Weller.
188	Open Field, Marsh Land.	Thomas Cubitt	- - -	Robert Spencer.
189	Open Field, Marsh Land.	Edward Pain	James Gwynne	John Hall.
190	Open Field, Marsh Land.	Thomas Cubitt	- - -	Robert Spencer.
191	Open Field, Marsh Land.	Thomas Cubitt	- - -	Robert Spencer.
192	Open Field, Marsh Land.	Edward Pain	James Gwynne	John Hall.
193	Open Field, Marsh Land.	Thomas Cubitt	Charles Alderman	James Barnett.
194	Open Field, Marsh Land.	Edward Pain	- - -	William Waterhouse Smith.
195	Open Field, Marsh Land.	Thomas Cubitt	- - -	John Taylor.
196	Open Field, Marsh Land.	Thomas Cubitt	- - -	James Weller and Charles Wright.
197	Open Field, Marsh Land.	Edward Pain	- - -	Edward Pain.
198	Open Field, Marsh Land.	Richard Southby	Edward Matson	Edward Matson.
199	Open Field, Marsh Land.	Thomas Cubitt	- - -	John Taylor.
200	Open Field, Marsh Land.	Thomas Ponton	- - -	James Weller.
201	Open Field, Marsh Land.	Thomas Cubitt	- - -	John Taylor.
202	Open Field, Marsh Land.	Thomas Cubitt	- - -	John Taylor.
203	Open Field, Marsh Land.	Thomas Cubitt	- - -	John Taylor.
204	Balloon Tea Gardens, Buildings, and Land.	John Hunt	- - -	William Carpenter.
205	Open Field, Marsh Land.	Thomas Cubitt	- - -	Robert Spencer.
206	Open Field, Marsh Land.	John Hunt	- - -	William Carpenter.
207	Open Field, Marsh Land.	The Honourable and Reverend Robert Eden.	- - -	John Cornelius Park and William Carpenter.
208	Open Field, Marsh Land.	Edward Pain	James Gwynne	James Barnett.
209	Open Field, Marsh Land.	William Haines	- " -	Edward Pain.
210	Open Field, Marsh Land.	William Pearce	- - -	William Pearce.
211	Open Field, Marsh Land.	Edward Pain	- - -	Edward Pain.
212	Open Field, Marsh Land.	Edward Pain	- - -	Edward Pain.
213	Open Field, Marsh Land.	Thomas Cubitt	- - -	John Taylor.
214	Open Field, Marsh Land.	Thomas Cubitt	- - -	Robert Spencer.
215	Open Field, Marsh Land.	Edward Pain	James Gwynne	James Barnett.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
216	Open Field, Marsh Land.	Thomas Cubitt -	- - -	John Taylor.
217	Open Field, Marsh Land.	Edward Pain -	James Gwynne -	James Barnett.
218	Open Field, Marsh Land.	Thomas Cubitt -	- - -	John Taylor.
218 a	Meadow - - -	John Chancellor -	- - -	John Ambrose.
219	Meadow Land -	John Cornelius Park -	- - -	John Cornelius Park.
220	Open Field Land -	Richard Southby -	- - -	Henry Fownes.
221	Open Field Land -	Edward Pain -	- - -	Edward Pain.
222	Open Field Land -	John Chancellor -	- - -	John Ambrose.
223	Open Field Land -	James Arnold -	Henry Hart Davis -	Samuel Cleaver.
224	House and Garden	James Arnold -	Henry Hart Davis -	Samuel Cleaver.
225	House and Garden	James Arnold -	Henry Hart Davis -	George Chafer.
226	Meadow - - -	James Arnold -	Henry Hart Davis -	Samuel Cleaver.
227	Open Field, arable	Thomas Ponton -	- - -	Thomas Carter.
228	Open Field, arable	Richard Southby -	- - -	John Ambrose.
229	Open Field, arable	Edward Pain -	- - -	Edward Pain.
230	Open Field, arable	Edward Pain -	- - -	Edward Pain.
231	Open Field, arable	Rev. Thomas John Wyld.	- - -	Mary Gaines.
232	Open Field, arable	Edward Pain -	- - -	Edward Pain.
233	House and Garden	William Hewen -	Richard Giblett -	Richard Giblett.
234	House and Garden	William Hewen -	John Hatherley -	John Hatherley.
235	Arable Land -	Richard Southby -	Edward Matson -	Edward Matson.
236	Arable Land -	Edward Pain -	James Griffin -	John Cornelius Park.
237	Arable Land -	Andrew Duncan M'Kellar.	- - -	Robert Spencer and John Cornelius Park.
238	Arable Land -	Robert Spencer -	- - -	Robert Spencer.
239	Arable Land	Andrew Duncan M'Kellar.	- - -	James Weller.
240	Arable Land -	Edward Pain -	James Gwynne -	James Weller.
241	Arable Land -	James Steadman -	- - -	Samuel Poupart.
242	Arable Land -	James Steadman -	- - -	Samuel Poupart.
243	Arable Land -	Eliza Steadman -	- - -	William Waterhouse Smith.
244	Arable Land -	Andrew Duncan M'Kellar.	- - -	Samuel Poupart.
245	Arable Land -	Andrew Duncan M'Kellar.	- - -	Samuel Poupart.
246	Arable Land -	Edward Pain -	James Gwynne -	William Boyce.
247	Arable Land -	Andrew Duncan M'Kellar.	- - -	William Boyce and James Weller.
248	Arable Land -	Edward Pain -	James Griffin -	John Cornelius Park.
249	Arable Land -	Edward Matson -	- - -	Edward Matson.
250	Arable Land -	John Hunt -	- - -	James Weller.
251	Arable Land -	John Hunt -	- - -	James Weller.
252	Arable Land -	Andrew Duncan M'Kellar.	- - -	William Glenny.
253	Arable Land -	Robert Chambers -	- - -	William Waterhouse Smith.
254	Arable Land -	Robert Chambers -	- - -	William Waterhouse Smith.
255	Arable Land -	Robert Chambers -	- - -	William Waterhouse Smith.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
256	Arable Land	Thomas Ponton	- - -	Thomas Carter.
257	Arable Land	Stephen Steadman	- - -	Thomas Carter.
258	Arable Land	Eliza Carter	- - -	Thomas Carter.
259	Arable Land	Edward Pain	- - -	William Carpenter and John Hunt.
260	Arable Land	James Maybank	- - -	James Maybank.
261	Arable Land	James Skerrit	- - -	James Skerrit.
262	Arable Land	Robert Spence	- - -	Robert Spencer.
263	Arable Land	James Skerrit	- - -	James Skerrit.
264	Arable Land	Andrew Duncan M ^r Kellar.	- - -	John Cornelius Park and William Carpenter.
265	Arable Land	Edward Matson	- - -	Edward Matson.
266	Arable Land	Edward Pain	- - -	Edward Pain.
267	Arable Land	James Orlebar Cottingham.	- - -	Andrew Symonds.
268	Arable Land	Edward Hayward	- - -	Andrew Symonds.
269	Arable Land	Edward Pain	- - -	Edward Pain.
270	Arable Land	Eliza Carter	- - -	Thomas Carter.
271	Arable Land	Edward Pain	- - -	Edward Pain.
272	Arable Land	Edward Pain	James Gwynne	George Lockwood.
273	Arable Land	Edward Pain	- - -	Edward Pain.
274	Arable Land	Edward Pain	- - -	Edward Pain.
275	Arable Land	James Orlebar Cottingham.	- - -	Andrew Symonds.
276	Arable Land	Eliza Carter	- - -	Thomas Carter.
277	Arable Land	Richard Southby	Edward Matson	Thomas Carter.
278	Arable Land	Edward Pain	- - -	Edward Pain.
279	Arable Land	Eliza Carter	- - -	Thomas Carter.
280	Arable Land	Rev. Thomas John Wyld.	- - -	Thomas Carter.
281	Arable Land	Eliza Carter	- - -	Thomas Carter.
282	Arable Land	Edward Pain	- - -	Edward Pain.
283	Arable Land	Edward Pain	- - -	Edward Pain.
284	Arable Land	Edward Pain	- - -	Edward Pain.
285	Arable Land	Edward Pain	- - -	Edward Pain.
286	Cottage and Garden	Edward Pain	- - -	Edward Pain.
287	Arable Land	Rev. Thomas John Wyld.	- - -	Mary Gaines.
288	Arable Land	The Hon ^{ble} and Rev. Robert Eden.	- - -	Edward Matson.
289	Arable Land	The Hon. and Rev. Robert Eden.	- - -	Edward Matson.
290	Arable Land	John Chancellor	- - -	Edward Matson.
291	Arable Land	Richard Southby	Edward Matson	Edward Matson.
292	Arable Land	Thomas Ponton	- - -	Edward Matson.
293	Arable Land and Nursery.	Edward Pain	- - -	Edward Pain and John Fisher.
294	Arable Land	John Hunt	- - -	James Weller.
295	Arable Land	William Pearce	- - -	Edward Matson.
296	Arable Land	Richard Southby	- - -	Edward Matson.
297	Arable Land	Edward Pain	James Gwynne	Edward Matson and Henry Shailer senior.
298	Arable Land	The Hon. and Rev. Robert Eden.	- - -	Edward Matson.
299	Arable Land	Edward Pain	- - -	Henry Shailer senior.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
300	Arable Land - -	Thomas Ponton - -	- - - -	Edward Matson.
301	Arable Land - -	Edward Pain - -	James Gwynne - -	Henry Shailer senior and William Mil- denhall, — Ben- nett, James Moore, — Cambridge, John Carne, John Simpson, James Belbin, James Gray, John Pace, William Wake- field, John Keen, Thomas Hickson, George Rounds, William Wilter, Thomas Bamfield, James Neale, — Haycock, and James Vesey.
302	Road - - -	Earl Spencer.	—	—
303	Brickfield - -	Robert Southby - -	Edward Matson - -	John and James Heighington.
304	Arable Land - -	Richard Southby - -	Edward Matson - -	Edward Matson.
305	Brickfield - -	Thomas Ponton - -	- - - -	Edward Matson and John and James Heighington.
306	Arable Land - -	Thomas Ponton - -	- - - -	Edward Matson.
307	Arable Land - -	Thomas Ponton - -	Thomas M'Laran, Executor of Mi- chael Pass.	John Bethell.
308	Unfinished House and Land.	Robert Chambers	John Frederick Bloodsworth.	Eleanor Jones alias Davis.
309	House and Garden	Robert Chambers	John Frederick Bloodsworth.	Eleanor Jones alias Davis.
310	House and Garden	Robert Chambers	John Frederick Bloodsworth.	John Frederick Bloodsworth.
311	Arable Land - -	Thomas Ponton - -	- - - -	Thomas Carter.
312	Arable Land - -	Richard Southby - -	- - - -	Henry Fownes.
313	Arable Land - -	Robert Chambers	John Frederick Bloodsworth.	John Frederick Bloodsworth.
314	Arable Land - -	Edward Pain - -	- - - -	Edward Pain.
315	Arable Land - -	Sir William Clay, Baronet.	- - - -	Thomas Carter.
316	Arable Land - -	Edward Pain - -	- - - -	Edward Pain.
317	Arable Land - -	Thomas Cubitt - -	- - - -	Francis Lithgow.
318	Meadow - - -	Thomas Williams	- - - -	Thomas Williams.
319	Arable Land - -	John Hunt - -	- - - -	James Weller.
320	Arable Land - -	Edward Pain - -	- - - -	William Pipe.
321	Arable Land - -	John Hunt - -	- - - -	Henry Feat.
322	Arable Land - -	Thomas Cubitt - -	- - - -	Robert Speneer.
323	Arable Land - -	James Weller - -	- - - -	James Weller.
324	Arable Land - -	William Pearce - -	- - - -	Samuel Poupert.
325	Arable Land - -	Joseph Blunt - -	- - - -	Thomas Carter.
326	Arable Land - -	Edward Pain - -	James Gwynne - -	William Bullen.
327	Arable Land - -	Thomas Cubitt - -	- - - -	William Waterhouse Smith.
328	Arable Land - -	Edward Pain - -	- - - -	Edward Pain.

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
329	Arable Land -	Thomas Cubitt -	- - -	William Waterhouse Smith.
330	Arable Land -	John Hunt -	- - -	William Bullen and John Hunt.
331	Arable Land and Road.	Thomas Ponton -	- - -	James Weller.
332	Arable Land -	Andrew Duncan M'Kellar.	- - -	Samuel Poupart.
333	Arable Land -	Richard Southby -	Edward Matson -	Edward Matson.
334	Arable Land -	John Cornelius Park.	- - -	John Cornelius Park.
335	Arable Land -	Edward Pain -	- - -	James Weller junior.
336	Arable Land -	Thomas Williams -	- - -	James Weller.
337	Arable Land -	Andrew Duncan M'Kellar.	- - -	Andrew Symonds, Samuel Poupart, and Thomas Carter.
338	Arable Land -	Edward Pain -	James Gwynne -	William Bullen.
339	Arable Land -	Edward Matson -	- - -	Edward Matson.
340	Arable Land -	Edward Matson -	- - -	Edward Matson.
341	Arable Land -	Catherine Pilkington.	- - -	Andrew Symonds.
342	Arable Land -	Andrew Duncan M'Kellar.	- - -	James Weller.
343	Arable Land -	Edward Pain -	- - -	Edward Pain.
344	Arable Land -	Edward Pain -	- - -	Edward Pain.
345	Arable Land -	John Goodrick Goalin.	- - -	John Goodrick Goalin.
346	Arable Land -	Michael Drew -	- - -	Thomas Carter.
347	Public Highway from the Bridge Road to the Thames Bank.	The Parish Board of Surveyors of Highways.	—	—
348	Public Highway from the Marsh Lane to the Thames Bank.	The Parish Board of Surveyors of Highways.	—	—
349	Public Highway to and across the open Fields from the Marsh Lane.	The Parish Board of Surveyors of Highways.	—	—
350	Footpath along the Thames Bank.	The Parish Board of Surveyors of Highways and Earl Spencer.	—	—
351	Open Drain across the Marsh.	The Commissioners of Sewers and Earl Spencer.	—	—
352	Open Drain all along between the open Fields and the Marsh.	The Commissioners of Sewers and Earl Spencer.	—	—
353	Public Highway across the open Fields to Battersea.	The Parish Board of Surveyors of Highways.	—	—
354	Public Highway from the Red House to Nine Elms.	The Parish Board of Surveyors of Highways.	—	—

N° on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
355	Public Highway from Nine Elms to Wandsworth, called the Lower Wandsworth Road.	The Parish Board of Surveyors of Highways.	—	—
356	Public Highway from Nine Elms to Battersea.	The Parish Board of Surveyors of Highways.	—	—
357	Public Highway, Continuation of, from Nine Elms to Wandsworth.	The Parish Board of Surveyors of Highways.	—	—
358	Land and Building	The Proprietors of Battersea Bridge	Daniel Board	Daniel Board.
359	Meadow - -	The Proprietors of Battersea Bridge.	- - -	John Taylor.
360	Meadow and Warehouse.	The Proprietors of Battersea Bridge.	Joseph Cristall, John Nowell, and John Forster.	John Nowell and John Forster.
361	Chemical Factory -	The Proprietors of Battersea Bridge.	Joseph Cristall, Samuel Cleaver, William Hammond, and Samuel Reynolds Solly.	Charles John Price.
362	Chemical Factory -	The Proprietors of Battersea Bridge.	Joseph Cristall, Samuel Cleaver, William Hammond, Samuel Reynolds Solly, Thomas Groves, and Barbara Catherine Lowndes.	James Lowndes.
363	Silver and Lead smelting and refining Works.	Proprietors of Battersea Bridge.	Joseph Cristall, Samuel Cleaver, John Mullins, William Hammond, and Samuel Reynolds Solly.	John Mullins and Edward Mullins.
364	Chemical Factory -	Proprietors of Battersea Bridge.	Joseph Cristall, Samuel Cleaver, William Hammond, Samuel Reynolds Solly, and Edward Hoile.	Edward Hoile.
324 a	Almshouses - -	Ann Maria Lightfoot, Mary Lightfoot, Samuel Morton Peto, Jasper Shallcross, and John Noah Davidson.	- - -	Hannah Burchall, Sarah Cook, Lavinia Maria Surrey, Elizabeth Masters, Charles Rhodes, Sarah Gunner, Elizabeth Townshend, Mary Ann Symons, Mary Craig Eddis, and Elizabeth Wise.

C A P. XXXIX.

An Act to enable the Commissioners of Her Majesty's Woods to construct an Embankment and Roadway on the North Shore of the River *Thames* from *Battersea Bridge* to *Vauxhall Bridge*, and to build a Suspension Bridge over the said River at or near *Chelsea Hospital*, with suitable Approaches thereto, including a Street from *Lower Sloane Street* to the Northern Extremity of the Bridge. [3d August 1846.]

WHEREAS the Commissioners appointed by Her Majesty to inquire into and consider the most effectual Means of improving the Metropolis, and of providing increased Facilities of Communication between the same, by their Second Report, dated the Seventh Day of *May* One thousand eight hundred and forty-five, (and which has been laid before both Houses of Parliament by Command of Her Majesty,) recommended to Her Majesty's favourable Consideration the Construction of an Embankment and public Road between *Battersea* and *Vauxhall* Bridges, upon the Basis of a Plan and Estimates therein contained or referred to: And whereas by their Fifth Report, dated the Twenty-third Day of *July* One thousand eight hundred and forty-five, and also laid before both Houses of Parliament by Command of Her Majesty, the said Commissioners recommended (amongst other things) to Her Majesty's favourable Consideration the Construction of a Suspension Bridge across the River *Thames* between *Battersea* and *Vauxhall* Bridges, from a Point near *Chelsea Hospital* on the North Side to a Point near the Public House called the *Red House*, on the South Side: And whereas it is proposed, in accordance with the aforesaid Recommendations, that the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall be empowered to construct such Embankment and Roadway and Suspension Bridge as aforesaid, and also, in order to open a more complete Communication with and to the said Roadway and Bridge, to open a new Street from the South End of *Lower Sloane Street* to a Point in the said intended Roadway at or near the Northern Extremity of the said intended Bridge, as recommended in the said Second Report: And whereas the Recommendations aforesaid were made by the said Commissioners on the Understanding that the whole Cost of constructing such proposed Embankment and Roadway was not to fall ultimately upon the Public, but that a certain Proportion of such Cost should be contributed (either in Money, or by conveying the Land required free of Expence, or by constructing the same Embankment and Roadway, or Parts thereof, at prime Cost, or otherwise,) by certain of the Owners of or Parties interested in the Tenements situated on the River Frontage along which the said intended Embankment and Roadway were to pass, in consideration of the Benefit which would accrue therefrom to their said respective Tenements; and certain of such Parties are willing to contribute accordingly in some of the Modes herein-before mentioned; and it is intended that they shall respectively enter into Agreements with the Commissioners of Her Majesty's Woods, Forests, Land Reve-

9 & 10 VICT. T nues,

' nnes, Works, and Buildings to make such Contribution accord-
 ' ingly in such Sums or otherwise as the Lord High Treasurer or
 ' the Commissioners for executing the Office of Lord High Treas-
 ' urer shall approve of, and shall think proper and sufficient, and
 ' that no Part of the said intended Embankment and Roadway
 ' shall be commenced until after all such Agreements as aforesaid,
 ' so approved of as aforesaid, shall have been duly executed; but
 ' inasmuch as it is proposed that the whole Cost of the Construc-
 ' tion of the said Embankment and Roadway shall in the first
 ' instance be borne by the Public, and that the Sums of Money to
 ' be contributed as aforesaid shall not be payable until after the
 ' Completion of the same, it is expedient that the necessary
 ' Powers for constructing the same should be conferred forthwith,
 ' subject nevertheless to the due Execution of such Agreements
 ' as aforesaid: And whereas the Reverend *Joseph George Brett*
 ' Clerk hath proposed and agreed to give such Part of his Land
 ' as shall be necessary to form the said intended new Street
 ' without any valuable Consideration: And whereas the Commis-
 ' sioners of Her Majesty's Woods, Forests, Land Revenues, Works,
 ' and Buildings have caused Surveys, Plans, and Designs to be
 ' made of the said intended Embankment, Roadway, and Street,
 ' and of the said intended Bridge and the Approaches thereto, in
 ' accordance with the Recommendations contained in the said
 ' Reports, and such Surveys, Plans, and Designs have been sub-
 ' mitted to the Commissioners of Her Majesty's Treasury, and
 ' have been approved of by them: And whereas the Queen's most
 ' Excellent Majesty in right of Her Crown claims to be seised of
 ' the Ground or Soil and Bed of the River *Thames* and the Shores
 ' thereof, so far as the Tide flows and reflows in the same River,
 ' and the Mayor, Commonalty, and Citizens of the City of *London*
 ' are Conservators of the same River, and claim also to be entitled
 ' to so much of the Ground and Soil and Bed of the said River
 ' and the Shores thereof as lie within the Limits and Bounds of
 ' their Jurisdiction as Conservators, and a Suit has been instituted
 ' by Her Majesty's Attorney General, on behalf of Her Majesty,
 ' against the said Mayor, Commonalty, and Citizens, for the
 ' Purpose of ascertaining and determining the Rights of Her
 ' Majesty and of the said Mayor, Commonalty, and Citizens
 ' respectively, and such Suit is still pending: And whereas the
 ' Plans of the said Bridge and Embankment have, without Pre-
 ' judice to the Right and Title of the Crown, been submitted to
 ' and received the Approval of the Lord Mayor of the City of
 ' *London*, the Conservator of the said River *Thames*: And
 ' whereas it is expedient that the several Objects herein-before
 ' mentioned should be carried out; and the same cannot be fully
 ' carried out without the Authority of Parliament: May it there-
 ' fore please Your Majesty that it may be enacted; and 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, That the Commissioners of Her Majesty's
 ' Woods, Forests, Land Revenues, Works, and Buildings for the
 ' Time being shall be and they are hereby constituted a Corpora-
 ' tion, by the Name and Style of "The Commissioners of Her
 ' Majesty's

Commissioners
 of Woods, &c.
 constituted a
 Corporation,

Majesty's Woods, Forests, Land Revenues, Works, and Buildings," in order to enable them to execute and carry into effect the several Powers and Purposes of this Act, and by that Name, for the Purposes of this Act, shall have perpetual Succession, and use a Common Seal, to be by them from Time to Time altered as they shall think fit, and shall and may sue and be sued, implead and be impleaded, and take Lands and Hereditaments to them and their Successors for ever, for the Purposes of this Act.

II. And be it enacted, That it shall and may be lawful for the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer of the United Kingdom of *Great Britain and Ireland*, or any Three or more of them, and they are hereby empowered, for the Purposes of this Act, by Warrant under their or his Hands or Hand, from Time to Time to authorize the Commissioners for issuing Exchequer Bills for Public Works acting in execution of an Act passed in the Fifty-seventh Year of the Reign of King *George* the Third, and of several subsequent Acts for amending and extending the same, to advance and lend to the Commissioners for executing this Act any Sum or Sums of Money in Exchequer Bills, not exceeding in the whole the Sum of One hundred and twenty thousand Pounds; and the Repayment of all Sums to be so from Time to Time advanced and lent as aforesaid, with Interest from the Time or respective Times of advancing the same, not exceeding the Rate of Four Pounds *per Centum per Annum*, shall be secured by an Assignment to the said Commissioners for issuing Exchequer Bills of the Tolls of the Bridge and other Tolls herein-after authorized to be taken, and of the Monies to be received for Contributions under the aforesaid Agreements, and all other Monies to be received under the Authority of this Act, or by an Assignment of such Parts thereof, or secured in such other Manner as the Lord High Treasurer or Commissioners for the Time being of Her Majesty's Treasury, or any Three or more of them, shall direct; and the Commissioners for executing this Act are hereby authorized and empowered to assign the said Tolls, Contributions, and other Monies aforesaid by way of Security accordingly.

III. And be it enacted, That when and so soon as such Agreements for Contribution as aforesaid (including an Agreement with the Governor and Company of *Chelsea* Waterworks, who have offered to contribute, upon Terms to be arranged between the said Company and the Commissioners for executing this Act), as the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer for the Time being, or any Three or more of them, shall approve of, and shall consider proper and sufficient in Amount or otherwise, (such Approbation to be signified by some Writing under his or their Hand or Hands,) shall have been made and entered into, but not sooner, it shall be lawful for the said Commissioners for executing this Act to construct and complete an Embankment and Roadway along the North Bank of the River *Thames* from *Battersea Bridge* to *Vauxhall Bridge*, and it shall be lawful for the said Commissioners at any Time, either before or after such Agreements shall have been entered into as aforesaid, to construct and complete a

that they may be enabled to carry into effect the Powers of this Act.

Commissioners for issuing Exchequer Bills for Public Works authorized to advance Money for the Purposes of this Act.

Sums advanced to be repaid with Interest secured on the Tolls, &c.

When Agreements for Contributions are approved by the Treasury, Commissioners empowered to construct Embankment and Roadway, and to construct a Bridge.

Bridge across the said River from a Point near to *Chelsea Hospital* aforesaid to a Point near the *Red House* aforesaid, with convenient Approaches thereto, together with convenient Piers, Stairs, Harbours, and Landing Places, and also a Street from the South End of *Lower Sloane Street* aforesaid to the Northern Extremity of such Bridge, in manner herein-after mentioned, and according to such Surveys, Plans, and Designs as aforesaid, and for the Purposes aforesaid, or any of them, to dig and make proper Foundations in the said River, and in the Lands on each Side thereof, and make Dams in the said River, and cut and level the Banks thereof, and cut, remove, and take away all Trees, Roots of Trees, Beds of Gravel, Sand, or Mud, or other Impediment whatsoever, and do and execute every other Thing necessary or convenient for the Purposes aforesaid, or any of them; and for the Purpose of erecting, maintaining, and repairing the said intended Bridge, and constructing and completing such Embankment and Roadway as aforesaid, the said last-mentioned Commissioners shall have full Power and Authority from Time to Time to land on either Side of the said River, within Five hundred Yards from the Site of the said intended Bridge, and on any Part of the Ground lying on the North Bank of the said River between *Battersea Bridge* and *Vauxhall Bridge*, all Materials and other Things to be used in or about the same, and there to work and use such Materials and Things as they the said last-mentioned Commissioners shall think proper, doing as little Damage as may be, and making such Satisfaction as herein-after mentioned to the respective Owners and Occupiers of the Lands and Hereditaments which shall be damaged or used for the Purposes of this Act; and such Bridge, when so erected, and the Approaches thereto, shall be kept in repair by the Commissioners for executing this Act out of the Tolls and other Monies coming to them under this Act.

Commissioners to keep Bridge in repair.

When the Bridge is under repair the Commissioners empowered to erect a temporary Bridge.

Proviso.

Commissioners empowered to take Places for depositing Materials.

IV. And be it enacted, That in case at any Time or Times after the said intended Bridge shall have been completed the Passage over the same shall become dangerous in consequence of Accident or Want of Repair, it shall be lawful for the said last-mentioned Commissioners, during such Time as shall be necessary for repairing or rebuilding the said Bridge, to erect such temporary Bridge or provide such Ferry over the said River at such Place or Places near the Site of the said intended Bridge as they shall think proper, and to receive such Tolls as are herein-after authorized to be taken for passing over the said intended Bridge: Provided always, that such temporary Bridge or Ferry shall continue for such Time only as shall be necessary for repairing or rebuilding the said intended Bridge, and that such temporary Bridge shall be built so as to impede the Navigation as little as possible.

V. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners to take on Lease or to agree for the Use and Occupation of proper Places within Five hundred Yards of the Approach to the said Bridge on either Side thereof, and on any Part of the North Bank of the said River between *Battersea Bridge* and *Vauxhall Bridge*, for the Purpose of depositing and working Stone, Iron, Timber, and other Materials for building the said intended Bridge, and constructing and completing the said

Embankment and Roadway, and to dispose of the same in like Manner as is herein-after directed with respect to Lands not wanted for the Purposes of this Act.

VI. And be it enacted, That a Map or Plan and Design, or separate Maps or Plans and Designs, describing the Lines, Site, and Elevation of the said intended Embankment and Roadway, Bridge and Approaches, and new Street, when signed by the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, or any Three of them, and the Places, Buildings, Tenements, and Hereditaments on the Site of which the same Embankment, Roadway, Bridge, and Approaches, and new Street are proposed to be made shall be deposited at the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and the Map or Plan and Design, or separate Maps or Plans and Designs, so deposited at the Office of the said Commissioners, shall remain at the said Office, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

VII. And be it enacted, That no Alteration or Change shall be made in the Line, Site, or Design of the said Roadway and Approaches, or new Street, as shown in such Plans and Designs, unless the same shall be approved by the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer for the Time being, or some Three or more of them.

VIII. And be it enacted, That the said Commissioners for executing this Act, in making the said Roadway and Street, and the Approaches to the said Bridge, shall not deviate more than Fifty Feet from the Lines described in the aforesaid Maps or Plans and Designs, without the Consent and Approbation of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Tenements such Deviation shall be made, or the Use and Enjoyment of whose Tenements shall be affected by such Deviation: Provided always, that in respect to the Soil or Freeholds of the said Reverend *Joseph George Brett* Clerk no Deviation shall take place without adequate Compensation in reference to the same being made to him in manner herein-after mentioned.

IX. And be it enacted, That the said Commissioners for executing this Act shall and may and they are hereby empowered from Time to Time to appoint such and so many Clerks and other Officers and Persons as they shall deem necessary to employ in the Execution of this Act, and may from Time to Time remove such Clerks, Officers, and other Persons, or any of them, and appoint others in their Stead; and also shall and may allow to such Clerks and other Officers, and such other Person and Persons as shall be assisting in or about the Execution of this Act, such Salaries or Allowances as to them the said Commissioners shall seem meet, and as shall be approved of by the said Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them: Provided always, that the said Commissioners for executing this Act shall and may and they are hereby authorized and empowered,

Maps or Plans to be deposited at the Office of Woods, and to be open to Inspection upon paying a Fee of 1s.

No Alteration shall be made without Consent of the Treasury.

No Deviation to be made from such Plans without Consent.

Power to Commissioners to appoint Clerks and other Officers;

and to fix Salaries, with the Approval of the Treasury;

and to take Security if they think fit.

empowered, if they shall think proper so to do, to take such Security, either to themselves or Her Majesty, from any Clerk, Officer, or other Person to be appointed by virtue of this Act, for the due and faithful Execution of his Office, as they the said last-mentioned Commissioners shall think fit.

Proceedings of Commissioners to be entered in a Book and admitted as Evidence.

X. And be it enacted, That all such Orders and Proceedings of the said last-mentioned Commissioners in the Execution of this Act, which shall be entered in a Book or Books to be kept for that Purpose, shall, when so entered and signed by the said Commissioners or any Two of them, be deemed to be Originals, and such Book or Books shall be admitted as Evidence in all Courts whatsoever.

Power to make new Carriage and Foot Ways, and to stop up old ones.

XI. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners to cause such Part of the said intended Roadway, Bridge and Approaches, and new Street to be laid out for Carriageways, and such Part thereof for Foot Passengers, as they shall think proper, and to stop up and close permanently all or any now existing Carriageways and Footways which in the Judgment of the said Commissioners it will not be necessary to keep open after such new Carriageways and Footways are set out and opened.

Power to embank and fill up Bed and Shore of River and to stop up Streets, &c.

XII. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners to embank and fill up the Bed and Shore of the said River *Thames* as shown in the aforesaid Plans and Designs, and also such further Parts thereof as shall be required by the said Commissioners for constructing any Stairs, Piers, Landing Places, or Hards, in pursuance of the Powers in that Behalf herein-after contained, and also to alter, divert, stop up, or inclose such Streets, Courts, Alleys, Ways, or Passages, void Ground, Stairs, Piers, Landing Places, or Hards, or such Part and Parts thereof as shall be necessary to be altered, diverted, stopped up, or inclosed for the Purposes of this Act; and the Ground and Soil of so much of the Bed of the said River as shall be so embanked and filled up, or authorized to be filled up as aforesaid, and of such Streets, Courts, Alleys, Ways, Passages, void Ground, Stairs, Piers, Landing Places, and Hards, or Parts thereof respectively, as shall be stopped up and inclosed, and the Fee Simple and Inheritance thereof, shall be and are hereby vested in the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and their Successors, hereby incorporated for the Purposes of this Act, with Power to such Commissioners to convey any Part thereof or to appropriate the same in pursuance of any Agreement which may be entered into with any Parties so agreeing to contribute as aforesaid, and on such Conditions and subject as in any such Agreement may be mentioned.

Ground, &c. of the River and Streets, &c. vested in Commissioners.

Power to Commissioners to stop up Parts of Carriage and Foot Way of Streets.

XIII. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners, and they are hereby authorized and empowered, during the making of the said Embankment, Roadway, Bridge and Approaches, and new Street, to stop up or cause to be stopped up all or such Part of the Carriage or Foot Ways of Streets, Roads, and other Places as shall be necessary for the Purposes of this Act, and for that Purpose to put up or cause to be put up sufficient Dams, Pallisadoes, Bars, Posts, and other Erections, and to make such Orders for regulating the Passage of all Carts,

Carts, Carriages, Horses, and Foot Passengers as to them shall seem proper : Provided nevertheless, that before any such Stoppage shall be made the said Commissioners shall give Twenty Days previous Notice of their Intention to cause such Stoppage to the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*, to the Intent that the last-named Commissioners, if they see Occasion, may represent to the Commissioners for executing this Act any Interruption of Sewage likely to be caused by any such Stoppage as aforesaid.

XIV. And be it enacted, That if any Person or Persons having the Care of any Float, Raft, Boat, Barge, or other Vessel, or any other Person or Persons, shall, after being warned by any Person employed in the Construction of any of the Works by this Act authorized to be constructed, by passing or navigating over any Part of the said River where such Works are in progress, or otherwise, cause any Hindrance or Obstruction to the Execution of such Works or any of them, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered in such Manner as other Penalties and Forfeitures are by this Act directed to be recovered.

Penalty on Persons obstructing the Execution of the Works. :

XV. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners and they are hereby authorized and empowered to raise or lower, or cause to be raised or lowered, the Ground of any Streets or Ways which shall communicate with the said Roadway, Bridge and Approaches, and new Street to be made as aforesaid, or any Part or Parts thereof respectively, making Compensation to the Owners of Houses or Premises injured by such Alterations as shall be agreed on by and between the Parties : Provided nevertheless, that in raising or lowering such Ground the said Commissioners shall not disturb or interfere with any Sewers, Drains, or Watercourses under the Control of the said Commissioners of Sewers without the Consent of the last-named Commissioners, and that in case it shall be necessary to alter, divert, stop up, or in any way interfere with any such Sewers, Drains, or Watercourses the said Commissioners for executing this Act shall first obtain the Sanction of the said Commissioners of Sewers, and all such Works shall then be done as the said Commissioners of Sewers shall by Order of Court direct and require, by or at the Expence of the said Commissioners for executing this Act.

Power to Commissioners to raise or lower Streets leading to Bridge, &c. ; making Compensation to Owners.

Not to disturb Sewers without Consent of Commissioners of Sewers.

XVI. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners and they are hereby authorized and empowered to cause to be arched over or filled up all such Sewers and Drains, or Part or Parts thereof, which shall lie and be in or near the said Roadway, Approaches, and new Street and Streets and Ways to be made, altered, diverted, or stopped up, or inclosed as aforesaid respectively, as shall appear necessary for completing the Purposes of this Act, so as that no public Sewer or Drain whatsoever, or any private Drain, shall be in anywise disturbed, injured, or prejudiced without another Sewer or Drain being made in lieu thereof, equally serviceable and convenient to the Individual or Neighbourhood : Provided always, that, before the arching over or filling up any Sewer, Drain, or Watercourse, or Part thereof, as aforesaid, the said Commissioners shall first obtain the

Power to arch over or fill up Sewers and Drains for the Purposes of this Act.

Sanction and Consent of the Commissioners of Sewers thereto, and at the Time of filling up any Sewer or Drain, or Part thereof, as aforesaid, the said Commissioners shall cause to be made and built other good and sufficient Sewers and Drains, if required, and to be approved by the Commissioners of Sewers, of the same or greater Size or Capacity and upon the same or lower Levels than the Sewers or Drains which shall be filled up; and when made and completed the said respective Sewers and Drains shall be under the Jurisdiction, Care, Management, and Direction of the Commissioners of Sewers of the District in which the same shall be: Provided also, that in case the said Commissioners of Sewers shall require any Sewer or Drain, or Part or Parts of any Sewer or Drain, that may be destroyed or altered under the Authority of this Act, to be rebuilt or remade of larger Capacity than the ordinary Size generally used by the Commissioners of Sewers, and shall give Notice to the said Commissioners for executing this Act of such Desire before such Sewer or Drain shall be begun to be rebuilt or altered, then and in every such Case such Sewer or Drain shall be rebuilt or remade of such enlarged Dimensions as the said Commissioners of Sewers may require; and such Commissioners of Sewers shall bear and pay the Difference in Expence that may be occasioned by such enlarged Capacity; and in case any Difference shall arise as to the Sum to be paid by the said Commissioners of Sewers, then it shall be referred to the Decision of Two Arbitrators, or, if they differ, to an Umpire to be named by the Two Arbitrators, one of such Arbitrators to be named by the said Commissioners of Sewers and the other by the said Commissioners for executing this Act.

Nothing to diminish the Rights of the Commissioners of Sewers relating to the making, repairing, &c. of Sewers.

XVII. 'And whereas it may be necessary from the Increase of Buildings that new Sewers should be made, and that the same should have an Outlet into the *Thames*, and that the present and future Sewers should be deepened, repaired, altered, enlarged, or diverted, and Works may from Time to Time be rendered necessary to provide for the due Discharge into the River *Thames* of the Sewage from the Lands and Property around;' be it therefore enacted, That nothing herein contained shall prejudice, affect, diminish, or interfere with the Right and Power of the Commissioners of Sewers, or any Person or Persons whomsoever acting under their Direction or with their Sanction, to make such Openings as may be required in the Embankment or Works hereby authorized, for the Purpose of making any new Sewers, at such Places and in such Manner as such Commissioners of Sewers shall deem fit and proper, and that nothing herein contained shall prevent the said Commissioners from altering or diverting the Course of any existing Sewers or the Outlets thereof, or the widening, deepening, repairing, amending, or making, covering, or otherwise altering, any such Sewers; and the said Commissioners of Sewers are hereby authorized and empowered to order and direct the doing all or any Works which in their Judgment, and in the Execution of the Laws of Sewers, they may deem necessary with reference to the Sewers, Drains, and Watercourses, and the proper Sewage of the District, notwithstanding the Works done under this Act, and although it may from Time to Time be necessary to make Openings in the said Embankments and other Works,

Works, and to do other Things which may affect or interfere with the Works by this Act authorized, and so that the Power to form new Sewers or Drains and Watercourses, and alter, repair, and improve existing Sewers, Drains, and Watercourses, may continue in the same State and as completely unimpaired as if this Act had not passed: Provided nevertheless, that all Openings to be made in the said Embankment by the Commissioners of Sewers, or by Persons acting under their Direction, or with their Sanction, shall be for Main Sewers, or for such Sewers as the said Commissioners and the Commissioners for executing this Act shall approve, and all such Sewers shall be carried down to Low-water Mark, or as low as the Shore Line will permit, and that the Commissioners of Sewers shall so execute every such Work that no Injury shall be done or shall ensue to the Embankment, and no Settlement caused in the Roadway, and that in every Case the Commissioners of Sewers shall restore the Work of the Embankment and the Roadway and other Works to the Satisfaction of the Commissioners for executing this Act.

XVIII. And be it enacted, That it shall be lawful for the said Commissioners for executing this Act, for the Purposes of this Act, to raise, sink, or otherwise alter or cause to be altered the Position of any of the Steps, Areas, Cellars, Windows, and Water Channels, Pipes, or Spouts belonging to any House or Houses, and also the Mains and the Leaden or other Pipes which for the Purposes of conveying Water or Gas to any House or other Place shall be laid into or from any Main or Pipe laid down by any of the Companies or Societies who furnish the Inhabitants with Water or Gas, in such Manner as shall be consistent with the Acts of Parliament incorporating such Companies or Societies (if any), and to remove all other Obstructions, so as the same respectively be done with as little Detriment and Inconvenience to the said Companies, Societies, and Inhabitants as the Circumstances of the Case will admit.

Power to Commissioners to raise, sink, or alter Water and Gas Pipes.

XIX. And be it enacted, That when the said Roadway and Approaches and new Street shall be made in pursuance of this Act, all the Ground, Land, and Hereditaments which shall be laid open into the said Roadway and Approaches and new Street, and paved as aforesaid, shall form Part of the said Roadway and Approaches and new Street, and shall be used by the Public accordingly, and the same and the sole Power, Authority, and Duty of paving, repairing, cleansing, lighting, and watching thereof, and of rating the Lands, Tenements, and Hereditaments situate and being within the same, shall be under the Care, Management, Control, and Jurisdiction of the Parishes or Places, Trustees or Commissioners, respectively, after mentioned; that is to say, such Parts of the said Roadway, Approaches, and new Street as will be situate in the Parish of *Saint Luke Chelsea*, extending as to the said Roadway from *Battersea Bridge* to the *Ranelagh Sewer*, shall be under the Care, Management, Control, and Jurisdiction of the Commissioners appointed under the Authority of an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for better paving, lighting, cleansing, regulating, and improving the Parish of Saint Luke Chelsea (exclusive of the District of Hans Town) in the County of*

Ground laid into the Streets to form Part of the Roadway, and may be used by the Public.

8&9 Vict. c.143.

Middlesex;

- 7 G. 4. c. 58. Middlesex ; such Parts thereof as will be situated between the *Ranelagh Sewer* and the *Lock of the Grosvenor Canal* shall form Part of the District of *Grosvenor Place*, and be under the Care, Management, Control, and Jurisdiction of the Trustees appointed under the Authority of an Act passed in the Seventh Year of King George the Fourth, intituled *An Act for paving, lighting, watching, repairing, and otherwise improving Grosvenor Place, and several Streets, Squares, Lanes, and other public Places now existing, and which shall hereafter be formed, upon certain Grounds in the several Parishes of Saint George Hanover Square and Saint Luke Chelsea in the County of Middlesex* ; such Parts thereof as will be situate between the *Grosvenor Canal* and the *King's Scholars Pond Sewer* shall be under the Care, Management, Control, and Jurisdiction of the Paving Committee appointed under the Authority of an Act passed in the Seventh Year of His said Majesty King George the Fourth, intituled *An Act for better paving, lighting, regulating, and improving the Parish of Saint George Hanover Square, within the Liberty of the City of Westminster* ; and such Parts thereof as will be situate between the *King's Scholars Pond Sewer* and *Vauxhall Bridge* shall be under the Care, Management, Control, and Jurisdiction of the Commissioners appointed under the Authority of an Act passed in the Twenty-second Year of King George the Third, intituled *An Act for amending the Pavement in, and for lighting some of the Streets, Lanes, Ways, and Places in the Parishes of Saint Margaret and Saint John the Evangelist in Westminster which are at present excluded from the Provisions of an Act passed in the Eleventh Year of His present Majesty, (intituled ' An Act to amend and ' render more effectual several Acts made relating to paving, ' cleansing, and lighting the Squares, Streets, Lanes, and other ' Places within the City and Liberty of Westminster and Parts ' adjacent ;) and for preventing Nuisances and Annoyances in or near the same, and for making an Opening from Orchard Street, and widening some Part of Wood Street and of Little Peter Street* ; and further, that all Lands and Hereditaments which shall be acquired or reclaimed within and by the said intended Embankment between the present North Shore of the said River, and the Line of the said intended Roadway may (subject, nevertheless, to such other Appropriation thereof as may be made under any Agreement to be entered into by the Commissioners for executing this Act) be planted or otherwise laid out in public Walks or Gardens by the Commissioners for executing this Act, as they shall think fit, but no Houses or other Buildings shall be erected on any Part thereof (except such as may be erected under any such Agreement as aforesaid).
- 22 G. 3. c. 44.

Power to take Houses necessary for the Purposes of this Act after giving Notice of the same.

XX. And be it enacted, That, for the Purposes of this Act, it shall be lawful for the Commissioners for executing this Act, and they are hereby authorized and empowered, to take and use, or cause to be taken and used, any Tenements or Hereditaments, and pull down or remove, or cause to be pulled down and removed, any Houses or Buildings which it may be deemed necessary and expedient to take or pull down and remove for the Purposes of this Act, at any Time after the Expiration of Six Calendar Months after Notice in Writing from the said last-mentioned Commissioners,

sioners, or their Agent duly authorized, of their Intention to take or use the same, shall either be given to the principal Officer of the Body Politic, Corporate, or Collegiate, or to the Person or Persons who shall be the Owners and Occupiers of such Tenements or Hereditaments, or, in case he, she, or they cannot be found or ascertained, left at the usual or last Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of the same Tenements or Hereditaments, or shall be affixed upon the same Premises; and, for the Purposes of this Act, the Owner shall be any Person hereby capacitated to sell.

XXI. Provided always, and be it enacted, That no Houses or Buildings, Lands or Hereditaments, other than the Bed of the said River as aforesaid, shall be taken or made use of for the Purposes of this Act, except such as are mentioned in the Schedule hereunto annexed, or as are situated within the Limits of the Line of Deviation herein-before authorized, without the Consent in Writing of the Owner or Owners thereof being first had and obtained for that Purpose.

XXII. Provided always, and be it enacted, That nothing in this Act contained shall extend to limit the Powers of the Commissioners acting under an Act passed in the last Session of Parliament, intituled *An Act for better paving, lighting, cleansing, regulating, and improving the Parish of Saint Luke Chelsea (exclusive of the District of Hans Town) in the County of Middlesex*, in respect of the Houses or Buildings, Lands or Hereditaments, described in the Schedule hereunto annexed, as follows; that is to say, "No. 27, Shed and open Ground," "27^a, Public Way, *Paradise Walk*, and No. 28, *Bull Wharf*," unless the same shall be taken or made use of for the Purposes of this Act within Two Years from the passing thereof, and unless there shall be provided by the Commissioners for executing this Act convenient Means for landing Materials by the Commissioners acting under the said Act of the last Session for the Repair of the Roads under their Jurisdiction, at or near the Site of the last-mentioned Houses or Buildings, Lands or Hereditaments, free from Rent or Toll.

XXIII. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners to purchase, take down, and use, for the Purposes of this Act, any of the Houses, Buildings, and other Hereditaments described in the said Plan or Plans to be deposited in the Office of the said Commissioners as aforesaid as intended to be taken for the Purposes of this Act, although the same Houses, Buildings, and other Hereditaments, or the Name or Names of the Owner or Owners, Occupier or Occupiers thereof, may have been erroneously stated or omitted in the Schedule hereunto annexed, in case it shall appear to any Two or more of the Justices of the Peace for the County of *Middlesex*, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information.

XXIV. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners, and for their Surveyor or Surveyors, Officers and Workmen, from Time to Time, at all seasonable Times in the Day-time, upon giving for the first Time Twenty-four Hours, and afterwards from Time to Time Twelve

No Houses, &c. to be taken without Consent, unless mentioned in Schedule.

Saving the Powers of Improvement Commissioners acting under 8 & 9 Vict. c. 143. in respect of certain Property.

Houses and Lands may be taken, notwithstanding Errors in the Schedule, if certified by Two Justices.

Power to Commissioners, &c. to enter Houses and Lands for the Purpose of Survey after giving Notice.

Hours, previous Notice in Writing, to enter into and upon all or any of the said Tenements and Hereditaments authorized to be taken and used as aforesaid, or any of them, for the Purpose of surveying or valuing the said Premises, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment, on account of entering or continuing upon any Part or Parts of the said Tenements and Hereditaments, for the Damages that shall be thereby occasioned.

Commissioners may treat for the Purchase of Tenements, &c., and enter into Contracts.

XXV. And be it enacted, That it shall be lawful for the said last-mentioned Commissioners and they are hereby empowered to treat and agree for the Purchase of any Tenements and Hereditaments which they may deem necessary for the Purposes of this Act to be taken and used by them, and of any subsisting Leases, Terms, Shares, Estates, and Interests therein, and Charges thereon, or such of them or such Part or Parts thereof respectively, as the said Commissioners shall think proper, and to enter into any Contract or Contracts which they may think fit.

Messuages, &c. purchased in pursuance of this Act shall be conveyed to Commissioners of Woods, &c.

XXVI. And be it enacted, That the Messuages, and other Hereditaments which shall be purchased in pursuance of this Act shall be conveyed to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and their Successors, or to such Person or Persons as the said Commissioners shall direct, in trust for the Purposes of this Act, and to be conveyed, leased, or otherwise disposed of, as the said Commissioners under the Powers herein contained shall direct, and that until the same shall be sold and disposed of the Rents and Profits thereof shall be received and applied by the said Commissioners for the Purposes of this Act or any of them.

Power of purchasing Houses, &c. to cease in Seven Years.

XXVII. And be it enacted, That if the said Commissioners for executing this Act shall not, within the Space of Seven Years, to be computed from the passing of this Act, purchase or take the Tenements and Hereditaments or Parts thereof respectively which they are empowered by this Act to take, use, and purchase as aforesaid, then and from thenceforth the Powers hereby granted to them for such Purpose shall cease, determine, and be utterly void.

Bodies Politic, Trustees, &c. empowered to contract, sell, and convey Property to Commissioners for the Purposes of this Act.

XXVIII. And be it enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and for all Trustees and Feoffees in trust for charitable and other Purposes, and all Executors and Administrators, not only for and on behalf of themselves, their Successors, Heirs, Executors, and Administrators respectively, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Femes Covert, Idiots, Lunatics, or Persons not born or not ascertained, or any other Person or Persons whomsoever, and to and for all Tenants for Life, or for Years absolute or determinable on any Life or Lives, and all Persons having any other partial or qualified Estate or Interest, not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Issue, but also for and on behalf of the Person or Persons entitled in remainder, expectancy, or contingency, or for any other future Estate or Interest where such Person or any of such Persons, whether entitled to the next or any subsequent Estate or Interest, or any Part thereof, shall not be ascertained, or shall be incapable

incapable of contracting for, selling, or conveying the same, and to and for all Guardians on behalf of their respective Wards, Husbands on behalf of their respective Wives, Committees on behalf of the Persons of whose Estates they shall be Committees, and the Heirs, Executors, and Administrators and Issue of such Wards, Wives, or Persons respectively, and to and for all Femes Covert entitled in their own Right to any such Tenements or Hereditaments, or to Dower or other Interest therein, on behalf not only of themselves but also of their respective Heirs, Executors, Administrators, and Issue, and also, where such Wards, Wives, Persons, or Femes Covert respectively shall be Tenants for Life or in Tail or for Years, or have any other partial or qualified Estate or Interest, to and for such Guardians, Husbands, Committees, and Femes Covert on behalf of the Person or Persons on behalf of whom such Wards, Wives, Persons, or Femes Covert respectively, if of full Age, unmarried, and of sound Mind, might have contracted for, sold, and conveyed the same Tenements or Hereditaments, and to and for all and every other Person or Persons whomsoever who are or shall be seised or possessed of or interested in any Tenements or Hereditaments which by the said Commissioners for executing this Act shall be thought necessary for any of the Purposes of this Act, to contract for, sell, and convey the same, and every or any Part thereof, to the said Commissioners and their Successors, or to such Person or Persons as the said Commissioners shall direct, for the Purposes of this Act; and all Contracts, Agreements, Bargains, Sales, Conveyances, and Assurances, Acts, and Deeds, which shall be made by such Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons as aforesaid, shall be valid and effectual in the Law; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, contracting or conveying as aforesaid, are hereby indemnified for or in respect of any such Sale or Conveyance which they, he, she, or any of them shall respectively make by virtue or in pursuance of this Act.

Contracts, &c.
valid.

XXIX. And be it enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, and other Person and Persons, herein-before capacitated to contract for, sell, and convey any such Tenements or Hereditaments as aforesaid, and any other Owner or Owners of any such Tenements or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, may convey the same without receiving any Satisfaction or Recompence for the Value thereof, or may accept and receive such Satisfaction and Recompence for the Value thereof; and such Body or Bodies, Trustee or Trustees, Person or Persons, Owner or Owners, and also any Tenant or Tenants or other Occupier or Occupiers of any such Premises entitled to any Compensation for Tenants Fixtures, and for any other Injury or Damage as shall be sustained on account of the Execution of this Act or in anywise relating thereto, may accept and receive such Sum of Money in respect thereof as shall be agreed upon between them respectively and the said Commissioners for executing this Act; and in case the said Commissioners and the said Parties interested in such Tenements or Hereditaments, or Fixtures, or

Bodies Politic,
&c. may convey without receiving Satisfaction, or may accept Satisfaction for Tenements, &c.

In case of Dispute the same to be settled by a Jury.

sustaining

sustaining any Injury or Damage, cannot or do not agree as to the Amount or Value of such Satisfaction, Recompence, or Compensation, the same respectively shall be ascertained and settled by a Jury in manner herein-after directed.

Parties to deliver Statements of their Claims for Fixtures, &c. within One Month after receiving Notice from Commissioners.

XXX. And be it enacted, That on or before the Expiration of One Calendar Month next after Notice in Writing from the said Commissioners, or their Agent duly authorized, of the Intention to take or use any Tenement or Hereditament, or any Part thereof, for the Purposes of this Act, shall have been given, left, or affixed as herein-before is mentioned, all and every Body and Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and other Person and Persons, seised, possessed of, or interested in or authorized by this Act to accept and receive Satisfaction or Recompence for the Value of the same, or any Estate, Share, or Interest therein or Charge thereon, or being or claiming to be entitled to any Compensation for any Fixtures, or for any Injury or Damage sustained on account of the Execution of this Act, shall deliver or cause to be delivered to or leave at the Office of the said Commissioners a Statement in Writing of the Particulars of the Estate, Share, Interest, or Charge which he, she, or they claim to be entitled to, or to be authorized to receive Satisfaction or Recompence for, and of the Fixtures, and of the Injury or Damage sustained by him, her, or them, and of the Amount of the Sum or Sums of Money which he, she, or they may expect and be willing to receive in satisfaction or recompence for the Value of such Estate, Share, Interest, or Charge, and also the Amount of the Sum or Sums of Money which he, she, or they may expect and be willing to receive as Compensation for such Fixtures and for such Injury or Damage respectively.

If Parties refuse to treat, or shall not agree, a Jury shall be summoned to inquire into the same.

XXXI. And be it enacted, That if any Owners or Proprietors, Occupiers, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Trustees, Femes Covert, or any other Person or Persons, seised, possessed of, or interested in any Houses, Buildings, Ground, Tenements, or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, which the said last-mentioned Commissioners are hereby empowered to purchase, take, and use for the Purposes aforesaid, shall neglect or refuse to treat, or shall not agree in the Premises, or, by reason of Absence or Disability, shall be prevented from treating with the said Commissioners, or with the Person or Persons authorized by them, for the Sale and Disposal of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in the Possession of, or to the Interests they shall claim therein, to the Satisfaction of the said Commissioners, then and in every or any such Case the High Bailiff of the City and Liberty of *Westminster*, or his Deputy, as regards any Hereditaments which may be situate within the Liberty of *Westminster*, and the Sheriff of the County of *Middlesex*, or his Under Sheriff, as regards any other Hereditaments, or in case any such Sheriff or Under Sheriff, High Bailiff, or his Deputy, shall be in anywise interested in the Matter in question, then some one of the Coroners of the said County of *Middlesex*, not interested therein, shall, upon the Warrant

Warrant of the said Commissioners, in manner herein-after mentioned, and he and they is and are hereby required and authorized to cause it to be inquired into and ascertained, upon the Oaths of a Jury of Twelve indifferent Men of the said City of *Westminster* as regards Hereditaments within the said Liberty of *Westminster*, and of the said County of *Middlesex* as regards any other Hereditaments, which Oaths the said Sheriff, Under Sheriff, High Bailiff or his Deputy, or Coroner, is and are hereby empowered and required to administer, what Damages will be sustained by, and what Recompence and Satisfaction shall be made to, such Owners, Occupiers, or other Person or Persons interested, for the Value of such Houses, Buildings, Grounds, Tenements, or Hereditaments, and of the proportionable Value of the respective Estates and Interests of every Person or Persons seised or possessed thereof or interested therein, or of or in any Part thereof, and assess and award the Sum or Sums of Money to be paid to such Person or Persons, Party or Parties respectively, for the Purchase of such Houses, Buildings, Ground, Tenements, or Hereditaments, and of such respective Estates and Interests therein, and for any Injury or Damage whatsoever that may affect any such Person or Persons, Party or Parties, provided such Compensation shall be estimated by what, in the Opinion of such Jury, the Premises would have been worth in case the Alterations or Improvements intended by this Act had not been in contemplation, and also for and on account of the taking of such Houses, Buildings, Ground, Tenements, or Hereditaments for the Purposes or under and by virtue of the Authority of this Act; but no Sum of Money shall be awarded for or in respect of any Building or Improvement which, in the Opinion of such Jury, shall have been constructed or made with a view to obtaining Compensation under this Act, beyond the actual Cost of building and the Materials used; and the said Jury in estimating such Recompence and Satisfaction shall take into their Consideration the Increase or Depreciation in Value of the Residue of any Property of which such Tenements or Hereditaments shall form Part, and in order thereto the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner is and are hereby empowered and required, from Time to Time as Occasion shall require, to summon and call before the said Jury, and examine upon Oath, all and every Person or Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises, which Oath the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner is and are hereby empowered to administer; and such Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner respectively shall order and cause the said Jury to view the Places in question, if there be Occasion, and use all other lawful Ways and Means, as well for his and their own as for the said Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall think fit; and after the said Jury shall have inquired of and ascertained and settled such Damage, Recompence, and Satisfaction, the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Commissioners to the said Owners or Occupiers of or other
Persons

Persons interested therein according to such Verdict or Inquisition of the said Jury, which said Verdict or Inquisition and Order so had and made shall be final, binding, and conclusive to all Intents and Purposes upon and against all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as other Parties or Persons whomsoever; and for the summoning and returning of such Jury or Juries the said Commissioners are hereby empowered to issue their Warrant or Warrants to the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner to summon, impanel, and return, at some convenient Place in the said City of *Westminster* or County of *Middlesex* (as the Case may be), a Jury of not less than Thirty-six nor more than Forty-eight honest and indifferent Men, qualified according to Law to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner, at such Time and Place as in such Warrant shall be appointed; and Fourteen Days Notice at the least, in Writing under the Hands of the said Commissioners, of the Time and Place at which such Jury are so required to be returned, shall be given to such Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons interested in the Premises, before the Time of meeting of the said Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Head Officer of such Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued, and the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner is and are hereby empowered to impanel, summon, and return such Number accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid, and in default of a sufficient Number of Jurymen the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall return other honest and indifferent Men of the Standers-by or that can be speedily procured, to attend that Service (being qualified as last aforesaid), to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Council, Solicitors, and Agents, to attend and be heard and to adduce Evidence before the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner respectively, and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array.

Where Part of Property is taken, and Parties cannot agree as to the Value of the Remainder, a Jury shall be summoned to assess the same.

XXXII. And be it enacted, That if the Owner, Lessee, or Occupier of any Tenements or Hereditaments authorized to be taken by virtue of this Act shall not be inclined to sell or part with the whole thereof, or of his or her Interest in the whole thereof, and it shall not be found necessary to take the whole for the Purposes of this Act, and the said Parties cannot agree as to the Sum of Money to be paid for the Part which the said Commissioners, or any Person or Persons authorized by them, shall not think it necessary to purchase, then and in such Case the Jury which shall be summoned to value the Premises shall assess the

Value

Value of the whole Premises, according to the Condition in which they are at the Time of taking the View, and also the Value of that Part of the Premises which will remain after the said Commissioners, or the Person or Persons authorized by them, have taken away so much as they shall think necessary for the Purpose of this Act; and in such last Valuation the said Jury shall take into their Consideration the Improvement or Depreciation which the Remainder of the Premises is likely to receive or sustain from the Alteration intended to be made; and the Jury having made these Two Valuations, the Difference between them shall be the Price to be paid by the said Commissioners for that Part which they shall have occasion for, and such Price shall be recorded as the Verdict of the Jury for the Value of the same.

XXXIII. And be it enacted, That no Jury to be summoned by virtue of this Act shall be allowed to assess or award any Sum or Sums of Money to any Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, by way of Compensation for Tenants Fixtures, or any Injury or Damage alleged to have been sustained by him or them by reason or means of this Act, or any thing which shall or may be done in the Execution hereof, unless such a Statement as herein-before is mentioned of the Particulars of every such Claim, and how and in what Manner the Amount thereof is made out and computed, shall have been given to the said Commissioners, or left at their Office as aforesaid, by and on behalf of such Person or Persons, Ten Days at least before the Time of meeting of such Jury.

XXXIV. And be it enacted, That if the Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner so directed to summon and return a Jury as aforesaid shall make default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds to the Party who shall be prejudiced or injured thereby, to be recovered, with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned as a Witness shall not appear, or appearing shall refuse to be examined or to give Evidence, any Person so offending, having no reasonable Excuse to be allowed by the Justices herein-after mentioned, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the said City of *Westminster* or of the County of *Middlesex* (as the Case may be), by Distress and Sale of the Goods and Chattels of the Person so offending, the Person making such Distress and Sale rendering to him or her the Overplus of the Money thereby produced, if any, after such Penalty and the Charges of such Distress and Sale shall be deducted; and all such Fines shall be paid to the said Commissioners, to be applied for the Purposes of this Act.

XXXV. And be it enacted, That in all Cases in which a Verdict shall be given for the Value of any Tenements or Hereditaments,

No Jury to award Compensation without Notice has been given to Commissioners of Amount claimed.

Penalty on Sheriff, Jury, and Witnesses for Neglect of Duty.

Jury shall, if required, assess Value of Fees

Simple, and then apportion the Values of respective Interests therein.

ments, or Share or Shares therein, the Jury shall, if required so to do, by or on behalf of the said Commissioners, inquire of, assess, and ascertain the Value of the Fee Simple of the Entirety of the said Premises, and shall afterwards apportion and divide the Value so ascertained between and among all the different Shares and Charges which shall be claimed therein, and also between different Parts of the said Tenements or Hereditaments alleged to be held under different Titles: Provided always, that the Verdict of any Jury shall not defeat or prejudice any Contract or Sale which shall have previously been made of any Share or Charge, although the Value of the same may be ascertained to be different from the Amount of the Price, Recompence, or Satisfaction agreed to be paid for the same.

Value of Tenements and Hereditaments and Damage to be awarded separately.

XXXVI. And be it enacted, That the Jury and Juries so to be summoned as aforesaid shall award all Determinations, Judgments, and Verdicts which they shall make and give in execution of the Powers hereby vested in them concerning the Value of Tenements or Hereditaments, or of any Share or Shares, Estate or Estates, Interest or Interests therein, or any Charge or Charges thereon, separately and distinctly from the Consideration of any Loss of Goodwill to which the Occupier may personally be entitled, or any other Loss or Damage to be sustained by any Person or Persons in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, Charge or Charges thereon, and the Money assessed or adjudged for such Goodwill, Loss, or Damage as aforesaid, separately and apart from each other; and when any Money shall be assessed or adjudged for such Goodwill, Loss, or Damage as aforesaid, the Jury shall, if required by the said Commissioners, award and declare whether the Statement delivered by the Claimant or Claimants of the Manner in which any Amount of the Money which shall have been demanded as a Compensation for the same has been computed and made up gave sufficient Particulars to enable the said Commissioners to make a proper Offer.

Providing for Expences of summoning Juries.

XXXVII. And be it enacted, That in case any Jury to be summoned and sworn pursuant to the Authority of this Act shall give in a Verdict or Assessment for more Money as a Recompence, Compensation, or Satisfaction for the Rights, Interests, or Property of any Person or Persons in any such Houses, Buildings, Ground, Tenements, or Hereditaments, or for any such Injury or Damage as aforesaid, than shall have been agreed to be given and offered for the same in the aggregate by the said Commissioners before the summoning and returning of such Jury, or where by reason of Absence in Foreign Countries or other Incapacity or Disability as aforesaid there shall not be found any Person or Persons legally capacitated to enter into any Contract with the said Commissioners, then and in every such Case all the reasonable Costs, Charges, and Expences of causing and procuring such Recompence, Compensation, or Satisfaction to be assessed by a Jury shall be settled by the Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner before whom such Claim shall have been tried, and shall be paid by the said Commissioners; but in every Case in which any Jury so summoned and sworn as aforesaid shall be of opinion

that the Statement delivered by the Claimant or Claimants of the Manner in which any Amount of Money which shall have been demanded as a Compensation has been computed and made up did not give sufficient Particulars to enable the said Commissioners to make a proper Offer, and in every Case in which any such Jury shall give in a Verdict or Assessment for no more or for less Money as such Recompence, Compensation, or Satisfaction as aforesaid than shall have been agreed to and offered by the said Commissioners in the aggregate for the same before the summoning and returning of the said Jury, or in case no Damages shall be given by the Verdict where the Dispute is for Damages only, or where the causing or procuring such Jury to be summoned shall have arisen from a Refusal to treat with the said Commissioners by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever who is or are by the Provisions of this Act or otherwise legally empowered to treat, then (except where by reason of Absence such Person shall be prevented from treating with the said Commissioners) all such Costs, Charges, and Expences, to be settled by such Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner in manner aforesaid, shall be paid to the said Commissioners by the said Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons so claiming such Compensation or refusing to treat as before mentioned respectively, save only and except where by reason of Absence or other like Cause any Person shall have been prevented from treating as aforesaid, in which Case no Costs, Charges, or Expences shall be allowed to either Party as against the other; and all Costs, Charges, and Expences hereby directed to be paid to the said Commissioners shall and may be deducted and retained by them out of the Money so adjudged or assessed to be paid by them as so much Money advanced to and for the Use of the Person and Persons entitled to such Money so adjudged, and Payment or Tender of the Remainder of such Money shall be deemed and taken to be a Payment or Tender of the whole Sum or Sums so adjudged or assessed; or in case no Money or no sufficient Sum of Money shall be awarded or assessed to be paid by the said Commissioners whereout such Costs, Charges, and Expences can be deducted, then the same shall and may be recovered by virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the County of *Middlesex* or City of *Westminster* (as the Case may be) by Distress and Sale of the Goods and Chattels of the Person or Persons liable to the Payment of the same, the Party making such Distress and Sale rendering to such Person or Persons as aforesaid the Overplus of the Money thereby produced (if any), after such Costs, Charges, and Expences, and the Charges of such Distress and Sale, shall be deducted.

XXXVIII. And be it enacted, That a Minute or Docket of all the said Judgments and Verdicts shall be recorded in the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and all such Judgments and Verdicts shall be afterwards deposited with the Clerk of the Peace of the said County of *Middlesex* or the said City and Liberty of *Westminster* (as the Case may be), to be kept and preserved by him amongst the Records of the Quarter Sessions of the said

Verdicts to be recorded in the Office of Commissioners of Woods, &c., and afterwards deposited with the Clerk of the Peace, to be Evidence,

and open to
Inspection.

County or City and Liberty, and shall be deemed to be Records to all Intents and Purposes whatsoever, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy-two Words, and so in proportion for any less Number of Words.

If Owners are
unwilling to
sell Part of
Houses, &c.
Commissioners
to purchase the
whole.

XXXIX. And be it enacted, That if in any Case the Owner or Owners of any House or Building, or of any Yard or Curtilage occupied therewith, (other than and except the said *Joseph George Brett*, his Heirs or Assigns,) Part only of which Premises shall at any Time be required by the said Commissioners to be applied for the Purposes aforesaid, shall be unwilling to sell or dispose of such Part only of such House, Building, Yard, or Curtilage as shall be required by the said Commissioners, it shall and may be lawful for the said Commissioners and they are hereby required, at the Option of any Owner or Owners of any such House, Building, Yard, or Curtilage (other than and except as aforesaid), to purchase of and from the said Owner or Owners the whole or such Part thereof over and above such Part thereof, as may be wanted for the Purposes of this Act, as such Owner or Owners shall think fit, and to apply so much and such Part thereof as they the said Commissioners, with such Consent and Approbation as aforesaid, shall see fit for the Purposes aforesaid; and that if such Owner or Owners shall not or cannot agree with the said Commissioners for the Price to be paid for the Purchase of the whole or such Part as aforesaid of such House, Building, Yard, or Curtilage, then the Value thereof shall be settled and ascertained by a Jury in such Manner as the Price for any Premises to be taken in pursuance of this Act is directed to be settled and ascertained; and all such other Proceedings shall take place respecting the said Premises as are herein-before mentioned and directed with respect to the Premises the Value of which shall be ascertained by a Jury in the Manner aforesaid.

If Owners and
Commissioners
shall not agree,
Value to be
settled by a
Jury.

Persons hold-
ing under
Leases claiming
Compensation,
to produce the
same.

XL. And be it enacted, That in all Cases in which any Person or Persons shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he, she, or they shall claim to be possessed of or entitled unto in any Tenements or Hereditaments intended to be taken or used under the Authority of this Act under or by virtue of any Demise or Lease, or Agreement for Demise or Lease, or Grant thereof, the said Commissioners are hereby authorized to require such Person or Persons to produce or show the Demise or Lease, or Agreement for Demise or Lease, or Grant, in respect of which such Claim to Satisfaction or Compensation shall be made, or the best Evidence thereof in his, her, or their Power; and if such Demise or Lease, or Agreement for Demise or Lease, or Grant, or such best Evidence thereof as aforesaid, shall not be produced or shown within Twenty-one Days after Demand made by the said Commissioners, or any Person by them authorized, the Person or Persons claiming such Satisfaction or Compensation shall be considered and treated as holding only from Year to Year.

XLI. And

XL I. And be it enacted, That in case any Difference shall arise between the said Commissioners and any of the Owners or Occupiers of the Property to be taken or used for the Purposes of this Act as to the Amount or Value of the Damages done by the said Commissioners, their Agents or Workmen, to such Property, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the Parties, the same shall, in case the Amount of Damages claimed does not exceed the Sum of Fifty Pounds, be ascertained and determined by some Two or more Justices of the Peace for the said City of *Westminster* if the Property is situate in that City, and for the said County of *Middlesex* if the Property is out of the said City, who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Commissioners; and such Magistrates may examine Witnesses and administer Oaths in all respects, and with the same Consequences as to false swearing, as if the same were a judicial Matter brought before them on which they were by Law entitled to adjudicate.

In case of Disputes as to Damages of small Amount the same to be settled by Two Justices.

Justices may administer Oaths.

XL II. Provided always, and be it enacted, That all Sums of Money, or other Consideration, Recompence, or Satisfaction, to be made or paid pursuant to any such Agreement or Verdict as aforesaid, shall be paid or tendered to the Party or Parties entitled to the same, or into the Bank of *England* as herein mentioned, before the said Commissioners, or any Person or Persons authorized by them, shall proceed to take possession, or pull down any House or Houses or other Erection or Buildings comprised in or affected by such Agreement or Verdict respectively, or to use the Ground for any of the Purposes of this Act.

Commissioners not to take possession till Purchase Money is paid or tendered.

XL III. And be it enacted, That if any Body or Bodies, Person or Persons, seised or possessed of or interested in any such Tenements or Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, as aforesaid, cannot be found, or shall not be known or ascertained, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Conveyances thereof, then and in any of such Cases, upon Payment of such Sum or Sums of Money as shall have been contracted and agreed, or shall have been assessed and awarded by any Referee or Referees, or by any Jury or Juries in manner aforesaid, to be paid for the Purchase of or for the Value of the same Premises into the Bank of *England* as hereinafter directed and required (in case the same shall be requisite) for the Use of such Person or Persons so interested or entitled as aforesaid in or to such Tenements or Hereditaments, or Parts, Shares, Estates, Interests, or Charges, the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Body or Bodies, Person or Persons, or unknown Person or Persons, to whose Credit such Money shall be paid in, to, and out of the Tenements, Hereditaments, and Premises to be purchased as aforesaid, shall from thenceforth vest in the said Commissioners and their Successors, who shall be deemed in Law to be in the actual Seisin and Possession

In case Parties cannot be found, or not able to make a good Title, &c. Commissioners may take possession on Payment of Purchase Money into the Bank of England.

sion thereof to all Intents and Purposes, freed and discharged from all former and other Estates, Rights, Titles, and Interests, Claims and Demands, as fully and effectually as if every Body or Person having any Estate in the Premises had actually conveyed the same by Lease and Release, or Bargain and Sale enrolled, and with the Assent of any Protector of the Settlement whose Assent might be necessary, or Feoffment with Livery of Seisin, or any such Conveyance or Assurance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand of the Body or Bodies, Person or Persons, or unknown Person or Persons, of, in, and to the same Premises, to whose Credit such Payment or Tender shall have been made, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person or Persons, and all Estates Tail and other Estates in possession, reversion, remainder, expectancy, or contingency, and the Issue and Issues of such Person or Persons, and every other Person whomsoever; and the same Premises shall and may thereupon be pulled down, made use of, and employed for the Purposes aforesaid according to the Direction of the said Commissioners, and under the Regulations in this Act mentioned and contained.

Application of
Purchase
Money when
amounting to
200l.

XLIV. And be it enacted, That if any Money shall be agreed or assessed to be paid for any Houses, Buildings, Ground, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or for any other Right, Matter, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Infant, Lunatic, or other Person or Persons under any Disability or Incapacity, or not legally entitled absolutely to dispose of the Premises by the Sale of which such Money shall be produced, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, pursuant to the Method prescribed by an Act passed in the Twelfth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of East India Bonds and Endorsements thereon, and likewise Endorsements on South Sea Bonds*, and pursuant to the general Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of England, belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of the Accountant General of the said Court*, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an

12 G. 1. c. 32.

12 G. 2. c. 24.

Order

Order made upon Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Houses, Buildings, Ground, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Ground, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or affecting other Houses, Buildings, Ground, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes; and where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Ground, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

XLV. Provided also, and be it enacted, That if any Money so agreed or assessed to be paid for any Houses, Buildings, Grounds, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, purchased, taken, or used for the Purposes aforesaid, belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments, or Parts, Shares, Estates, Interests, or Charges so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privy of the said Accountant General of the Court of Chancery, and to be placed to his Account as aforesaid in order to be applied in manner hereinbefore directed, or otherwise the same shall be paid, at the like

When less than
200*l.* and
amounting to
20*l.*

Option, to Two or more Trustees, to be nominated by the Body or Bodies, Person or Persons making such Option, and approved of by the said Commissioners, such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

When less than
20l.

XLVI. Provided always, and be it enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments, Parts, Shares, Estates, Interests, and Charges so purchased, taken, or used for the Purposes of this Act in such Manner as the said Commissioners shall think fit; or in case of the Infancy or Lunacy of such Person or Persons, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not
making out
Titles, &c.
Purchase
Money to be
paid into the
Bank.

XLVII. And be it enacted, That in case the Body or Bodies, Person or Persons to whom any Sum or Sums of Money shall be agreed to be paid, or shall be awarded by any Referee or Referees, or Umpire, or by any Jury or Juries, for the Purchase of any Tenements or Hereditaments, or any Parts, Shares, Estates, or Interests therein or charged thereon, to be purchased, taken, or used by virtue of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Assignment thereof, or in case the Person or Persons to whom such Sum or Sums of Money shall be so agreed or awarded to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Ground, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, be not known or discovered, then and in every such Case it shall and may be lawful for the said Commissioners to pay the said Sum or Sums of Money so awarded or agreed to be paid as aforesaid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Party or Parties, if known, who shall be interested in the said Tenements or Hereditaments, Parts, Shares, Estates, Interests, or Charges, (describing such Tenements or Hereditaments,) but if such Party or Parties shall not be known, then to the Credit of the said Commissioners, subject to the Order, Control, or Disposition of the said Court of Chancery; which said Court, on the Application of any Body or Bodies, Person or Persons making claim to any such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and the same is hereby empowered, in a summary Way of proceeding or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds or to order Distribution thereof, or Payment of the Dividends thereof,

thereof, according to the respective Estate or Estates, Title or Interest of the Body or Bodies, Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XLVIII. Provided always, and be it enacted, That where any Question shall arise touching the Title of any Body or Bodies, Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Chancery in pursuance of this Act for the Purchase of any Houses, Buildings, Ground, Tenements, or Hereditaments, or Part or Parts thereof, or of any Estate, Right, Title, Charge, or Interest in, to, or upon any Tenements or Hereditaments to be purchased or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends of any such Bank Annuities, the Body or Bodies, Person or Persons who shall have been in possession of such Houses, Buildings, Ground, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, at the Time of such Purchase, and all Body or Bodies, Person or Persons, claiming under such Body or Bodies, Person or Persons, or under the Possession of such Body or Bodies, Person or Persons, shall be deemed and be taken to have been lawfully entitled to such Houses, Buildings, Ground, Tenements, and Hereditaments, Parts, Shares, Estates, Interests, or Charges, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery, and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses, Buildings, Ground, Tenements, or Hereditaments, or Part or Parts thereof, or to some Estate or Interest therein or Charge thereon.

Persons in possession shall be deemed entitled until the contrary be shown.

XLIX. Provided also, and be it enacted, That where by reason of any Disability or Incapacity of the Body or Bodies, Trustee or Trustees, Corporation, or other Person or Persons entitled to any Houses, Buildings, Ground, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such

Court may order Expences of Purchase to be paid by Commissioners.

Expences

Expences as the said Court shall deem reasonable, to be paid by the said Commissioners, who shall from Time to Time pay such Sum or Sums of Money out of the Monies applicable to the Purposes of this Act as the said Court shall direct.

Where Lands required for the Act are subject with other Lands to any Rent, the Money paid into the Bank to be laid out in the Purchase of other Estates, in lieu of the Lands required for the Act.

L. And be it enacted, That where the Money awarded to be paid for any Tenements or Hereditaments which shall be taken for the Purposes of this Act shall be paid into the Bank of *England* in manner herein-before directed, in consequence of a good Title not having been made to such Tenements or Hereditaments to the Satisfaction of the said Commissioners, or any Person or Persons authorized by them, by reason of the same Tenements or Hereditaments respectively being subject, together with other Hereditaments not required for the Purposes of this Act, to a Rent payable to some Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, unable or unwilling to release therefrom the Tenements or Hereditaments so to be taken, then and in every or any such Case the Tenements or Hereditaments for the Value of which the Money to be paid into the Bank, together with the Money (if any) to be retained for Costs and Charges under the Authority of this Act, shall be assessed and awarded to be paid, shall be and are hereby released and for ever discharged from such Rent, and all Claims and Demands in respect thereof, and the Money to be paid into the Bank of *England* shall be laid out and invested, under the Direction and with the Approbation of the said Court of Chancery, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the Tenements and Hereditaments for the Value of which such Money respectively shall have been paid as aforesaid, in the Purchase of other Tenements or Hereditaments, which shall be conveyed and settled (subject together with such other Tenements or Hereditaments to such Rent) to the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Tenements or Hereditaments so to be taken as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto, be invested by the Accountant General of the said Court in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Tenements or Hereditaments hereby directed to be purchased, in case such Purchase and Settlement were made; and the Tenements or Hereditaments so to be purchased and settled shall be subject to the Rent to which the same shall be declared as aforesaid in the Conveyance and Settlement thereof to be subject, in the same Manner, to all Intents and Purposes, as the Tenements or Hereditaments taken or to be taken for the Purposes

poses of this Act as aforesaid were subject thereto; and the Body or Bodies, Person or Persons, to whom such Rent shall be payable, shall have such and the same Powers and Remedies for enforcing the Payment thereof or of any Part thereof, out of or upon the Tenements or Hereditaments to be comprised in such Conveyance and Settlement, and declared to be subject thereto, as they, he, or she would have been entitled to if such Rent had originally been reserved out of or charged upon the same, instead of the Tenements or Hereditaments to be taken for the Purposes of this Act, and in the same Manner, to all Intents and Purposes, as such Rent was reserved out of or charged upon such last-mentioned Tenements or Hereditaments, together with the other Tenements or Hereditaments subject thereto; and in the meantime and until such Purchase shall be made it shall be lawful for the said Court of Chancery, if the said Court shall think proper, upon Application thereto, to order any Part of the Dividends and annual Produce of the Bank Annuities in which the said last-mentioned Money shall be invested to be paid from Time to Time to the Body or Bodies, Person or Persons, for the Time being entitled to the said Rent, in discharge thereof or Part thereof, as the Case may be.

LI. And be it enacted, That where any Tenements or Hereditaments purchased or wanted or intended to be purchased by the said Commissioners shall be subject, solely, or jointly with other Tenements or Hereditaments not intended or wanted to be purchased, to or with any Rent Service, Rent-charge, or Chief Rent, or other Rent, Payment, or Incumbrance, it shall be lawful for the said Commissioners to agree for the Release of the Tenements or Hereditaments so purchased or wanted or intended to be purchased, from such Rent, Payment, or Incumbrance, and also (where necessary or convenient) for an Apportionment of such Rent, Payment, or Incumbrance for such gross Sum as shall be agreed upon between the said Commissioners and the Party who, under the Provisions of this Act, shall agree to sell or apportion the same, and which Agreement may be entered into by all Persons and Corporations by this Act authorized and empowered to sell or convey Lands, and the Monies to be paid shall be paid and applied in manner herein-before directed with regard to the Purchase Monies on the Sale of Lands; and in case any Difference shall arise respecting the Value of such Rent, Payment, or Incumbrance, or respecting the Apportionment thereof, the same shall be determined by a Jury, if required, in like Manner as the Price of Lands is by this Act directed to be settled in case of Dispute as to the Value thereof, which Jury shall assess and determine the Value of the Rent, Payment, or Incumbrance affecting the Tenements or Hereditaments purchased or wanted or intended to be purchased, and shall also (where necessary or convenient) apportion the Rent, Payment, or Incumbrance affecting the Tenements or Hereditaments jointly subject to the Rent, Payment, or Incumbrance, as herein-before mentioned, according to the respective Values of the Tenements or Hereditaments purchased or wanted or intended to be purchased, and of the Tenements or Hereditaments not purchased or wanted or intended to be purchased by the said Commissioners; and all Contracts, Conveyances, and Assurances

Power to purchase Release of Incumbrances, and to apportion the same.

In case of Difference the same shall be determined by a Jury.

All Contracts, &c. respecting Release, valid.

Where Party entitled, &c. consider the remaining Part sufficient Security for such Rent, &c. they may release the same from all Incumbrances, &c.

Proviso.

ances which shall be made by and between or to the said Commissioners and any such Party as aforesaid, respecting such Release, shall be valid and effectual in the Law, and shall extinguish the whole or a proportionate Part of such Rent, Payment, or Incumbrance (as the Case may be): Provided always, that where the Party entitled to such Rent, Payment, or Incumbrance shall consider the remaining Part of the Tenements or Hereditaments so jointly subject to be a sufficient Security for such Rent, Payment, or Incumbrance, and shall be willing to release the Tenements or Hereditaments so purchased by the said Commissioners therefrom, then and in such Case it shall be lawful for the Party entitled by this Act or capacitated to apportion such Rent, Payment, or Incumbrance, or to release the Tenements or Hereditaments so purchased therefrom, (with the Consent of the Owner of the Lands so purchased, and also of the Owner of the Tenements or Hereditaments so jointly subject as aforesaid,) to release the Tenements or Hereditaments so purchased as aforesaid from the Rent, Payment, or Incumbrance so affecting the same as aforesaid, jointly with other Tenements or Hereditaments, on condition or in consideration of such other Tenements or Hereditaments continuing or remaining wholly and exclusively subject to the whole of such Rent, Payment, or Incumbrance, and thereupon such other Tenements or Hereditaments shall in all respects continue so liable, and as if no Part of the Hereditaments charged had been released: Provided also, that when any of the Tenements or Hereditaments purchased by the said Commissioners shall be released from a Part only of any Rent, Payment, or Incumbrance affecting the same jointly with other Tenements or Hereditaments not purchased by the said Commissioners, such last-mentioned Tenements or Hereditaments shall be charged only with the Remainder of such Rent, Payment, or Incumbrance, and such Apportionment shall not prejudice the Title to the remaining Rent, or the Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Lands not so purchased had been originally charged with that Amount only: Provided also, that when a Part of any Rent, Payment, or Incumbrance shall be released, it shall be lawful for the said Commissioners, on Tender for that Purpose of any Deed or Instrument creating or transferring the Remainder of such Rent, Payment, or Incumbrance, to endorse a Memorandum on such Deed or Instrument declaring what Part of the Tenements or Hereditaments originally subject to such Rent, Payment, or Incumbrance shall have been purchased by virtue of this Act, and what Proportion of the said Rent, Payment, or Incumbrance shall have been released, and also declaring the Amount of the Rent, Payment, or Incumbrance which shall continue payable; and such Memorandum shall be Evidence in all Courts of the Facts therein stated, but shall not exclude any other Evidence of the same Facts.

Rents reserved in Leases to be apportioned.

LII. And be it enacted, That in all Cases in which a Part only of any Tenements or Hereditaments comprised in any Lease or Agreement for Lease for a Term of Years unexpired, or for a Life or Lives, or for a Term determinable on a Life or Lives, shall be required for the Purposes of this Act, the Rent payable in respect of any Tenements or Hereditaments comprised in such

Lease or Agreement for Lease shall be apportioned between the Tenements or Hereditaments required for the Purposes of this Act and the Residue of such Tenements and Hereditaments; and such Apportionment shall, in case the same shall not be agreed upon between the Parties, be settled by the Verdict of a Jury, if required, in like Manner as the Price of any Tenements or Hereditaments to be taken in pursuance of this Act is directed to be settled in case of Dispute as to the Value thereof; and in case such Apportionment shall be settled by Agreement between the Parties, such Agreement shall be made with, and shall not be valid without, the Consent and Approbation of the Lessor from whom such Tenements or Hereditaments are holden or agreed to be holden; and any Person hereby capacitated to sell who shall be a Lessor shall be capacitated to assent, and to bind the Property in respect of such Assent; and after such Apportionment the Tenant or Lessee of the Tenements or Hereditaments comprised in such Lease or Agreement for Lease shall, as to all future accruing Rent, be liable only to so much of the Rent reserved in such Lease or Agreement for Lease as shall have been apportioned in respect of the Tenements or Hereditaments not required for the Purposes of this Act; and the Lessor of the said Tenements or Hereditaments shall have all such and the same Remedies for the Recovery of the Rent so apportioned in respect of the Tenements or Hereditaments not required for the Purposes of this Act, as before such Apportionment he had or was entitled to in respect of the Rent reserved or agreed to be reserved in such Lease or Agreement for Lease; and such Apportionment shall not prejudice or affect any of the Covenants, Conditions, or Agreements in such Lease or Agreement for Lease contained, so far as the same relate to the Tenements or Hereditaments comprised in such Lease or Agreement for Lease, and not required for the Purposes of this Act, but the same shall, as to such last-mentioned Tenements or Hereditaments, but not further or otherwise, continue in full Force and Operation.

LIII. And be it enacted, That all Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and all other Persons having any Mortgage on any Tenements or Hereditaments which shall be required to be taken for the Purposes of this Act, (and whether entitled thereto in their own Right, or in trust for any other Body or Bodies, Person or Persons, and whether in possession of such Tenements or Hereditaments by virtue of such Mortgage or not, and whether such Mortgage shall affect such Tenements or Hereditaments solely, or jointly with any other Tenements or Hereditaments which shall not be so required,) shall, on Payment or Tender by the said Commissioners, or by any Person by them authorized, of the Principal Money and Interest secured by or due on such Mortgage, and whether such Principal Money shall, under the Terms of such Mortgage, be then actually payable or not, and the just Costs (if any) then due, together with the Amount of Six Calendar Months Interest on the said Principal Money, (which Tender and Payment the said Commissioners are hereby authorized to make, and to deduct the same from any Sum agreed or directed to be paid for the Estate or Interest of the Party or Parties entitled to the Equity of Redemption of and in the Tenements or

Mortgagees,
upon Tender
made by the
Commissioners,
shall convey
their respective
Interests in the
Lands, &c. to
them.

Here-

Hereditaments so mortgaged, in case the same shall be sufficient for the Purpose,) immediately convey, assign, and transfer the respective Interests of such Mortgagees in the Tenements or Hereditaments which shall be so required to the said Commissioners and their Successors, or to such Person as the said Commissioners shall appoint; or in case such Mortgagees shall have Notice in Writing from the said Commissioners, or from the Party or Parties entitled to the Equity of Redemption of and in the same Tenements or Hereditaments, that they will pay off the Principal Money and Interest which shall be due on such Mortgage at the End of Six or any less Number of Calendar Months, to be computed from the Day of giving such Notice, then at the End of such Six or less Number of Calendar Months, on Payment or Tender by the said Commissioners of the Principal Money and Interest which would become due at the End of Six Calendar Months from the Time of giving such Notice, together with any just Costs then due, such Mortgagees shall convey, assign, and transfer their respective Interests in the Tenements or Hereditaments which shall be so required for the Purposes of this Act to the said Commissioners and their Successors, or as the said Commissioners shall direct; and in case such Mortgagees shall refuse to convey, assign, or transfer as aforesaid, on such Payment or Tender respectively as aforesaid, then, on Payment of such Money, Interest, and Costs into the Bank of *England*, as herein-after mentioned, all Interest on every such Mortgage Debt, and all Claim and Right of every such Mortgagee thereto, shall thenceforth cease and determine: Provided always, that in case any such Mortgagee shall in either of the Cases aforesaid neglect or refuse to convey, assign, or transfer as aforesaid, then, upon Payment of the Principal Money and Interest, and the Costs (if any), due on any such Mortgage as aforesaid, into the Bank of *England*, at or at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, or as soon after as possible, or in lieu of such Notice, and in addition to the said other Monies, of Six Calendar Months Interest in advance, for the Use of such Mortgagee, at any Time after Tender of the Principal, Interest, and Costs, and Six Calendar Months Interest in advance as aforesaid, the Cashier or Cashiers of the said Bank to whom such Money shall be paid shall give a Receipt for the said Money, in like Manner as is by this Act directed in Cases of other Payments into the said Bank; and thereupon or upon such Conveyance, Assignment, or Transfer by any such Mortgagee as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in trust for him, or for whom he shall be Trustee, shall vest in the said Commissioners for executing this Act, and their Successors, who shall be deemed to be in the actual Possession of the Premises and Estate comprised in such Mortgage, or so much thereof as shall be required for the Purposes of this Act, to all Intents and Purposes whatsoever.

LIV. And be it enacted, That in all Cases in which any Tenements or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, which Tenements or Hereditaments shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of the Tenements

As to Cases where Mortgage Money is more than the Value of the Premises, or in

or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, and such Part shall be of less Value than the Principal Monies, Interest, and Costs secured on such Tenements or Hereditaments, and the Mortgagee or Mortgagees thereof shall not consider the remaining Part of such Tenements or Hereditaments to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due and to become due thereon, and all Costs, the Value of such Tenements or Hereditaments, or, as the Case may be, of such Part of the said Tenements or Hereditaments as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done in respect of the Parts so required, shall be settled and agreed upon by and between such Mortgagee or Mortgagees, and the Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, Person or Persons, entitled to the Equity of Redemption of such Tenements or Hereditaments, whether absolutely, or for such Estate as might capacitate him, her, or them to convey for the Purposes of this Act, on the one Part, and the said Commissioners on the other Part, and in case of any Difference between them, then such Value and Compensation shall be determined by the Verdict of a Jury, in the same Manner as in other Cases of Difference; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee or Mortgagees in satisfaction of his, her, or their Claim, so far as the same will extend; and such Mortgagee or Mortgagees shall thereupon convey, assign, and transfer all his, her, or their Interest in such mortgaged Tenements or Hereditaments the Value whereof shall so have been agreed upon or determined as aforesaid, or in case of his, her, or their neglecting or refusing to convey, assign, or transfer as herein-before directed, then the Amount of such Value and Compensation shall be paid into the Bank of *England* to the Credit of the said Mortgagee or Mortgagees, as by this Act is provided in Cases of the like Nature; and such Payment to the Mortgagee or Mortgagees, or into the Bank, as last aforesaid, shall be accepted in satisfaction of the Claim of such Mortgagee or Mortgagees, so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon; and thereupon such mortgaged Tenements or Hereditaments shall become absolutely vested in the Commissioners for executing this Act, and their Successors, who shall be deemed to be in the actual Possession thereof, to all Intents and Purposes whatsoever: Provided nevertheless, that all Mortgagees shall have the same Powers and Remedies for recovering or compelling Payment of their Mortgage Money, or the Residue thereof, (as the Case may be,) or the Interest thereof respectively, upon and out of the Residue of the mortgaged Tenements or Hereditaments not required for the Purposes aforesaid, as they would have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Tenements or Hereditaments originally comprised in such Mortgage: Provided also, that

which a Part only of the Premises is required for the Purposes of this Act.

where

where a Part only of the Tenements or Hereditaments subject to any Mortgage shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Tenements or Hereditaments so taken shall, on the Assignment or Conveyance thereof to the said Commissioners and their Successors, have been paid to the Mortgagee or Mortgagees thereof in part Satisfaction of his, her, or their Mortgage Debt, a Memorandum of what shall have been so paid shall be endorsed on the Deed creating such Mortgage at the Time of executing such Assignment or Conveyance to the Commissioners, and shall be signed by such Mortgagee or Mortgagees; and a Copy of such Memorandum shall at the same Time (if required) be furnished by the said Commissioners to the Person or Persons so entitled as aforesaid to the Equity of Redemption of the Tenements or Hereditaments comprised in such Mortgage Deed.

Tenants at Will, or from Year to Year, to quit after Notice.

LV. And be it enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons in possession of any such Houses, Buildings, Ground, Tenements, or Hereditaments, or any Part thereof, which shall be purchased by virtue of this Act, or vested in the said Commissioners for the Purposes aforesaid, who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year or from Year to Year, shall at the End of Six Calendar Months next after Notice in Writing signed by the said Commissioners shall have been given to him, her, or them, or left at the Premises which are the Subject of such Notice, and whether such Notice be given with reference to the Time or Times of such Tenant's holding or not, quit and relinquish the said Premises unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession thereof; and in case any such Lessee shall be compelled to quit before the Expiration of his or her Term or Interest in any such Premises, then and in such Case the said Commissioners shall give Satisfaction and Compensation for the Loss or Damage which he or she shall sustain thereby; and in case any Difference as to the Amount of such Satisfaction or Compensation, the same shall or may be settled and ascertained by a Jury in the same Manner as the Sums of Money to be paid for the Purchase of any Ground or Hereditaments are herein-before directed to be ascertained; or if the said Commissioners and the other Parties in difference shall agree thereto, the same may be settled by a Reference to the Award of Arbitrators, to be chosen by the Parties in difference; and that all and every Person and Persons, Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, in possession of any Houses, Buildings, Ground, Tenements, or Hereditaments, or any Part of any Houses, Buildings, Ground, Tenements, or Hereditaments, which shall or may be purchased in pursuance of this Act by the said Commissioners, or vested in them for any of the Purposes aforesaid, shall, upon Payment or Tender as aforesaid of such Recompence or Satisfaction for any of his, her, or their Term, Estate, or Interest in the Premises as shall be mutually agreed upon, or as shall be mutually ascertained and awarded by any Referee or Referees or Umpire, or by Verdict or Inquisition of a Jury in manner aforesaid, quit and relinquish the said Premises so in their respective Possessions
unto

unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession of the same; and all the Leases, Demises, Contracts, and Agreements whatsoever, under or by virtue whereof any such Person or Persons shall hold the said Premises shall, at and from the End and Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, be absolutely void and of none Effect as against the said Commissioners; and if any such Tenant at Will or Lessee or other Person or Persons, Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, as aforesaid, shall refuse or neglect to deliver up the Premises in his or their Possession at the Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, it shall be lawful for any Justice of the Peace for the said County of *Middlesex* or the City and Liberty of *Westminster* (as the Case may be) to issue his Precept or Warrant to the Constables of such County or City for the Time being, or any of them, or to any Person or Persons to be by such Justice appointed a Constable or Constables for that especial Purpose, commanding and requiring such Constable or Constables, or any of them, to cause Possession of the said Premises to be taken, and afterwards delivered to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same on behalf of the said Commissioners, and the said Commissioners and every of them are and is thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly: Provided always, that nothing in this Act contained shall prevent or restrain the said Commissioners, whenever they may deem it just and reasonable so to do, from granting Compensation to any Tenant at Will for giving up the Possession of the Premises under or by virtue of this Act in any Case where special Injury shall be proved to their Satisfaction.

LVI. And be it enacted, That all Persons hereby capacitated to sell, and who may not agree with the said Commissioners as to the Price to be paid, may, if they shall think fit, agree with the said Commissioners to refer it to any Person or Persons to ascertain the Amount to be paid; and every such Agreement shall be in all respects binding and effectual.

LVII. 'And whereas so much of the said intended Bridge and the Approaches thereto as are situate on the South Side of the said River *Thames* are within the Precincts of an intended Royal Park intended to be formed in *Battersea Fields* in the County of *Surrey*, under and by virtue of an Act of this present Session of Parliament;' be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being to permit and suffer such Part or Parts of the Hereditaments to be acquired by or vested in them or in Her Majesty, Her Heirs and Successors, by virtue of any Act of Parliament which may be passed for forming a Royal Park in *Battersea Fields* in the County of *Surrey*, as shall be required for the Construction of the said intended Bridge and the Approaches thereto, to be converted and used to or for such Purpose accordingly.

LVIII. And be it enacted, That the said Commissioners and their Successors shall be and are hereby empowered and required,

Sellers may agree with the Commissioners as to Arbitration.

Commissioners of Woods may permit intended Bridge to be constructed on Land forming Part of *Battersea Park*.

Commissioners to settle Recompense to Water-

men's Company
for the Sunday
Ferry.

In case of Dif-
ference the
same to be
settled by a
Jury.

8 & 9 Vict. c. 78.

Power to clear
the Ground,
and sell old
Materials.

Monies arising
from Sale to be
applied to the
Purposes of
this Act.

Commissioners
may grant

before the said Bridge shall be opened, to agree for and settle the Recompence fit and proper to be made to the Company of Master, Wardens, and Commonalty of Watermen and Lightermen of the River *Thames* for and in respect of the *Sunday Ferry* from the *Whitehouse* in the said Parish of *Saint George Hanover Square* to the *Redhouse* in the said Parish of *Battersea*, and back; and in case such Recompence cannot be settled by Agreement between the said Commissioners or their Successors and the Court of Master, Wardens, and Assistants of the said Company of Watermen and Lightermen, then the said Commissioners shall be and are hereby empowered and required within the Space of Two Calendar Months, to be computed from the Day the said Bridge shall be opened, to proceed to assess the same by a Jury, by the same Method, and in the Manner in this Act mentioned, as the said Commissioners are empowered to assess the Damages for Houses or Ground directed to be taken for the Purposes of this Act, and the Verdict of such Jury thereupon shall be binding on all Parties; and the said Commissioners and their Successors are hereby authorized and required to cause the Sum of Money so agreed on, or so settled, assessed, and determined by the Verdict of the said Jury, to be paid to the said Master, Wardens, and Commonalty of Watermen and Lightermen of the River *Thames*, who shall be at liberty to invest the same in the same Manner as is by the Act passed in the Session of the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to enable the Master, Wardens, and Commonalty of Watermen and Lightermen of the River Thames to invest their Poor's Fund, and the Endowment Fund of the Free Watermen and Lightermen's Asylum, in the Purchase of Land or on Mortgage, and to hold Lands for the Purposes of the said Funds*, directed respecting the Funds in the said Act mentioned; and the Interest and yearly Produce thereof shall be applied by the said Court of Master, Wardens, and Assistants of the said Company of Watermen and Lightermen as the Money arising from such Ferries hath heretofore been applied.

LIX. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered to pull down or cause to be pulled down all Houses and other Erections and Buildings which shall be purchased by virtue of this Act, or such of them or such Part thereof as they shall think proper to be pulled down, and to level and clear the Ground whereon the same shall stand, and all other the Ground to be purchased by virtue of this Act, in such Manner as they shall think proper, and to sell or cause to be sold the Materials of the Houses and other Buildings to be taken down and removed pursuant to this Act; and the Monies to be produced by the Sale thereof (after deducting the Expences of pulling down such Houses and Buildings respectively, and of such Sale or Sales), and also the Rents and Profits of such Tenements and Hereditaments to be purchased or taken by virtue of this Act, until the same shall be pulled down or cleared, shall be applied and disposed of for or towards the Purposes of this Act, or any of them.

LX. And be it enacted, That as regards all or any Ground or Hereditaments which shall be purchased, and which shall not be
wanted

wanted for the Purposes of this Act, (but exclusive of any Lands which shall be acquired or reclaimed between the said Embankment and Roadway and the present North Shore of the River, as aforesaid,) it shall be lawful for the said Commissioners and they are hereby authorized, when and as they shall think fit, by an Indenture or Indentures under their Common Seal, to demise and lease such Ground and Hereditaments or such Part thereof as they shall think it expedient to let, on Building Leases, either together or in Parcels, to any Person or Persons who shall erect and build or covenant and agree to erect and build thereon or on any Part or Parts thereof Houses, Erections, and Buildings, of such Rate or Class or respective Rates or Classes of Buildings, upon such Plan and Elevation or respective Plans and Elevations, of such Height or respective Heights, and with such Stories, as the said Commissioners shall think proper, for such Number of Years and under such Conditions as they may think fit, and either at a Rent or without any Rent, but so that in every such Demise or Lease there be contained a Covenant for the Payment of the Rent, if any shall be thereby reserved, and also such other Covenants on the Part of the Tenant or Lessee therein to be named as the said Commissioners shall reasonably require, and also a Clause in the Nature of a Condition of Re-entry on Nonpayment of the Rent (if any) thereby to be reserved, or on Nonperformance of the Covenants therein to be contained, on the Part of the Tenant or Lessee to be observed and performed, and that the Lessee or Lessees named in each such Lease shall execute a Counterpart thereof, and that on any such Lease the said Commissioners may, if they think fit, accept and take any Fine for the granting thereof, and may enter into any Agreement for the granting any Lease or Leases, on such Terms and Conditions as they may think fit, and on the granting the Leases in pursuance of such Agreements may alter the Amount of the Rents agreed to be reserved on such Leases, and may apportion the same, and grant separate Leases of any Part of the Hereditaments by any such Agreement agreed to be leased, as they may think fit, and may also, as they think fit, alter or rescind any Agreement as aforesaid, and may accept any Surrender of any Lease granted for the Purpose of granting separate Leases of the same Premises, at apportioned Rents or under different Covenants, or otherwise in all respects as the said Commissioners shall think fit; and further, that any Part of the said Ground may be appropriated for Squares, Gardens, or open Places, and any Part thereof may be let for Yards or Courts to be attached to any Houses to be leased, as the said Commissioners shall think fit.

LXI. And be it enacted, That as soon as conveniently may be, and either before or after the Houses, Erections, and Buildings to be erected and built as herein-before is mentioned or any of them, shall be finished and completed, and either before or after such Leases shall have been granted, the said Commissioners shall and they are hereby authorized and required to sell and dispose of, or cause to be sold and disposed of, the Ground Rents to be reserved by the Lease or Demise, or Leases or Demises, in pursuance or in consideration of which the same Houses respectively shall have been erected and built, or shall be agreed to be erected

Building Leases of Ground not wanted for the Purposes of this Act.

Commissioners may make Agreements for Leases, and accept Surrenders of Leases, &c.

Commissioners may sell the Ground Rents and Reversions to be comprised in such Leases.

and built, and also the Reversion and Inheritance in Fee Simple in possession (subject to such Lease or Demise, or Leases or Demises, Agreement or Agreements,) of the Pieces or Parcels of Ground thereby demised or agreed to be demised, and such Houses and other Buildings thereon, either altogether or in Parcels, by public Auction or private Contract, for such Price or Prices or Sum or Sums of Money as the said Commissioners shall think reasonable, and subject to such Stipulations and Provisions as to the Enjoyment thereof, and as to the Nature of the Buildings which are to be at all Times erected and built thereon, and also subject to such Stipulations as to the Title to be produced to the Hereditaments to be sold as the said Commissioners shall think fit; and as regards any Stipulations or Provisions which may be contained in any such Conveyance, the same may at all Times thereafter be enforced in a Court of Equity by the said Commissioners for the Time being, for the Benefit of the Parties entitled to the other Property adjoining or held under the same Title, in such Manner in all respects as the said Commissioners may think fit; and the said Commissioners shall and they are hereby empowered and required, at the Costs and Charges of the Purchaser or Purchasers of the same Premises respectively, upon Payment of the Sum or Sums of Money agreed to be given for the same respectively to the said Commissioners, by any Writing under their Common Seal, to convey and assure the Piece or Parcel of Ground, or Pieces or Parcels of Ground, so purchased by such Purchaser or Purchasers respectively, together with the Houses, Erections, and Buildings then erected and built or to be erected and built thereon respectively, and the Fee Simple and Inheritance thereof, with the Appurtenances, to such Purchaser or Purchasers, his, her, or their Heirs and Assigns respectively, or as he or they respectively shall in that Behalf order or direct, free from all Incumbrances (except the Building Lease or Building Leases or Agreement or Agreements to be granted thereof by virtue of this Act); and that all Conveyances and Leases which shall be made as aforesaid pursuant to the Authority hereby in them reposed shall be adjudged sufficient to vest such Estate in the Purchaser or Lessee as shall have been agreed for, or shall be expressed or meant and intended to be conveyed and granted by any such Conveyance or Lease; and every such Lease, Agreement, and Conveyance, to be made under the Authority of this Act may be in the Forms or to the Effect which the said Commissioners shall order or direct; and it shall not be necessary that any such Conveyance as aforesaid be made by Bargain and Sale enrolled, Feoffment, or Lease and Release.

Commissioners empowered to sell any Ground which may not be wanted for the Purposes of this Act.

LXII. And be it enacted, That it shall be lawful for the said Commissioners to sell and dispose of, in manner and subject as aforesaid, and absolutely to grant and convey, any Part or Parts of any of the Hereditaments which may be acquired under the Powers of this Act, but which shall not be wanted for the Purposes of this Act, (other than the Lands to be acquired or reclaimed between the Embankment and Roadway on the North Shore of the River as aforesaid,) and which they shall not think proper to let on Building Leases as aforesaid, subject nevertheless to such Stipulations and Conditions as they may think fit, and thereupon

thereupon the same shall be conveyed and assured by the said Commissioners as they shall think fit.

LXIII. And be it enacted, That no Purchase, Lease, Agreement for Lease, or Sale, to be made by the said Commissioners, shall be made, except with the Assent in Writing of the Lord High Treasurer of *Great Britain*, or Three or more of the Commissioners for executing the Office of Lord High Treasurer; but it shall not be necessary for any Purchaser or Lessee to ascertain that such Consent has been given as aforesaid, nor shall the said Commissioners for executing this Act be bound to produce to any such Purchaser or Lessee any Evidence of such Assent: Provided nevertheless, that such Assent may be given either generally for any Class of Cases, or for any particular Purchase, Lease or Agreement for Lease, as to the said Lord High Treasurer or Commissioners for executing the Office of Lord High Treasurer as aforesaid shall seem meet.

Purchases, Sales, &c. to be made under the Authority of Treasury.

LXIV. And be it enacted, That the Right and Property of all and every the Stone, Timber, Iron Gates, Bars, Posts, Rails, Sheds, Carts, Engines, Materials for building and paving, Implements, Utensils, and Things whatsoever which may be erected and set up or provided by the said Commissioners for executing this Act, or by their Order, or otherwise belonging to and used by them for carrying the Purposes of this Act into execution, and also any Materials which formed Part of any Buildings which may be pulled down by the Direction of the said Commissioners in pursuance of the Powers of this Act, shall be vested in the said Commissioners, and they are hereby authorized and empowered to dispose of and apply the same for the Purposes of this Act as they shall think fit, and to bring any Action or Actions, and to prefer and prosecute with Effect any Bill or Bills of Indictment, against any Person or Persons who shall steal, secrete, injure, damage, or dispose of the same or any of them respectively, to their own Use and Uses, or shall disturb them the said Commissioners, or their Officers, or other Persons acting under them, in the Possession thereof.

Materials, &c. vested in the Commissioners, which they may apply and dispose of for the Purposes of this Act.

LXV. And be it enacted, That in case any Contract entered into in pursuance of this Act with the said Commissioners for any Purchase or Lease, or in case all or any of the Works to be done in pursuance of this Act, shall not be well and sufficiently performed according to the Intent and Meaning of any Contract or Contracts to be entered into by the said Commissioners for executing this Act, for any of the Purposes of this Act, or shall not be completed within the Time or Times specified in such Contract or Contracts, then and in every such Case the said Commissioners may cause an Action to be brought in any of Her Majesty's Courts of Law at *Westminster* against any such Contractor or Contractors, for any Penalty contained in his Contract, and on Proof of the signing of the said Contract, and Nonperformance thereof at the Time or Times for that Purpose to be therein mentioned, the said Commissioners shall be entitled to and shall recover the full Penalty contained in any such Contract, any Law, Custom, or Usage to the contrary in anywise notwithstanding; which Penalty, when recovered, shall be applied to the Purposes of this Act: Provided always, that it shall be lawful for the said Commis-

Commissioners may cause Actions to be brought for Breach of Contracts;

and may compound for

Penalties incurred.

sioners, if they think fit, to compound and agree with any such Contractor for any Penalty incurred by him for the Breach or Nonperformance of any such Contract, for such Sum of Money as the said Commissioners shall think proper, not being less than the Injury or Damage sustained by the Breach or Nonperformance of such Contract, and all Costs, Charges, or Expences which shall be occasioned thereby.

Deeds, &c. not liable to Stamp Duty.

LXVI. And be it enacted, That no Contract, Conveyance, Lease, Deed, or other Instrument which shall be made, granted, or executed under any Powers or Authorities hereby granted, nor any Contracts or Agreements, Bonds or other Securities, Assignments, Conveyances, or other Deed or Instrument which shall be made, entered into, or executed by any Person or Persons to or with the said Commissioners, or otherwise, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty whatever imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specifically charged in and by such future Act.

Commissioners may raise Sand, &c. from the Bed of the River to form Embankment.

LXVII. And be it enacted, That for the Purpose of forming the aforesaid intended Embankment and Bridge, or either of them, it shall be lawful for the said Commissioners to remove Shoals, and to excavate and deepen the Bed of the River *Thames* where it shall require to be deepened, or may be deepened without Injury, in any Places between *Battersea Bridge* and *Vauxhall Bridge*, and to take away and use any Ballast, Sand, Gravel, Earth, or other Materials which shall be raised from the Bed of the River in executing any such Works: Provided always, that all the Ballast, Sand, Gravel, Earth, or other Materials which shall be raised as aforesaid shall be wholly removed and carried away from the said River, without screening or returning any Part thereof into the said River after the same shall have been so raised; provided also, that the said Commissioners shall and they are hereby required to level all Holes and Pits that shall be dug or caused by such Excavations as aforesaid, and in all Places where they shall deepen the Bed of the said River to deepen the same uniformly.

Regulations as to raising Gravel, &c. from the River.

Commissioners empowered to construct Piers and Landing Places.

LXVIII. And be it enacted, That it shall be lawful for the said Commissioners at any Time hereafter to make and construct, at any of the Piers, or at either End of the said intended Bridge, and at any Part or Parts of the said intended Embankment, any of the Piers, Stairs, Hards, or Landing Places specified in the Plans and Designs aforesaid, either on the Sites marked in such Plans and Designs, or within the Distance of Fifty Feet from such Sites respectively, between *Battersea Bridge* and *Vauxhall Bridge*: Provided nevertheless, that no such Piers, Stairs, Hard, or Landing Place shall be so constructed as to injure, impede, affect, or interfere with the Outlets of any Sewers, Drains, or Watercourses, or any Works of the said Commissioners of Sewers.

Commissioners may erect Toll Gates, and take Tolls.

LXIX. And be it enacted, That it shall be lawful for the said Commissioners for executing this Act to erect a Toll Gate or Bar or Toll Gates or Bars on the said Bridge, and at every or any such Pier or Landing Place as shall be constructed in pursuance of this Act, or on some or one of the Avenues leading thereto respectively, belonging to the said Commissioners, at any Part or
Parts

Parts thereof, and from Time to Time to remove such Gate or Gates, Bar or Bars, and to erect other Gates or Bars in lieu thereof, and to erect and maintain from Time to Time such Toll Houses or other Conveniences near such Toll Gate or Gates, Bar or Bars, as they shall think fit; and Tolls not exceeding the respective Tolls following shall and may be demanded and taken at the Toll Gate or Gates, Bar or Bars, to be erected as aforesaid, by such Person or Persons as the said Commissioners shall from Time to Time appoint, before any Foot Passenger, or any Horse, Mule, Ass, or other Beast, or any Coach, Waggon, Cart, or other Vehicle, shall be permitted to pass or return over or on to the said Bridge, Pier, or Landing Place respectively, or before any Vessel, Barge, or Boat shall be permitted to moor or touch at or to land Passengers, Goods, or other Freight at any such Pier or Landing Place; (that is say,)

Tolls to be taken on the Bridge for each and every Time of passing:

For every Foot Passenger, One Halfpenny:

For every Description of Vehicle drawn by One Horse or other Beast of Draught, Two-pence:

For each and every additional Horse or other Beast drawing, One Penny:

For every Horse, Mule, or Ass not drawing, One Penny:

For every Wheelbarrow or Truck not drawn by any Horse or other Beast, One Penny:

For every Score of Oxen or Neat Cattle, and so in proportion for any greater or less Number, Eight-pence:

For every Score of Calves, Sheep, or Lambs, and so in proportion for any greater or less Number, Four-pence:

Hackney Coaches and licensed Cabs without Passengers, Waggons, Carts, and Drays unladen, with Two or more Horses, to pass over the Bridge upon Payment of Half the above Toll:

And all Post Chaises returning without Passengers, and return Post Horses, to pass over the Bridge free.

Tolls to be taken at the Piers and Landing Places:

On Steam and other Passage Boats and Vessels, according to the Number of Passengers which shall land on or embark from the Piers and Landing Places, and after the Rate of and for each and every Passenger, One Halfpenny; such Toll to be paid by the Master of each Vessel:

For Luggage or Goods landed from or embarked in the said Boats and Vessels, for each and every Fifty Pounds Weight of such Luggage or Goods, One Halfpenny:

For all other Articles whatsoever landed on or embarked from the said Piers and Landing Places, such Rates and Charges as the said Commissioners shall think fair and reasonable.

LXX. And be it enacted, That it shall and may be lawful to and for the Gatherer or Gatherers of the said Tolls, or any of them, to stop and prevent the Passage or landing of any Person or Persons neglecting or refusing to pay the said Tolls or any of them, or of the Horse, Beast, Cattle, Carriage, Vessel, Barge, Boat, or other Thing for or in respect whereof the said Tolls

For enforcing the Payment of Tolls.

ought to be paid; or it shall and may be lawful to and for the said Gatherer or Gatherers to seize and detain the Goods and Chattels of such Person or Persons, or such Horse, Beast, Cattle, Carriage, Vessel, Barge, Boat, or other Thing; and in case the said Tolls shall not be fully paid and satisfied, together with all reasonable Costs and Charges of making, detaining, and keeping such Distress, within the Space of Five Days, the said Gatherer or Gatherers shall and may sell the same, rendering the Overplus (if any), after deducting such Costs and Charges of making, detaining, keeping, and selling such Distress, to the Owner or Owners thereof.

Disputes respecting Tolls and Charges to be settled by a Justice.

LXXI. And be it enacted, That if any Dispute shall arise about the Quantity of Tolls due, or the Costs and Charges of distraining, keeping, or selling any Distress, it shall and may be lawful to and for the said Collector or Person so distraining to detain the Distress, or the Money arising from the Sale thereof, until the Quantity of the Tolls, or the Charges of distraining, keeping, and selling the Distress, as the Case may be, shall be ascertained by some Justice of the Peace for the County or Place wherein such Dispute shall arise, who, upon Application made to him for that Purpose, shall examine the said Matters upon the Oath or Oaths of the Parties or other Witness or Witnesses, and shall determine the Quantity of Tolls due, and shall also assess the Charges of such Distress and Sale, and all other reasonable Costs; all which Sum or Sums so determined or assessed shall be paid to the Collector before he shall be obliged to return the said Distress, or the Overplus, after the Sale thereof or of any Part thereof.

Collectors of Tolls, &c. not disqualified from giving Evidence.

LXXII. And be it enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls or any of them, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Commissioners for executing this Act, shall not be disqualified from giving Evidence in any such Dispute, Suit, or Litigation by reason of his, her, or their being appointed to collect such Tolls.

Tolls may be reduced and raised again with Consent of the Treasurer.

LXXIII. And be it enacted, That the said Commissioners shall have full Power from Time to Time to lower or reduce all or any of the said Tolls; but no Reduction of any such Tolls shall be made or take place unless with the Consent in Writing of the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, or some Three or more of them; and it shall and may be lawful to and for the said Commissioners in like Manner again to raise the said Tolls to such Sum or Sums as they shall think proper, not exceeding the Sums before mentioned, as often as it shall be deemed necessary or expedient.

General Exemptions from Tolls.

LXXIV. Provided also, and be it enacted and declared, That no Toll whatsoever shall be demanded or taken for any Horses or Carriages belonging to Her Majesty, Her Heirs or Successors, or attending any of the Royal Family, or returning from having so attended; or for any Horse, Beast, Cattle, or Carriage, of whatever Description, employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the

the Authority of Her Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Beast, Cattle, or Carriages attending them with their Arms and Baggage, or returning after having been so employed; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat or other public Stores of or belonging to Her Majesty, or for the Use of Her Majesty's Forces; or for any Horse, Beast, Cattle, or Carriages travelling with Vagrants sent by legal Passes; or for any Volunteers upon their March or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exercise; or for any Horse, Mare, or Gelding furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and ridden by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons be dressed in the Uniforms of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemptions as aforesaid; or for any Coach, Berlin, Landau, Chariot, Calash, Chair, or other Carriage, or Passengers on Horseback or on Foot, going to or returning from any Election of a Member or Members to serve in Parliament for the City or Liberty of *Westminster* or County of *Middlesex* or *Surrey*, on the Day or Days of such Election, or on the Day before or after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any Exemptions by this Act granted from the whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person or Persons for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Penalty on claiming Exemptions not being entitled.

LXXV. And be it enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of Her Majesty's Forces, or conveying any Ordnance, Barrack, Commissariat, or other public Stores of or belonging to Her Majesty, or for the Use of Her Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage, any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act, contained to the contrary notwithstanding.

Carriages employed in the Public Service not to be subject to Penalties for Overweight, &c.

LXXVI. And be it enacted, That every Gatekeeper, Toll Gatherer, or Collector, or Receiver of any of the aforesaid Tolls, shall and he and they is and are hereby required to place his Christian and Surname, painted on a Board in White Letters on a Black

Toll Gatherers to put up their Christian and Surnames, painted on

Boards, in front
of Toll House.

a Black Ground in fair legible Characters, of such Size as the said Commissioners for executing this Act shall direct, in the Front of the Toll House where he or they shall be stationed to collect the said Tolls, immediately upon his coming on Duty, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector or Receiver of the said Tolls shall not place such Board as aforesaid in the Manner and during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of this Act, or shall refuse to permit or suffer or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, upon having paid the said Tolls or any of them, or shall give a false Name or Names upon such Demand, then and in every such Case every such Collector or Receiver shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence; and such Penalties shall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Penalty on
counterfeiting
Toll Tickets.

LXXVII. And be it enacted, That if any Person or Persons shall forge, counterfeit, or alter, or shall deliver to or receive of any other Person or Persons, any Note or Ticket, with Intent to avoid the Payment of any or any Part of the said Tolls, or shall by any such or other Means have avoided the Payment of the said Tolls or any Part thereof, then and in every such Case every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered in like Manner as any other Penalties or Forfeitures can or may be recovered by virtue of this Act; one Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied in such Manner as other Penalties and Forfeitures are herein directed to be applied.

Weighing
Machines may
be erected.

LXXVIII. And be it enacted, That it shall be lawful for the said Commissioners, if they shall think proper, to erect at any Toll Gate to be erected on the said intended Bridge as aforesaid One or more Crane or Cranes, Machines or Engines, with a suitable House or other Building thereto, proper for the weighing of Carts, Waggon, or Carriages conveying any Goods or Merchandise whatsoever, and by Notice on a Board for that Purpose to be put up at every such Weighing Machine to order all and every such Carriage or Carriages which shall pass loaded through any such Toll Gate to be weighed, together with the Loading thereof.

Carts, &c. to be
subject to the
Regulations of
the several
Laws in force
for regulating
Turnpike
Roads.

LXXIX. And be it enacted, That all Carts, Waggon, or Carriages shall, in regard to the Weight to be carried by them respectively, and in regard to the Breadth of the Wheels of such Waggon, Wain, and Cart, and to the Number of Horses or other Beasts wherewith they shall respectively be drawn on the said Roads, be subject and liable to the Regulations, additional Tolls, Forfeitures, and Penalties, and to the Modes for recovering and compelling Payment thereof, enacted and contained in and by the several Laws in force and effect for regulating the Turnpike Roads in that Part of *Great Britain* called *England*, and for other Purposes, as fully and effectually to all Intents and Purposes,

poses, as if the several Clauses relating thereto were repeated and re-enacted in this Act.

LXXX. And be it enacted, That the Keeper of every such Toll Gate where any such Weighing Engine shall be erected, or any other Person appointed or to be appointed by the said Commissioners to the Care of any Weighing Crane, Machine, or Engine, shall and he is hereby required to weigh all such Waggon and Carts liable to be weighed by virtue of the Laws now in force which he shall have Reason to believe have any greater Weights than are allowed to pass without paying such additional Tolls; and if any Gatekeeper or Person so appointed shall permit any such Waggon or Carts to pass through any such Toll Gate with greater Weight than is allowed as aforesaid, without weighing the same, and receiving such additional Tolls as aforesaid, every such Gatekeeper or Person so appointed shall forfeit and pay any Sum not exceeding Forty Shillings; or if any Owner or Driver of any such Waggon or Cart which shall pass loaded through any such Gate shall refuse to suffer his Waggon or Cart to be weighed, or shall refuse to drive his Carriage upon the Engine, upon being requested so to do by the Collector or Receiver of such additional Tolls, every such Driver, being the Owner of every such Waggon or Cart, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and every such Driver of every such Waggon or Cart, not being the Owner, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied as other Penalties and Forfeitures are by this Act directed to be recovered.

Keepers of Weighing Engines to weigh all Carts, &c. liable.

Penalty for Neglect.

Penalty on Owner, &c. refusing to allow his Cart, &c. to be weighed.

LXXXI. And in order to detect the said Collector or Receiver in any fraudulent Connivance or Neglect of Duty in the Matters aforesaid, be it enacted, That it shall and may be lawful to and for the said Commissioners, or for the Engineer, Clerk, Treasurer, or Surveyor, or other Agent of the said Commissioners, if they or he shall suspect any such Connivance or Neglect as aforesaid, to cause any Carriage, liable to be weighed by virtue of this Act, which shall have passed through any Toll Gate, and shall not have passed to be above One hundred Yards beyond or from such Weighing Engine as aforesaid, to return to such Weighing Engine, and be there weighed, with the Loading thereof, in the Presence of such Commissioners, Engineer, Clerk, Treasurer, Surveyor, or other Agent, upon requiring the Driver thereof to drive such Carriage back to such Weighing Engine, and upon paying or tendering to him the Sum of Two Shillings and Sixpence for so doing (which Sum of Two Shillings and Sixpence shall be returned to the Person so requiring the same to be weighed, if upon weighing such Carriage and Loading thereof the same shall be found above the Weight allowed); and if the Driver of any such Carriage, being so requested to return with his Carriage to any such Weighing Engine, shall neglect or refuse so to do, he shall forfeit and pay any Sum not exceeding Forty Shillings; and it shall and may be lawful to and for any Peace Officer or any other Person or Persons being then present, upon such Neglect or Refusal, to drive and take such Carriage back to any such Weighing Engine, in order that the same may be weighed as aforesaid.

Commissioners to adopt Means to prevent Connivance of Collector or Receiver.

LXXXII. And

Commissioners may appoint Collectors, and for Neglect of Duty dismiss them and appoint others.

If Collector, &c. refuse to give up Toll House Justices may give Possession.

Commissioners may sell Toll Houses, &c. when not wanted.

Commissioners empowered to lease the Tolls.

Punishment of Persons guilty of wilful Damage.

LXXXII. And be it enacted, That when and so often as any Collector or Receiver of the Tolls shall die, or shall neglect or refuse to perform or become incapable of performing his Duty, or shall abscond or absent himself, it shall be lawful for the said Commissioners to discharge such Collector or Receiver so neglecting or refusing to perform or becoming incapable of performing his Duty, or absconding or absenting himself, and to appoint some other Person or Persons to be a Collector or Receiver of the said Tolls; and if any Collector or Receiver of the said Tolls who shall be discharged from his said Office by virtue of this Act, or the Wife or Widow or any of the Children, Family, or other Representatives of any Collector or Receiver who shall die or be discharged, or any other Person or Persons who may have the Possession of any Toll House or Building, or any Appurtenance thereto, to be erected, set up, or raised by virtue of this Act, shall neglect or refuse to deliver up the Possession thereof for the Space of Twenty-four Hours next after Demand thereof made by Notice in Writing for that Purpose given to such Collector or Receiver or other Person or Persons, or left at any such Toll House, Building, or Premises, then and in any of the said Cases it shall be lawful for any Justice or Justices of the Peace for the County or City where the same may be situate, by Warrant under his or their Hand or Seal or Hands and Seals to order a Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such Toll House and Premises in the Daytime, and to remove the Persons who shall be found therein, together with their Goods, out of such House, and to put the said Commissioners or their new appointed Collector into the Possession thereof.

LXXXIII. And be it enacted, That it shall be lawful for the said Commissioners to sell and dispose of any Toll House or Toll Houses to be erected by virtue of this Act, and the Ground whereon the same may stand, when they shall be considered by the said Commissioners unnecessary for the Purposes of this Act, in the same Manner and under the same Regulations as are herein-before contained for the Sale of such of the other Lands hereby authorized to be purchased as may not be wanted for the Purposes of this Act.

LXXXIV. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to lease or demise all or any of the said Tolls, or from Time to Time to compound with any Parties for the said Tolls which would be otherwise payable, either by an annual Payment or otherwise, for any Term of Years not exceeding Three Years at any One Time, to take effect in possession, and not in reversion, for such Rent, payable at such Times and under such Covenants as they shall think fit, which Rent shall be applied for the Purposes of this Act.

LXXXV. And be it enacted, That if any Person shall wilfully or maliciously damage or injure the said Bridge, or any Pier, Stairs, Hard, or Landing Place to be constructed under the Provisions of this Act, or any Part thereof respectively, or any Gate, Turnpike, or Toll House belonging thereto, or shall wilfully or maliciously, and without Authority from the said Commissioners, remove or take away any Works thereunto belonging, or in any way direct or procure the same to be done, or shall be aiding or assisting therein, whereby the said Bridge, Piers, Stairs, Hard, or Landing

Landing Place, or the Works thereof respectively, may be damaged, any Person so offending shall be judged guilty of Felony; and every such Person so offending, and being thereof lawfully convicted, shall be subject to the like Punishments and Penalties as in Cases of Felony; and the Court by or before whom such Person shall be tried and convicted shall have Power and Authority to cause such Person to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm, or, in mitigation of such Punishments, such Court may award such Sentence as the Law directs in Cases of Petty Larceny.

LXXXVI. And be it enacted, That in case any Damage or Mischief shall be done to the Bridge, or to any such Pier, Stairs, Hard, or Landing Place as aforesaid, or any of the Works thereof respectively, by any Ship, Lighter, Barge, Boat, Float, Raft, or Vessel, through the wilful Negligence of any Person having the Command of any such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel, or any of the Mariners or Persons employed therein, then and in every such Case the Owner of such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel shall be and is hereby made answerable to the said Commissioners for the Amount or Value of any such Damage or Mischief; and the same, provided it shall not exceed the Sum of Twenty Pounds, if not forthwith paid and satisfied, shall and may be recovered in such Manner as the Penalties and Forfeitures hereby imposed are in and by this Act directed to be recovered.

Owners of Vessels liable for Damage done to the Bridge, &c.

LXXXVII. And be it enacted, That in case the Owner of any such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel shall be compelled to pay any Penalty, or to make Satisfaction for any Damages, by reason of any Neglect or Default done or committed by his Servants or Mariners, or any of them, such Servants or Mariners, and each and every of them, shall be liable to pay such Penalty or Damages (with the Costs thereof) to such Owner; and in case of Nonpayment upon demand thereof, and Oath made by such Owner of the Payment made by him of such Penalty, Satisfaction, or Damages, and that the same and the Costs thereof have not been repaid to him by such Servants or Mariners, or any of them, although demanded, (such Oath to be made before any One or more Justice or Justices of the Peace of the County or Place where such Penalty or Satisfaction shall have been recovered,) the Amount thereof, provided the same shall not exceed the Sum of Twenty Pounds, shall be recovered in the same Manner as any Penalty is hereby directed to be recovered.

Masters to recover from their Servants any Damages paid for their Neglect, &c.

LXXXVIII. And be it enacted, That in case any Person shall resist or make forcible Opposition against any Person employed in the due Execution of this Act, or shall assault any Surveyor, Engineer, or Agent, or any Collector of Tolls, in the Execution of his Office, or shall forcibly pass over or use the said Bridge, Piers, Stairs, Hards, or Landing Places, or any of them, or the Toll Gates or Bars to be erected by virtue of this Act, without having paid the said Tolls, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty for assaulting Collectors, &c.

LXXXIX. And be it enacted, That if any Person shall wilfully break, throw down, deface, or damage any of the Toll Houses, Watchhouses, Boxes, Benches, or Requisites, to be erected on the

Penalty for Injuries to Toll Houses, &c. or Obstructions said to Passengers.

said Bridge, Piers, Stairs, Hards, or Landing Places, or to be provided for the Purpose of effectually carrying out the Purposes of this Act, or for the Convenience of the Passengers on the said Bridge, Piers, Stairs, Hards, or Landing Places, or wilfully break, throw down, damage, or destroy any Lamp Posts or Lamps on the same or any of them, or any of the Approaches thereto, or the Furniture of any of the said Lamps, or extinguish any of the said Lamps when lighted, or if any Person shall occasion any Obstruction, Annoyance, or Hindrance of any Description of Passengers on or along the said Bridge, Piers, Stairs, Hards, or Landing Places, he shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, and shall also make Satisfaction to the said Commissioners, or to any such Person or Persons as they shall appoint to receive the same, or to the Party injured, for the Damage so done as aforesaid, which Satisfaction shall be received as Part of and in the same Way as the said Penalty is by this Act authorized to be recovered; and if any such Injury as aforesaid shall be done negligently or by Accident, the Person doing or causing the same shall make Satisfaction to the Party injured, which shall and may be recovered in the same Manner as Penalties are by this Act directed to be recovered.

Damages and Charges, in case of Dispute, to be settled by Two Justices.

XC. And be it enacted, That in all Cases wherein Damages or Charges in respect of Acts or Offences done or committed upon or relating to the said Bridge, Piers, Stairs, Hards, or Landing Places, or the Tolls thereof respectively, are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by some Two or more Justices of the Peace for the County of *Middlesex* (such Justices not being interested in the Matters in question); and where by this Act any such Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be settled and determined by the Justices by or before whom any Offender shall be convicted of such Offence, and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges, by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeiture; and for the Purposes of Venue and Jurisdiction of Justices, and any other legal or penal Proceedings, the said Bridge and the Abutments thereof shall be taken to be wholly in the County of *Middlesex*.

Recovery and Application of Penalties.

XCI. And be it enacted, That all Penalties and Forfeitures inflicted or imposed by this Act (the Manner of levying and recovering whereof is not herein otherwise particularly directed) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Two or more Justices of the Peace for the said County of *Middlesex*, on Complaint to them for that Purpose made, and afterwards be levied, as well as the Costs, if any, of such Proceedings or Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the

the Hands and Seals of such Justices ; and the Overplus, if any, of the Money so raised or recovered, after discharging such Penalty or Forfeiture, and the Costs and Expences as aforesaid, shall be returned, on demand, to the Party whose Goods and Chattels shall be distrained ; all which Penalties and Forfeitures, not herein directed to be otherwise applied, shall be paid, One Half to the Informer and the Remainder to the said Commissioners ; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for such Justices and they are hereby required to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender shall give sufficient Security, to the Satisfaction of such Justices of the Peace, for his Appearance before such Justices, or before some other Justices of the Peace having Jurisdiction, at such Time as shall be appointed for the Return of such Warrant of Distress, such Time not being more than Three Days from the taking of such Security, and which Security any of the said Justices are hereby empowered to take by way of Recognizance or otherwise ; but in case upon Return of such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Penalties or Forfeitures, and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, (in which last-mentioned Case such Justices shall not be required to issue such Warrant of Distress,) then and in either of such Cases such Justices are hereby required, by Warrant under their Hands and Seals, to commit such Offender to some Common Gaol or House of Correction for the County or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty or Forfeiture shall be sooner paid and satisfied, together with all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or until such Offender shall otherwise be discharged by due Course of Law.

XCII. And be it enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace it shall be lawful for the Justice of the Peace before whom any Complaint shall be made for any Offence committed against this Act to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice ; and all such Proceedings by Summons without Information in Writing or in Print shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

Justices may proceed by Summons in the Recovery of Penalties.

XCIII. And be it enacted, That it shall be lawful for any Officer or Agent of the said Commissioners, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose

For securing Offenders whose Names and Residences are unknown. whose

whose Name and Residence shall be unknown to such Officer or Agent, and who shall commit any Offence against this Act, and to convey him before some Justice of the Peace for the said County of *Middlesex*, without any other Warrant or Authority than this Act, and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Forms of Information and Conviction.

XCIV. And be it enacted, That all Justices of the Peace before whom any Person shall be informed against or convicted for or in respect of any Offence against this Act may cause the Information (whenever an Information shall be taken in Writing or in Print) and the Conviction respectively to be drawn up according to the following Forms, or any other Forms to the same Effect, as the Case may require; (that is to say,)

Information.

‘ to wit. } BE it remembered, That on the Day of
 ‘ A.B. of informeth me C.D.,
 ‘ One of Her Majesty’s Justices of the Peace for the County of
 ‘ Middlesex, that E.F. of [here describe the Offence,
 ‘ and the Time and Place when and where committed], contrary
 ‘ to an Act passed in the Ninth and Tenth Years of the Reign of
 ‘ Her Majesty Queen Victoria, intituled [here insert the Title of
 ‘ this Act], which hath imposed a Forfeiture of
 ‘ for the said Offence. Taken the Day of
 ‘ before me, C.D.’

Conviction.

‘ to wit. } BE it remembered, That on the Day of
 ‘ in the Year of Our Lord
 ‘ A.B. is convicted before me C.D., One of Her Majesty’s Justices
 ‘ of the Peace for the County of Middlesex, [here describe the
 ‘ Offence, and the Time and Place when and where committed,]
 ‘ contrary to an Act passed in the Ninth and Tenth Years of
 ‘ the Reign of Her Majesty Queen Victoria, intituled [here insert
 ‘ the Title of this Act]. Given under my Hand and Seal, the Day
 ‘ and Year first above written. C.D.’

Power to Justices to administer Oaths.

XCIV. And be it enacted, That in all Cases in which any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter of Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath or to receive the Affirmation of any Person before he shall be examined by or before such Justice.

Penalty on Witnesses refusing to attend and give Evidence.

XCVI. And be it enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter or Fact contained or involved in or affecting any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or on the Part of the Party summoned or accused, shall refuse to be examined upon Oath, or in the Case of a Quaker or Separatist on Affirmation, to give Evidence before such Justice, then and in either of the said Cases every such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Persons aggrieved may appeal to Quarter Sessions.

XCVII. And be it enacted, That the said Commissioners, and all other Corporations and Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned

mentioned or contained, and for which no Power of Appeal is by this Act specially given, may, within Four Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the said County of *Middlesex*, first giving Ten Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, or to the said Commissioners, as the Case may be, and forthwith after such Notice, in the Case of an Individual appealing, entering into Recognizance before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the same Justices shall, in a summary Way, either hear and determine the said Complaint at such General or Quarter Sessions, or (if they think proper) adjourn the hearing thereof to the following General or Quarter Sessions of the Peace to be held for the said County of *Middlesex*, and may, if they see Cause, mitigate or release any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Order or Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they shall think reasonable.

XCVIII. And be it enacted, That in all Cases in which it may be necessary for any Person or Corporation to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Commissioners, personal Service thereof upon the Secretary or Clerk of the said Commissioners, or leaving the same at the Office of the said Commissioners, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

Declaring what shall be good Service of Notice on the Commissioners.

XCIX. And be it enacted, That in all Cases in which it may be necessary for the said Commissioners to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon any Person or Corporation, under the Provisions of this Act, personal Service thereof respectively upon such Person, or upon some Member or upon the Clerk or other Officer of such Corporation, or delivering the same to some Inmate of the last or usual Place of Abode of such Person, or of such Member, Clerk, or other Officer, shall be deemed good and sufficient Service of the same respectively upon such Person or Corporation (as the Case may be): Provided always, that every Summons, Demand, or Notice, or other Document requiring Authentication by the said Commissioners, may be signed by any One of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or by the Secretary of such Commissioners, and need not be under the Common Seal of the said Commissioners.

Declaring what shall be good Service by the Commissioners.

C. And be it enacted, That in case any Person against whom the said Commissioners shall have any Claim or Demand shall become bankrupt or insolvent, it shall be lawful for any Person, who shall from Time to Time in that Behalf be appointed by Writing under the Common Seal of the said Commissioners, to

How Debts may be proved in Cases of Bankruptcy.

act on behalf of the said Commissioners in respect of any such Claim or Demand, and for that Purpose to do all the same Acts, and to have and exercise all the same Powers and Privileges, as to the Establishment or Proof of Debts, voting in the Choice of Assignees, and otherwise in respect of or relating to the Claim or Demand of the said Commissioners, as any Person, being a Creditor of such Bankrupt or Insolvent, or a Claimant against his Estate, could have or exercise in respect of such Person's Debt or Claim.

Distress not
unlawful for
Want of Form.

CI. And be it enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant, Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action upon the Case.

Proceedings
not to be
quashed for
Want of Form.

CII. And be it enacted, That no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Proceeding whatsoever, into any of Her Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Persons giving
false Evidence
guilty of Per-
jury.

CIII. And be it enacted, That all Persons who upon any Examination to be taken by virtue of this Act shall wilfully and corruptly give false Evidence or otherwise forswear themselves before any Jury, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Plaintiff not to
recover without
Notice, or after
Tender of
Amends.

CIV. Provided always, and be it enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, or left at his, her, or their last or usual Place or Places of Abode, Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action, nor shall the Plaintiff or Plaintiffs recover if Tender of good and sufficient Amends shall have been made to him, her, or them, or his, her, or their Attornies, by or on behalf of the Defendant or Defendants, before such Action brought, nor if such Tender of Amends shall be made at any Time after such Action brought, and before the Trial thereof, with Costs of Suit to the Time of such last-mentioned Tender, but on Proof of such Tender on any Trial to be had in such Action the Plaintiff or Plaintiffs shall be nonsuited, and shall pay full Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law; or in case no Tender shall have been made it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court wherein any such Action shall

depend, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

CV. Provided always, and be it enacted, That no Action or Suit shall be brought or prosecuted against the Commissioners for executing this Act, or against any other Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any thing done in pursuance of this Act, after Three Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages then after Three Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards; and every such Action or Suit shall be laid and brought in the Liberty or County where the Matter in dispute shall arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may, at his, her, or their Election, plead specially, or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall have been brought after Twenty-one Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury or Juries shall find for the Defendant or Defendants.

Limitation of Actions.

CVI. And be it enacted, That nothing contained in this Act shall be deemed or construed to extend, either directly or by Implication or otherwise, to prejudice or affect any Right of Property or Title belonging to Her Majesty, Her Heirs or Successors, in or to the Ground or Soil and Bed of the River *Thames* or the Shores thereof, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Saving the Rights of Her Majesty, &c.

CVII. Provided always, and be it enacted, That nothing in this Act contained shall prejudice or be deemed or construed to extend to prejudice any Right of Property or Title of the said Mayor and Commonalty and Citizens of the City of *London*, or their Successors, in or to the Soil and Bed of the River *Thames* or the Shores thereof, or prejudice or derogate from any of the Estates, Rights, Privileges, Franchises, Jurisdiction, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor for the Time being of the same City, or prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the River *Thames*, or otherwise, did or might lawfully claim, use, or exercise.

Saving the Rights of the Corporation of London.

CVIII. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the City and Liberties of *Westminster* and Part of the County of *Middlesex*, but all the Rights, Powers,

For protecting the Rights of the Commissioners of Sewers.

Powers, and Authorities vested in such Commissioners shall be as good, valid, and effectual as if this Act had not been made.

Commissioners
may give effect
to certain
Agreements.

CIX. And be it enacted, That it shall be lawful for the Commissioners for executing this Act to give effect to any Agreement made or purporting to have been made on behalf of the Commissioners of Woods, Forests, Land Revenues, Works, and Buildings, by any One of the said Commissioners, in reference to the Matters contemplated by this Act.

Power for
Chelsea Water-
works Company
to make a Cut
through the
intended Road-
way, &c.

CX. And be it enacted, That after the Expiration of the Lease under which the Governor and Company of *Chelsea Waterworks* now hold certain Frontage and Land at *Thames Bank*, granted by the Marquis of *Westminster*, it shall be lawful for the said Governor and Company of *Chelsea Waterworks*, provided at the Expiration of such Lease the said Governor and Company shall no longer be permitted to use the Entrance of the Cut or Layby to the *Grosvenor Canal*, so as to have Access to their Freehold Property, to make a Cut or Entrance through the said intended Roadway and Embankment on and into their Freehold Land at *Thames Bank* aforesaid, with a Bridge over it, and all necessary Works, the same to be subject to the Approval of the Commissioners for the Time being for executing this Act, and saving the Rights of the Crown and of the Corporation of the City of *London*; and the said Bridge and the Roadway over the said Cut shall be kept in repair by and maintained at the Expence of the Person or Persons liable to the Repair of the Road under the Provisions of this Act.

Application of
Monies to be
received by the
Commissioners
under this Act.

CXI. And be it enacted, That all and every Sum and Sums of Money which shall be received by the said Commissioners for executing this Act, in respect of any Contributions as aforesaid, or from any Sales herein-before directed to be made, or as the Premium on the granting any Building Lease, or which may be received on the rescinding any Contract, or which shall be forfeited in respect of the Nonperformance of any Contract, and also the Rents (if any) of all the Hereditaments which may be acquired under or by virtue of this Act, until the same shall be sold, and all other Monies to be received by the said Commissioners under or by virtue of this Act, shall (after Payment of the Costs and Expences of the said Sale or Sales which are hereby directed to be paid thereout) be applied by the said Commissioners, in the first place, in or towards any of the Purposes of this Act, and in the next place in maintaining and keeping in repair the said Bridge, Piers, Stairs, Hards, and Landing Places, and, subject as aforesaid, the said Commissioners shall pay off and satisfy such Mortgage or Charge thereon as aforesaid, and the Interest thereof, and, subject as aforesaid, shall pay all the Residue and Surplus of the Monies which shall come into their Hands by virtue of this Act as aforesaid into the Bank of *England*, to the Account of Her Majesty's Exchequer, and to be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Application of
Tolls received
under this Act.

CXII. And be it enacted, That all Tolls which shall be received by virtue of this Act, and all Rents for the same, and all Monies to be received by the said Commissioners in respect of all Penalties, Fines, or Forfeitures hereby inflicted or authorized to be imposed,

posed, shall be applied by the said Commissioners, in the first place, in Payment of all Expences of the Management and Collection of the said Tolls, and in the next place in the keeping and maintaining the said Embankment Wall, Fences, Iron and Timber Supports connected therewith, Bridge, Piers, and Landing Places, other than private Piers and Landing Places, in good and sufficient Repair, and in the next place in Payment of all Advances, Costs, and other Expences made or paid for by the State out of the Consolidated Fund, or otherwise in and towards the Works and Improvements hereby authorized to be made; such Payments to be made to the Account of Her Majesty's Exchequer, and to be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, and, subject as aforesaid, all the Surplus, if any, of the said Monies shall form a Fund for such Metropolitan Improvements as the Legislature shall determine, and shall be applied accordingly.

CXIII. And be it enacted, That the said Commissioners for executing this Act shall from Time to Time render and give an Account to the Lord High Treasurer, or the Commissioners for executing the Office of the Lord High Treasurer, for the Time being, of the Amount of all Monies which shall be raised or received by the said Commissioners for executing this Act, under or by virtue of the Provisions of this Act, as aforesaid, and of the Application of all such Monies; and the said Lord High Treasurer, or Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, shall be and he and they is and are hereby authorized and required to examine or cause to be examined every such Account, and, in case they shall approve thereof, to signify such their Approbation at the Foot of such Account, signed by the said Lord High Treasurer, or by the said Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, and to transmit and return the same, so approved, to the said Commissioners for executing this Act; and every Account so approved and signed as aforesaid shall be a full and sufficient Discharge to the said Commissioners for or on account of all such Sums of Money as shall be mentioned in such Account, and for the Expenditure and Application thereof; and the said Commissioners shall not be compelled or compellable to give or render any further or other Account of any such Money, or of the Expenditure or Application thereof, any Law, Usage, or Custom to the contrary notwithstanding.

Commissioners to render Accounts to the Treasury.

Accounts, when approved, to be a sufficient Discharge.

CXIV. And be it enacted, That Receipts in Writing, signed by any Two of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for any Monies payable to the said Commissioners hereby incorporated, under or by virtue of this Act, shall be good and sufficient Discharges to the Person or Persons paying the same.

Receipts of Two Commissioners of Woods, &c. Discharges.

CXV. ' And whereas certain of the Parties who have agreed or ' who may agree to contribute as aforesaid are or may be entitled ' for their Lives only to the Hereditaments in respect whereof ' such proposed Contributions as aforesaid are to be made by them, ' and it is reasonable that they should respectively be empowered ' to create a Charge upon the same respective Hereditaments to ' the

Contributors empowered to create a Charge upon their Property to the Extent of their Contributions.

‘ the Extent of their respective Contributions ;’ be it enacted, That when and so soon as the said proposed Agreements shall have been duly executed, and the proposed Contributions shall have been made, the said Parties or any of them may, by any Deed or Deeds, charge by way of Mortgage, either in Fee or for any Term of Years, the whole or an adequate Part of their respective Hereditaments for or in respect whereof such Contributions as aforesaid shall have been made by them respectively, or which may be held therewith, or under the same Settlement, Deed, or Will, with any Sum or Sums of Money not exceeding the Amount or the Value of the Contributions by them respectively made, together with Interest for the same Sum or Sums after the Rate of Four Pounds *per Centum per Annum* from the Time of making such Contributions ; and every Sum or Sums of Money so to be charged as aforesaid shall be paid, together with such Interest as aforesaid, by Twenty equal annual Instalments, by the Person or Persons for the Time being beneficially entitled in possession to the Hereditaments charged therewith but so that no such Person shall be liable to pay any greater Part of any such Charge which may have become due before such Person shall have entered into possession than the current annual Instalment.

Commissioners
exempted from
personal Re-
sponsibility in
discharge of
their Duties
under this Act.

CXVI. And be it enacted, That nothing in this Act, or in any Conveyance, Contract, Lease, or other Deed or Instrument hereby authorized to be entered into or made by the said Commissioners, or in any such Agreement for Contribution so to be entered into as herein mentioned, or any of them, shall extend to charge the Person or Persons of all or any of the Commissioners executing any such Conveyance, Contract, Lease, or other Deed or Instrument, or the Heirs, Executors, or Administrators of the same Commissioners or any of them, or any of their own proper Lands, Tenements, Goods, or Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Conveyance, Contract, Lease, or other Deed or Instrument contained, on the Part of the same Commissioners or any of them, but the Amount of all Costs, Charges, Damages, or Expences which shall or may be recovered in any Suit or Suits at Law or in Equity against them the said Commissioners or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such last-mentioned Conveyance, Contract, Lease, or other Deed or Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners shall bear, pay, expend, or be put to, or which shall be occasioned to them, for or by reason or means of any such Conveyance, Contract, Lease, or other Deed or Instrument, or any Covenant, Condition, or Agreement therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them, or any of them thereupon, shall respectively be paid and discharged by and out of the Monies applicable to the Purposes of this Act.

Public Act.

CXVII. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHEDULE to which the foregoing Act refers.

N ^o on Plan of Embankment.	Description.	Owners.	Lessees.	Occupiers.
1 ^a	Embankment Wall of Wharf.	- - -	- - -	Vauxhall Bridge Company.
2	Wharf and Ground	The Crown	Thomas Cubitt	Thomas Cubitt.
3	Outlet of the King's Scholars Pond Sewer.	The Commissioners of Sewers for Westminster.	- - -	The Commissioners of Sewers.
4	Wharf - -	The Equitable Gas Company.	- - -	The Equitable Gas Company.
5	Wharfs, Gardens, Land, and Draw-dock.	The Marquis of Westminster.	Thomas Cubitt	Thomas Cubitt.
6	Tenement and Garden.	The Marquis of Westminster.	Thomas Cubitt	John Keeble.
6 ^a	Breeze-yard -	The Marquis of Westminster.	Thomas Cubitt	Thomas Cubitt.
6 ^b	Public Road -	- - -	- - -	The Public.
6 ^c	Entrance to Belgrave Dock.	The Marquis of Westminster.	Thomas Cubitt	Thomas Cubitt.
7	Garden - -	The Marquis of Westminster.	Edward Wood, Alexander James Geddes, Thomas Cubitt.	Alexander James Geddes.
8	Draw-dock -	The Marquis of Westminster.	- - -	The Public.
9	Docks to Mess ^{rs} Smith's Distillery.	The Marquis of Westminster.	Mess ^{rs} Smith & Carrington.	Mess ^{rs} Smith & Carrington.
9 ^a	Reservoir to Mess ^{rs} Smith's Distillery.	The Marquis of Westminster.	Mess ^{rs} Smith & Carrington.	Mess ^{rs} Smith & Carrington.
10	Crane and Landing Place.	Sloane Stanley	Thomas Grace & C ^o .	Thomas Grace & C ^o .
11	Draw-dock -	Sloane Stanley	- - -	The Public.
12	Garden, Wharf, Dock, and Conduit Pipe.	Chelsea Waterworks Company.	- - -	Chelsea Waterworks Company.
13	Broken Ground and Conduit Pipe.	The Marquis of Westminster.	Thomas Cubitt, Chelsea Waterworks Company.	Chelsea Waterworks Company.
14	Pier Heads, Entrance to the Grosvenor Canal and Garden Ground.	The Marquis of Westminster.	- - -	John Barlow.
15	White Ferry Public House and Garden.	The Marquis of Westminster.	Mess ^{rs} Elliott & Company.	William Spratt.
15 ^a	Ferry - -	The Marquis of Westminster.	Mess ^{rs} Elliott & Company.	William Spratt.
16	Land - -	The Marquis of Westminster.	- - -	William Spratt.
17	Wharf - -	Chelsea Waterworks Company.	- - -	Chelsea Waterwork Company.
18	Garden - -	Chelsea Waterworks Company.	James Thorne	James Thorne.
18 ^a	Malthouses -	Chelsea Waterworks Company.	James Thorne, Samuel Jeffreys.	Samuel Jeffreys.
19	Ranelagh Wharf, Sheds, and Draw-dock.	Chelsea Waterworks Company.	Joseph Morris, Arthur Burton.	Arthur Burton.

N° on Plan of Embankment.	Description.	Owners.	Leasees.	Occupiers.
20	Grosvenor Ferry -	Chelsea Waterworks Company and the Watermen's Company.	- - -	The Watermen's Company and the Public.
21	Land - -	The Commissioners of Chelsea Hospital.	- - -	The Commissioners of Chelsea Hospital.
22	Outlet and Bank to Ranelagh Sewer.	The Commissioners of Sewers for Westminster.	- - -	The Commissioners of Sewers.
23	Terraces to Chelsea Hospital and Summer Houses, Stairs and Causeway.	The Crown -	- - -	The Commissioners of Chelsea Hospital.
24	Creek and Outlet of Smith Street Sewer.	- - -	- - -	The Commissioners Chelsea Hospital and the Commissioners of Sewers.
25	Garden and Summer Houses.	The Crown -	Sir Willoughby Gordon.	Sir Willoughby Gordon.
26	Druce's N° 2 Wharf.	Lord Calthorpe -	William Druce -	William Druce.
27	Shed and open Ground.	Christiana Hart -	Thomas Battock & Son, William Druce.	William Druce.
27 ^a	Public Way, Paradise Walk.	- - -	- - -	The Public.
28	Bull Wharf -	Christiana Hart -	Thomas Battock & Son, William Rubergall.	William Rubergall.
29	Swan Wharf -	Isabella Bernard How.	William Druce -	William Druce.
30	Swan Brewery -	Isabella Bernard How.	Mess ^{rs} Lyall -	Mess ^{rs} Lyall.
31	Shed - -	The Apothecaries Company.	Mess ^{rs} Lyall -	Mess ^{rs} Lyall.
32	A Boathouse -	The Apothecaries Company.	The Goldsmiths Company.	The Goldsmiths Company.
32 ^a	A Boathouse -	The Apothecaries Company.	The Skinners Company.	The Skinners Company.
33	Garden and private Landing Place.	The Apothecaries Company.	- - -	The Apothecaries Company.
34	Old Swan Wharf -	The Earl Cadogan	— Davidge, Esquire, Executor of — Custance, Mess ^{rs} Kruse & Bull.	Mess ^{rs} Kruse & Bull.
35	Malthouse -	The Earl Cadogan	— Davidge, John Lyall.	John Lyall.
36	Tenement, Garden, and Causeway to Old Swan Public House.	The Earl Cadogan	Mess ^{rs} Elliott & Company.	Mess ^{rs} Elliott & Company.
37	Chelsea Wharf and Malthouse.	The Earl Cadogan	William Lealie, Edward Lambert, Thomas Battock & Son.	Thomas Battock & Son.
38	Public Draw-dock, East End of Cheyne Walk.	- - -	- - -	The Public.

N ^o on Plan of Embankment.	Description.	Owners.	Lessees.	Occupiers.
38 ^a	Public Way, Cheyne Walk.	- - -	- - -	The Public.
38 ^b	Public Causeway and Stairs.	- - -	- - -	The Public.
39	The Cadogan Pier.	—	—	—
39 ^a	Stairs and Landing Place.	- - -	- - -	Charles Greaves.
40	Stairs and Causeway	- - -	- - -	The Public.
40 ^a	Causeway	- - -	- - -	The Public.
41	Tenement, Stables, and Wharf.	James Casterton, Esquire.	Henry Aldin	Henry Aldin.
42	Tenement, N ^o 19, Lombard Street.	James Casterton, Esquire.	- - -	Thomas Cook.
43	Tenement, No. 18, Lombard Street.	James Casterton, Esquire.	- - -	Naphthali Marsh.
44	Tenement, N ^o 17, Lombard Street.	Ann Johnson	- - -	Ann Johnson.
45	Tenement, N ^o 17½, Lombard Street.	William Cole, C. W. Wal.	- - -	Joseph Johnson.
46	Tenement, N ^o 16, Lombard Street, the Watermen's Arms Beer-house.	Richard Newman	Thomas Lowe	Thomas Knight.
47	Tenement, N ^o 15, Lombard Street, and Passage.	Sloane Stanley	Nathaniel Handford, Charlotte Bulford.	Charlotte Bulford.
48	Tenement, N ^o 14, Lombard Street.	Sloane Stanley	Nathaniel Handford	Richard Lawrence.
49	Tenements and Wharf.	Sloane Stanley	Nathaniel Handford, Mess ^{rs} Chaplin & Company, Iron Steam Boat Company.	Mess ^{rs} Chaplin & Company.
50	Wharf	Sloane Stanley	Mess ^{rs} Gladdish	Mess ^{rs} Gladdish.
51	Old Ferry Wharf, House, and Counting-house, Causeway.	Sloane Stanley	John King, Esquire, John Perry, John Davis.	John Davis.
52	Tenement, N ^o 1, Duke Street.	Sloane Stanley	John King, John Perry, James Morgan.	James Morgan.
53	Tenement, N ^o 2, Duke Street.	Sloane Stanley	John King, James Hadderley.	James Hadderley.
54	Tenement, N ^o 3, Duke Street.	James Hawkes	- - -	William Wood.
55	Tenement, N ^o 4, Duke Street.	James Hawkes	- - -	John Hawkes.
56	Tenement, N ^o 5, Duke Street.	— Douthwaite	- - -	Susannah Jane Stiles.
57	Tenement, N ^o 12, Duke Street.	— Earp	Mess ^{rs} Calvert & Company.	Robert Jackson.
58	Tenement, N ^o 13, Duke Street.	John Perry	- - -	George Derosiere.
59	Tenement, N ^o 14, Duke Street.	William Bozall	John Adam Treuter.	John Adam Treuter.
60	Tenement, N ^o 19, Duke Street.	Henry White	William Belcher	William Belcher.
61	Tenement, N ^o 20, Duke Street.	Thomas Purcell	Edward Loving	Edward Loving.
62	Tenement, N ^o 21, Duke Street.	Messrs. Gardiner	William Kelly	William Kelly.

N° on Plan of Embankment.	Description.	Owners.	Lessees.	Occupiers.
63	Tenement, N° 22, Duke Street.	Stephen Cox -	- - -	Thomas Groom.
64	Tenement, N° 23, Duke Street.	The Earl Cadogan	— Bealham -	Empty.
65	Vacant Ground or Garden.	The Earl Cadogan.	—	—
66	Tenement, N° 1, Beaufort Place.	The Earl Cadogan	The Trustees of Thomas Long deceased, Philip Coombs.	Philip Coombs.
67	Tenement, N° 2, Beaufort Place.	The Earl Cadogan	The Trustees of Thomas Long deceased, William Dicker.	William Dicker.
68	Tenement, N° 2, Duke Street.	The Earl Cadogan	The Trustees of Thomas Long deceased, Samuel Broadbent.	John Alfred Mills.
69	Tenement, N° 7, Duke Street.	The Earl Cadogan	The Trustees of Thomas Long deceased.	William Carpenter.
70	Tenement, N° 6, Duke Street.	The Earl Cadogan	The Trustees of Thomas Long deceased, William Scales.	William Scales.
71	Tenement, N° 5, Duke Street.	The Earl Cadogan	Elizabeth Harrison, Richard Baker Leslie, William Leslie.	James Fowler.
72	Tenement, N° 4, Duke Street.	The Earl Cadogan	William Simpkins	James Lancaster.
73	Tenement, N° 3, Duke Street.	The Earl Cadogan	William Simpkins, William John Carless.	William John Carless.
74	Tenement, N° 2, Duke Street.	Sloane Stanley -	John King, Elizabeth Budd, John Michael Weidner.	John Michael Weidner.
75	Tenement, N° 1, Duke Street.	Sloane Stanley -	John King, John Perry.	George Southam.
76	Tenement in White Hart Alley.	Sloane Stanley -	John King, John Perry.	John Perry.
77	Stable in White Hart Alley.	Sloane Stanley -	John King, John Perry.	John Michael Weidner.
78	Tenement and Yard in White Hart Alley.	Sloane Stanley -	John King, John Perry.	John Perry.
79	Three Cottages, North End of White Hart Alley.	Sloane Stanley -	John King, John Perry.	John Perry.
80	Tenement, N° 2, Duke Street, the White Hart Public House.	Sloane Stanley -	John King, Richard Wyatt.	Richard Wyatt.
81	Tenement, N° 1, Duke Street, South-west Corner of Danvers Street.	Sloane Stanley -	James Sheriff, Esquire, Nicholas Morrison.	Nicholas Morrison.

N° on Plan of Embankment.	Description.	Owners.	Lessees.	Occupiers.
82	Tenement, N° 12, Lombard Street, South-east Corner of Danvers Street.	Sloane Stanley -	Elizabeth Freeman	Elizabeth Freeman.
83	Tenement, N° 11, Lombard Street.	Sloane Stanley -	John Carter -	John Carter.
84	Tenement, N° 10, Lombard Street.	Sloane Stanley -	John Long, Esquire, Henry Flack, Charles Vandeburgh.	Henry Flack, Charles Vandeburgh.
85	Tenement, N° 9, Lombard Street.	Sloane Stanley -	Samuel Livermore	William Haines.
86	Tenement, N° 8, Lombard Street.	Sloane Stanley -	Joseph Keats, Executor of — Letchmere.	Robert Brown.
87	Tenement, N° 7, Lombard Street.	— Mears -	- - -	Thomas Mitchell.
88	Tenement, N° 6, Lombard Street.	James Minns, James Eades, George Edwards.	- - -	Elizabeth Roof.
89	Tenement, N° 5, Lombard Street.	James Minns, James Eades, George Edwards.	- - -	Sarah White.
90	Tenement, N° 4, Lombard Street.	James Casterton -	William Hall -	Joseph Gardiner.
91	Tenement, N° 3, Lombard Street, the Rising Sun Public House.	James Casterton -	William Hall -	William Hall.
92	Eight Tenements, with vacant Ground in Lombard Buildings.	James Casterton -	William Hall -	William Hall.
93	Tenement, N° 4, Lombard Street.	James Casterton -	Thomas Cuthbertson.	Thomas Cuthbertson.
94	Land -	Thomas Cubitt -	Charles Wright -	Charles Wright.
95	Public Way -	- - -	- - -	The Public.

N° on Plan of Street.	Description.	Owners.	Lessees.	Occupiers.
1	Vacant Ground -	Marquis of Westminster.	- - -	Marquis of Westminster.
2	Vacant Ground -	The Earl Cadogan	— Holland -	— Holland.
3	Tenement, N° 1, Sloane Square, with Premises behind.	The Earl Cadogan	Dorothy Fudge, Herbert Sawyer, Philip Burgess.	Herbert Sawyer, Philip Burgess.
4	Cottage and Garden	The Earl Cadogan	Dorothy Fudge, James Fudge.	Sarah Cruse.
5	Cottage and Garden	The Earl Cadogan	Dorothy Fudge, James Fudge.	William Ampleford.
6	Tenement, N° 2, Sloane Square, with Premises in rear.	The Earl Cadogan	Emma Johnson, Orbell James Hustler.	Orbell James Hustler.

N ^o on Plan of Street.	Description.	Owners.	Lessees.	Occupiers.
7	Tenement, N ^o 3, Sloane Square, with Premises in rear.	The Earl Cadogan	William Painter, Charles Shepherd.	Charles Shepherd.
8	Tenement, N ^o 4, Sloane Square, with Premises behind.	The Earl Cadogan	George Zobell, Joshua Nettleton.	Joshua Nettleton.
9	Tenement, N ^o 34, Lower Sloane Street.	The Earl Cadogan	Caroline Holland, Ann Taylor, William Peter Warr.	William Peter Warr
10	Tenement, N ^o 35, Lower Sloane Street.	The Earl Cadogan	Caroline Holland, Ann Taylor, Henry George Bartlett.	Henry George Bartlett.
11	Ride, Stables, and Premises.	The Earl Cadogan	Thomas Crump, John Chancellor.	John Chancellor.
12	Coach-houses and Stables.	The Earl Cadogan	Thomas Crump, John Chancellor.	John Chancellor.
13	Vacant Ground -	The Earl Cadogan	- - -	The Earl Cadogan.
14	Tenement, N ^o 18, White Lion Street.	The Earl Cadogan	John Marshall -	John Bains.
15	Tenement, N ^o 16 and 17, White Lion Street.	The Earl Cadogan	John Marshall -	John Needham.
16	Tenement, N ^o 15, White Lion Street.	The Earl Cadogan	John Marshall -	Andrew Kilpatrick.
17	Tenement, N ^o 14, White Lion Street.	The Earl Cadogan	John Marshall -	Hannah Barnes.
18	Sheds - -	The Earl Cadogan	James Gray, Arabella Atkinson.	Richard Froeman.
19	Tenement, N ^o 9, Royal Hospital Row.	The Earl Cadogan	James Gray, Arabella Atkinson, Robert Edward Batley.	Robert Edward Batley.
20	Tenement, N ^o 8, Royal Hospital Row.	The Earl Cadogan	James Gray, Arabella Atkinson.	Harriett Gingell.
21	Burial Ground -	The Crown -	The Commissioners of Chelsea Hospital.	The Commissioners of Chelsea Hospital.
22	Playground and Garden.	Catherine Riley -	- - -	James Law.
23	Garden - -	George Brett -	- - -	Thomas Winks.
24	House and Grounds	George Brett -	- - -	George Brett.
25	The Ranelagh Sewer.	The Commissioners of Sewers for Westminster.	- - -	The Commissioners of Sewers for Westminster.
26	Land - -	The Commissioners of Chelsea Hospital.	- - -	The Commissioners of Chelsea Hospital.
27	Land - -	The Commissioners of Chelsea Hospital.	- - -	The Commissioners of Chelsea Hospital.
28	Land - -	The Marquis of Westminster.	- - -	The Marquis of Westminster.

No on Plan of Street.	Description.	Owners.	Lessees.	Occupiers.
29	House and Garden	Chelsea Water-works Company.	Mess ^{rs} Thorne & Company.	Empty.
30	Garden - -	The Marquis of Westminster.	- - -	William Spratt.
31	The Ferry House, Grounds, and Sheds.	The Marquis of Westminster.	Mess ^{rs} Elliott & Company.	William Spratt.

C A P. XL.

An Act to declare certain Ropeworks not within the Operation of the Factory Acts. [3d August 1846.]

WHEREAS in the Fourth Year of the Reign of His late Majesty King *William* the Fourth an Act was passed, intituled *An Act to regulate the Labour of Children and young Persons in the Mills and Factories of the United Kingdom*, and the said Act was amended by another Act passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to Labour in Factories*; and the said Acts have been construed to apply to Ropeworks; and it is expedient to relieve Ropemakers from the Effect of such Construction, and of the said Acts: Be it declared and 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, That no Ropery, Ropewalk, or Ropework in which Machinery, moved by Steam, Water, or other mechanical Power, is not used for drawing or spinning the Fibres of Flax, Hemp, Jute, or Tow, but only for laying or twisting or other Process of preparing or finishing the Lines, Twines, Cords, or Ropes, and which has no internal Communication with any Buildings or Premises forming or forming Part of a Mill or Factory within the Meaning of the said Acts, except such as is necessary for the Transmission of Power, shall be deemed to be a Mill or Factory within the Provisions of the said Acts or of either of them, and that nothing in the said Acts, or in either of them, shall be deemed to apply to the Employment of Children, young Persons, or Women in any such Ropery, Ropewalk, or Ropework.

Certain Ropeworks not to be deemed Mills or Factories within the Provisions of recited Acts.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

C A P. XLI.

An Act for granting to Her Majesty, until the Fifth Day of *September* One thousand eight hundred and forty-six, certain Duties on Sugar imported into the United Kingdom.

[3d August 1846.]

" Duties imposed on Sugar and Molasses by 8 & 9 *Vict.* c. 5. continued till 5th *September* 1846, § 1. Clauses, Powers, &c. of recited Act to extend to this Act, § 2. Act may be amended, &c., § 3."

C A P.

C A P. XLII.*

An Act to authorize a Loan from the Consolidated Fund to the *New Zealand Company*. [3d August 1846.]

‘ WHEREAS Her Majesty, by Her Royal Letters Patent, bearing Date at *Buckingham Palace* the Twelfth Day of *February* in the Year One thousand eight hundred and forty-one, did grant and ordain that certain Persons therein named and described should be and constitute a Body Corporate, with perpetual Succession and a Common Seal, by the Name of the “*New Zealand Company*,” for the Purpose of purchasing and acquiring, settling, improving, cultivating, letting, selling, granting, alienating, mortgaging, charging, or otherwise dealing with and making a Profit of Lands, Tenements, and Hereditaments within Her Majesty’s Colony of *New Zealand* and its Dependencies, and of laying out Settlements and Towns, and of working therein all Mines, Pits, and Quarries, and all Minerals and Metals; and for the further Purpose of conveying or contracting for the Conveyance of Emigrants to the said Colony and its Dependencies, and of furnishing to Emigrants all Things requisite for their immediate Settlement in the said Colony: And whereas by the said Letters Patent, and also by additional Letters Patent bearing Date at *Buckingham Palace* the Fourth Day of *August* in the Year One thousand eight hundred and forty-three, the Court of Directors of the said Company was empowered from Time to Time, with the Consent of a Court of Proprietors specially convened for that Purpose, to borrow and take up, at any lawful Rate of Interest, any Sum or Sums of Money not exceeding in the whole Five hundred thousand Pounds, upon the Security and Credit of any Portion of the subscribed Capital of the said Company for the Time being not at that Time called up, and of the Profits of the Undertaking, and of the Lands, Tenements, Hereditaments, and other Property for the Time being of the said Company, or any or either of such Securities, or any Part thereof: And whereas many of Her Majesty’s Subjects have already emigrated to *New Zealand* at the Instance of the said Company, and have expended much of their own Capital in forming Settlements, in full Reliance on the Continuance of the Company’s Operations: And whereas the Court of Directors of the said Company, in pursuance of the Powers granted to them in and by the said Letters Patent, have borrowed the Sum of Seventy-five thousand Pounds on the Security and Credit of that Portion of the subscribed Capital of the said Company which was not at that Time called up, amounting in the whole to One hundred thousand Pounds, and for securing Repayment of the said Loan, with lawful Interest thereon, have granted, executed, and issued Debentures under the Seal of the said Company, amounting in the whole to the said Sum of Seventy-five thousand Pounds, and bearing Interest after the Rate of Four Pounds Two Shillings in the Hundred by the Year: And whereas it is expedient, in order to prevent the Discontinuance of the Operations of the said Company, and for pro-

‘ moting

* See post, Cap. 82.

‘moting the Well-being of the said Settlers, and the future Prosperity of the said Colony, that further Aid should be afforded to the said Company for the Fulfilment of its pecuniary Engagements :’ 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, That it shall be lawful for the Lord High Treasurer, or any Three or more Commissioners of Her Majesty’s Treasury of the United Kingdom of *Great Britain and Ireland*, from Time to Time to advance and lend to the *New Zealand* Company, out of the growing Produce of the Consolidated Fund of the said United Kingdom, free of all Fees and Deductions, any Sum or Sums of Money not exceeding in the whole the Sum of One hundred thousand Pounds, to be applied by the said Company, in the following Proportions, in making good the Expences already incurred or hereafter to be incurred for the following Purposes; (that is to say,) any Sum not exceeding Eight thousand Pounds toward discharging outstanding Claims on the said Company in *New Zealand* and in the said United Kingdom; a further Sum not exceeding Twenty-five thousand Pounds toward placing and carrying on the Establishments of the Company in a State of Efficiency, and toward Contingencies; and a further Sum not exceeding Sixty-seven thousand Pounds toward the Purchase of Land in *New Zealand*, and for satisfying the Claims of the native Inhabitants thereto, also toward Payment of the Surveyors and others employed in surveying Land in *New Zealand*, and all other Expences of such Survey, and toward defraying the Expences of establishing Settlements of Colonists at *Otago* and *Wairarapo*: Provided always, that no Part of the said Sums shall be applied to the Payment of any Principal Sum of Money for which any Debenture has been or shall be issued under the Seal of the said Company.

Treasury may advance out of the Consolidated Fund the Sum of 100,000*l.* to the *New Zealand* Company, for certain Purposes herein mentioned.

II. And be it enacted, That the said Advances and Loans, not exceeding in the whole One hundred thousand Pounds, shall be granted and made at such Times and in such Proportions, and subject to such Conditions and Undertakings for ensuring the due Application and Apportionment thereof to the several Purposes before mentioned, as the said Lord High Treasurer or Commissioners of the Treasury shall think fit; and the Repayment within Seven Years after the passing of this Act of all Sums of Money so to be lent under the Provisions thereof, with Interest on the same after the Rate of Three Pounds in the Hundred Pounds by the Year, to be computed in each Case from the Time when each separate Sum shall be so lent, shall be secured upon the Security and Credit of the Profits of the Undertaking, and upon the Security and Credit of the Lands, Tenements, and Hereditaments in *New Zealand* now belonging to or hereafter to be acquired by the said Company, by a Deed or Deeds of Assignment and Mortgage of the same under their Common Seal, to such Persons, in such Manner, and under such Conditions and Regulations as the said Lord High Treasurer or Commissioners of Her Majesty’s Treasury shall order.

Repayment of Loans, with Interest, to be made within Seven Years, and secured by Mortgage of Lands, &c. belonging to the Company.

III. And be it enacted, That, notwithstanding such Deed or Deeds of Assignment and Mortgage as aforesaid, or any thing in this

Power to Company, with Consent of Treas-

sure, to dispose of Lands, &c. acquired by them, notwithstanding the Existence of the Mortgage, until Company make default in Payment of Principal and Interest.

this Act contained, it shall be lawful for the said Company, with the Consent in Writing of any Person authorized in that Behalf by Writing under the Hand or Hands of the Lord High Treasurer, or any Three or more Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, for the Time being, enrolled in Her Majesty's High Court of Chancery in *England*, and whose Authority shall not have been revoked by a similar Writing so enrolled, (full Power being hereby given to the said Lord High Treasurer, and also to any Three or more of the said Commissioners, for the Time being, at any Time and from Time to Time to authorize any Person or Persons in that Behalf, and to revoke any such Authorization at pleasure,) to hold, enjoy, sell, dispose of, receive, take, and deal with the Lands, Tenements, and Hereditaments now belonging to or hereafter to be acquired by the said Company, and the Issues and Profits thereof, in like Manner in all respects, both at Law and in Equity, as if such Deed or Deeds of Assignment and Mortgage had not been made, and this Act had not been passed, until Default shall be made in Payment by the said Company, in such Manner as may be expressed in any such Deed of Assignment or Mortgage, in or towards Satisfaction of the Monies thereby secured, until the whole be discharged, of One Half of the Purchase Money from Time to Time paid to the said Company for or in respect of any of the Lands, Tenements, and Hereditaments of the said Company that shall be sold by the said Company subsequently to the Execution of such Deed of Assignment and Mortgage, after deducting from the Money so paid to the said Company all Money that on any such Sale may have been agreed to be expended by the said Company for Emigration or public or general Purposes, and also of One Half of the net Rents, if any, that may have been reserved to the said Company on any such Sale in respect of the Lands, Tenements, and Hereditaments so sold as aforesaid, and of the Rents reserved or fixed on any other Lands, Tenements, and Hereditaments of the said Company that may be demised or may be agreed to be demised by the said Company subsequently to the Execution of such Deed of Assignment and Mortgage, and which respectively shall have been received by the said Company, or until Default shall be made in the Repayment by the said Company of the Principal Money secured by any such Deed of Assignment and Mortgage, at or before the Expiration of Seven Years from the passing of this Act, with Interest thereon after the Rate aforesaid; and that no Purchaser from or Lessee or Tenant of a Person in any Manner dealing with the said Company for or in respect to or on account of the Lands, Tenements, and Hereditaments now belonging to or hereafter to be acquired by the said Company or any of them, or the Rents, Issues, and Profits thereof, or any of them, with such Consent as aforesaid, prior to the Expiration of the said Seven Years, shall be affected by any such Default as aforesaid, notwithstanding the same may have been actually made, and he or she may have Notice thereof.

Money paid by the Company under Mort-

IV. And be it enacted, That all Money to be secured by any such Deed or Deeds of Assignment and Mortgage as aforesaid that shall be paid by the said Company, their Successors or

Assigns,

Assigns, shall be carried to the Credit of the Consolidated Fund, and shall go in discharge of the Principal Money so secured, and the Interest thereof; nevertheless every Receipt that shall be given by the Persons to whom any such Assignment and Mortgage shall be made as aforesaid, or the Survivors or Survivor of them, his Executors or Administrators, or their or his Assigns, or any Person for the Time being authorized to consent to Dispositions and Dealings by the said Company as aforesaid, or their or his Agent or Agents, for any Money to be secured by any such Assignment and Mortgage, shall exonerate the said Company, their Successors and Assigns, from all Liability with respect to the Application thereof.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

gage shall be carried to the Credit of the Consolidated Fund, and go in discharge of Money borrowed.

Act may be amended, &c.

C A P. XLIII.

An Act to suspend until the First Day of *October* One thousand eight hundred and forty-seven the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.

[7th August 1846.]

[This Act is the same, except as to Dates, as 8 & 9 Vict. c. 58.]

C A P. XLIV.

An Act to remove Doubts as to the Election of Members to serve in Parliament for the County of *Chester*, the Boroughs situate therein, and for the County of the City of *Chester*.

[7th August 1846.]

‘ WHEREAS by an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the more effectual Administration of Justice in England and Wales*, it was amongst other things enacted, that all the Power, Authority, and Jurisdiction of the Chamberlain and Vice Chamberlain of the County Palatine of *Chester*, both at Law and in Equity, should cease and determine: And whereas since the passing of the said Act Doubts have arisen whether Writs for the Election of Members to serve in Parliament for the County of *Chester*, and for the Boroughs situate therein, and for the County of the City of *Chester*, ought to be directed to the said Chamberlain, or to the Sheriffs of the said County and County of the said City respectively:’ Be it therefore 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, That from and after the passing of this Act all Writs for the Election of Members to serve in Parliament shall be directed to the Sheriff of the County of *Chester* in all Cases where the Election is to be for Members or a Member to serve in Parliament for either of the Divisions of that County, or for the Boroughs situate therein, or any of them, and to the Sheriff of the County of the

11 G. 4. &
1 W. 4. c. 70.

Writs for the County of *Chester*, or Boroughs therein, to be directed to the Sheriff of the County; and for the City, to the Sheriff of the County of the City.

City of *Chester* where the Election is to be for Members or a Member to serve in Parliament for the County of the said City.

All Elections since passing of recited Act deemed valid.

II. And be it enacted, That all Elections heretofore held since the passing of the said Act shall be deemed to be valid, notwithstanding that the Writs for such Elections shall have been directed to the Chamberlain of the County Palatine of *Chester*; and that all Writs for the Election of Members or a Member to serve in Parliament for the County of the City of *Chester* shall be executed by the Sheriff of the County of the said City, notwithstanding that the same shall have been directed to the Chamberlain of the County Palatine of the County of *Chester*.

C A P. XLV.

An Act to continue until the First Day of *September* One thousand eight hundred and forty-seven certain of the Provisions of an Act of the Fifth and Sixth Years of Her present Majesty, for amending the Constitution of the Government of *Newfoundland*. [7th August 1846.]

“Changes made in the Constitution of *Newfoundland* by “5 & 6 *Vict.* c. 120. to continue in force until 1st *September* “1847, § 1. Act may be amended, &c., § 2.”

C A P. XLVI.

An Act to continue until the Thirty-first Day of *December* One thousand eight hundred and fifty-one an Act of the Fourth and Fifth Years of Her present Majesty, for authorizing and facilitating the Completion of a Survey of *Great Britain, Berwick-upon-Tweed, and the Isle of Man*. [7th August 1846.]

“4 & 5 *Vict.* c. 30. continued until 31st *December* 1851.”

C A P. XLVII.

An Act to apply the Sum of Four Millions out of the Consolidated Fund, and the Surplus of Ways and Means, to the Service of the Year One thousand eight hundred and forty-six. [13th August 1846.]

C A P. XLVIII.

An Act for legalizing Art Unions. [13th August 1846.]

‘**WHEREAS** certain voluntary Associations have been and
‘ may hereafter be formed in various Parts of the United
‘ Kingdom, under the Name of Art Unions, for the Purchase of
‘ Paintings, Drawings, or other Works of Art, to be afterwards
‘ allotted and distributed, by Chance or otherwise, among the
‘ several Members, Subscribers, or Contributors forming Part of
‘ such Associations, or for raising Sums of Money by Subscription
‘ or Contribution, to be allotted and distributed, by Chance
‘ or

' or otherwise, as Prizes, amongst the Members, Subscribers, or
 ' Contributors forming Part of such Associations, on the Con-
 ' dition nevertheless that such Sums of Money so allotted and
 ' distributed be expended solely and entirely in the Purchase
 ' of Paintings, Drawings, or other Works of Art : And whereas
 ' such Allotment and Distribution of Paintings, Drawings, or
 ' other Works of Art, or of Sums of Money for their Purchase,
 ' and the Proceedings taken to carry the same into effect, may be
 ' deemed and taken to come within the Provisions of the several
 ' Acts of Parliament passed for the Prevention of Lotteries,
 ' Littlegoes, and unlawful Games, whereby the Members, Sub-
 ' scribers, or Contributors of such Associations as aforesaid, or
 ' Persons acting under their Authority or on their Behalf, may be
 ' liable or subjected to certain Pains and Penalties imposed by
 ' Law on Persons concerned in Lotteries, Littlegoes, and unlawful
 ' Games : And whereas it is expedient that all Members of and
 ' Subscribers and Contributors to such voluntary Associations as
 ' aforesaid, and all Persons acting under their Authority or on their
 ' Behalf, so long only as their Proceedings are carried on in good
 ' Faith for the Encouragement of the Fine Arts, shall be discharged
 ' and protected from any Pains and Penalties to which they may
 ' have rendered themselves liable, or may hereafter render them-
 ' selves liable, by reason of any such their Proceedings as afore-
 ' said : Be it enacted by the Queen's most Excellent Majesty, by
 ' and with the Advice and Consent of the Lords Spiritual and Tem-
 ' poral, and Commons, in this present Parliament assembled, and by
 ' the Authority of the same, That all such voluntary Associations as
 ' aforesaid, now constituted, or which may hereafter be constituted
 ' according to the Provisions herein-after contained, shall be deemed
 ' to be lawful Associations ; and the Members of and Subscribers
 ' and Contributors to all such lawful Associations, and all Persons
 ' acting under their Authority or on their Behalf for the Purposes
 ' aforesaid, shall be freed and discharged from all Pains and
 ' Penalties, Suits, Prosecutions, and Liabilities, to which by Law
 ' they would be liable but for the passing of this Act, as being con-
 ' cerned in illegal Lotteries, Littlegoes, or unlawful Games, by
 ' reason of any thing done or which may be done by them or any
 ' of them in furtherance of the Allotment or Distribution, by
 ' Scheme or otherwise, of Paintings, Drawings, or other Works of
 ' Art, or of the Allotment or Distribution of Sums of Money as
 ' Prizes to be expended for their Purchase : Provided always, that
 ' a Royal Charter or Charters shall have been first obtained for the
 ' Incorporation of any such Association, or provided that the Deed
 ' of Partnership, or other Instrument or Instruments constituting
 ' such Association, and the Rules and Regulations relating to the
 ' Proceedings of such Association for such Purposes as aforesaid,
 ' shall have first been submitted to the Consideration and be
 ' approved of by a Committee of Her Majesty's Most Honourable
 ' Privy Council, and a Copy thereof deposited with such Com-
 ' mittee ; and that it shall be expressed in every such Charter,
 ' Deed, or Instrument, that it shall be lawful for any Committee
 ' of Her Majesty's Privy Council to whom the Consideration of Art
 ' Unions shall be referred by Her Majesty, whenever it shall
 ' appear to them that any such Association is perverted from the

Voluntary As-
 sociations con-
 stituted for the
 Distribution of
 Works of Art
 by Lot deemed
 legal, provided
 a Royal Charter
 shall have been
 first obtained,
 &c.

Purposes of this Act, to certify the Fact to Her Majesty, and thereupon it shall be lawful for Her Majesty to revoke or annul the Charter, Deed, or Instrument under which the Association so offending shall have been constituted; and nothing in this Act contained shall be deemed to apply to any Association whose Charter, Deed of Partnership, or other Instrument constituting the same shall have been so revoked or annulled.

Indemnity granted by 8 & 9 Vict. c. 57. till 1st Aug. 1846 further extended to 1st Nov. 1846.

II. 'And whereas an Act was passed in the Seventh and Eighth Years of Her present Majesty's Reign, intituled *An Act to indemnify Persons connected with Art Unions, and others, against certain Penalties*, which Act was continued by another Act passed in the Eighth and Ninth Years of Her present Majesty's Reign, which Acts only apply to Acts done before the First Day of August last passed: And whereas it is expedient that the said Indemnity granted as aforesaid should be further continued; be it therefore enacted, That the Indemnity granted as aforesaid shall be extended to the First Day of November in the present Year, to the same Effect as if the said last-recited Act had in place of the Words "the First Day of August One thousand eight hundred and forty-six" contained the Words "the First Day of November One thousand eight hundred and forty-six."

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

C A P. XLIX.

An Act to continue until the First Day of *October* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, an Act for authorizing the Application of Highway Rates to Turnpike Roads.

[18th August 1846.]

"4 & 5 Vict. c. 59. continued as in Title, § 1."

C A P. L.

An Act to continue until the First Day of *October* One thousand eight hundred and forty-seven, and to the End of the then Session of Parliament, the Exemption of Inhabitants of Parishes, Townships, and Villages from Liability to be rated as such, in respect of Stock in Trade or other Property, to the Relief of the Poor. [18th August 1846.]

"3 & 4 Vict. c. 89. continued as in Title, § 1."

C A P. LI.

An Act to continue certain Turnpike Acts until the First Day of *October* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament. [18th August 1846.]

"Acts relating to Turnpike Roads which will expire on or before the End of the next Session, continued as in Title, § 1."

C A P. LII.

An Act to continue to the First Day of *October* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, the Act to amend the Laws relating to Loan Societies. [18th *August* 1846.]

“ 3 & 4 *Vict.* c. 110. continued as in Title, § 1.”

C A P. LIII.

An Act to continue the Copyhold Commission until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament. [18th *August* 1846.]

“ 4 & 5 *Vict.* c. 35., 6 & 7 *Vict.* c. 23., and 7 & 8 *Vict.* c. 55. re-cited. Copyhold Commission continued as in Title, § 1.”

C A P. LIV.

An Act to extend to all Barristers practising in the Superior Courts at *Westminster* the Privileges of Serjeants at Law in the Court of Common Pleas. [18th *August* 1846.]

WHEREAS it would tend to the ~~more equal Distribution~~ and to the consequent Despatch of Business in the Superior Courts of Common Law at *Westminster*, and would at the same Time be greatly for the Benefit of the Public, if the Right of Barristers at Law to practise, plead, and to be heard extended equally to all the said Courts; but by reason of the exclusive Privilege of Serjeants at Law to practise, plead, and have Audience in the Court of Common Pleas at *Westminster* during Term Time, such Object cannot be effected without the Authority of Parliament; Be it therefore 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, That from and after the passing of this Act all Barristers at Law, according to their respective Rank and Seniority, shall and may have and exercise equal Rights and Privilege of practising, pleading, and Audience in the said Court of Common Pleas at *Westminster* with the said Serjeants at Law; and it shall be lawful for the Justices of the said Court, or any Three of them, of whom the Lord Chief Justice of the said Court shall be one, to make Rules and Orders, and to do all other things necessary for giving Effect to this Enactment.

Barristers at Law to have and exercise equal Rights and Privileges in the Court of Common Pleas as Serjeants at Law.

C A P. LV.

An Act to defray until the First Day of *August* One thousand eight hundred and forty-seven the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers.

[18th *August* 1846.]

[*This Act is the same, except as to Dates and the Sections here inserted, as 8 & 9 Vict. c. 82.*]

Secretary at War may place certain Officers unfit for Duty upon a retired Allowance, upon making the following Declaration.

Form of Declaration.

X. And be it enacted, That it shall be lawful for the Secretary at War to place any such Lieutenant, Ensign, and Surgeon's Mate of the Militia of *Great Britain*, or Subaltern Officer and Assistant Surgeon of the Militia of *Ireland*, when unfit for further Duty, upon a retired Allowance equal to and instead of the Allowance granted on the disembodiment of the Militia at the Termination of the War; and all such Subaltern, Surgeon's Mates, and Assistant Surgeons, to entitle them to the Receipt of such retired Allowance, shall make and subscribe the following Declaration; (*videlicet*),

' I do solemnly and sincerely declare, That I
' formerly served as a _____ in the _____ Militia; that
' I am not in Holy Orders; and that from the _____ Day
' of _____ to the _____ Day of _____ I did
' not hold or enjoy any Place or Employment of Profit, Civil or
' Military, under Her Majesty, or in the Colonies or Possessions
' of Her Majesty beyond the Seas, or under any other Govern-
' ment, besides my Allowance of _____ *per Diem* as a
' _____ of the said Militia, except my Half Pay or Civil
' Pension as a _____

Allowances granted to Adjutants who have been appointed since 24th Dec. 1814, &c. on Completion of certain Periods of Service.

XXVI. And be it enacted, That the following Allowances shall be granted and paid, under the Restrictions and Limitations herein-after expressed, to Adjutants of the Militia of *Great Britain* and *Ireland* who have been appointed since the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, and who shall hereafter be appointed, on the Completion of the following Periods of Service in Her Majesty's Regular Forces and in the Militia, if unfit for the Performance of the Duties of their Commissions; that is to say,

To every Adjutant who shall have completed in the Service a Period of, *viz.*

Fifteen Years, of which Five Years as an Adjutant of Militia, an Allowance of	-	3s. <i>per Diem</i> .
Twenty Years, of which Seven Years ditto	4s.	—
Twenty-five Years, of which Ten Years ditto	-	5s. —
Thirty Years, of which Fifteen Years ditto	6s.	—

No Adjutant whose Commis-

Provided also, that no such Adjutant whose Commission bears date between the Twenty-fourth Day of *December* One thousand eight

eight hundred and fourteen and the Ninth Day of *July* One thousand eight hundred and twenty-three shall be excluded from the Operation of the Authority vested in the Secretary at War to determine certain Cases of Adjutants of long and meritorious Services; and provided also, that such Adjutants shall retain any Right they may have to Half Pay or to Out-Pension, notwithstanding the Grant of such retired Allowance as aforesaid; and all such Allowances shall be granted upon the Production to the Secretary at War of a Certificate of such Service and Disability; and the Paymaster General shall pay to such Adjutant the above Allowance, subject to the same Limitations and Restrictions in respect to the holding of any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, as attach to other Adjutants to whom retired Allowances have been or shall be granted.

tion bears Date between 24th Dec. 1814 and 9th July 1823 excluded.

Right to Half Pay and Pension reserved.

C A P. LVI.

An Act to provide Forms of Proceedings under the Acts relating to the Duties of Assessed Taxes, and the Duties on Profits arising from Property, Professions, Trades, and Offices in *England*. [18th August 1846.]

‘ **WHEREAS** by an Act passed in the Forty-third Year of
 ‘ the Reign of King *George* the Third, intituled *An Act*
 ‘ *for consolidating certain of the Provisions contained in any*
 ‘ *Act or Acts relating to the Duties under the Management of*
 ‘ *the Commissioners for the Affairs of Taxes, and for amending*
 ‘ *the same, the Duties of Assessed Taxes then under the Manage-*
 ‘ *ment of the Commissioners for the Affairs of Taxes, so far as*
 ‘ *the same related to England, Wales, and Berwick-upon-Tweed,*
 ‘ *were directed to be assessed, raised, levied, and paid under the*
 ‘ *Regulations of the said Act: And whereas divers Acts of Parli-*
 ‘ *ament have from Time to Time been passed for explaining,*
 ‘ *altering, or amending the said recited Act and the Laws rela-*
 ‘ *ting to the Duties of Assessed Taxes: And whereas since the*
 ‘ *passing of the said first-recited Act divers Duties of Assessed*
 ‘ *Taxes and Duties on Profits arising from Property, Professions,*
 ‘ *Trades, and Offices have from Time to Time been granted by*
 ‘ *Parliament, and directed to be assessed, raised, levied, collected,*
 ‘ *and paid under the Rules and Regulations of the said first-*
 ‘ *recited Act, and the several other Acts relating thereto, or for*
 ‘ *explaining, altering, or amending the same; and such of the said*
 ‘ *several Duties as are now in force, and payable to Her Majesty,*
 ‘ *Her Heirs and Successors, are placed by Law under the Direc-*
 ‘ *tion and Management of the Commissioners of Stamps and*
 ‘ *Taxes: And whereas in and by the said several Acts herein-*
 ‘ *before recited, mentioned, or referred to, and other Acts relating*
 ‘ *to the said respective Duties, the Commissioners and Officers*
 ‘ *acting in the Execution of the said Acts are required and*
 ‘ *authorized respectively to make and allow divers Assessments,*
 ‘ *and to make, sign, and issue certain Warrants, Certificates,*
 ‘ *Notices, and other official Documents in the assessing, levying,*

43 G. 3. c. 99.

The Forms contained in the Schedule to this Act to be used in all Proceedings under the Acts relating to the Assessed Taxes and the Property and Income Tax.

Proceedings not to be void or voidable for Want of Form, or affected by any Mistake, &c. therein.

Construction of Terms in this Act or in Schedule annexed :

‘ and collecting of the said Duties, and otherwise in relation thereto ; and it would tend to promote and facilitate the due and uniform Execution of the said Acts, if proper Forms of Proceedings for that Purpose were provided and established by Law :’ Be it therefore 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, That from and after the passing of this Act, in the assessing, charging, levying, and collecting of the said several Duties herein-before mentioned, and on all other Occasions in the Execution of the several Acts relating to the Matters herein-before mentioned, or any of them, in *England*, it shall be lawful for the respective Commissioners, Officers, and other Persons acting in that Behalf to cause their respective Assessments, Duplicates, Charges, Warrants, Orders, Notices, and other Proceedings to be drawn, prepared, and made out according to the several Forms contained in the Schedule hereunto annexed, or to the Effect thereof, *mutatis mutandis*, as the Case shall require ; and every such Assessment, Duplicate, Charge, Warrant, Order, Notice, or other Proceeding which shall be so drawn, prepared, or made out, shall be good and effectual to all Intents and Purposes whatsoever, without stating the Case, or the Facts or Evidence, in any more particular Manner than is required in and by such Forms respectively ; and no Information, Summons, Conviction, or other preliminary Proceeding shall be deemed to be necessary to authorize or justify the making or issuing of any Warrant, Order, or other Proceeding, whereof a Form is contained in the said Schedule, other than such preliminary Proceeding as is recited or mentioned in such Form ; and the said Schedule, and the several Forms, Rules, and Directions therein contained, shall respectively be deemed to be Part of this Act.

II. Provided always, and be it enacted, That no Assessment, Charge, Warrant, or other Proceeding which shall be made, or shall purport to be made, by virtue or in pursuance or in execution of the said several Acts herein-before recited, mentioned, or referred to, or any of them, or of any other Act or Acts relating to the said several Duties herein-before mentioned, shall be quashed or deemed to be void or voidable for Want of Form, or be impeached or affected by reason of any Mistake, Defect, or Omission therein, provided the Person or Property charged or intended to be charged or affected by any such Proceeding be designated therein in common Intent and Understanding, and such Proceeding be in Substance and Effect in conformity with or according to the Intent and Meaning of the said Acts.

III. And be it enacted, That wherever the Terms and Expressions following occur in this Act or in the Schedule hereunto annexed, and wherever the same Terms and Expressions respectively shall occur or be used in any Form of Proceeding to be drawn, prepared, or made out according to the respective Forms contained in the said Schedule, the said Terms and Expressions shall be construed to have the Meanings herein-after assigned to them respectively ; (that is to say,) the several Expressions,
“ Duties

“Duties of Assessed Taxes,” and “Duties on Profits arising from Property, Professions, Trades, and Offices,” shall respectively mean and include as well the said respective Duties as all Compositions for the same, and all Sums of Money which may lawfully be included in or added to any Assessment of the said respective Duties; the Expression “Commissioners of Assessed Taxes” shall be construed and deemed to mean Commissioners for putting into execution the several Acts relating to the Duties of Assessed Taxes; the Expression “Commissioners of the Property and Income Tax” shall be construed and deemed to mean Commissioners for the general Purposes of the Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, until the Sixth Day of April One thousand eight hundred and forty-five*; the Expression “Additional Commissioners of the Property and Income Tax” shall be construed and deemed to mean additional Commissioners for executing the Powers of the said last-mentioned Act; the Expression “Special Commissioners of the Property and Income Tax” shall be construed and deemed to mean Commissioners for the special Purposes of the said last-mentioned Act; the Expression “Commissioners for Offices” shall be construed and deemed to mean Commissioners for executing the said last-mentioned Act in relation to the Duties chargeable under Schedule (E.) of the same Act, in respect of Offices or Employments of Profit in any Court or public Department of Office, or in any Corporate City, Borough, Town, or Place, or in any Cinque Port; the Term “Oath” shall mean and include an Affirmation in the Case of Quakers or other Persons entitled by Law to make an Affirmation in lieu of an Oath; the Term “*England*” shall mean and include *England, Wales, and Berwick-upon-Tweed*; the Term “Parish” shall mean and include any Parish, Ward, or Place for which a separate Assessment of the Duties of Assessed Taxes, or of the Duties on Profits arising from Property, Professions, Trades, and Offices, may lawfully be made, or for which any Assessor or Collector may be lawfully appointed for the Purpose of assessing or collecting the said respective Duties; and any Word or Words importing the Singular Number or the Masculine Gender only shall respectively be understood to include several Persons, Matters, and Things, as well as one Person, Matter, or Thing, and Females as well as Males, unless there be something in the Subject or Context repugnant to such Construction.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

“Duties of Assessed Taxes,” &c.

“Commissioners of Assessed Taxes.”

“Commissioners of the Property and Income Tax.”

“Additional Commissioners of the Property and Income Tax.”

“Special Commissioners of the Property and Income Tax.”

“Commissioners for Offices.”

“Oath.”

“*England*.”

“Parish.”

Act may be amended, &c.

The SCHEDULE to which this Act refers ;

CONTAINING THE

FORMS of PROCEEDINGS for carrying into execution the several Acts relating to the Duties of Assessed Taxes, and the Duties on Profits arising from Property, Professions, Trades, and Offices ; (that is to say,)

No.

- 1.—Form of Appointment of Assessors.
- 2.—Form of Certificate of Assessments of the Duties of Assessed Taxes, and of the Allowance thereof.
3. Form of Duplicate of First Assessments of the Duties of Assessed Taxes, and Abstract of Contracts of Composition for the said Duties.
- 4.—Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate.
- 5.—Form of Certificate of Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
- 6.—Form of Duplicate of First Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35.
- 7.—Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 6.
- 8.—Form of Certificate of First Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
- 9.—Form of Certificate of Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
- 10.—Form of Duplicate of First Assessments of Duties under Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35.
- 11.—Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 10.
- 12.—Form of Special Commissioners Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35.
- 13.—Form of Duplicate of Special Commissioners Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35.
- 14.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 13.
- 15.—Form of Certificate of Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35. in respect of Public Offices, and of the Allowance thereof.
- 16.—Form of Additional First Assessments of the Duties of Assessed Taxes, and of the Allowance thereof.
- 17.—Form of Duplicate of Additional First Assessments of the Duties of Assessed Taxes.
- 18.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 17.
- 19.—Form of Additional First Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.

No.

- 20.—Form of Duplicate of Additional First Assessments of Duties under Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35.
- 21.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 20.
- 22.—Form of Certificate of additional First Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
- 23.—Form of Additional First Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
- 24.—Form of Duplicate of Additional First Assessments of Duties under Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35.
- 25.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 24.
- 26.—Form of Supplementary Assessments of the Duties of Assessed Taxes, and of the Allowance thereof.
- 27.—Form of Duplicate of Supplementary Assessments of the Duties of Assessed Taxes.
- 28.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 27.
- 29.—Form of Supplementary Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
- 30.—Form of Duplicate of Supplementary Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35.
- 31.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 30.
- 32.—Form of Supplementary Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
- 33.—Form of Supplementary Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.
- 34.—Form of Duplicate of Supplementary Assessments of Duties under Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35.
- 35.—Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 34.
- 36.—Form of Appointment of Assessors for making a Re-assessment of Duties pursuant to the Act 43 Geo. 3. c. 161. s. 56. or the Act 5 & 6 Vict. c. 35. s. 174., on the Default or Failure of the Collector.
- 37.—Form of Certificate of Re-assessment under the Act 43 Geo. 3. c. 161. s. 56. or the Act 5 & 6 Vict. c. 35. s. 174., and of the Allowance thereof.
- 38.—Form of Duplicate of Re-assessment under the Act 43 Geo. 3. c. 161. s. 56. or 5 & 6 Vict. c. 35. s. 174.
- 39.—Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate of the Re-assessment of Duties, N° 38.
- 40.—Form of Assessors Appointment for making an Assessment pursuant to the Acts 43 Geo. 3. c. 99. s. 70. and c. 161. s. 86.,

No.

- to defray Costs incurred by the Commissioners in Actions at Law.
- 41.—Form of Certificate of Assessment for raising the Costs incurred by Commissioners in Actions at Law, and of the Allowance thereof.
 - 42.—Form of Duplicate of Assessment for Costs incurred by Commissioners in Actions at Law.
 - 43.—Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate of Assessment, Form N° 42.
 - 44.—Form of Surveyor's Certificate of Charges of Assessed Taxes for Supplementary Assessment.
 - 45.—Form of Oath of Service of Notices of Charge, to be subjoined to the foregoing Certificate, Form N° 44.
 - 46.—Form of Allowance by the Commissioners of Surveyor's Certificate of Charges, Form N° 44.
 - 47.—Form of Surveyor's Certificate of Charges of the Duties on Profits arising from Property, Professions, Trades, and Offices, for Supplementary Assessment.
 - 48.—Form of Oath of Service of Notices of Charge, to be subjoined to the foregoing Certificate, Form N° 47.
 - 49.—Form of Allowance by the Commissioners of Surveyor's Certificate of Charges, Form N° 47.
 - 50.—Form of Certificate under the Act 48 Geo. 3. c. 99. s. 35. as to Duties of Assessed Taxes in arrear.
 - 51.—Form of Warrant to be annexed or subjoined to the foregoing Certificate, Form N° 50.
 - 52.—Form of Certificate under the Act 5 & 6 Vict. c. 35. s. 177. as to Duties in arrear.
 - 53.—Form of Warrant to be annexed or subjoined to the foregoing Certificate, Form N° 52.
 - 54.—Form of Certificate under the Act 5 & 6 Vict. c. 35. s. 155. as to Duties in arrear.
 - 55.—Form of Warrant to be annexed or subjoined to the foregoing Certificate, Form N° 54.
 - 56.—Form of a Schedule of Persons who have made Default in Payment of the Duties of Assessed Taxes to be delivered by the Collector, pursuant to the Acts 48 Geo. 3. c. 141., N° V., Rule 1st, and 3 Geo. 4. c. 88., N° III., Rule 4th.
 - 57.—Form of Collector's Affidavit, to be subjoined to the foregoing Schedule, Form N° 56.
 - 58.—Form of Collector's Affidavit, to be subjoined to the Forms N° 56 and 57, and to be made after the Schedule has remained with the Commissioners of the Division for the Space of 40 Days, as directed by the Act 48 Geo. 3. c. 141., N° V., Rule 2nd.
 - 59.—Form of a Schedule of Persons who have made Default in Payment of the Duties on Profits arising from Property, Professions, Trades, and Offices, to be delivered by the Collector pursuant to the Acts 48 Geo. 3. c. 141., N° V., Rule 1st, and 3 Geo. 4. c. 88., N° III., Rule 4th.
 - 60.—Form of Collector's Affidavit, to be subjoined to the foregoing Schedule, Form N° 59.

No.

- 61.—Form of Collector's Affidavit, to be subjoined to Forms N° 59 and 60, and to be made after the Schedule has remained with the Commissioners of the District for the Space of 40 Days as directed by the Act 48 Geo. 3. c. 141., N° V., Rule 2nd.
- 62.—Form of Receiving Officer's Certificate, certifying the foregoing Schedules of Defaulters, Forms N° 56 and 59, to the Court of Exchequer, pursuant to the Acts 48 Geo. 3. c. 141., N° V., Rule 2nd, and 1 & 2 Geo. 4. c. 113. s. 32.
- 63.—Form of Receiving Officer's Certificate to the Court of Exchequer, pursuant to the Acts 48 Geo. 3. c. 141., N° V., Rule 3rd, and 1 & 2 Geo. 4. c. 113. s. 34., of Collectors who have made Default in accounting for Duties.
- 64.—Form of Certificate to be made by Two Commissioners of Stamps and Taxes for Enrolment in the Office of Her Majesty's Remembrancer of the Court of Exchequer, pursuant to the Act 5 & 6 Will. 4. c. 20. s. 11.
- 65.—Form of Collectors Warrant, which may be issued during the Period the Schedules of Defaulters remain with the Commissioners, under the Act 48 Geo. 3. c. 141., N° V., Rule 2nd.
- 66.—Form of Return to be made by Collectors, under the Act 48 G. 3. c. 99. s. 45., of Arrears of Duties which cannot be recovered by the Collectors.
- 67.—Form of Oath to be made by the Collectors, and endorsed on the foregoing Schedule, Form N° 66.
- 68.—Form of a Schedule of Defaulters to be made out by the Commissioners pursuant to the Act 43 Geo. 3. c. 99. s. 45., and to be deposited with the Commissioners of Stamps and Taxes pursuant to the Act 5 & 6 Will. 4. c. 20. s. 13.
- 69.—Form of Revocation of the Appointment of a Collector, and Appointment of another Collector in his Stead, under the Act 48 Geo. 3. c. 99. s. 40.
- 70.—Form of a Warrant under the Act 3 Geo. 4. c. 88. s. 3. to imprison the Person and seize the Estate of a Collector making Default in Payment of Duties collected.
- 71.—Form of a Warrant to sell a Collector's Estate seized under the foregoing Warrant, Form N° 70.
- 72.—Form of a Warrant under the Act 3 Geo. 4. c. 88. s. 3. to seize the Estate of a deceased Collector who has made Default in Payment of Duties collected.
- 73.—Form of a Warrant to sell a deceased Collector's Estate seized under the foregoing Warrant, Form N° 72.
- 74.—Form of public Notice of a Meeting of Commissioners required by 3 Geo. 4. c. 88. s. 3. to be held after the Seizure of a Collector's Estate.
- 75.—Form of a Deed of Conveyance and Assignment of a Collector's Estate seized under the Act 3 Geo. 4. c. 88. s. 4.
- 76.—Form of Warrant under the Act 43 Geo. 3. c. 99. s. 33. to break open a House for the Purpose of levying a Distress for Duties in arrear.
- 77.—Form of Warrant under the Act 43 Geo. 3. c. 99. ss. 33. and 35. to break open a House for the Purpose of levying a Distress for the Duties of Assessed Taxes in arrear.

No.

- 78.—Form of Warrant under the Acts 43 Geo. 3. c. 99. s. 33. and 5 & 6 Vict. c. 35. ss. 155. and 177. to break open a House for the Purpose of levying a Distress for the Duties on Profits arising from Property, Professions, Trades, and Offices in arrear.
- 79.—Form of a Warrant of Commitment under the Act 43 Geo. 3. c. 99. s. 33. for Want of a sufficient Distress for Duties in arrear.
- 80.—Form of a Warrant of Commitment under the Act 5 & 6 Will. 4. c. 20. s. 16. for Want of a sufficient Distress for the Duties of Assessed Taxes in arrear.
- 81.—Form of a Warrant of Commitment under the Act 5 & 6 Will. 4. c. 20. s. 16. for Want of a sufficient Distress for the Duties on Profits arising from Property, Professions, Trades, and Offices.

N° 1.

Form of Appointment of Assessors.

To and Inhabitants of the Parish of
in the District of in the County of .

We the undersigned, being Commissioners of Assessed Taxes [or of the Property and Income Tax], acting in and for the District of in the County of have, by virtue and in pursuance of the Acts enabling us in this Behalf, appointed you the above-named and to be the Assessors of the Duties of Assessed Taxes [or of the Duties on Profits arising from Property, Professions, Trades, and Offices] for the said Parish of in the said District and County for the Year ending the 5th Day of April 184 ; and we do hereby strictly enjoin and require that you and each of you do perform the Office of such Assessors according to the Directions of the Acts of Parliament relating thereto, and that you do charge and assess yourselves, and all other Persons who are chargeable to the said Duties or any of them, within the said Parish of and that you do make your Assessments according to the Provisions of the Laws now in force ; and hereof you will not fail, as you and each of you will answer the contrary at your Peril.

Given under our Hands and Seals at in the
said District, this Day of in the
Year of our Lord 184 .

{ Commissioners of Assessed Taxes
{ [or of the Property and Income Tax].

N° 2.

Form of Certificate of Assessments of the Duties of Assessed Taxes, and of the Allowance thereof.

County of District of

ASSESSMENTS of the Duties of Assessed Taxes made upon the several Persons chargeable with the said Duties within the Parish of

of _____ in the said District for the Year ending the 5th Day of April 184 _____, pursuant to the Acts of Parliament relating to the said Duties, duly certified upon Oath by the Assessors, and allowed according to the Directions of the said Acts, by the Commissioners of Assessed Taxes whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We, the undersigned, Assessors appointed for making Assessments of the Duties of Assessed Taxes for the before-mentioned Parish of _____ for the Year ending the 5th Day of April 184 _____, do hereby certify the foregoing Assessments of the said Duties for the Parish aforesaid; and we do make Oath and declare, that in the foregoing Assessments we have charged and assessed ourselves, and all other Persons who are chargeable with the said Duties or any of them within the said Parish, and that we have made our said Assessments conformably to the Provisions of the Laws now in force, according to the best of our Knowledge and Belief; and we do hereby, in pursuance of the Directions of the Statute in that Behalf, return the Names of _____ and _____ of the said Parish as able and sufficient Persons to be Collectors of the said Duties.

Witness our Hands, this _____ Day of _____
in the Year of our Lord 184 _____.

} Assessors.

We the undersigned, Commissioners of Assessed Taxes acting in and for the District and County aforesaid, do hereby, in pursuance of the said Acts relating to the Duties of Assessed Taxes, sign and allow the foregoing Assessments, amounting to the Sum of _____ the same having been duly verified before us by the above-named Assessors, as directed by the Act of Parliament in that Behalf made.

Given under our Hands and Seals at _____ within
the said District, this _____ Day of _____ in
the Year of our Lord 184 _____.

{ Commissioners of
Assessed Taxes.

N° 3.

Form of Duplicate of First Assessments of the Duties of Assessed Taxes, and Abstract of Contracts of Composition for the said Duties.

County of _____ District of _____

A DUPLICATE of the First Assessments of the Duties of Assessed Taxes made upon the several Persons chargeable with the said Duties within the Parish of _____ in the said District, for the Year ending the 5th Day of April 184 _____, pursuant to the Acts of Parliament relating to the said Duties; and an Abstract of Contracts of Composition for the said Duties entered into or renewed _____

renewed under the Statutes in that Behalf by the several Persons within mentioned, to be paid for the same Year.

[*Set forth the Particulars of the Assessments and the Amount to be paid under each Contract of Composition, in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of Assessed Taxes acting in and for the District and County aforesaid, do hereby sign and allow the foregoing Duplicate of the First Assessments of the Duties of Assessed Taxes, and Abstract of Contracts of Composition for the said Duties, amounting in the whole to the Sum of . . .

Given under our Hands and Seals, at . . . within
the said District, this . . . Day of
in the Year of our Lord 184 . . .

{ Commissioners of
Assessed Taxes.

N° 4.

Form of Collectors Appointment and Warrant, to be annexed or subjoined to the foregoing Duplicate.

To . . . and . . . Two of the Inhabitants
of the Parish of . . . in the District of
in the County of . . .

WE the undersigned, Commissioners of Assessed Taxes, acting in and for the District aforesaid in the County aforesaid, do hereby nominate and appoint you the above-named . . . and
Collectors of the Duties of Assessed Taxes for the
Parish of . . . in the said District and County, for the
Year ending the 5th Day of April 184 . . .

And whereas, by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the said Duties, we the said Commissioners have signed and allowed the First Assessments of the said Duties for the said Year upon the several Persons chargeable with the same within the Parish aforesaid, and have set our Hands and Seals to the Duplicate of the said Assessments, and to the Abstract of Contracts of Composition for the said Duties entered into with the Persons therein named under the Statutes in that Behalf, which said Duplicate and Abstract are herewith delivered unto you: Now we the said Commissioners do hereby enjoin and require you the above-named Collectors, or either of you, to make demand of the several Sums contained in the said Duplicate and Abstract from the Parties charged therewith, or at the Places of their last Abode, or on the Premises charged with the Assessment, as the Case may require, within the Time and in the Manner appointed and directed by the said Acts, and upon Payment thereof to give Acquittances under your Hands (without taking any thing for such Acquittances, the Stamp Duty for the same excepted,) unto the several Persons who shall pay the same; and if any Person or Persons shall refuse to pay the Sum and Sums charged upon him, her, or them, upon Demand duly made by you

or either of you, then we hereby enjoin and strictly require you or either of you, for Nonpayment thereof, to distrain for the same according to the Directions of the said Acts, by virtue of this our Warrant, without further Authority.

Given under our Hands and Seals at _____ within the said District, the _____ Day of _____ in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes.

N° 5.

Form of Certificate of Assessments of Duties under Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35., and of the Allowance thereof.

County of _____ District of _____

ASSESSMENTS of the Duties under the respective Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35. made upon the several Persons chargeable with the said Duties within the Parish of _____ in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties, duly certified upon Oath by the Assessors, and allowed according to the Directions of the said Acts by the Commissioners whose Names are signed at the End hereof.

[Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.]

We the undersigned, Assessors of the Duties on Profits arising from Property, Professions, Trades, and Offices for the Parish of _____ aforesaid for the Year ending the 5th Day of April 18 , do hereby certify the foregoing Assessments of the Duties payable under the respective Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35. for the Parish aforesaid; and we do make Oath and declare, that in the foregoing Assessments we have charged and assessed ourselves, and all other Persons who are chargeable with the said Duties under the said Schedules, or either of them, within the said Parish, and that we have made our said Assessments conformably to the Provisions of the Laws now in force, according to the best of our Knowledge and Belief; and we do hereby, in pursuance of the Statute in that Behalf, return the Names of _____ and _____ of the said Parish as able and sufficient Persons to be Collectors of the said Duties.

As witness our Hands, this _____ Day of _____ in the Year of our Lord 184 .

} Assessors.

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of _____ aforesaid, do hereby, in pursuance of the Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, sign and allow the foregoing Assessments, the same having _____ been

been duly verified before us by the above-named Assessors, as directed by the Act of Parliament in that Behalf made.

Given under our Hands and Seals at _____ within
the said District, this _____ Day of
in the Year of our Lord 184 .

{ Commissioners of the
Property and Income Tax.

N^o 6.

Form of Duplicate of First Assessments of Duties under Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35.

County of _____ District of _____

A DUPLICATE of the First Assessments of the Duties under the respective Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35., made upon the several Persons chargeable with the said Duties within the Parish of _____ in the said District for the Year ending the 5th Day of April 184 , to be and remain in force for the Space of _____ Years ending on the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties.

[Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of _____ aforesaid, do hereby sign and allow the foregoing Duplicate of the First Assessments of the Duties payable under the respective Schedules (A.) and (B.) of the Act 5 and 6 Vict. c. 35., amounting in the whole to the Sum of _____

Given under our Hands and Seals at _____ within the
said District, this _____ Day of
in the Year of our Lord 184 .

{ Commissioners of the
Property and Income Tax.

N^o 7.

Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate, Form N^o 6.

To _____ and _____ Two of the Inhabitants
of the Parish of _____ in the District of _____
in the County of _____

WE the undersigned, Commissioners of the Property and Income Tax acting in and for the District aforesaid in the County aforesaid, do hereby nominate and appoint you the above-named _____ and _____ Collectors of the Duties on Profits arising from Property, Professions, Trades, and Offices for the Parish of _____ in the said District, for the Year ending the 5th Day of April 184 .

And whereas, by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the said Duties, we the said Commissioners have signed and allowed the foregoing Duplicate of the First Assessments of the said Duties chargeable under the respective Schedules (A.) and (B.) of the _____ Act

Act 5 and 6 Vict. c. 35., and charged upon the several Persons mentioned in the foregoing Duplicate, within the Parish aforesaid, for the Year ending the 5th Day of April 184 , to be and remain in force for the Space of _____ Years ending on the 5th Day of April 184 .

Now we the said Commissioners do hereby enjoin and require you the above-named Collectors, or either of you, to make demand of the several Sums contained in the foregoing Duplicate from the Parties charged therewith, or at the Places of their last Abode, or on the Premises charged with the Assessment, as the Case may require, within the Time and in the Manner appointed and directed by the said Acts, and upon Payment thereof to give Acquittances under your Hands (without taking any thing for such Acquittances) unto the several Persons who shall pay the same; and if any Person or Persons shall refuse to pay the Sum or Sums charged upon him, her, or them, upon demand duly made by you or either of you, then we do hereby enjoin and strictly require you or either of you, for Nonpayment thereof, to distrain for the same according to the Directions of the said Acts, by virtue of this our Warrant, without further Authority.

Given under our Hands and Seals at _____ within the
said District, this _____ Day of _____ in the
Year of our Lord 184 .

{ Commissioners of the
Property and Income Tax.

N° 8.

Form of Certificate of First Assessments of Duties under Schedule (D.) of the Act 5 and 6 Vict. c. 35., and of the Allowance thereof.

County of _____ District of _____

ASSESSMENTS of the Duties under Schedule (D.) of the Act 5 and 6 Vict. c. 35. made upon the several Persons chargeable with the said Duties within the Parish of _____ in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties, by the Commissioners whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, additional Commissioners of the Property and Income Tax acting in and for the District of _____ aforesaid, do hereby, in pursuance of the Acts relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, certify the foregoing First Assessments of the Duties payable under Schedule (D.) of the Act 5 and 6 Vict. c. 35. for the Parish of _____ aforesaid, amounting to the Sum of _____

Given under our Hands and Seals at _____ within the
said District, this _____ Day of _____ in the
Year of our Lord 184 .

{ Additional Commissioners of the
Property and Income Tax.

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The

The foregoing Certificate of Assessments having been presented to us the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, and all Appeals against the same having been heard and determined, we do hereby allow and confirm the said Assessments.

Given under our Hands and Seals at within the said District, this Day of in the Year of our Lord 184 .

{ Commissioners of the Property and Income Tax.

No 9.

Form of Certificate of Assessments of Duties under Schedule (E.) of the Act 5 and 6 Vict. c. 35., and of the Allowance thereof.

County of District of .

ASSESSMENTS of the Duties under Schedule (E.) of the Act 5 and 6 Vict. c. 35. made upon the several Persons within mentioned, chargeable with the said Duties within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties, duly certified upon Oath by the Assessors, and allowed according to the Directions of the said Acts of Parliament by the Commissioners of the Property and Income Tax whose Names are signed at the End hereof.

[Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.]

We the undersigned, Assessors of the Duties on Profits arising from Property, Professions, Trades, and Offices, for the Parish of aforesaid, do hereby certify the foregoing Assessments of the Duties payable under Schedule (E.) of the Act 5 and 6 Vict. c. 35. for the Parish aforesaid ; and we do make Oath, that in the foregoing Assessments we have charged and assessed ourselves and all other Persons chargeable under the said Schedule with the said Duties within the said Parish, and that we have made our said Assessments conformably to the Provisions of the Laws now in force, according to the best of our Knowledge and Belief ; and we do hereby, in pursuance of the Statute in that Behalf, return the Names of and as able and sufficient Persons to be the Collectors of the said Duties.

As witness our Hands, this Day of in the Year of our Lord 184 .

} Assessors.

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby, in pursuance of the Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, sign and allow the foregoing Assessments, the same having

several Persons mentioned in the foregoing Duplicate, within the Parish of _____ in the said District.

Now we the said Commissioners, &c. [*Proceed as in Form N° 11., from the Words "Now we the said Commissioners" to the Words "Given under our Hands."*]

Given under our Hands and Seals, the _____ Day
of _____ in the Year of our Lord 184 .

{ Special Commissioners of the
Property and Income Tax.

N° 15.

Form of Certificate of Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35. in respect of Public Offices, and of the Allowance thereof.

ASSESSMENTS of the Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35. made upon the several Officers of the Department of _____ pursuant to the Acts of Parliament relating to the said Duties, for the Year ending the 5th Day of April 18 , duly certified upon Oath by the Assessors, and allowed, according to the Directions of the Acts of Parliament in that Behalf, by the Commissioners for Offices for the said Department whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Assessors appointed for making Assessments of the Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35. for the Department of _____, do hereby certify the foregoing Assessments of the said Duties for the said Department, and we do make Oath that in the foregoing Assessments we have charged and assessed ourselves and all other Persons who are chargeable with the said Duties within the said Department, and that we have made our said Assessments conformably to the Provisions of the Laws now in force according to the best of our Knowledge and Belief.

Witness our Hands, this _____ Day of _____ in the
Year of our Lord 184 .

} Assessors.

We the undersigned, Commissioners for Offices for the Department of _____ do hereby, in pursuance of the Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, sign and allow the foregoing Assessments of the Duties payable under Schedule (E.) of the Act 5 & 6 Vict. c. 35. for the said Department for the Year ending the 5th Day of April 18 , the same having been duly verified before us by the above-named Assessors as directed by the Act of Parliament in that Behalf made.

Given under our Hands and Seals, this _____ Day
of _____ in the Year of our Lord 18 .

{ Commissioners
for Offices.

N° 16.

Form of Additional First Assessments of the Duties of Assessed Taxes, and of the Allowance thereof.

County of

District of

ADDITIONAL First Assessments of the Duties of Assessed Taxes made upon the several Persons within mentioned, chargeable to the said Duties within the Parish of _____ in the said District, for the Year ending the 5th Day of April 184 _____, pursuant to the Acts of Parliament relating to the said Duties, in consequence of or arising from Returns made by the Parties, or Consents given before the Delivery of a Notice of Charge, or from Omissions of the Assessors, or from Houses in which there are Windows chargeable becoming occupied after the First Assessments were signed, the same having been duly certified to the Commissioners by the Surveyor of the District.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of Assessed Taxes acting in and for the District and County aforesaid, do hereby sign and allow the foregoing Additional First Assessments of the said Duties, amounting to the Sum of _____

Given under our Hands and Seals at _____ within the said District, this _____ Day of _____ in the Year of our Lord 184 _____ .

{ Commissioners of
{ Assessed Taxes.

N° 17.

Form of Duplicate of Additional First Assessments of the Duties of Assessed Taxes.

County of

District of

A DUPLICATE of Additional First Assessments of the Duties of Assessed Taxes made upon the several Persons within mentioned, chargeable to the said Duties within the Parish of _____ in the said District, for the Year ending the 5th Day of April 184 _____, pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of Assessed Taxes acting in and for the District and County aforesaid, do hereby sign and allow the foregoing Duplicate of Additional First Assessments of the Duties of Assessed Taxes, amounting in the whole to the Sum of _____

Given under our Hands and Seals at _____ within the said District, this _____ Day of _____ in the Year of our Lord 184 _____ .

{ Commissioners of
{ Assessed Taxes.

N° 18.

Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 17.

To _____ and _____, Collectors of the Duties
of Assessed Taxes for the Parish of _____ in the
District of _____ in the County of _____

WHEREAS by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the Duties of Assessed Taxes, we the undersigned, Commissioners of Assessed Taxes acting in and for the District aforesaid in the County aforesaid, have signed and allowed the additional First Assessments of the said Duties for the Year ending the Fifth Day of April 184 _____, upon the several Persons mentioned in the foregoing Duplicate, chargeable with the same within the Parish aforesaid, and have set our Hands and Seals to the Duplicate of the said Additional First Assessments, which said Duplicate is herewith delivered unto you.

Now we the said Commissioners, &c. [*Proceed as in Form N° 4., from the Words " Now we the said Commissioners " to the End thereof.*]

N° 19.

Form of Additional First Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.

County of _____ District of _____

ADDITIONAL First Assessments of the Duties under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., made upon the several Persons within mentioned, chargeable to the said Duties within the Parish of _____ in the said District, for the Year ending the 5th Day of April 184 _____, pursuant to the Acts of Parliament relating to the said Duties, by the Commissioners whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of _____ aforesaid, do hereby sign and allow the foregoing Additional First Assessments of the Duties payable under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., amounting to the Sum of _____ the several Charges included therein having being duly certified to us by the Surveyor of Taxes for the said District. Given under our Hands and Seals at _____ within the said District, this _____ Day of _____ in the Year of our Lord 184 _____

{ Commissioners of the
Property and Income Tax.

N° 20.

Form of Duplicate of Additional First Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35.

County of _____ District of _____

A DUPLICATE of the Additional First Assessments of the Duties under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., made upon the several Persons within mentioned, chargeable to the said Duties within the Parish of _____ in the said District, pursuant to the Acts of Parliament relating to the said Duties, for the Year ending the 5th Day of April 18____, to be and remain in force for the Space of _____ Years ending on the 5th Day of April 184____.

[Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of _____ aforesaid, do hereby sign and allow the foregoing Duplicate of the Additional First Assessments of the Duties payable under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., amounting in the whole to the Sum of _____

Given under our Hands and Seals at _____ within the said District, this _____ Day of _____ in the Year of our Lord 18____.

{ Commissioners of the Property and Income Tax.

N° 21.

Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 20.

To _____ and _____ Collectors of the Duties herein-after mentioned for the Parish of _____ in the District of _____ in the County of _____

WHEREAS by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, we the undersigned, Commissioners of the Property and Income Tax acting in and for the District aforesaid in the County aforesaid, have signed and allowed the foregoing Duplicate of the Additional First Assessments of the said Duties payable under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., and charged upon the several Persons mentioned in the foregoing Duplicate, within the Parish of _____ aforesaid, for the Year ending the 5th Day of April 184____, to be and remain in force for the Space of _____ Years ending on the 5th Day of April 184____.

Now we the said Commissioners, &c. [Proceed as in Form N° 7., from the Words "Now we the said Commissioners" to the End thereof.]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of _____ aforesaid, do hereby, in pursuance of the Acts of Parliament in that Behalf made and provided, sign and allow the foregoing Additional First Assessments of the Duties payable under Schedule (E.) of the Act 5 & 6 Vict. c. 35., amounting to the Sum of _____, the several Charges included therein having been duly certified to us by the Surveyor of Taxes for the said District.

Given under our Hands and Seals at _____ within the
said District, this _____ Day of _____ in the
Year of our Lord 184 .

{ Commissioners of the
Property and Income Tax.

N° 24.

Form of Duplicate of Additional First Assessments of Duties under Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35.

County of _____ District of _____

A DUPLICATE of the Additional First Assessments of the Duties under the respective Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35., made upon the several Persons within mentioned chargeable to the said Duties within the Parish of _____ in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of _____ aforesaid, do hereby sign and allow the foregoing Duplicate of the Additional First Assessments of the Duties payable under the respective Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35., amounting in the whole to the Sum of _____.

Given under our Hands and Seals at _____ within the
said District, this _____ Day of _____ in the
Year of our Lord 184 .

{ Commissioners of the
Property and Income Tax.

N° 25.

Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 24.

To _____ and _____ Collectors of the
Duties herein-after mentioned for the Parish of _____
in the District of _____ in the County of _____.

WHEREAS by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, we the undersigned, Commissioners of the Property and Income Tax

Tax acting in and for the District aforesaid in the County aforesaid, have signed and allowed the foregoing Duplicate of the Additional First Assessments of the said Duties payable under the respective Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35., and charged upon the several Persons mentioned in the foregoing Duplicate, within the Parish of _____ in the said District and County, for the Year ending the 5th Day of April 184 .

Now we the said Commissioners, &c. [*Proceed as in Form N° 11., from the Words "Now we the said Commissioners" to the End thereof*].

N° 26.

Form of Supplementary Assessments of the Duties of Assessed Taxes, and of the Allowance thereof.

County of _____ District of _____

SUPPLEMENTARY Assessments of the Duties of Assessed Taxes charged upon the several Persons within mentioned, within the Parish of _____ in the said District, for the Year ending the 5th Day of April 184 , pursuant to the several Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of Assessed Taxes acting in and for the District and County aforesaid, do hereby, in pursuance of the Acts of Parliament relating to the Duties of Assessed Taxes, sign and allow the foregoing Supplementary Assessments of the said Duties, amounting in the whole to the Sum of _____ conformably to the Directions of the said Acts.

Given under our Hands and Seals at _____ within the
said District, this _____ Day of _____ in the Year
of our Lord 184 .

{ Commissioners of
Assessed Taxes.

N° 27.

Form of Duplicate of Supplementary Assessments of the Duties of Assessed Taxes.

County of _____ District of _____

A DUPLICATE of Supplementary Assessments of the Duties of Assessed Taxes charged upon the several Persons within mentioned, within the Parish of _____ in the said District, for the Year ending the 5th Day of April 184 , pursuant to the several Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of Assessed Taxes acting in and for the District and County aforesaid, do hereby, in pursuance of the Acts of Parliament relating to the Duties of Assessed Taxes,

Taxes, sign and allow and confirm the foregoing Supplementary Assessments of the said Duties, amounting in the whole to the Sum of _____ conformably to the Directions of the said Acts.

Given under our Hands and Seals at _____ within the said District, this _____ Day of _____ in the Year of our Lord 184 .

{ Commissioners of Assessed Taxes.

N° 28.

Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 27.

To _____ and _____ Collectors of the Duties of Assessed Taxes for the Parish of _____ in the District of _____ in the County of _____.

WHEREAS by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the Duties of Assessed Taxes, we the undersigned, Commissioners of Assessed Taxes acting in and for the District aforesaid in the County aforesaid, have made and executed the Supplementary Assessments for the Year ending the 5th Day of April 184 _____ of the said Duties charged upon the several Persons mentioned in the foregoing Duplicate, within the Parish aforesaid, and have set our Hands and Seals to the foregoing Duplicate of the said Supplementary Assessments, which said Duplicate is herewith delivered unto you.

Now we the said Commissioners, &c. [*Proceed as in Form N° 4., from the Words "Now we the said Commissioners" to the End thereof.*]

N° 29.

Form of Supplementary Assessments of Duties under Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.

County of _____ District of _____.

SUPPLEMENTARY Assessments of Duties under the respective Schedules (A.) and (B.) of the Act 5 & 6 Vict. c. 35., charged upon the several Persons within mentioned, within the Parish of _____ in the said District, for the Year ending the 5th Day of April 184 _____, pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of _____ aforesaid, do hereby sign and allow the foregoing Supplementary Assessments of Duties, amounting in the whole to the Sum of _____ conformably to the Directions of the several Acts of Parliament relating

within the Parish of _____ and have set our Hands and Seals to the foregoing Duplicate of the said Supplementary Assessments.

Now we the said Commissioners, &c. [*Proceed as in Form N° 7., from the Words "Now we the said Commissioners" to the End thereof.*]

N° 32.

Form of Supplementary Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.

County of _____

District of _____

SUPPLEMENTARY Assessments of Duties under Schedule (D.) of the Act 5 & 6 Vict. c. 35. charged upon the several Persons within mentioned, within the Parish of _____ in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of _____ aforesaid, do hereby sign and allow the foregoing Supplementary Assessments of Duties, amounting in the whole to the Sum of _____, conformably to the Directions of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices.

Given under our Hands and Seals at _____ within the said District, this _____ Day of _____ in the Year of our Lord 184 .

{ Commissioners of the
Property and Income Tax.

N° 33.

Form of Supplementary Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35., and of the Allowance thereof.

County of _____

District of _____

SUPPLEMENTARY Assessments of Duties under Schedule (E.) of the Act 5 & 6 Vict. c. 35., charged upon the several Persons within mentioned, within the Parish of _____ in the said District, for the Year ending the 5th Day of April 18 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of _____ aforesaid, do hereby sign and allow the foregoing Supplementary Assessments

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ments of Duties, amounting in the whole to the Sum of , conformably to the Directions of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices.

Given under our Hands and Seals at within
the said District, this Day of
in the Year of our Lord 184 .

{ Commissioners of the
Property and Income Tax.

N° 34.

Form of Duplicate of Supplementary Assessments of Duties under Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35.

County of District of

A DUPLICATE of Supplementary Assessments of Duties under the respective Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35., charged upon the several Persons within mentioned, within the Parish of in the said District, for the Year ending the 5th Day of April 184 , pursuant to the Acts of Parliament relating to the said Duties.

[*Set forth the Particulars of the Supplementary Assessments in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Commissioners of the Property and Income Tax acting in and for the District of aforesaid, do hereby, in pursuance of the Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, sign and allow and confirm the foregoing Duplicate of the Supplementary Assessments of Duties, amounting in the whole to the Sum of

Given under our Hands and Seals at within
the said District, this Day of
in the Year of our Lord 184 .

{ Commissioners of the
Property and Income Tax.

N° 35.

Form of Collectors Warrant to be annexed or subjoined to the foregoing Duplicate, Form N° 34.

To and Collectors of the
Duties herein-after mentioned for the Parish of
in the District of in the County of

WHEREAS by virtue and in pursuance of the several Acts of Parliament relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, we the undersigned, Commissioners of the Property and Income Tax acting in and for the District aforesaid, have made and executed the Supplementary Assessments for the Year ending the 5th Day of April 184 of the said Duties payable under the respective Schedules (D.) and (E.) of the Act 5 & 6 Vict. c. 35., charged upon the several Persons

sons mentioned in the foregoing Duplicate, within the Parish of aforesaid, and have set our Hands and Seals to the foregoing Duplicate of the said Supplementary Assessments.

Now we the said Commissioners, &c. [*Proceed as in Form N° 11., from the Words "Now we the said Commissioners" to the End thereof.*]

No 36.

Form of Appointment of Assessors for making a Re-assessment of Duties pursuant to the Act 43 Geo. 3. c. 161. s. 56., or the Act 5 & 6 Vict. c. 35. s. 174., on the Default or Failure of the Collector.

To _____ and _____ Assessors of the Duties of Assessed Taxes [*or Assessors of the Duties on Profits arising from Property, Professions, Trades, and Offices, as the Case may be,*] for the Parish of _____ in the District of _____ in the County of _____.

WHEREAS an Arrear of the Duties of Assessed Taxes [*or of the Duties chargeable under the Schedule or respective Schedules (A.) and (B.), as the Case may be,* of the Act 5 & 6 Vict. c. 35., for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices], for the Year ending the 5th Day of April 18 _____, amounting to the Sum of _____ has arisen in the Parish of _____ aforesaid, by the Default [*or Neglect or Failure*] of _____ Collector of the said Duties for the said Parish, we the undersigned, being Commissioners of Assessed Taxes [*or of the Property and Income Tax*] acting in and for the said District, do hereby, by virtue of the Acts of Parliament enabling us in this Behalf, appoint you the above-named _____ and _____ Assessors for making a Re-assessment within and upon the said Parish, for raising the said Arrear; and we do hereby strictly enjoin and require you and each of you to make a Re-assessment within and upon the said Parish, by charging the said Sum of _____ on the Amount of the Assessment for the said Parish made for the said Duties for the Year ending the 5th Day of April 18 _____, by duly apportioning the Amount of such Arrear amongst the several Persons assessed in the said last-mentioned Assessment to the same Duties respectively, according to each Person's Assessment thereof, as nearly as the Case will admit; and in making the said Re-assessment you are to pursue the like Methods, Rules, and Directions by which the original Assessment was made of the same Duties. Hereof you will not fail, as you and each of you will answer the contrary at your Peril.

Given under our Hands and Seals at _____ within the said District, this _____ Day of _____ in the Year of our Lord 18 _____.

{ Commissioners of Assessed Taxes
{ [*or of the Property and Income Tax*].

N° 37.

Form of Certificate of Re-assessment, under the Act 43 Geo. 3. c. 161. s. 56., or the Act 5 & 6 Vict. c. 35. s. 174., and of the Allowance thereof.

County of

District of

A RE-ASSESSMENT of the Duties of Assessed Taxes [*or of the Duties chargeable under the Schedule or respective Schedules (A.) and (B.) as the Case may be, of the Act 5 & 6 Vict. c. 35., for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices,*] made upon the several Persons chargeable with the said Duties within the Parish of in the said District, pursuant to the several Acts of Parliament in that Behalf, for raising the Sum of , being the Amount of an Arrear of the said Duties which has arisen within the said Parish for the Year ending the 5th Day of April 18 by the Default [*or Neglect or Failure*] of Collector of the said Duties for the said Parish, for the said Year ending as aforesaid, duly verified upon Oath by the Assessors, and allowed, according to the Directions of the said Acts of Parliament, by the Commissioners of Assessed Taxes [*or of the Property and Income Tax*] acting for the said District, whose Names are signed at the End hereof.

[*Set forth the Particulars of the Re-assessment in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Assessors appointed for making the foregoing Re-assessment of the Duties of Assessed Taxes [*or of the Duties chargeable under the Schedule or respective Schedules (A.) and (B.), as the Case may be, of the Act 5 & 6 Vict. c. 35.*] for the Parish of aforesaid, do hereby certify the foregoing Re-assessment of the said Duties, and do make Oath and declare that we have charged and assessed ourselves and all other Persons who are chargeable with the said Re-assessment, and that we have made our Re-assessment conformably to the Provisions of the Laws now in force, according to the best of our Knowledge and Belief.

Witness our Hands, this

Day of

in

the Year of our Lord 18 .

} Assessors.

We the undersigned, Commissioners of Assessed Taxes [*or of the Property and Income Tax, as the Case may be,*] acting for the District of aforesaid, do hereby sign and allow the foregoing Re-assessment of the Duties of Assessed Taxes [*or, as the Case may be,*] amounting to the Sum of , the same having been duly verified before us by the above-named Assessors.

Given under our Hands and Seals at

within the

said District, this

Day of

in the

Year of our Lord 18 .

{ Commissioners of Assessed Taxes
 { [*or of the Property and Income Tax*].

Note.—*This Form may be adapted and applied to the Duties payable under the Schedule (D.) of the Act 5 & 6 Vict. c. 35.*

N° 38.

Form of Duplicate of Re-assessment, under the Act 43 Geo. 3. c. 161. s. 56., or 5 & 6 Vict. c. 35. s. 174.

County of

District of

A DUPLICATE of the Re-assessment of the Duties of Assessed Taxes [or of the Duties chargeable under the Schedule or respective Schedules as the Case may be, of the Act 5 & 6 Vict. c. 35., for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices,] made upon the several Persons chargeable with the said Duties within the Parish of _____ in the said District, pursuant to the several Acts of Parliament in that Behalf, for raising the Sum of _____, being the Amount of an Arrear of the said Duties which has arisen within the said Parish for the Year ending the 5th Day of April 18 _____, by the Default [or Neglect or Failure] of _____ Collector of the said Duties for the said Parish for the said Year ending as aforesaid.

[Set forth the Particulars of the Re-assessment in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.]

We the undersigned, Commissioners of Assessed Taxes [or of the Property and Income Tax, as the Case may be,] acting in and for the District of _____ aforesaid, do hereby sign and allow the foregoing Duplicate of the Re-assessment of the Duties of Assessed Taxes [or, as the Case may be,] amounting to the Sum of _____

Given under our Hands and Seals at _____ within the said District, this _____ Day of _____ in the Year of our Lord 184 _____

{ Commissioners of Assessed Taxes
[or of the Property and Income Tax].

N° 39.

Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate of the Re-assessment of Duties, N° 38.

To _____ and _____ Collectors of the Duties of Assessed Taxes [or of the Duties on Profits arising from Property, Professions, Trades, and Offices, as the Case may be,] for the Parish of _____ in the District of _____ in the County of _____

WHEREAS we the undersigned, Commissioners of Assessed Taxes [or of the Property and Income Tax] acting in and for the District of _____ aforesaid, have, by virtue of the Acts relating to the Duties of Assessed Taxes [or of the Duties on Profits arising from Property, Professions, Trades, and Offices], made and executed a Re-assessment of the said Duties, for raising an Arrear of the said Duties arising by the Default [or Neglect or Failure] of _____, Collector of the said Duties for the Parish aforesaid, for the Year ending the 5th Day of April 18 _____, upon the several

Persons chargeable with the said Duties within the said Parish, and have set our Hands and Seals to the Duplicate of the said Re-assessment, which is herewith delivered unto you.

Now we the said Commissioners do hereby nominate and appoint you the above-named and Collectors thereof, and do hereby enjoin and require you or either of you the said Collectors to make demand of the several Sums contained in the said Duplicate from the Parties charged therewith, or at the Places of their last Abode, and upon Payment thereof to give Acquittances under your Hands unto the several Persons who shall pay the same; and if any Person or Persons shall refuse to pay the Sum and Sums charged upon him, her, or them, upon demand duly made by you or either of you, then we hereby enjoin and strictly require you or either of you, for Nonpayment thereof, to distrain for the same according to the Directions of the said Acts, by virtue of this our Warrant, without further Authority.

Given under our Hands and Seals at within
the said District, the Day of 18 .
{ Commissioners of Assessed Taxes
{ [or of the Property and Income Tax].

N° 40.

Form of Assessors Appointment for making an Assessment, pursuant to the Acts 43 Geo. 3. c. 99. s. 70. and c. 161. s. 86., to defray Costs incurred by the Commissioners in Actions at Law.

To and Assessors of the Duties
of Assessed Taxes [or of the Duties on Profits arising from
Property, Professions, Trades, and Offices, as the Case may
be,] for the Parish of in the District of
in the County of

WHEREAS certain Costs and Charges amounting to the Sum of have been incurred in an Action [or Suit] commenced by [or against] the Commissioners of Assessed Taxes [or of the Property and Income Tax] acting in and for the District of in the County of [or against the Collectors of the Parish of in the said District, as the Case may be], against [or by] one E. F., and which Action [or Suit] was commenced [or defended] by the said Commissioners in pursuance of the Powers given to them by the Acts of Parliament in that Behalf; we the undersigned, being Commissioners of Assessed Taxes [or of the Property and Income Tax] acting in and for the said District, do hereby, by virtue of the Acts of Parliament enabling us in this Behalf, appoint you the above-named and Assessors for making an Assessment for defraying the said Sum of ; and we do hereby strictly enjoin and require you and each of you to make an Assessment within and upon the Parish of aforesaid, by charging the said Sum of in a just Proportion to the Amount of the Duties of Assessed Taxes [or of the Duties on Profits arising from Property, Professions, Trades, and Offices], assessed on the respective Persons chargeable to the same in the Assessment of the said Duties for the said Parish made for the Year

Year ending the 5th Day of April 18 , and in making the said Assessment you are to pursue the like Rules, Methods, and Directions by which the Assessments of the said Duties were made for the said Parish: Hereof you will not fail, as you and each of you will answer the contrary at your Peril.

Given under our Hands and Seals at _____ within the
said District, the _____ Day of _____ in the
Year of our Lord 184 .

{ Commissioners of Assessed Taxes
[or of the Property and Income Tax].

N° 41.

Form of Certificate of Assessment for raising the Costs incurred by Commissioners in Actions at Law, and of the Allowance thereof.

County of _____ District of _____

AN Assessment made upon the several Persons within mentioned who are chargeable with the Duties of Assessed Taxes [or the Duties on Profits arising from Property, Professions, Trades, and Offices, *as the Case may be,*] within the Parish of _____ in the said District, for defraying the Sum of _____, being the Amount of certain Costs and Charges incurred in an Action [or Suit] commenced by [or against] the Commissioners of Assessed Taxes [or of the Property and Income Tax] acting in and for the said District [or against the Collector of the said Duties for the said Parish], against [or by] one *E. F.*, and which Action [or Suit] was commenced [or defended] by the said Commissioners in pursuance of the Powers given to them by the Acts of Parliament in that Behalf, which Assessment is duly certified on Oath by the Assessors, and allowed by the Commissioners whose Names are signed at the End hereof.

[*Set forth the Particulars of the Assessment in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.*]

We the undersigned, Assessors appointed for making an Assessment for defraying the Costs and Charges herein-before mentioned, do hereby certify the foregoing Assessment, and do make Oath and declare that in the said Assessment we have charged and assessed ourselves and all other Persons who are chargeable with the said Assessment, and that we have made our said Assessment conformably to the Provisions of the Laws now in force, according to the best of our Knowledge and Belief.

Witness our Hands, this _____ Day of _____
in the Year of our Lord 18 .

} Assessors.

We the undersigned, Commissioners of Assessed Taxes [or of the Property and Income Tax] acting in and for the District of _____ aforesaid, do hereby sign and allow the foregoing
Assessment,

Assessment, amounting to the Sum of the same
 having been duly verified before us by the above-named Assessors.
 Given under our Hands and Seals at within
 the said District, this Day of in
 the Year of our Lord 184

{ Commissioners of Assessed Taxes
 { [or of the Property and Income Tax].

N° 42.

Form of Duplicate of Assessment for Costs incurred by Commissioners in Actions at Law.

County of District of

A DUPLICATE of an Assessment made upon the several Persons within mentioned, who are chargeable with the Duties of Assessed Taxes [or the Duties on Profits arising from Property, Professions, Trades, and Offices, as the Case may be], within the Parish of in the said District, for defraying the Sum of , being the Amount of certain Costs and Charges incurred in an Action [or Suit] commenced by [or against] the Commissioners of Assessed Taxes [or of the Property and Income Tax] acting in and for the said District [or against the Collector of the said Duties for the said Parish], against [or by] one E.F., and which Action [or Suit] was commenced [or defended] by the said Commissioners in pursuance of the Powers given to them by the Acts in that Behalf.

[Set forth the Particulars of the Assessment in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for that Purpose.]

We the undersigned, Commissioners of Assessed Taxes [or of the Property and Income Tax, as the Case may be,] acting in and for the District of aforesaid, do hereby sign and allow the foregoing Duplicate of Assessment, amounting to the Sum of

Given under our Hands and Seals at within
 the said District, this Day of in
 the Year of our Lord 184 .

{ Commissioners of Assessed Taxes
 { [or of the Property and Income Tax].

N° 43.

Form of Collectors Appointment and Warrant to be annexed or subjoined to the foregoing Duplicate of Assessment, Form N° 42.

To and Collectors of the Duties
 of Assessed Taxes [or of the Duties on Profits arising from Property, Professions, Trades, and Offices,] for the Parish of in the District of in the
 County of in the

WHEREAS we the undersigned, Commissioners of Assessed Taxes [or of the Property and Income Tax] acting in and for the District district

trict of _____ aforesaid, have by virtue of the Acts of
 Parliament relating to the Duties of Assessed Taxes [or the Duties
 on Profits arising from Property, Professions, Trades, and Offices],
 made and executed upon the several Persons chargeable with the
 Duties of Assessed Taxes [or the Duties on Profits arising from
 Property, Professions, Trades, and Offices,] within the Parish of _____
 _____, an Assessment for defraying the Sum of _____
 _____, being the Amount of certain Costs and Charges incurred in an
 Action [or Suit] commenced by [or against] the Commissioners
 of Assessed Taxes [or of the Property and Income Tax] for the
 said District [or against the Collector of the said Duties for the
 Parish aforesaid] against [or by] one *E.F.*, which said Action
 [or Suit] was commenced [or defended] by the said Commis-
 sioners in pursuance of the Powers given to them by the said
 Acts; and we have set our Hands and Seals to the Duplicate of
 the said Assessment, which is herewith delivered unto you.

Now we the said Commissioners do hereby nominate and appoint
 you the above-named _____ and _____ Collectors
 thereof, and do hereby enjoin and strictly require you or either of
 you the said Collectors to make demand of the several Sums con-
 tained in the said Duplicate from the Parties charged therewith,
 or at the Places of their last Abode; and if any Person or Per-
 sons shall refuse to pay the Sum and Sums charged upon him,
 her, or them, upon Demand duly made by you or either of you,
 then we hereby enjoin and strictly require you or either of you,
 for Nonpayment thereof, to distrain for the same, according to the
 Directions of the said Acts, by virtue of this our Warrant, without
 further Authority.

Given under our Hands and Seals at _____ in the
 said District, this _____ Day of _____ in
 the Year of our Lord 184 .

{ Commissioners of Assessed Taxes
 [or of the Property and Income Tax].

N° 44.

*Form of Surveyor's Certificate of Charges of Assessed Taxes for
 Supplementary Assessment.*

A CERTIFICATE of Charges of the Duties of Assessed Taxes for
 the Year ending the Fifth Day of April 18 _____, made pursuant to
 the Statutes in that Behalf by _____ Surveyor of Taxes
 acting for the District of _____ in the County of _____,
 and presented to the Commissioners of Assessed Taxes acting in
 and for the said District.

[Here set forth, in such tabular or other Form as may be
 convenient for the Purpose, the Names of the several Par-
 ties charged, and of the Parishes or Places in which they
 ought to be assessed, with the Particulars and Amount of
 the Charges, and Dates of the Service of Notices of
 Charge.]

I _____ Surveyor of Taxes acting for the District
 of _____ in the County of _____ do hereby certify to
 the

for the said District [*or the Commissioners for Offices for the Department of*].

[*Here set forth, in such tabular or other Form as may be convenient for the Purpose, the Names of the several Parties charged, and of the Parishes or Places in which they ought to be assessed, with the Particulars, and the Amount of the Charges, and Dates of the Service of Notices of Charge.*]

I
 Surveyor of Taxes acting for the District of
 in the County of do hereby certify
 to the Commissioners of the Property and Income Tax acting
 within and for the said District [*or the Commissioners for Offices
 for the Department of*] the foregoing Charges of the
 Duties payable under the Act 5 and 6 Vict. c. 35. for the Year
 ending the Fifth Day of April 18 , made by me upon the several
 Persons before mentioned, pursuant to the Statutes in that
 Behalf.

Witness my Hand, this Day of in the
 Year of our Lord 184 .

} Surveyor.

N° 48.

*Form of Oath of Service of Notices of Charge to be subjoined to
 the foregoing Certificate, Form N° 47.*

I of do swear, That a Notice in
 Writing was duly served upon each Person mentioned in the above
 Certificate, containing the Particulars as set forth therein respec-
 tively on the Day or Days mentioned in the said Certificate.

Sworn at in the County of
 the Day of 18 , before me

{ Commissioner of the Property and
 Income Tax [*or Commissioner
 for Offices*].

N° 49.

*Form of Allowance by the Commissioners of Surveyor's Cer-
 tificate of Charges, Form N° 47.*

THE foregoing Certificate of Charges of the Duties payable under
 the Act 5 and 6 Vict. c. 35., having been presented to us the un-
 dersigned, Commissioners of the Property and Income Tax acting
 in and for the District of in the County of
 [*or the Commissioners for Offices for the Department of*],
 and Oath having been made that a Notice of Charge has been duly
 served upon each Person mentioned in the said Certificate as the
 Party charged, pursuant to the Statute in that Behalf, we the said
 Commissioners do hereby allow the said Certificate.

Witness our Hands, the Day of in the
 Year of our Lord 18

{ Commissioners of the Property and
 Income Tax [*or Commissioners
 for Offices*].

N° 50.

Form of Certificate under the Act 43 Geo. 3. c. 99. s. 35. as to Duties of Assessed Taxes in arrear.

To the Commissioners of Assessed Taxes acting within and for the Parish of _____ in the District of _____ in the County of _____

We the undersigned, Commissioners of Assessed Taxes acting within and for the Parish of _____ in the District of _____ in the County of _____, do hereby certify, That in and by the First [or Additional First, or Supplementary, as the Case may be,] Assessments of the Duties of Assessed Taxes for the said last-mentioned Parish for the Year ending the Fifth Day of April 18 _____, A.B., now residing in the Parish of _____ aforesaid, hath been duly charged and assessed in the Sum of _____ for the under-mentioned Duties of Assessed Taxes; (that is to say,)

	£	s.	d.
[Here specify the Particulars of the Assessment.]			
Total - - -	£		

And we do further certify, That the said A.B. hath left unpaid the Sum of _____ in respect of the said Duties so charged and assessed as aforesaid, which became due and payable on the _____ Day of _____, and the said last-mentioned Sum is now in arrear.

And we the undersigned Commissioners do request you the said Commissioners of Assessed Taxes acting within and for the Parish of _____ aforesaid to raise and levy the said Sum of _____ so charged and assessed upon and left unpaid by the said A.B., and now in arrear as aforesaid, and to cause the same to be paid and applied according to the Directions of the several Acts of Parliament for raising the said Duties.

Given under our Hands and Seals at _____ in the said District of _____ this _____ Day of _____ in the Year of our Lord 184 _____

{ Commissioners of Assessed Taxes.

N° 51.

Form of Warrant to be annexed or subjoined to the foregoing Certificate, Form N° 50.

To _____ and _____ Collectors of the Duties of Assessed Taxes for the Parish of _____ in the District of _____ in the County of _____

We the undersigned, Commissioners of Assessed Taxes acting within and for the Parish of _____ in the District of _____ in _____

Day of [or, as the Case may be, that the said *A.B.* did not, at the Time of his being so charged and assessed as aforesaid, reside, nor does he now reside, in the said Parish of and that the Sum of in respect of the said Duties so charged and assessed as aforesaid became due and payable on the Day of], and the said last-mentioned Sum is now in arrear.

And we the undersigned Commissioners do request you the said Commissioners of the Property and Income Tax acting within and for the District of aforesaid to raise and levy the said Sum of so charged and assessed upon the said *A.B.*, and now in arrear as aforesaid, and to cause the same to be paid and applied according to the Directions of the several Acts of Parliament for raising the said Duties.

Given under our Hands and Seals at within the said District of this Day of in the Year of our Lord 184 .

{ Commissioners of the
Property and Income Tax.

N° 53.

Form of Warrant to be annexed or subjoined to the foregoing Certificate, Form N° 52.

To and Collectors of the Duties on Profits arising from Property, Professions, Trades, and Offices for the Parish of in the District of in the County of .

WE the undersigned, Commissioners of the Property and Income Tax acting within and for the District of aforesaid, do hereby authorize and require you the above-named Collectors, or either of you, to make due Demand of and from *A.B.*, the Person named in the foregoing Certificate, of Payment of the Sum of in respect of the Duties charged and assessed upon him, as in the said Certificate is mentioned ; and if he shall refuse or neglect to pay the same upon such Demand being made, then we hereby empower and require you or either of you to distrain for the same, according to the Directions of the Statute in that Behalf, by virtue of this our Warrant, without further Authority ; and upon Receipt of the said Sum of Money or any Part thereof we hereby direct and enjoin you to pay over the same to the Receiving Officer for the County of to the Account of the Collectors of the said Duties for the Parish of for which this shall be your sufficient Authority.

Given under our Hands and Seals at in the said District of this Day of in the Year of our Lord 18 .

{ Commissioners of the
Property and Income Tax.

N° 54.

Form of Certificate under the Act 5 and 6 Vict. c. 35. s. 155., as to Duties in arrear.

To the Commissioners of the Property and Income Tax acting within and for the District of _____ in the County of _____

We the undersigned, Commissioners for Offices for the Department of _____ do hereby certify, That in and by the First [or Additional First, or Supplementary, as the Case may be,] Assessments of the Duties payable under Schedule (E.) of the Act 5 and 6 Vict. c. 35. for the said Department of _____ for the Year ending the Fifth Day of April 18 _____, A.B., now residing in the Parish of _____ in the District of _____ aforesaid, hath been duly charged and assessed for the under-mentioned Duties; (that is to say,)

[Here specify the Particulars of the Assessment.]

	£	s.	d.
Total - - - -	£		

And we do further certify, That there is now due and owing from the said A.B. the Sum of _____ in respect of the said Duties so charged and assessed as aforesaid, which became due and payable on the _____ Day of _____

And we the undersigned Commissioners do request you the said Commissioners of the Property and Income Tax acting within and for the said District of _____ to raise and levy the said Sum of _____ so charged and assessed upon the said A.B., and to cause the same to be paid and applied according to the Directions of the several Acts of Parliament for raising the said Duties.

Given under our Hands and Seals, this _____ Day of _____ 184 .

{ Commissioners
for Offices.

N° 55.

Form of Warrant to be annexed or subjoined to the foregoing Certificate, Form N° 54.

To _____ and _____ Collectors of the Duties on Profits arising from Property, Professions, Trades, and Offices for the Parish of _____ in the District of _____ in the County of _____

We the undersigned, Commissioners of the Property and Income Tax acting within and for the District of _____ aforesaid, do hereby authorize and require you the above-named Collectors, or either of you, to make due Demand of and from A.B., the Person named in the foregoing Certificate, of Payment of the Sum of _____

of _____ in respect of the Duties charged and assessed upon him, as in the said Certificate mentioned; and if he shall refuse or neglect to pay the same upon such Demand being made, then we hereby empower and require you or either of you to distrain for the same, according to the Directions of the Statute in that Behalf, by virtue of this our Warrant, without further Authority; and upon Receipt of the said Sum of Money or any Part thereof we hereby direct and enjoin you to pay over the same to the Receiving Officer of the County of _____ to the Account of the Collector of the said Duties for the Department of _____ for which this shall be your sufficient Authority.

Given under our Hands and Seals at _____ in the said District of _____ this _____ Day of _____ 18 .

{ Commissioners of the Property and Income Tax.

N° 56.

Form of a Schedule of Persons who have made default in Payment of the Duties of Assessed Taxes, to be delivered by the Collector, pursuant to the Acts 48 Geo. 3. c. 141., N° V., Rule 1st, and 3 Geo. 4. c. 88., N° III., Rule 4th.

A SCHEDULE containing the Christian and Surname of Persons who have been charged and assessed to the Duties of Assessed Taxes within the Parish of _____ in the Division of _____ in the County of _____ for the Year ending the Fifth Day of April 18 _____, who have respectively made default in Payment of the under-mentioned Sums in respect of the said Duties, and which said Schedule is delivered by the under-signed Collector of Assessed Taxes for the said Parish, pursuant to the Acts of Parliament in that Behalf.

{ Collector of Assessed Taxes.

The Christian and Surname of each Defaulter.	Amount of Assessed Taxes due the _____ Day of _____ 18 .		
	£	s.	d.

Note.—If the Collector of the Duties of Assessed Taxes be also the Collector of the Land Tax for the same Parish or Place, the Names of the Persons making default in Payment of the Land Tax may also be returned, pursuant to the Act 4 and 5 Will. 4. c. 60. s. 7., in the same Schedule with those of the Defaulters to the Assessed Taxes; and in that Case the foregoing Form N° 56, and the following Forms, severally numbered 57, 58, and 62, may be used, with such Alterations therein and Additions thereto as may be necessary to adapt them to the Occasion.

N° 57.

Form of Collector's Affidavit to be subjoined to the foregoing Schedule, Form N° 56.

I of Collector of the Duties of Assessed Taxes for the Parish of in the Division of of in the County of do make Oath and say, That the several Sums of Money contained in the foregoing Schedule, and set against the Names of the several Persons therein mentioned, have been demanded from and are due and wholly unpaid from the respective Persons charged therewith, either to me or to any other Person or Persons for me, to the best of my Knowledge and Belief.

{ Collector of
Assessed Taxes.

Sworn before me, the Receiving Officer of the Land and Assessed Taxes for the County of the Day of 18 .

N° 58.

Form of Collector's Affidavit to be subjoined to the Forms N° 56 and 57, and to be made after the Schedule has remained with the Commissioners of the Division for the Space of Forty Days, as directed by the Act 48 Geo. 3. c. 141., N° V., Rule 2^d.

I the Collector above named, do make Oath and say, That, in pursuance of and according to the Directions given to me by the Commissioners of Assessed Taxes acting for the above-named Division, I gave Notice, on or before the Day of to each and every of the Persons whose Names are contained in the foregoing Schedule, that the Name of each such Person was returned in a Schedule to the said Commissioners as having made default in Payment of the Sums of Money set against their respective Names; and that the several Sums of Money for which the several Persons whose Names are contained in the said Schedule as now remaining in default, and to whom such Notices were delivered, are still due and unpaid from the said several Persons respectively, either to me or to any Person or Persons for me, to the best of my Knowledge and Belief.

{ Collector of
Assessed Taxes.

Sworn at in the Division of in the County of the Day of 18 , before me

{ A Commissioner of
Assessed Taxes.

N° 59.

Form of a Schedule of Persons who have made default in Payment of the Duties on Profits arising from Property, Professions, Trades, and Offices, to be delivered by the Collector, pursuant to the Acts 48 Geo. 3. c. 141., N° V., Rule 1st, and 3 Geo. 4. c. 88., N° III., Rule 4th.

A SCHEDULE containing the Christian and Surnames of Persons who have been charged and assessed to the Duties on Profits arising from Property, Professions, Trades, and Offices within the Parish of _____ in the District of _____ in the County of _____ for the Year ending the Fifth Day of April 18 __, and who have respectively made default in Payment of the under-mentioned Sums in respect of the said Duties, and which said Schedule is delivered by the undersigned Collector of the said Duties for the said Parish, pursuant to the Acts of Parliament in that Behalf.

{ Collector of the
said Duties.

The Christian and Surname of each Defaulter.	Amount of Property and Income Tax due the _____ Day of 18 ____ .
	£ s. d.

N° 60.

Form of Collector's Affidavit to be subjoined to the foregoing Schedule, Form N° 59.

I _____ of _____ Collector of the Duties on Profits arising from Property, Professions, Trades, and Offices for the Parish of _____ in the District of _____ in the County of _____ do make Oath and say, That the several Sums of Money contained in the foregoing Schedule, and set against the Names of the several Persons therein mentioned, have been demanded from and are due and wholly unpaid from the respective Persons charged therewith, either to me or to any other Person or Persons for me, to the best of my Knowledge and Belief.

{ Collector of the
said Duties.

Sworn before me, the Receiving Officer of the Duties on Profits arising from Property, Professions, Trades, and Offices for the County of _____ this _____ Day of _____ 18 ____ .

N° 61.

Form of Collector's Affidavit, to be subjoined to Forms No. 59 and 60, and to be made after the Schedule has remained with the Commissioners of the District for the Space of Forty Days, as directed by the Act 48 Geo. 3. c. 141., N° V., Rule 2^d.

I the Collector above named, do make Oath and say, That in pursuance of and according to the Directions given to me by the Commissioners of the Property and Income Tax acting for the above-named District, I gave Notice, on or before the Day of to each and every of the Persons whose Names are contained in the foregoing Schedule, that the Name of each such Person was returned in a Schedule to the said Commissioners as having made default in Payment of the Sums of Money set against their respective Names, and that the several Sums of Money for which the several Persons whose Names are contained in the said Schedule as now remaining in default, and to whom such Notices were delivered, are still due and unpaid from the said several Persons respectively, either to me or to any Person or Persons for me, to the best of my Knowledge and Belief.

Sworn at County of before me in the District of this Day of 18 , } Collector of the said Duties. } A Commissioner of the Property and Income Tax.

N° 62.

Form of Receiving Officer's Certificate, certifying the foregoing Schedules of Defaulters, Forms N° 56 and 59, to the Court of Exchequer, pursuant to the Acts 48 Geo. 3. c. 141., N° V., Rule 2nd, and 1 and 2 Geo. 4. c. 113. s. 32.

In the Exchequer.

To the Right Honourable Lord Chief Baron of Her Majesty's Court of Exchequer at Westminster, and to the Honourable the rest of the Barons of the same Court.

I of in the County of Receiving Officer of the Duties of Land and Assessed Taxes [or of the Duties on Profits arising from Property, Professions, Trades, and Offices,] for the County of do hereby humbly certify to the Barons of this Honourable Court, in pursuance of the Statutes in this Behalf made and provided, That on my Receipt, held after the Day of now last past, I received of and from the Collector of the Duties aforesaid charged and assessed on the several Persons chargeable within

within the Parish of _____ in the Division of _____
 in the said County, for the Year ending the _____ Day
 of _____ 18 _____, the Schedule hereunto annexed, signed by
 the said Collector, and containing the Christian and Surname of
 each and every Person who made default in the Payment of the
 Duties and Sums of Money specified in the said Schedule, which
 had been charged and assessed upon such Persons respectively
 by virtue of the several Acts of Parliament granting the said
 Duties, and which became due on the _____ Day of _____
 and also the Sums then in arrear from each and every such Per-
 son; which said Schedule was then and there duly attested and
 subscribed by the said Collector, according to the Directions of the
 Statutes in such Case made and provided; and I the said Receiving
 Officer do hereby further certify to this Honourable Court, that the
 several Sums of Money so mentioned in the said Schedule to be in
 arrear are wholly due and unpaid to me as such Receiving Officer
 as aforesaid.

Given under my Hand, this _____ Day of _____ in
 the Year of our Lord 18 _____ .

N° 63.

*Form of Receiving Officer's Certificate to the Court of Exchequer,
 pursuant to the Acts 48 Geo. 3. c. 141., N° V. Rule 3^d,
 and 1 and 2 Geo. 4. c. 113. s. 33., of Collectors who have
 made default in accounting for Duties.]*

In the Exchequer.

To the Right Honourable _____ Lord Chief Baron
 of Her Majesty's Court of Exchequer at Westminster, and
 to the Honourable the rest of the Barons of the same Court.

I _____ of _____ Receiving Officer of
 the Duties of Assessed Taxes [*or* the Duties on Profits arising
 from Property, Professions, Trades, and Offices,] charged and
 assessed in the Parishes and Places herein-after mentioned, by
 virtue of the several Acts of Parliament in that Behalf, do hereby
 humbly certify to the Barons of this Honourable Court, in pur-
 suance of the several Statutes in this Behalf made and provided,
 That the several and respective Times and Places mentioned and
 described against the Name of each Division in the Schedule
 hereunto subjoined were by me appointed, according to the Direc-
 tions of the Statutes in that Case made and provided, for Payment
 to me, as such Receiving Officer as aforesaid, of the First Moiety
 [*or* Remainder] of the Duties of Assessed Taxes [*or* the Duties
 on Profits arising from Property, Professions, Trades, and Offices,]
 assessed and charged within the several Parishes and Places, and
 within the respective Divisions mentioned in the said Schedule
 for the Year ending on the Fifth Day of April 18 _____, and which
 are by the said Statutes directed to be collected or levied by the
 several Collectors of the said Duties before the _____ Day
 of _____ now last past, or within Twenty-one Days
 thereafter;

N° 64.

Form of Certificate to be made by Two Commissioners of Stamps and Taxes, for Enrolment in the Office of Her Majesty's Remembrancer of the Court of Exchequer, pursuant to the Act 5 and 6 Will. 4. c. 20. s. 11.

In the Exchequer.

To the Right Honourable Lord Chief Baron of Her Majesty's Court of Exchequer at Westminster, and to the Honourable the rest of the Barons of the same Court.

We, and Esquires, Two of the Commissioners of Stamps and Taxes, do hereby humbly certify to the Barons of this Honourable Court, in pursuance of an Act passed in the Sixth Year of the Reign of King William the Fourth, intituled "An Act to consolidate certain Offices in the Collection of the Revenues of Stamps and Taxes, and to amend the Laws relating thereto," That the several Collectors of the Duties of Assessed Taxes [or of the Duties on Profits arising from Property, Professions, Trades, and Offices,] for the several Parishes, Wards, and Places specified and set forth in the Schedule hereunto annexed within the County of , have made default in Payment of the several Sums contained in the said Schedule, and set opposite to the Names of such Parishes, Wards, and Places, and to the Names of such Collectors for the same respectively, which said Sums are charged and chargeable upon the same Parishes, Wards, and Places respectively for the said Duties, as set forth and distinguished in the said Schedule, for the Year ended on the Day of and which said several Sums are now wholly in arrear and unpaid; and we the said Commissioners do make this Certificate to the Intent that due Process in the Law may be issued in relation to the said Duties respectively.

Given under our Hands, this Day of in the Year of our Lord 184 .

SCHEDULE referred to in the foregoing Certificate.

Division.	Name of Parish, Ward, or Place.	Names of the Collectors.	Sums in arrear.
			<p style="text-align: center;">£ s. d.</p>

Note.—The Collectors who make default in paying or accounting for the Land Tax within the same Divisions may also be included in the same Schedule with the Collectors who are Defaulters as to the Duties of Assessed Taxes; and in that Case the foregoing Forms of Certificates N° 63 and 64, and of the Schedule to be subjoined thereto, may be used, with such Alterations therein and Additions thereto as may be necessary to adapt them to the Occasion.

N° 65.

Form of Collector's Warrant which may be issued during the Period the Schedules of Defaulters remain with the Commissioners, under the Act 48 Geo. 3. c. 141., N° V., Rule 2nd.

To _____ and _____ Collectors of the Duties
herein-after mentioned for the Parish of _____ in the
District of _____ in the County of _____ .

WHEREAS the Commissioners of Assessed Taxes [*or of the Property and Income Tax*] acting in and for the before-mentioned District have made and executed the several Assessments of the Duties of Assessed Taxes [*or of the Duties on Profits arising from Property, Professions, Trades, and Offices,*] for the Year ending the Fifth Day of April 18 _____, upon the several Persons chargeable with the said Duties within the Parish aforesaid, and Duplicates of the same have been delivered to you, the above-named Collectors of the said Duties: And whereas the said Commissioners have received, in pursuance of the Acts of Parliament in that Behalf, a certain Schedule in Writing, signed and duly sworn to by you the said Collectors, whereby the several Persons therein named are returned as Defaulters, for that the several Sums assessed upon them and therein contained have been demanded from and are due and wholly unpaid from the respective Persons charged therewith: Now we the undersigned, Commissioners of Assessed Taxes [*or of the Property and Income Tax*] acting in and for the District aforesaid, do hereby enjoin and require you or either of you the above-named Collectors to make demand of the several Sums mentioned in the said Schedule, and contained in the said Assessments, from the Parties charged therewith, or at the Places of their last Abode, or on the Premises charged with the Assessment, as the Case may require, and upon Payment thereof to give Acquittances under your Hands unto the several Persons who shall pay the same; and if any Person or Persons shall refuse to pay the Sum and Sums charged upon him, her, or them, upon demand duly made by you or either of you, then we hereby enjoin and strictly require you or either of you, for Nonpayment thereof, to distrain for the same, according to the Directions of the said Acts, by virtue of this our Warrant, and that you return to us the Amount and Particulars of the several Sums received by you on the _____ Day of _____ now next, at the usual Place of meeting, namely, at _____ in the said District.

Given under our Hands and Seals at _____ in the said
District, the _____ Day of _____ in the Year
of our Lord 184 .

{ Commissioners of Assessed Taxes
{ [*or of the Property and Income Tax*].

N° 66.

Form of Return to be made by Collectors under the Act 43 Geo. 3. c. 99. s. 45., of Arrears of Duties which cannot be recovered by the Collectors.

A SCHEDULE made by me, the undersigned Collector of the Duties of Assessed Taxes [or of the Duties on Profits arising from Property, Professions, Trades, and Offices,] for the Parish of _____ in the District of _____ in the County of _____ containing the Names, Surnames, and Places of Abode of every Person charged with the Duties and Sums of Money in the Assessments made by virtue of the Acts relating to the said Duties, within and for the said Parish of _____ for the Year ending the Fifth Day of April 18____, who have made default in Payment of the several Duties and Sums of Money set opposite to their respective Names, and charged upon them respectively in the said Assessments, and from whom I have not been able to collect or receive such Duties and Sums of Money for the Causes herein mentioned.

[Set forth, in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for the Purpose, the Christian and Surnames and Places of Abode of the Defaulters, with the Particulars of the Duties and Sums of Money charged upon them respectively, and the particular Reason for returning each Defaulter.]

Given under my Hand this _____ Day of _____ in the Year of our Lord 184_____ .

{ Collector of the aforesaid Duties.

N° 67.

Form of Oath to be made by the Collectors, and endorsed on the foregoing Schedule, Form N° 66.

I _____ Collector of the Duties of Assessed Taxes [or of the Duties on Profits arising from Property, Professions, Trades, and Offices,] for the within-mentioned Parish of _____ do make Oath and say, That the several Sums for which the Persons within mentioned are respectively returned in default are and each of them is due and wholly unpaid to me, or to any other Person or Persons for me, to the best of my Knowledge and Belief, and that the several Persons whose Names are returned in the within Schedule, and who are therein described as insolvent or bankrupt, became insolvent or bankrupt, as within respectively described, before the Day on which the Duties respectively charged upon the said several Persons, and within set forth, or any Part thereof, became payable, and that the said several Persons respectively had not Goods and Chattels sufficient whereon to raise and levy the said respective Duties within the said Parish, at any Time since such Duties respectively or any Part thereof became payable; and that the several Persons whose Names are returned

returned in the within Schedule, and who are therein described as removed from the said Parish, did respectively remove from the said Parish before the Day on which the Duties respectively charged upon the said last-mentioned Persons, and within set forth, or any Part thereof, became payable, without leaving in the said Parish sufficient Goods and Chattels whereon the said last-mentioned respective Duties, payable at the Time of the said last-mentioned Persons respectively removing, could be raised and levied; and that the several Persons whose Names are returned in the within Schedule, and who are therein described as having died, did respectively die before the Day on which the Duties respectively charged upon the said last-mentioned Persons, and within set forth, or any Part thereof, became payable, without leaving sufficient Goods and Chattels whereon the said last-mentioned respective Duties, or any Part thereof, could be raised and levied, and that there were not nor are any Goods and Chattels of any Person or Persons liable to the Payment of the said Duties respectively within set forth, and mentioned to be in arrear, or any Part thereof, whereby the same or any Part thereof could or might respectively be raised or levied.

{ Collector of the aforesaid
Duties.

We the undersigned, Commissioners of Assessed Taxes [*or of the Property and Income Tax*] acting in and for the District of _____ in the County of _____ do hereby certify,
That _____ the above-named Collector, did take and subscribe the foregoing Oath before us at _____ in the said District, this _____ Day of _____ in the Year of our Lord 18 _____

{ Commissioners of Assessed Taxes
{ *or of the Property and Income Tax.*

N° 68.

Form of a Schedule of Defaulters to be made out by the Commissioners, pursuant to the Act 43 Geo. 3. c. 99. s. 45., and to be deposited with the Commissioners of Stamps and Taxes, pursuant to the Act 5 and 6 Will. 4. c. 20. s. 13.

A SCHEDULE made in pursuance of an Act of Parliament passed in the Forty-third Year of the Reign of King George the Third, intituled "An Act for consolidating certain of the Provisions contained in any Act or Acts relating to the Duties under the Management of the Commissioners for the Affairs of Taxes, and for amending the same," by the Commissioners of Assessed Taxes [*or of the Property and Income Tax*] acting in and for the District of _____ in the County of _____ containing the Names of certain Persons charged with Duties and Sums of Money in the Assessments made by virtue of the Acts relating to the Duties of Assessed Taxes [*or of the Duties on Profits arising from Property, Professions, Trades, and Offices*], within and for the Parish of _____ in the said District, for the Year ending the Fifth Day of April 184 _____, and whose Names have been returned

returned to the said Commissioners by Collector of the said Duties for the said Parish as Persons who have made default in Payment of the several Duties and Sums of Money set opposite to their respective Names, and charged upon them respectively in the said Assessments, and from whom the said Collector has not been able to collect or receive such Duties and Sums of Money for the Causes herein mentioned, and which have been duly verified on the Oath of the said Collector.

[Set forth, in such tabular or other Form as the Commissioners of Stamps and Taxes shall provide for the Purpose, the Names of the Defaulters, with the Particulars of the Duties and Sums of Money charged upon them respectively, and the particular Reason assigned by the Collector for returning each Defaulter.]

Given under the Hands and Seals of us the undersigned, Two of the Commissioners of Assessed Taxes [or of the Property and Income Tax] acting in and for the District aforesaid at within the said District, the Day of in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes
{ [or of the Property and Income Tax].

N° 69.

Form of Revocation of the Appointment of a Collector, and Appointment of another Collector in his Stead, under the Act 43 Geo. 3. c. 99. s. 40.

To One of the Inhabitants of the Parish
of in the District of in the
County of .

WHEREAS by virtue and in pursuance of the Powers and Authorities of the several Acts of Parliament relating to the Duties of Assessed Taxes [or of the Duties on Profits arising from Property, Professions, Trades, and Offices,] and

Two of the Commissioners of Assessed Taxes [or of the Property and Income Tax] acting in and for the District aforesaid, did, by their Precept bearing Date the

Day of 184 , nominate and appoint
and to be Collectors of the said Duties for the

Parish aforesaid for the Year ending the Fifth Day of April 184 :
And whereas wilful Delay and Failure hath happened in demanding, receiving, and recovering and paying over divers Sums of Money and Duties charged and assessed on the several Persons chargeable with the said Sums of Money and Duties within the said Parish for the Year aforesaid, through the Default and Neglect of the said One of the Collectors of the said Duties :

Now we the undersigned, Two of the Commissioners of Assessed Taxes [or of the Property and Income Tax] acting in and for the said District, do, by virtue and in pursuance of the Powers and Authorities given by the Acts of Parliament in this Behalf, hereby revoke the Appointment of the said as such

such Collector as aforesaid ; and we do by this our Precept nominate and appoint you the above-named _____ in the Place and Stead of the said _____ to be Collector of the Duties and Sums of Money remaining due and in arrear and uncollected on the Duplicate of Assessments herewith delivered to you for the said Year ending the Fifth Day of April 184 _____, with full Power to collect all Arrears and Sums of Money which are now due and unreceived from the Parties charged therewith by the said Assessments ; and we do hereby enjoin and require you immediately to make demand of the several Sums contained in the said Duplicate from the Parties charged therewith, or at the Places of their last Abode, or on the Premises charged with the Assessment, as the Case may require, and upon Payment thereof to give Acquittances unto the several Persons who shall pay the same ; and if any Person or Persons from whom any of the said Duties or Sums of Money, or any Part thereof, now remain due or unpaid, shall refuse to pay the Sum and Sums charged upon and due and owing from him, her, or them, upon demand made by you, then we hereby enjoin and strictly require you, for Nonpayment thereof, to distrain for the same according to the Directions of the said Acts, by virtue of this our Warrant, without further Authority.

Given under our Hands and Seals at _____ within
 the said District, the _____ Day of _____
 { Commissioners of Assessed Taxes
 { [or of the Property and Income Tax].

N^o 70.

Form of a Warrant under the Act 3 Geo. 4. c. 88. s. 3. to imprison the Person and seize the Estate of a Collector making default in Payment of Duties collected.

To _____ Constable of _____ in the County
 of _____, and to _____ Keeper of the Gaol
 of _____ in the said County.

WHEREAS it appears to us _____ and _____ whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of Assessed Taxes [or of the Property and Income Tax, as the Case may be,] acting for the District of _____ in the County of _____ upon the Oath of _____ and other sufficient Evidence [or upon Confession of the Defaulter, as the Case may be], that C.D. of, &c., a Collector of the Duties of Assessed Taxes [or as the Case may be] for the Parish of _____ in the said District, hath as such Collector collected and received from divers Persons within the said Parish the Sum of _____ in respect of the said Duties, and that the said C.D. hath neglected [or refused] to pay the said Sum of Money according to the Directions of the several Acts of Parliament in that Behalf, and that he hath detained and doth now detain the same in his Hands :

Now therefore we the said Commissioners, whose Hands and Seals are hereunto subscribed and set, do hereby command you the above-named Constable to apprehend the said C.D., and him safely to _____

to convey to the Gaol of _____ in the said County of _____, and to deliver him to the Keeper thereof; and we do hereby command you the said Keeper to receive him the said *C.D.* into your Custody in the said Gaol, and there to detain and keep him until Payment shall be made of the aforesaid Sum of Money, or until he shall be otherwise discharged by due Course of Law; and we do hereby further command you the said Constable to seize and secure the Estate, as well Freehold as Copyhold, and all other Estate, both Real and Personal, of him the said *C.D.* to him belonging, wheresoever the same can be discovered and found; and if the said *C.D.* shall not pay or satisfy the said Sum of Money as ought to be done according to the Directions of the said several Acts, you are forthwith to give Notice to us, that we may proceed further as the Law directs; and for so doing this shall be to you and each of you a sufficient Warrant and Authority.

Given under our Hands and Seals at _____ in the said District, this _____ Day of _____ in the Year of our Lord 18 _____

{ Commissioners of Assessed Taxes
 { [or of the Property and Income Tax].

N° 71.

Form of a Warrant to sell a Collector's Estate seized under the foregoing Warrant, Form N° 70.

To _____ of _____

WHEREAS by a certain Warrant, bearing Date the Day of _____ in the Year of our Lord 18 _____, under the Hands and Seals of _____ and _____ Two of the Commissioners of Assessed Taxes [or of the Property and Income Tax, as the Case may be,] acting for the District of _____ in the County of _____, reciting that *C.D.* of, &c., a Collector of the Duties of Assessed Taxes [or as the Case may be] for the Parish of _____ in the said District, had as such Collector collected and received from divers Persons within the said Parish the Sum of _____ in respect of the said Duties, and that the said *C.D.* had neglected [or refused] to pay the said Sum of Money, according to the Directions of the several Acts of Parliament in that Behalf, and that he had detained and did then detain the same in his Hands, the said Commissioners whose Hands and Seals are subscribed and set to the said Warrant did thereby command One _____ Constable of _____ in the said County, to seize and secure the Estate, as well Freehold as Copyhold, and all other Estate, both Real and Personal, of the said *C.D.*, to him belonging, wheresoever the same could be discovered and found:

And whereas by virtue and in pursuance of the said Warrant the several Estates, Goods, and Chattels belonging to the said *C.D.*, mentioned and particularized in the Schedule or Inventory hereunder written [or hereunto annexed], have been seized and secured:

And whereas _____ and _____, Commissioners as aforesaid, did, in pursuance of the Statute in that Behalf, appoint the _____ Day of _____ at _____ in the said _____

said District for a Meeting of the Commissioners of Assessed Taxes [or of the Property and Income Tax] for the said District, and did cause public Notice to be given of the Time and Place when and where such Meeting was appointed to be held, Ten Days at least before such Meeting :

And whereas the said Meeting hath been held in pursuance of the said Notice, and the said C.D. hath not paid or satisfied, as ought to be done, according to the Directions of the said Acts, the said Sum of Money so detained by him as aforesaid :

Now therefore we, whose Hands and Seals are hereunto subscribed and set, being the major Part of the said Commissioners present at the said Meeting, do hereby require and empower you the above-named _____ to sell and dispose of the said Estates, Goods, and Chattels so seized and secured for the Cause aforesaid, to satisfy and pay into the Hands of the Receiver General of Stamps and Taxes [or Receiving Officer of the said Duties for the County of _____] the aforesaid Sum of Money so detained by the said C.D., and remaining unpaid as aforesaid, together with the reasonable Costs and Charges of recovering, raising, and paying the same ; and for your so doing this shall be your sufficient Authority.

Given under our Hands and Seals at _____ in the said District, the _____ Day of _____ in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes
[or of the Property and Income Tax].

N° 72.

Form of a Warrant under the Act 3 Geo. 4. c. 88. s. 3. to seize the Estate of a deceased Collector who has made default in Payment of Duties collected.

To _____ Constable of _____ in the County of _____

WHEREAS it appears to us, _____ and whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of Assessed Taxes [or of the Property and Income Tax, as the Case may be,] acting for the District of _____ in the County of _____ upon the Oath of _____ and other substantial Evidence, that C.D., late of _____ a Collector of the Duties of Assessed Taxes [or as the Case may be] for the Parish of _____ in the said District, but now deceased, as herein-after mentioned, hath as such Collector collected and received from divers Persons within the said Parish the Sum of _____ in respect of the said Duties, and that the said C.D. hath neglected [or did in his Lifetime refuse] to pay the said Sum of Money, according to the Directions of the several Acts of Parliament in that Behalf, and that he hath detained the same in his Hands :

And whereas the said C.D. departed this Life on the Day of _____ without having paid the said Sum of Money according to the Directions of the said Acts :

Now

Now therefore we the said Commissioners, whose Hands and Seals are hereunto subscribed and set, do hereby command you the above-named Constable to seize and secure the Estate, as well Freehold as Copyhold, and all other Estate, both Real and Personal, of him the said *C.D.*, to him belonging at the Time of his Death, or which shall or may have descended and come into the Hands or Possession of the Heirs, Executors, Administrators, or Assigns of the said *C.D.*, wheresoever the same can be discovered and found; and if the aforesaid Sum of Money shall not be paid or satisfied, as ought to be done, according to the Directions of the said several Acts, you are forthwith to give Notice to us, that we may proceed further as the Law directs; and for your so doing this shall be to you a sufficient Warrant.

Given under our Hands and Seals at _____ in the said
 District, this _____ Day of _____ in the Year
 of our Lord 184 .

Commissioners of Assessed Taxes
 { [or of the Property and Income Tax].

N° 73.

Form of a Warrant to sell a deceased Collector's Estate seized under the foregoing Warrant, Form N° 72.

To _____ of _____

WHEREAS by a certain Warrant, bearing Date the
 Day of _____ in the Year of our Lord 18 _____, under the Hands
 and Seals of _____ and _____ Two of the Commis-
 sioners of Assessed Taxes [or of the Property and Income Tax, as
 the Case may be,] acting for the District of _____ in the
 County of _____ reciting that *C.D.*, late of, &c., a Collector
 of the Duties of Assessed Taxes [or as the Case may be] for the
 Parish of _____ in the said District, but now deceased, as
 herein-after mentioned, had as such Collector collected and re-
 ceived from divers Persons within the said Parish the Sum of
 _____ in respect of the said Duties, and that the said *C.D.*
 had neglected [or did in his Lifetime refuse] to pay the said Sum
 of Money, according to the Directions of the several Acts of Par-
 liament in that Behalf, and that he had detained the same in his
 Hands; and that the said *C.D.* departed this Life on the
 Day of _____ without having paid the said Sum of Money,
 according to the Directions of the said Acts, the said Commis-
 sioners, whose Hands and Seals are subscribed and set to the said
 Warrant, did thereby command one _____, Constable of
 _____ in the said County, to seize and secure the Estate,
 as well Freehold as Copyhold, and all other Estate, both Real and
 Personal, of the said *C.D.*, to him belonging at the Time of his
 Death, or which should or might have descended or come into the
 Hands or Possession of the Heirs, Executors, Administrators, or
 Assigns of the said *C.D.*, wheresoever the same could be discovered
 and found:

And whereas by virtue and in pursuance of the said Warrant
 the several Estates, Goods, and Chattels belonging to the said *C.D.*,
 _____ mentioned

Estate, both Real and Personal, of the said *C.D.* to him belonging, wheresoever the same could be discovered and found :

And whereas certain Estates, Goods, and Chattels of the said Collector have been seized and secured under the said Warrant :

Now we the undersigned and being Two of the said Commissioners acting in the said District, do, in pursuance of the Act of Parliament in that Behalf, appoint the Day of for a Meeting of the Commissioners of Assessed Taxes [or of the Property and Income Tax] for the said District, to be held at in the said District, at of the Clock in the noon of the said Day ; and we do hereby give Notice, that if the said Sum of Money so due and owing from the said Collector be not paid or satisfied, as ought to be done, according to the Directions of the Acts in that Behalf, the Commissioners present at such Meeting, or the major Part of them, will sell and dispose of the said Estates, Goods, and Chattels, to satisfy and pay the said Sum of Money.

Given under our Hands, this Day of
in the Year of our Lord 18 .

{ Commissioners of Assessed Taxes
{ [or of the Property and Income Tax].

No 75.

Form of a Deed of Conveyance and Assignment of a Collector's Estate seized under the Act 3 Geo. 4. c. 88. s. 4.

THIS Indenture, made the Day of in the Year of our Lord 18 between and , Two of the Commissioners of Assessed Taxes [or of the Property and Income Tax] acting in and for the District of in the County of , of the First Part, and of the Second Part :

Whereas by a certain Warrant, bearing Date the Day of in the Year of our Lord 18 , under the Hands and Seals of and , Two of the Commissioners of Assessed Taxes [or of the Property and Income Tax, as the Case may be,] acting for the District of in the County of , reciting that *C.D.* of, &c., a Collector of the Duties of Assessed Taxes [or as the Case may be] for the Parish of in the said District, had as such Collector collected and received from divers Persons within the said Parish the Sum of in respect of the said Duties, and that the said *C.D.* had neglected [or refused] to pay the said Sum of Money according to the Directions of the several Acts of Parliament in that Behalf, and that he had detained and did then detain the same in his Hands, the said Commissioners, whose Hands and Seals are subscribed and set to the said Warrant, did thereby command one Constable of in the said County, to seize and secure the Estate, as well Freehold as Copyhold, and all other Estate, both Real and Personal, of the said *C.D.* to him belonging, wheresoever the same could be discovered and found : [If the

Warrant was issued against the Estate of a deceased Collector, the above Recital should be according to the Warrant issued in such Case:]

And whereas by virtue and in pursuance of the said Warrant the Hereditaments [or Premises, Term of Years, or Property, as the Case may be,] herein-after mentioned, belonging to the said C.D. have been seized and secured :

And whereas a Meeting of the said Commissioners of Assessed Taxes [or of the Property and Income Tax] acting for the said District was held at _____ in the said District on the

Day of _____ pursuant to public Notice, given in conformity with the Directions of the Statute in that Behalf, of the Time and Place of holding such Meeting ; and the said Sum of Money so due and owing from the said C.D., not being paid or satisfied, as ought to be done according to the Directions of the Acts of Parliament in that Behalf, the major Part of the said Commissioners present at such Meeting have sold and disposed of the Hereditaments [or Premises, Terms of Years, or Property, as the Case may be,] so seized and secured as aforesaid, and herein-after described, to the said _____ for the Price or Sum of _____ :

Now this Indenture witnesseth, that in pursuance of and under the Authority of the Act and Acts of Parliament in this Behalf, and in consideration of the Sum of _____ of lawful Money of Great Britain paid by the said _____ to the Receiver General of Stamps and Taxes [or Receiving Officer of Taxes for the County of _____, as the Case may be], as by the Certificate of the said Receiver General [or Receiving Officer] indorsed hereon doth appear, they the said Commissioners, Parties hereto, do hereby bargain, sell, assign, and convey unto the said _____, his Heirs and Assigns [or Executors, Administrators, and Assigns, as the Case may be], all that, &c., and all the Estate, Right, Title, &c. of the said C.D. of, in, and to the said Hereditaments [or as the Case may be] hereby bargained, sold, assigned, and conveyed, or intended so to be, to have and to hold all and singular the Premises hereby bargained, sold, assigned, and conveyed, or intended so to be, with their and every of their Rights, Members, and Appurtenances, unto and to the Use of the said _____ his Heirs and Assigns [or to the said _____ his Heirs, Executors, Administrators, and Assigns, or as the Case may be].

In witness whereof the Parties to these Presents have hereunto set their Hands and Seals, the Day and Year first above written.

Note.—If the Defaulter has been Collector of the Land Tax and also of the Duties of Assessed Taxes the Arrears of both the said several Rates and Duties for which such Collector shall have made default may be included in the same Warrants, and in such Case the several foregoing Forms Nos 70, 71, 72, 73, 74, and 75, may be used, with such Alterations therein respectively as may be necessary or proper for the Purpose of adapting the said respective Forms to the Circumstances of the Case.

N° 76.

Form of Warrant under the Act 43 Geo. 3. c. 99. s. 33. to break open a House for the Purpose of levying a Distress for Duties in arrear.

To _____ and _____ Collectors of the Duties herein-after mentioned for the Parish of _____ in the District of _____ in the County of _____.

WHEREAS in and by the First [or Additional First, or Supplementary, as the Case may be,] Assessments of the Duties of Assessed Taxes [or the Duties payable under Schedule of the Act 5 and 6 Vict. c. 35.] for the aforesaid Parish, for the Year ending the Fifth Day of April 18 _____, A.B. of, &c., hath been duly charged and assessed to the said Duties in the Sum of _____

And whereas it appears by the Oath of _____, Collector of the said Duties appointed for the said Parish, taken before us whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of Assessed Taxes [or of the Property and Income Tax] acting in and for the District aforesaid, that the said Sum of _____ as and for the Duties so assessed and charged as aforesaid hath been duly demanded of the said A.B., and that he hath refused and neglected to pay the same [or as the Case may be, that he hath refused and neglected to pay the Sum of _____ Part of the said Sum of _____] and that the same now remains due and unpaid :

And whereas it further appears by the Oath aforesaid that divers Goods and Chattels, liable by Law to be distrained for the said Duties, charged and assessed as aforesaid, are lying and being in a certain House, situate, &c., in the Parish of _____ in the District and County aforesaid, now in the Possession of _____ :

These are therefore to authorize and require you the above-named Collectors, and either of you, calling to your Assistance the Constable, Tythingman, or Headborough within and for the Parish of _____ aforesaid, and in the Presence of the said Constable, Tythingman, or Headborough, to demand Entrance into the said House, and in case of Resistance, or Neglect or Refusal to open the same, to break open in the Daytime the said House, and enter the same, and to distrain therein the said Goods and Chattels, and the Distress there found to keep by the Space of Four Days, at the Costs and Charges of the said A.B.; and if the whole of the said Sum of _____, together with the said Costs and Charges, be not paid within the said Four Days, then the said Distress, having been first duly valued and appraised by Two of the Inhabitants of the said Parish of _____, or other sufficient Persons to be sold by you, and the Overplus, if any, of the Monies arising by such Sale, after paying and deducting the said Sum of _____ and all Costs and Charges of taking, keeping, and selling the said Distress, to be restored to the Owner thereof.

Given under our Hands and Seals at _____ within the said District, this _____ Day of _____ in the Year of our Lord 18 _____.

{ Commissioners of Assessed Taxes
[or of the Property and Income Tax].

And whereas it further appears by the Oath aforesaid that divers Goods and Chattels of the said *A.B.* are lying and being in a certain House, situate, &c., in the Parish of _____ aforesaid, now in the Possession of _____ :

These are therefore, &c. [*Proceed as in Form N° 76, from the Words "These are therefore" to the End thereof.*]

N° 78.

Form of Warrant under the Acts 43 Geo. 3. c. 99. s. 33., and 5 and 6 Vict. c. 35. ss. 155. and 177., to break open a House, for the Purpose of levying a Distress for the Duties on Profits arising from Property, Professions, Trades, and Offices in arrear.

To _____ and _____ Collectors of the Duties herein-after mentioned for the Parish of _____ in the District of _____ in the County of _____ .

WHEREAS in and by a certain Certificate, bearing Date the _____ Day of _____ in the Year of our Lord 18____, under the Hands and Seals of Two of the Commissioners of the Property and Income Tax acting for the District of _____ in the County of _____ [or Commissioners for Offices for the Department of _____ or as the Case may be], they the said Commissioners did certify to the Commissioners of the Property and Income Tax acting within and for the District of _____ in the County of _____ that in and by the First [or Additional First or Supplementary] Assessments of the Duties payable under the Schedule [or respective Schedules] of the Act 5 and 6 Vict. c. 35., for the Parish of _____ aforesaid [or for the Department of _____ or as the Case may be], for the Year ending the Fifth Day of April 184____, *A.B.*, now residing in the Parish of _____ aforesaid, had been duly charged and assessed in the Sum of _____ for the Duties in the said Certificate mentioned, and that the said *A.B.* had left unpaid the Sum of _____ in respect of the said Duties so charged and assessed as aforesaid, which had become due and payable on the _____ Day of _____ [or that the said *A.B.* did not at the Time of his being so charged and assessed as aforesaid reside, nor did he then reside, in the said Parish of _____, and that the Sum of _____ of the said Duties so charged and assessed as aforesaid, became due and payable on the _____ Day of _____ or as the Case may be], and that the said last-mentioned Sum was then in arrear; and the said Commissioners acting within and for the said District of _____ [or the said Commissioners for Offices, as the Case may be,] did request the said Commissioners acting within and for the said District of _____ to raise and levy the said Sum of _____ so charged and assessed upon the said *A.B.*, and then in arrear as aforesaid :

And whereas in pursuance of the said Certificate and Request the Commissioners of the Property and Income Tax acting within and _____ and

and for the said District of _____ did by a Warrant in that Behalf, under the Hands and Seals of Two of the said last-mentioned Commissioners, duly authorize and require the Collectors of the said Duties for the said Parish of _____ to make due Demand of and from the said *A.B.* of the said Sum of _____ mentioned in the said Certificate, and for Nonpayment thereof to distrain for the same according to the Directions of the Statute in that Behalf :

And whereas it appears by the Oath of _____, Collector of the said Duties for the last-mentioned Parish, taken before us whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of the Property and Income Tax acting within and for the District of _____ in the County of _____, that the said Sum of _____ mentioned in the said Certificate to be in arrear and unpaid hath been duly demanded of the said *A.B.*, and that he hath refused and neglected to pay the same [*or, as the Case may be, to pay the Sum of _____ Part of the said Sum of _____*], and that the same now remains due and unpaid :

And whereas it further appears by the Oath aforesaid that divers Goods and Chattels of the said *A.B.* are lying and being in a certain House situate, &c., in the Parish of _____ aforesaid, now in the Possession of _____ :

These are therefore, &c. [*Proceed as in Form N° 76, from the Words "These are therefore" to the End thereof.*]

N° 79.

Form of a Warrant of Commitment under the Act 43 Geo. 3. c. 99. s. 33. for Want of a sufficient Distress for Duties in arrear.

To _____ and _____ Collectors of the Duties hereinafter mentioned for the Parish of _____ in the District of _____ in the County of _____ [*or to _____ Constable, Headborough, Tythingman, or other Officer, as the Case may be, of the Parish of _____ in the County of _____*], and to _____ the Keeper of the Common Gaol of the said County.

WHEREAS in and by the First [*or Additional First or Supplementary, as the Case may be,*] Assessments of the Duties of Assessed Taxes [*or of the Duties payable under the Schedule [*or respective Schedules*] of the Act 5 and 6 Vict. c. 35.*] for the Parish of _____ in the District of _____ in the County of _____ for the Year ending the Fifth Day of April 18 _____, *A.B.* of, &c., hath been duly charged and assessed to the said Duties in the Sum of _____ :

And whereas it appears by the Oath of _____, Collector of the said Duties appointed for the said Parish of _____, taken before us whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of Assessed Taxes [*or of the Property and Income Tax*] acting in and for the District of _____ aforesaid, that the said Sum of _____ as and for the Duties so charged and assessed as aforesaid hath been

of Assessed Taxes in the said Certificate mentioned, and that the said *A.B.* had left unpaid the Sum of _____ in respect of the said Duties so charged and assessed as aforesaid, which had become due and payable on the _____ Day of _____ and that the said last-mentioned Sum was then in arrear; and the said Commissioners acting within and for the said Parish of _____ did request the said Commissioners acting within and for the said Parish of _____ to raise and levy the said Sum of _____ so charged and assessed upon and left unpaid by the said *A.B.*, and then in arrear as aforesaid:

And whereas in pursuance of the said Certificate and Request the Commissioners of Assessed Taxes acting within and for the said Parish of _____ did, by a Warrant in that Behalf under the Hands and Seals of Two of the said last-mentioned Commissioners, duly authorize and require the Collectors of the Duties of Assessed Taxes for the said Parish of _____ to make due Demand of and from the said *A.B.* of the said Sum of _____ mentioned in the said Certificate, and for Non-payment thereof to distrain for the same, according to the Directions of the Statute in that Behalf:

And whereas it appears by the Oath of _____, Collector of the said Duties for the said last-mentioned Parish, taken before us whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of Assessed Taxes acting within and for the said Parish of _____, in the District of _____ in the County of _____ that the said Sum of _____ mentioned in the said Certificate to be in arrear and unpaid hath been duly demanded of the said *A.B.*, and that he hath refused and neglected to pay the same [*or, as the Case may be, to pay the Sum of _____ Part of the said Sum of _____*]; and it further appears by the Oath aforesaid that the said Sum of _____ now remains due and unpaid, and that no sufficient Distress can or may be found within the District or Division of the said Commissioners acting within and for the said Parish of _____ whereby the same may be levied.

Now therefore, &c. [*Proceed as in the Form N° 79, from the Words " Now therefore " to the End thereof.*]

N° 81.

Form of Warrant of Commitment under the Act 5 and 6 Will. 4. c. 20. s. 16. for Want of a sufficient Distress for the Duties on Profits arising from Property, Professions, Trades, and Offices.

To _____ and _____ Collectors of the Duties herein-after mentioned for the Parish of _____ in the District of _____ in the County of _____ [*or to _____ Constable, Headborough, Tythingman, or other Officer, as the Case may be, of the Parish of _____ in the County of _____*], and to the Keeper of the Common Gaol of the said County.

WHEREAS in and by a certain Certificate, bearing Date the _____ Day of _____ in the Year of our Lord 18 _____,

under the Hands and Seals of Two of the Commissioners of the Property and Income Tax acting within and for the District of _____ in the County of _____ they the said Commissioners did certify to the Commissioners of the Property and Income Tax acting within and for the District of _____ in the County of _____ that in and by the First [*or* Additional First *or* Supplementary] Assessments of the Duties payable under the Schedule [*or* respective Schedules] of the Act 5 and 6 Vict. c. 35. for the Parish of _____ in the said District of _____ for the Year ending the Fifth Day of April 18____, *A.B.*, residing in the Parish of _____ aforesaid, had been duly charged and assessed in the Sum of _____ for the said Duties, in the said Certificate mentioned, and that the said *A.B.* had left unpaid the Sum of _____ in respect of the said Duties so charged and assessed as aforesaid, which had become due and payable on the Day of _____ [*or* that the said *A.B.* did not at the Time of his being so charged and assessed as aforesaid, or at the Time of the granting of the said Certificate, reside in the said Parish of _____ and that the Sum of _____ in respect of the said Duties so charged and assessed as aforesaid became due and payable on the Day of _____], and that the said last-mentioned Sum was then in arrear; and the said Commissioners acting within and for the said District of _____ did request the said Commissioners acting within and for the said District of _____ to raise and levy the said Sum of _____ so charged and assessed upon the said *A.B.*, and then in arrear as aforesaid :

And whereas in pursuance of the said Certificate and Request the Commissioners of the Property and Income Tax acting within and for the said District of _____ did, by a Warrant in that Behalf under the Hands and Seals of Two of the said last-mentioned Commissioners, duly authorize and require the Collectors of the said Duties for the Parish of _____ aforesaid to make due Demand of and from the said *A.B.* of the said Sum of _____ mentioned in the said Certificate, and for Nonpayment thereof to distrain for the same, according to Directions of the Statute in that Behalf:

And whereas it appears by the Oath of _____ Collector of the said Duties for the last-mentioned Parish, taken before us whose Hands and Seals are hereunto subscribed and set, being Two of the Commissioners of the Property and Income Tax acting within and for the said District of _____ that the said Sum of _____ mentioned in the said Certificate to be in arrear and unpaid hath been duly demanded of the said *A.B.*, and that he hath refused and neglected to pay the same [*or, as the Case may be, to pay the* Sum of _____ Part of the said Sum of _____]; and it further appears by the Oath aforesaid that the said Sum of _____ now remains due and unpaid, and that no sufficient Distress can or may be found within _____ the

the said District of
levied :

whereby the same may be

Now therefore, &c. [*Proceed as in Form N° 79, from the Words
" Now therefore " to the End.*]

Note.—*The several Forms herein-before provided to be used by or under the Direction of the Commissioners of the Property and Income Tax may, in all Cases in which the same are or may be applicable, and where no other Form is specially provided for the Occasion, be adapted and applied, mutatis mutandis, to the Execution of the Acts relating to the Duties on Profits arising from Property, Professions, Trades, and Offices, by or under the Direction of the Commissioners for Offices, in relation to the Duties chargeable under Schedule E. of the Act 5 and 6 Vict. c. 35.*

C A P. LVII.

An Act for regulating the Gauge of Railways.

[18th August 1846.]

‘ **W**HEREAS it is expedient to define the Gauge on which Railways shall be constructed:’ 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, That after the passing of this Act it shall not be lawful (except as herein-after excepted) to construct any Railway for the Conveyance of Passengers on any Gauge other than Four Feet Eight Inches and Half an Inch in *Great Britain*, and Five Feet Three Inches in *Ireland*: Provided always, that nothing herein-before contained shall be deemed to forbid the Maintenance and Repair of any Railway constructed before the passing of this Act on any Gauge other than those herein-before specified, or to forbid the laying of new Rails on the same Gauge on which such Railway is constructed within the Limits of Deviation authorized by the several Acts under the Authority of which such Railways are severally constructed.

On what Gauge
Railways shall
be made.

II. And be it enacted, That nothing herein-before contained shall apply to any Railway constructed or to be constructed under the Provisions of any present or future Act containing any special Enactment defining the Gauge or Gauges of such Railway, or any Part thereof, or to any Railway which is in its whole Length Southward of the *Great Western Railway*, or to any Railway in any of the Counties of *Cornwall, Devon, Dorset, or Somerset*, for which any Act has been or shall be passed in this Session of Parliament, or to any Railway in any of the last-mentioned Counties now in course of Construction, or to the Two Railways severally to be constructed under the Authority of Two Acts passed in this Session of Parliament, severally intituled *An Act for making a Railway from the Great Western Railway at West Drayton to Uxbridge in Middlesex*, and *An Act for making a Railway from the Great Western Railway at Maidenhead in Berkshire to the Town of High Wycombe in the County of Buckingham*; or to so much of an Act passed in this Session, intituled *An Act to*

Exception of
certain Rail-
ways.

9 & 10 Vict.
c. clxvi.

9 & 10 Vict.
c. ccxxvi.

9 & 10 Vict.
c. cclxxviii.

authorize

authorize certain Extensions of the Line of the Oxford, Worcester, and Wolverhampton Railway, and to amend the Act relating thereto, as authorizes the Construction of a Branch Railway from the Oxford, Worcester, and Wolverhampton Railway to the Town of Witney in the County of Oxford; or to an Act passed or which may be passed in this Session of Parliament, "to authorize the Construction of a Railway from Melin-y-Manach to Rhydydefydd in the County of Glamorgan."

Railways on
Broad Gauge.

8 & 9 Vict.
c. cxc.

8 & 9 Vict.
c. cxci.

9 & 10 Vict.

9 & 10 Vict. c. cv.

Gauge not to
be altered.

Provision as to
certain Two
Railways.
8 & 9 Vict.
c. clxxxviii.
8 & 9 Vict.
c. clxxxiv.

Penalty on
Company for
constructing
Railways con-
trary to this
Act.

Railways con-
structed con-
trary to this
Act may be
altered.

III. And be it enacted, That the several Railways authorized to be constructed by an Act passed in the last Session of Parliament, intituled *An Act for making a Railway, to be called "The South Wales Railway,"* and by an Act also passed in the last Session of Parliament, intituled *An Act for making a Railway from Monmouth to Hereford, with Branches therefrom to Westbury and to join the Forest of Dean Railway,* and by Two Acts passed in this Session of Parliament, severally intituled *An Act for completing the Line of the South Wales Railway, and to authorize the Construction of an Extension and certain Alterations of the said Railway, and certain Branch Railways in connexion therewith,* and *An Act for making a Railway Communication between the City of Bristol and the proposed South Wales Railway in the County of Monmouth, with a Branch Railway therefrom,* shall be constructed on the Gauge of Seven Feet.

IV. And be it enacted, That it shall not be lawful after the passing of this Act to alter the Gauge of any Railway used for the Conveyance of Passengers.

V. And be it enacted, That nothing herein-before contained shall be deemed to affect the Provisions of Two Acts passed in the last Session of Parliament, respectively intituled *An Act for making a Railway from the City of Oxford to the Town of Rugby,* and *An Act for making a Railway from Oxford to Worcester and Wolverhampton,* with respect to the Gauge on which they are to be formed, or the additional Rails which according to the several Provisions of the last Two recited Acts are to be or may be laid down and maintained on the Railways thereby authorized, or with respect to the Powers thereby conferred on the Commissioners of Her Majesty's Privy Council for Trade and Foreign Plantations concerning the Construction and Use of the Railways thereby authorized.

VI. And be it enacted, That if any Railway used for the Conveyance of Passengers shall be constructed or altered contrary to the Provisions of this Act, the Company authorized to construct the Railway, or, in the Case of any Demise or Lease of such Railway, the Company for the Time being having the Control of the Works of such Railway, shall forfeit Ten Pounds for every Mile of such Railway which shall be so unlawfully constructed or altered, during every Day that the same shall continue so unlawfully constructed or altered; and in estimating the Amount of any such Penalty any Distance less than One Mile shall be estimated as a Mile.

VII. And be it enacted, That, over and above the Penalty herein-before provided, if any Railway used for the Conveyance of Passengers shall be constructed or altered contrary to the Provisions of this Act, it shall be lawful for the Commissioners of

Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or for the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, to abate and remove the same or any Part thereof so constructed or altered contrary to the Provisions of this Act, and to restore the Site thereof to its former Condition.

VIII. And be it enacted, That all Penalties under this Act may be recovered from the Company liable to pay and make good the same, as, under the Provisions of an Act passed in the last Session of Parliament, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the making of Railways*, a Penalty for any Infringement of the last-recited Act is recoverable against a Company authorized to construct a Railway.

Recovery of Penalties.

8 & 9 Vict. c.20.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

C A P. LVIII.

An Act to amend an Act of the Seventh and Eighth Years of Her present Majesty, for reducing, under certain Circumstances, the Duties payable upon Books and Engravings.

[18th August 1846.]

‘ WHEREAS by an Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to reduce, under certain Circumstances, the Duties payable upon Books and Engravings*, it is enacted, that it shall be lawful for Her Majesty, by Order in Council, to declare that Books and Engravings published in certain Foreign Countries shall be liable only to the Duties set forth in the Schedule to the said Act annexed: And whereas a Treaty has been concluded between Her Majesty and the King of *Prussia* for the Purpose of securing to the Authors and Publishers of the United Kingdom and of the Dominions of *Prussia* respectively a reciprocal Protection in their Rights of Property in their Productions: And whereas by the said Treaty it is agreed that Books and Engravings published in the Dominions of *Prussia* shall upon their Importation into the United Kingdom be subject to such Duties only as are set forth in the said Treaty: And whereas such Duties do not in all respects correspond with the Duties set forth in the said Schedule to the said Act herein-before referred to; and it is expedient that Authority should be given to Her Majesty to carry the Provisions of the said Treaty into effect, and to conclude similar Treaties with other Foreign Powers:’ Be it therefore 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, That the said Act herein-before referred to shall be repealed.

7 & 8 Vict. c.73.

Recited Act repealed.

II. And be it enacted, That whenever Her Majesty has, by virtue of any Authority vested in Her for that Purpose, declared that the Authors, Inventors, Designers, Engravers, or Makers of any

Her Majesty may, by Order in Council, reduce Duties on any

Books and Prints published in Countries to which Copy-right is allowed.

any Books, Prints, or other Works of Art first published in any Foreign Country or Countries shall have the Privilege of Copy-right therein, it shall be lawful for Her Majesty, if She think fit, from Time to Time, by any Order in Council, to declare that from and after a Day to be named in such Order, in lieu of the Duties of Customs from Time to Time payable on the Importation into the United Kingdom of any of the Classes of Articles enumerated in the Schedule to this Act annexed, there shall be payable only such Duties of Customs as are set forth in the said Schedule.

Her Majesty may, by Order in Council, reduce Duties on Books, &c. of Countries under Treaty of Reciprocity.

III. And be it enacted, That if at the Time of the Publication of any such Order in Council as aforesaid there be subsisting between Her Majesty and any other Foreign Country any Treaty or Convention concluded before the Date of the passing of this Act, and directly or indirectly binding Her Majesty, either conditionally or unconditionally, to admit Books, Prints, or Drawings published in and imported from such Country into the United Kingdom, upon the same Terms as those published in and imported from the most favoured Nation, and if in the Case of such Treaty being conditional such Country have fulfilled the Conditions required in return for such Privilege, it shall be lawful for Her Majesty, if She think fit, from Time to Time, by any Order in Council, after reciting the Date of such Treaty, and if the same be conditional, stating that such Country has duly fulfilled the Conditions required in return for the aforesaid Privilege, and is entitled thereto, to declare that from and after a Day to be named in such Order, in lieu of the Duties of Customs from Time to Time payable on the Importation into the United Kingdom of any of the Classes of Articles enumerated in the said Schedule to this Act annexed, there shall be payable only such Duties of Customs as are set forth in the said Schedule.

Her Majesty may reduce Duties in favour of other Countries;

IV. And be it enacted, That it shall be lawful for Her Majesty, if She shall think proper, from Time to Time, by any Order in Council, to declare that such Duties only shall be charged upon Books, Prints, or Drawings published in and imported from any Foreign Country or Countries to be named in such Order as are set forth in the said Schedule to this Act annexed.

and revoke previous Orders.

V. And be it enacted, That it shall be lawful for Her Majesty, by any further Order or Orders in Council, from Time to Time to revoke the whole or any Part of any Order or Orders issued by Her Majesty under the Authority of this Act.

Orders to be published in the Gazette;

VI. And be it enacted, That every Order in Council issued under the Authority of this Act shall within Fourteen Days after the issuing thereof be Twice published in the "*London Gazette*."

and to be laid before Parliament.

VII. And be it enacted, That a Copy of every Order in Council issued under the Authority of this Act shall be laid before both Houses of Parliament within Six Weeks after issuing the same, if Parliament be then sitting, and if not then within Six Weeks after the Commencement of the then next Session of Parliament.

Act may be amended, &c.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

SCHEDULE to which the foregoing Act refers.

BOOKS ; videlicet,

Works originally produced in the United Kingdom, and republished in the Country of Export, the Hundred Weight - - - - -	£	s.	d.
Works not originally produced in the United Kingdom, the Hundred Weight - - - - -	0	15	0

PRINTS and DRAWINGS (Plain or Coloured) :

Single, each - - - - -	0	0	0 $\frac{1}{2}$
Bound or sewn, the Dozen - - - - -	0	0	1 $\frac{1}{2}$

C A P. LIX.

An Act to relieve Her Majesty's Subjects from certain Penalties and Disabilities in regard to Religious Opinions.

[18th August 1846.]

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, That from and after the Commencement of this Act the Statutes or Ordinances and the several Acts herein-after mentioned, or so much and such Parts of any of the said Acts as are herein-after specified, shall be repealed ; (that is to say,)

Certain Acts
and Parts of
Acts repealed.

The Statute or Ordinance of the Fifty-fourth and Fifty-fifth Years of the Reign of King *Henry* the Third, and the Statute or Ordinance commonly called *Statutum Judaïsimo* :

Also so much of an Act passed in the Fifth and Sixth Years of the Reign of King *Edward* the Sixth, intituled *An Act for the Uniformity of Service and Administration of Sacraments throughout the Realm*, as enacts " that from and after the Feast of *All Saints* next coming all and every Person and Persons inhabiting within this Realm, or any other the King's Majesty's Dominions, shall diligently and faithfully, having no lawful or reasonable Excuse to be absent, endeavour themselves to resort to their Parish Church or Chapel accustomed, or, upon reasonable Let thereof, to some usual Place where Common Prayer and such Service of God shall be used in such Time of Let, upon every *Sunday*, and other Days ordained and used to be kept as holy Days, and then and there to abide orderly and soberly during the Time of Common Prayer, Preachings, or other Service of God there to be used and ministered, upon Pain of Punishment by the Censures of the Church," so far as the same affects Persons dissenting from the Worship or Doctrines of the United Church of *England* and *Ireland*, and usually attending some Place of Worship other than the Established Church : Provided always, that no pecuniary Penalty shall be imposed upon any Person by reason of his so absenting himself as aforesaid :

5 & 6 Edw. 6.
c. 1., §§ 1, 2, 3,
4, 6.

Also

Also so much of the said Act as enacts, "that if any Manner of Person or Persons inhabiting and being within this Realm, or any other the King's Majesty's Dominions, shall, after the said Feast of *All Saints*, willingly and wittingly hear and be present at any other Manner or Form of Common Prayer, of Administration of the Sacraments, of making of Ministers in the Churches, or of any other Rites contained in the Book annexed to this Act than is mentioned and set forth in the said Book, or that is contrary to the Form of sundry Provisions and Exceptions contained in the aforesaid former Statute, and shall be thereof convicted according to the Laws of this Realm, before the Justices of Assize, Justices of Oyer and Determiner, Justices of Peace in their Sessions, or any of them, by the Verdict of Twelve Men, or by his or their own Confession, or otherwise, shall, for the First Offence suffer Imprisonment for Six Months, without Bail or Mainprize, and for the Second Offence, being likewise convicted as is above-said, Imprisonment for One whole Year, and for the Third Offence, in like Manner, Imprisonment during his or their Lives :"

Also so much of the said Act as enacts, "that for the more Knowledge to be given hereof, and better Observation of this Law, all and singular Curates shall, upon One *Sunday* every Quarter of the Year, during One whole Year next following the foresaid Feast of *All Saints* next coming, read this present Act in the Church at the Time of the most Assembly, and likewise once in every Year following, at the same Time declaring unto the People, by the Authority of the Scripture, how the Mercy and Goodness of God hath in all Ages been shown to his People in their Necessities and Extremities, by means of hearty and faithful Prayers made to Almighty God, especially where People be gathered together with One Faith and Mind to offer up their Hearts by Prayer as the best Sacrifices that Christian Men can yield :"

Also so much of any Act or Acts of the Parliament of *Ireland* as may have extended to *Ireland* the Provisions of the said Act of the Fifth and Sixth Years of the Reign of King *Edward* the Sixth, so far as the same is hereby repealed :

1 Eliz. c. 1.

Also so much of an Act passed in the First Year of the Reign of Queen *Elizabeth*, intituled *An Act to restore to the Crown the ancient Jurisdiction over the Estate Ecclesiastical and Spiritual, and abolishing all Foreign Powers repugnant to the same*, and of an Act of the Parliament of *Ireland* passed in the Second Year of the same Queen's Reign, intituled *An Act restoring to the Crown the ancient Jurisdiction of the State Ecclesiasticall and Spirituall, and abolishing all Forreinne Power repugnant to the same*, as makes it punishable to affirm, hold, stand with, set forth, maintain, or defend, as therein is mentioned, the Authority, Pre-eminence, Power, or Jurisdiction, Spiritual or Ecclesiastical, of any Foreign Prince, Prelate, Person, State, or Potentate theretofore claimed, used, or usurped within this Realm, or any Dominion or Country being within or under the Power, Dominion, or Obeisance of Her Highness, or to put in ure or execute any thing for the

2 Eliz. c. 1.
(I.)

extolling,

extolling, Advancement, setting forth, Maintenance, or Defence of any such pretended or usurped Jurisdiction, Power, Pre-eminence, and Authority, or any Part thereof, or to abet, aid, procure, or counsel any Person so offending: Provided always, and be it declared, that nothing in this Enactment contained shall authorize or render it lawful for any Person or Persons to affirm, hold, stand with, set forth, maintain, or defend any such Foreign Power, Pre-eminence, Jurisdiction, or Authority, nor shall the same extend further than to the Repeal of the particular Penalties and Punishments therein referred to, but in all other respects the Law shall continue the same as if this Enactment had not been made: Provided further, that if any Person in Holy Orders according to the Rites and Ceremonies of the United Church of *England* and *Ireland* shall affirm, hold, stand with, set forth, maintain, or defend any such Foreign Power, Pre-eminence, Jurisdiction, or Authority, such Person shall be incapable of holding any Ecclesiastical Promotion, and, if in possession of any such Promotion, may be deprived thereof by due Course of Law, in the same Manner as for any other Cause of Deprivation:

Also so much of another Act passed in the First Year of the same Queen's Reign, intituled *An Act for the Uniformity of Common Prayer and Service in the Church, and Administration of the Sacraments*, and of another Act of the Parlia-

1 Eliz. c. 2.

ment of *Ireland* passed in the Second Year of the same Queen's Reign, intituled *An Act for the Uniformity of Common Prayer and Service in the Church, and the Administration of the Sacraments*, as relates to a Person's resorting to his Parish Church or Chapel accustomed, or, upon reasonable Let thereof, to some usual Place where Common Prayer and such Service of God as in such Acts are mentioned are used in such Time of Let, upon *Sundays* and other Days ordained and used to be kept as holy Days, and to his then and there abiding orderly and soberly during the Time of the Common Prayer, Preaching, or other Service of God there used and ministered:

2 Eliz. c. 2.

(1.)

Also an Act passed in the Fifth Year of the same Queen's Reign, intituled *An Act for the Assurance of the Queen's Royal Power over all Estates and Subjects within Her Dominions*:

5 Eliz. c. 1.

Also an Act passed in the Thirteenth Year of the same Queen's Reign, intituled *An Act against the bringing in and putting in execution of Bulls, Writings, or Instruments, and other superstitious Things from the See of Rome*, so far only as the same imposes the Penalties or Punishments therein mentioned; but it is hereby declared that nothing in this Enactment contained shall authorize or render it lawful for any Person or Persons to import, bring in, or put in execution within this Realm any such Bulls, Writings, or Instruments, and that in all respects, save as to the said Penalties or Punishments, the Law shall continue the same as if this Enactment had not been made:

13 Eliz. c. 2.

Also an Act passed in the Twenty-ninth Year of the same Queen's Reign, intituled *An Act for the more speedy and due Execution*

29 Eliz. c. 6.

Execution of certain Branches of the Statute made in the Twenty-third Year of the Queen's Majesty's Reign, intituled 'An Act to retain the Queen's Majesty's Subjects in their due Obedience.'

- 1 Jac. 1. c. 4. Also an Act passed in the First Year of the Reign of King James the First, intituled *An Act for the due Execution of the Statutes against Jesuits, Seminary Priests, Recusants, &c.* :
- 3 Jac. 1. c. 1. § 2. in part. Also so much of an Act passed in the Third Year of the Reign of the said King James the First, intituled *An Act for a public Thanksgiving to Almighty God every Year on the Fifth Day of November*, as enacts, "that all and every Person and Persons inhabiting within this Realm of *England* and the Dominions of the same shall always upon that Day diligently and faithfully resort to the Parish Church or Chapel accustomed, or to some usual Church or Chapel where the said Morning Prayer, Preaching, or other Service of God shall be used, and then and there to abide orderly and soberly during the Time of the said Prayers, Preaching, or other Service of God there to be used and ministered :
- 3 Jac. 1. c. 4. Also an Act passed in the said Third Year of the said King James's Reign, intituled *An Act for the better discovering and repressing of Popish Recusants* :
- 7 Jac. 1. c. 6. Also an Act passed in the Seventh Year of the same King's Reign, intituled *An Act for administering the Oath of Allegiance, and Reformation of married Women Recusants* :
- 13 & 14 Car. 2. c. 4. § 11. Also so much of an Act passed in the Thirteenth and Fourteenth Years of the Reign of King Charles the Second, intituled *An Act for the Uniformity of Public Prayers, and Administration of Sacraments, and other Rites and Ceremonies, and for establishing the Form of making, ordaining, and consecrating Bishops, Priests, and Deacons in the Church of England*, as makes any Schoolmaster or other Person instructing or teaching Youth in any private House or Family as a Tutor or Schoolmaster punishable for instructing or teaching any Youth as a Tutor or Schoolmaster before Licence obtained from his respective Archbishop, Bishop, or Ordinary of the Diocese, according to the Laws and Statutes of this Realm, and before such Subscription and Acknowledgment made as in the said Act is mentioned :
- Also so much of the last-mentioned Act whereby any Act or Part of any Act herein-before repealed has been confirmed or kept in force :
- And also so much of any Act or Acts of Parliament whereby the said Parts of the said Act of the Thirteenth and Fourteenth Years of the Reign of King Charles the Second herein-before repealed have been confirmed or incorporated in any other Act or Acts of Parliament :
- 17 & 18 Car. 2. c. 6. § 6. (I.) Also so much of an Act of the Parliament of *Ireland* passed in the Seventeenth and Eighteenth Years of the Reign of the said King Charles as requires that Schoolmasters or other Persons instructing or teaching Youth in private Houses or Families as Tutors or Schoolmasters should take the Oath of Allegiance and Supremacy, and as makes such Schoolmasters or other Persons punishable for so instructing or teaching

teaching Youth before Licence obtained from their respective Archbishop, Bishop, or Ordinary of the Diocese, and before such Subscription and Acknowledgment made as in the said Act is mentioned :

Also so much of an Act passed in the Thirtieth Year of the Reign of the said King *Charles*, intituled *An Act for the more effectual preserving the King's Person and Government by disabling Papists from sitting in either House of Parliament*, as enacts that "every Person now or hereafter convicted of Popish Recusancy who hereafter shall, at any Time after the said First Day of *December*, come advisedly into or remain in the Presence of the King's Majesty or Queen's Majesty, or shall come into the Court or House where they or any of them reside, as well during the Reign of His present Majesty (whose Life God long preserve) as during the Reigns of any of His Royal Successors, Kings or Queens of *England*, shall incur and suffer all the Pains, Penalties, Forfeitures, and Disabilities in this Act mentioned or contained :"

30 Car. 2. st. 2.
§ 5. in part.

Also an Act of the Parliament of *Scotland* passed in the Eighth and Ninth Session of the First Parliament of King *William* the Third, intituled *An Act for preventing the Growth of Popery*, and all Laws, Statutes, and Acts of Parliament revived, ratified, and perpetually confirmed by the said Act of King *William's* First Parliament, except as to the Form of the Formula in such last-mentioned Act contained :

8 & 9 W. 3.
c. 3. (S.) and
all Laws re-
vived, ratified,
and confirmed
thereby.

Also an Act passed in the Eleventh and Twelfth Years of the Reign of the said King *William* the Third, intituled *An Act for the further preventing the Growth of Popery* :

11 & 12 W. 3.
c. 4.

Also an Act passed in the First Year of the Reign of Queen *Anne*, intituled *An Act to oblige Jews to maintain and provide for their Protestant Children* :

1 Anne, st. 1.
c. 30.

Also so much of an Act of the Parliament of *Ireland* passed in the Second Year of the Reign of the said Queen *Anne*, intituled *An Act to prevent the further Growth of Popery*, as enacts "that if any Person or Persons shall seduce, persuade, or pervert any Person or Persons professing or that shall profess the Protestant Religion to renounce, forsake, or abjure the same, and to profess the Popish Religion, or reconcile him or them to the Church of *Rome*, then and in such Case every such Person and Persons so seducing, as also every such Protestant and Protestants who shall be so seduced, perverted, and reconciled to Popery, shall for the said Offences, being thereof lawfully convicted, incur the Danger and Penalty of Præmunire mentioned in the Statute of Præmunire made in *England* in the Sixteenth Year of the Reign of King *Richard* the Second :"

2 Anne, c. 6.
§ 1. (I.)

Also so much of the said last-mentioned Act of Queen *Anne* as empowers the Court of Chancery to make such Order for the Maintenance of Protestant Children not maintained by their Popish Parents, suitable to the Degree and Ability of such Parents and to the Age of such Child, and also for the Portions of Protestant Children to be paid at the Decease of their Popish Parents, as that Court shall adjudge fit, suitable to the Degree and Ability of such Parents, and as empowers

§ 9.

§ 4.

the said Court to make such Order for the educating in the Protestant Religion the Children of Papists, where either the Father or Mother of such Children shall be Protestants, till the Age of Eighteen Years of such Children, as to that Court shall seem meet, and in order thereto to limit and appoint where, and in what Manner, and by whom, such Children shall be educated; and as enacts that the Father of such Children shall pay the Charges of such Education as shall be directed by the said Court :

11 G. 2. c. 17.

And an Act passed in the Eleventh Year of the Reign of King George the Second, intituled *An Act for securing the Estates of Papists conforming to the Protestant Religion against Disabilities created by several Acts of Parliament relating to Papists; and for rendering more effectual the several Acts of Parliament made for vesting in the Two Universities in that Part of Great Britain called England the Presentation of Benefices belonging to Papists*, except so much of the said Act as relates to any Advowson, or Right of Presentation, Collation, Nomination, or Donation of or to any Benefice, Prebend, or Ecclesiastical Living, School, Hospital, or Donative, or any Grant or Avoidance thereof, or any Admission, Institution, or Induction to be made thereupon, but so as that the Repeal of the said Act shall not in anywise affect or prejudice the Right, Title, or Interest of any Person in or to any Lands, Tenements, or Hereditaments under and by virtue of the Provisions of the said Act at the Time of such Repeal :

17 & 18 G. 2.
c. 49. § 5. (I.)

Also so much of an Act of the Parliament of Ireland passed in the Seventeenth and Eighteenth Years of the Reign of King George the Third, intituled *An Act for the Relief of His Majesty's Subjects of this Kingdom professing the Popish Religion*, as enacts "that no Maintenance or Portion shall be granted to any Child of a Popish Parent, upon a Bill filed against such Parent pursuant to the aforesaid Act of the Second of Queen Anne, out of the Personal Property of such Papist, except out of such Leases which they may hereafter take under the Powers granted in this Act :"

18 G. 3. c. 60.
§ 5.

Also so much of an Act passed in the Eighteenth Year of the Reign of the said King George the Third, intituled *An Act for relieving His Majesty's Subjects professing the Popish Religion from certain Penalties and Disabilities imposed on them by an Act made in the Eleventh and Twelfth Years of the Reign of King William the Third, intituled 'An Act for the further preventing the Growth of Popery,'* as enacts "that nothing in this Act contained shall extend or be construed to extend to any Popish Bishop, Priest, Jesuit, or Schoolmaster who shall not have taken and subscribed the above Oath in the above Words before he shall have been apprehended, or any Prosecution commenced against him :"

23 & 24 G. 3.
(I.)

Also so much of an Act of the Parliament of Ireland passed in the Twenty-third and Twenty-fourth Years of the Reign of the said King George the Third, intituled *An Act for extending the Provisions of an Act passed in this Kingdom in the Nineteenth and Twentieth Years of His Majesty's*

Reign, intituled 'An Act for naturalizing such Foreign Merchants, Traders, Artificers, Artizans, Manufacturers, Workmen, Seamen, Farmers, and others, as shall settle in this Kingdom,' as excepts out of the Benefit of that Act Persons professing the Jewish Religion :

Also so much of an Act passed in the Thirty-first Year of the Reign of the said King George the Third, intituled *An Act to relieve, upon Conditions and under Restrictions, the Persons therein described from certain Penalties and Disabilities to which Papists or Persons professing the Popish Religion are by Law subject*, as enacts "that nothing herein contained

§ 12

shall be construed to give any Ease, Benefit, or Advantage to any Person who shall, by Preaching, Teaching, or Writing, deny or gainsay the Oath of Allegiance, Abjuration, and Declaration herein-before mentioned and appointed to be taken as aforesaid, or the Declarations or Doctrines therein contained, or any of them :"

Also so much of the said last-mentioned Act as provides and enacts, "that no Schoolmaster professing the Roman Catholic Religion shall receive into his School for Education the Child of any Protestant Father :"

§ 15.

Also so much of the said last-mentioned Act as provides and enacts, "that no Person professing the Roman Catholic Religion shall be permitted to keep a School for the Education of Youth until his or her Name and Description as a Roman Catholic Schoolmaster or Schoolmistress shall have been recorded at the Quarter or General Session of the Peace for the County or other Division or Place where such School shall be situated, by the Clerk of the Peace of the said Court, who is hereby required to record such Name and Description accordingly upon Demand by such Person, and to give a Certificate thereof to such Person as shall at any Time demand the same, and no Person offending in the Premises shall receive any Benefit of this Act :"

§ 16.

Also so much of an Act of the Parliament of Ireland passed in the Thirty-third Year of the Reign of the said King George the Third, intituled *An Act for the Relief of His Majesty's Popish or Roman Catholic Subjects of Ireland*, as provides

33 G. 3. c. 21.
§ 14. (1.)

"that no Papist or Roman Catholic, or Person professing the Roman Catholic or Popish Religion, shall take any Benefit by or under this Act, unless he shall have first taken and subscribed the Oath and Declaration in this Act contained and set forth, and also the said Oath appointed by the said Act passed in the Thirteenth and Fourteenth Years of His Majesty's Reign, intituled *An Act to enable His Majesty's Subjects, of whatever Persuasion, to testify their Allegiance to Him in some One of His Majesty's Four Courts in Dublin, or at the General Sessions of the Peace, or at any Adjournment thereof, to be holden for the County, City, or Borough, wherein such Papist or Roman Catholic, or Person professing the Roman Catholic or Popish Religion, doth inhabit or dwell, or before the going Judge or Judges of Assize in the County wherein such Papist or Roman Catholic, or Person*

professing the Roman Catholic or Popish Religion, doth inhabit and dwell, in open Court :

33 G, 3. c. 44.

Also an Act passed in the said Thirty-third Year of the Reign of the said King *George* the Third, intituled *An Act for requiring a certain Form of Oath of Abjuration and Declaration from His Majesty's Subjects professing the Roman Catholic Religion in that Part of Great Britain called Scotland.*

Jews to be subject to the same Laws as Protestant Dissenters in respect to Schools, &c.

II. And be it enacted, That from and after the Commencement of this Act Her Majesty's Subjects professing the Jewish Religion in respect to their Schools, Places for Religious Worship, Education, and charitable Purposes, and the Property held therewith, shall be subject to the same Laws as Her Majesty's Protestant Subjects dissenting from the Church of *England* are subject to, and not further or otherwise.

Not to affect pending Suits.

III. Provided, That nothing in this Act contained shall affect any Action or Suit actually pending or commenced, or any Property now in Litigation, Discussion, or Dispute, in any of Her Majesty's Courts of Law or Equity.

Disturbing Religious Assemblies.

IV. That from and after the Commencement of this Act all Laws now in force against the wilfully and maliciously or contemptuously disquieting or disturbing any Meeting, Assembly, or Congregation of Persons assembled for Religious Worship, permitted or authorized by any former Act or Acts of Parliament, or the disturbing, molesting, or misusing any Preacher, Teacher, or Person officiating at such Meeting, Assembly, or Congregation, or any Person or Persons there assembled, shall apply respectively to all Meetings, Assemblies, or Congregations whatsoever of Persons lawfully assembled for Religious Worship, and the Preachers, Teachers, or Persons officiating at such last-mentioned Meetings, Assemblies, or Congregations, and the Persons there assembled.

Act may be amended, &c.

V. That this Act may be repealed, altered, or varied at any Time within this Session of Parliament.

C A P. LX.

An Act to exempt from Stamp Duty Bonds and Warrants to confess Judgment executed by High Constables or Collectors of Grand Jury Cess, or their Sureties, in *Ireland*.

[18th August 1846.]

6 & 7 W. 4.
c. 116.

‘ **WHEREAS** by an Act passed in the Session of Parliament
‘ holden in the Sixth and Seventh Years of the Reign of
‘ His late Majesty King *William* the Fourth, intituled *An Act to*
‘ *consolidate and amend the Laws relating to the Presentment of*
‘ *Public Money by Grand Juries in Ireland*, it is amongst other
‘ things enacted, that no Person shall act as High Constable or
‘ Collector unless he shall have given Security at the Assizes
‘ before the Grand Jury by whom he shall have been appointed,
‘ or before the Justices of the Peace at the Sessions, if such High
‘ Constable or Collector shall have been appointed at Sessions, by
‘ Two sufficient Sureties joining with him in executing a Bond
‘ and

‘ and Warrant of Attorney, without Stamp, to confess Judgment, to the Treasurer of the County, conditioned for his duly collecting and paying to such Treasurer, on or before the First Day of the next Assizes, all such Public Money as he is or shall be required by him to collect: And whereas under and by virtue of the Provisions of an Act of the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to assimilate the Stamp Duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same, until the Tenth Day of October One thousand eight hundred and forty-five*, and of another Act of the last Session of Parliament for continuing for Three Years the Stamp Duties granted by the said last-mentioned Act of the Fifth and Sixth Years of the Reign of Her Majesty, such Bonds and Warrants of Attorney as aforesaid have become liable to be charged with the Stamp Duties payable to Her Majesty in that Behalf under the said last-mentioned Acts: And whereas it is expedient that such Bonds and Warrants of Attorney should be exempted from Stamp Duty, in like Manner as they were before the passing of the said last-mentioned Acts:’ Be it therefore 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, That from and after the First Day of *July* in this present Year all Bonds or Warrants of Attorney to confess Judgment, executed or to be executed by any High Constable or Collector, or his or their Sureties, conditioned for duly collecting or paying any such Public Money as aforesaid, or any Grand Jury Cess, under the Provisions of the said recited Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, or any Act amending the same, or under the Provisions of a certain other Act of the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of Dublin*, shall be and they are hereby declared to be exempted from all Stamp Duties; and any such Bond or Warrant of Attorney executed before the said First Day of *July*, without being duly stamped, pursuant to the Provisions of the said Acts of the Fifth and Sixth Years and of the Eighth and Ninth Years of Her present Majesty’s Reign, or of any other Act or Acts, shall and may, notwithstanding the Want of such Stamp, be admissible and received in Evidence in any Court as if the same had been duly stamped: Provided always, that nothing herein contained shall prejudice or affect any Judgment, Decree, Rule, or Order heretofore made by any Court or Judge.

5 & 6 Vict. c. 82.

8 & 9 Vict. c. 2.

Bonds, &c. given by Collectors, &c. of Grand Jury Cess, conditioned for the due Collection of such Cess, to be exempt from Stamp Duty. 7 & 8 Vict. c. 106.

Such Bonds, &c., executed before July 1, 1846, to be admissible in Evidence as if duly stamped.

Act may be amended, &c.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

C A P. LXI.

An Act to amend an Act of the Seventh Year of King *George* the Fourth for consolidating and amending the Laws relating to Prisons in *Ireland*. [18th August 1846.]

7 G. 4. c. 74.

‘ WHEREAS by an Act passed in the Seventh Year of the
 ‘ Reign of His Majesty King *George* the Fourth, intituled
 ‘ *An Act for consolidating and amending the Laws relating to*
 ‘ *Prisons in Ireland*, after providing, amongst other things, that it
 ‘ shall be lawful for the Lord Lieutenant or other Chief Governor
 ‘ or Governors of *Ireland* for the Time being, from Time to Time,
 ‘ by Warrant to be published in the *Dublin Gazette*, to order that
 ‘ any Bridewells shall be discontinued, and shall no longer be used
 ‘ as a Bridewell or Prison, it is enacted as follows; (that is to say,)
 ‘ “that it shall and may be lawful for the Lord Lieutenant or
 ‘ other Chief Governor or Governors of *Ireland* for the Time
 ‘ being to direct that such Bridewells as shall be continued shall be
 ‘ divided into Two Classes; and that one Class of the said Bride-
 ‘ wells to be selected and appointed by the Lord Lieutenant or
 ‘ other Chief Governor or Governors of *Ireland* shall be denomi-
 ‘ nated District Bridewells, to each of which Bridewells a certain
 ‘ District within the County shall be allotted, and that all Prisoners
 ‘ committed within such District, either for Trial at or under Sen-
 ‘ tence passed by the Court of Quarter Sessions, shall be kept and
 ‘ remain in such District Bridewell, and shall not be transmitted
 ‘ to the County Gaol, unless some Order to that Effect shall be
 ‘ made by competent Authority; and it shall and may be lawful,
 ‘ in the event of a crowded State of the County Gaol, on the Re-
 ‘ port of the Local Inspector thereof, for the Keeper of any such
 ‘ District Bridewell to detain therein any Prisoner committed for
 ‘ Trial at the Assizes for the County until within a reasonable
 ‘ Time prior to the Assizes; provided always, that in case of Im-
 ‘ prisonment for a Period exceeding Four Months, or in any Case
 ‘ in which it shall appear to the Court to be necessary, it shall
 ‘ and may be lawful, by the Order and at the Discretion of the
 ‘ Court by whom Judgment shall be passed, to send any Prisoner
 ‘ to the County Gaol or House of Correction, and provided that
 ‘ no Persons committed for Debt shall be confined in any such
 ‘ Bridewell; and it shall and may be lawful for the Grand Jury
 ‘ of any County in which any District Bridewell is or shall be ap-
 ‘ pointed to present any reasonable Sum for the Medical and other
 ‘ necessary Expences attending the Support and Maintenance of
 ‘ the same:” And whereas it has been considered that the said re-
 ‘ cited Enactment does not extend or apply to any Bridewell built,
 ‘ erected, or established after the passing of the said recited Act,
 ‘ or hereafter to be built, erected, or established, and it is expe-
 ‘ dient that the same should be extended and applied to such last-
 ‘ mentioned Cases:’ Be it therefore 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 Par-
 ‘ liament assembled, and by the Authority of the same, That the said
 ‘ recited Enactment shall be and the same is hereby extended and
 ‘ applied,

The recited
 Enactment of

applied, and shall be deemed and construed as hereafter extending and applying, to any Bridewell or Bridewells in *Ireland* heretofore built, erected, or established after the passing of the said recited Act, or hereafter to be built, erected, or established, as fully and effectually to all Intents and Purposes as if such Bridewell or Bridewells had been built, erected, or established before or at the Time of the passing of the said recited Act, and continued as therein mentioned.

7 G. 4. c. 74.
as to District
Bridewells shall
extend to
Bridewells
built after the
passing of the
said Act.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be
amended, &c.

C A P. LXII.

An Act to abolish Deodands.

[18th August 1846.]

‘ **W**HEREAS the Law respecting the Forfeiture of Chattels which have moved to or caused the Death of Man, and respecting Deodands, is unreasonable and inconvenient:’ 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, That from and after the First Day of *September* One thousand eight hundred and forty-six there shall be no Forfeiture of any Chattel for or in respect of the same having moved to or caused the Death of Man; and no Coroner’s Jury sworn to inquire, upon the Sight of any dead Body, how the Deceased came by his Death, shall find any Forfeiture of any Chattel which may have moved to or caused the Death of the Deceased, or any Deodand whatsoever; and it shall not be necessary in any Indictment or Inquisition for Homicide to allege the Value of the Instrument which caused the Death of the Deceased, or to allege that the same was of no Value.

Deodands and
Forfeiture of
Chattels moving
to or causing
Death abolished
from and after
1 Sept. 1846.

C A P. LXIII.

An Act for granting certain Duties on Sugar and Molasses.

[18th August 1846.]

Most Gracious Sovereign,

‘ **W**HEREAS by an Act passed in the Session of Parliament which holden the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for granting to Her Majesty, until the Fifth Day of July One thousand eight hundred and forty-six, certain Duties on Sugar imported into the United Kingdom*, certain Duties of Customs were imposed upon the Importation of Sugar and Molasses: And whereas the said Act was further continued by another Act passed in the present Session of Parliament, intituled *An Act for granting to Her Majesty, until the Fifth Day of August One thousand eight hundred and forty-six, certain Duties on Sugar imported into the United Kingdom*, and also by another Act passed in the present Session of Parliament, intituled *An Act for granting to Her Majesty,*

8 & 9 Vict. c. 5.

9 & 10 Vict.
c. 29.

9 & 10 Vict.
c. 41.

‘ until the Fifth Day of September One thousand eight hundred and forty-six, certain Duties on Sugar imported into the United Kingdom : And whereas it is expedient that the said Duties should be repealed, and that other Duties should be raised and levied in lieu thereof :’ We, Your Majesty’s most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain and Ireland*, in Parliament assembled, do therefore most humbly beseech Your Majesty that it may be enacted ; and be it therefore 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, That the several Duties on Sugar and Molasses imposed by the said recited Acts shall be and they are hereby repealed ; and that from and after the passing of this Act, in lieu thereof, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon Sugar or Molasses imported into the United Kingdom, the several Duties of Customs as the same are respectively inserted, described, and set forth in Figures, and according to the respective Dates and Periods, following ; (that is to say,)

Duties on Sugar and Molasses imposed by recited Acts repealed, and in lieu thereof the Duties herein mentioned to be levied.

From and after the passing of this Act,—

On Sugar or Molasses the Growth and Produce of any *British* Possession in *America*, or of any *British* Possession within the Limits of the *East India* Company’s Charter, into which the Importation of Foreign Sugar is prohibited, and imported from thence, the Duties following ; (that is to say,)

	£	s.	d.
Candy, Brown or White, Double Refined Sugar, or Sugar equal in Quality to Double Refined, for every Hundred Weight	1	1	0
Other Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Hundred Weight	0	18	8
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined, for every Hundred Weight	0	16	4
Brown Sugar, being Muscovado or Clayed, or any other Sugar not being equal in Quality to White Clayed, for every Hundred Weight	0	14	0
Molasses, for every Hundred Weight	0	5	3

And so in proportion for any greater or less Quantity than a Hundred Weight.

And from and after the respective Days next herein-after mentioned,—

On Sugar or Molasses the Growth and Produce of any other *British Possession* within the Limits of the *East India Company's Charter* :

	From and after the passing of this Act to 5 July 1847 inclusive.	From and after 5 July 1847 to 5 July 1848 inclusive.	From and after 5 July 1848 to 5 July 1849 inclusive.	From and after 5 July 1849 to 5 July 1850 inclusive.	From and after 5 July 1850 to 5 July 1851 inclusive.	From and after 5 July 1851.
Candy, Brown or White, Double Refined Sugar, or Sugar equal in Quality to Double Refined, for every Cwt. - -	£ s. d. 1 6 3	£ s. d. 1 5 6	£ s. d. 1 4 4	£ s. d. 1 3 3	£ s. d. 1 2 0	The same Duties as on Candy, Sugar, and Molasses the Produce of other British Colonies.
Other Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Cwt.	1 3 4	1 2 8	1 1 8	1 0 8	0 19 8	
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined, for every Cwt. - - -	1 0 5	0 19 10	0 18 11	0 18 1	0 17 2	
Brown Sugar, being Muscovado or Clayed, or any other Sugar, not being equal in Quality to White Clayed, for every Cwt. - - -	0 17 6	0 17 0	0 16 3	0 15 6	0 14 9	
Molasses, for every Cwt.	0 6 6	0 6 4	0 6 1	0 5 9	0 5 6	

And so in proportion for any greater or less Quantity than a Hundred Weight.

And from and after the respective Days next herein-after mentioned,—

On Sugar or Molasses the Growth and Produce of any Foreign Country :

	From and after the passing of this Act to 5 July 1847 inclusive.	From and after 5 July 1847 to 5 July 1848 inclusive.	From and after 5 July 1848 to 5 July 1849 inclusive.	From and after 5 July 1849 to 5 July 1850 inclusive.	From and after 5 July 1850 to 5 July 1851 inclusive.	From and after 5 July 1851.
Candy, Brown or White, Double Refined Sugar, or Sugar equal in Quality to Double Refined, for every Cwt. -	£ s. d. 1 11 6	£ s. d. 1 10 0	£ s. d. 1 7 9	£ s. d. 1 5 6	£ s. d. 1 3 3	The same Duties as on Candy, Sugar, and Molasses the Produce of British Colonies.
Other Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Cwt.	1 8 0	1 6 8	1 4 8	1 2 8	1 0 8	
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined, for every Cwt. - - -	1 4 6	1 3 4	1 1 7	0 19 10	0 18 1	
Brown Sugar, being Muscovado or Clayed, or any other Sugar, not being equal in Quality to White Clayed, for every Cwt. - - -	1 1 0	1 0 0	0 18 6	0 17 0	0 15 6	
Molasses, for every Cwt.	0 7 10	0 7 6	0 6 11	0 6 4	0 5 9	

And so in proportion for any greater or less Quantity than a Hundred Weight.

And also from and after the passing of this Act,—

On all Foreign Sugar or Molasses not otherwise charged with Duty, the Duties following :

	£	s.	d.
Refined Sugar, or Sugar Candy, the Cwt. -	3	3	0
Brown Muscovado or Clayed Sugar, not being Refined, the Cwt. - - -	2	2	0
Molasses, the Cwt. - - -	0	15	8

And so in proportion for any greater or less Quantity than a Hundred Weight.

Bounties allowed upon the Exportation of Refined Sugar.

II. And be it enacted, That there shall be allowed upon the Exportation of Refined Sugar made in the United Kingdom the several Bounties set forth in the Table herein-after contained; that is to say,

	£	s.	d.
Upon Double Refined Sugar, or Sugar equal in Quality to Double Refined, for every Cwt. -	1	0	0
Upon other Refined Sugar in Loaf, complete and whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or such Sugar pounded, crushed, or broken, or Sugar Candy, for every Cwt. - - -	0	17	0
Upon Bastard or Refined Sugar, broken in Pieces, or being ground or powdered Sugar, or such Sugar pounded or crushed or broken, for every Cwt. -	0	14	0

Her Majesty may allow Sugar, &c. to be imported from British Possessions in the East Indies at the lower Duty, when Importation of Foreign Sugar is prohibited.

III. Provided always, and be it enacted, That if at any Time satisfactory Proof shall have been laid before Her Majesty in Council, that, as respects any *British* Possession within the Limits of the *East India* Company's Charter, the Importation of Foreign Sugar has been prohibited, it shall and may be lawful for Her Majesty, and She is hereby empowered, from Time to Time, by any Order or Orders in Council, to declare that Sugar and Molasses the Growth or Produce of any such *British* Possession may be imported from thence into the United Kingdom, and entered at the lower Rates of Duty herein-before imposed on Sugar and Molasses the Growth or Produce of *British* Possessions within the Limits of the *East India* Company's Charter in which the Importation of Foreign Sugar is prohibited; and from and after the Publication of such Order, whilst the same shall continue in force, the Sugars and Molasses therein mentioned may be so imported and entered accordingly.

Such Sugar and Molasses to be entered at the lower Rates of Duty, upon the Conditions on which *Bengal* Sugar was admissible under 6 & 7 W. 4. c. 26.

IV. Provided always, and be it enacted, That any Sugars or Molasses the Produce of any *British* Possession within the Limits of the *East India* Company's Charter in which the Importation of Foreign Sugar is or shall be prohibited, which shall be entered for Home Use at the lower Rates of Duty herein-before imposed on Sugar and Molasses the Produce of such Possessions, shall be entered in the same and the like Manner, and under the same or the like Conditions, in and under which Sugar the Growth of the Presidency of *Bengal* might be entered for Home Use under the Provisions of an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the granting to His Majesty, until the Fifth Day of July One thousand eight hundred*

hundred and thirty-seven, certain Duties on Sugar imported into the United Kingdom for the Service of the Year One thousand eight hundred and thirty-six, at the lower Rate of Duty therein mentioned.

V. And be it enacted, That the several Duties, Bounties, and Allowances by this Act imposed and allowed shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, recovered, allowed, and applied or appropriated under the Provisions of an Act passed in the last Session of Parliament, intituled *An Act for granting Duties of Customs*, and of another Act passed in the same Year, intituled *An Act to grant certain Bounties and Allowances of Customs*, and of any other Act or Acts in force relating to the Customs.

VI. And be it enacted, That no Sugar shall be admissible to Entry for Home Consumption at the said lower Rates of Duty as being the Growth and Produce of any Foreign Country, unless the Master of the Ship importing the same, or the Consignee of the same, shall prove to the Satisfaction of the Officers of Her Majesty's Customs at the Port of Importation, if required to do so, that such Sugar is *bonâ fide* the Growth and Produce of the Foreign Country from which it is imported.

VII. And be it enacted, That the Commissioners of Customs shall provide Samples of White Clayed Sugar, and of Sugar rendered by any Process equal in Quality to White Clayed Sugar with reference to Colour, Grain, and Saccharine Matter, which Samples shall be deemed to be Standard Samples, for the Purpose of comparing therewith such White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed Sugar, as from and after the passing of this Act may be entered for Home Consumption; and such Standard Samples shall from Time to Time be renewed whenever the said Commissioners may deem it expedient; and no Sugar shall, as regards the Payment of Duty, be deemed or taken to be White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, unless it shall, with reference to Colour, Grain, and Saccharine Matter, equal the Standard Samples so respectively provided by the said Commissioners.

VIII. And be it enacted, That every Order in Council to be made under the Authority of this Act shall, as soon as may be after the making thereof by Her Majesty in Council, be published in the *London Gazette*.

IX. And be it enacted, That it shall be lawful for Her Majesty, by an Order in Council, from Time to Time to revoke or alter any Order in Council previously made under the Authority of this Act.

X. And be it enacted, That a Copy of every Order of Her Majesty in Council made under the Authority of this Act shall be laid before both Houses of Parliament within Six Weeks after issuing the same, if Parliament be then sitting, and if not, then within Six Weeks after the Commencement of the then next Session of Parliament.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Collection of Duties to be under the Management of the Customs.

8 & 9 Vict. c.90.

8 & 9 Vict. c.92.

No Sugar admissible unless the Growth, &c. of Country from which it is imported.

Commissioners of Customs to provide Standard Samples of White Clayed Sugar.

No Sugar to be deemed White Clayed unless it equals Standard Samples.

Orders in Council to be published;

and may be revoked;

and Copies to be laid before Parliament.

Act may be amended, &c.

C A P. LXIV.

An Act to enable Courts of Law in *Ireland* to give Relief against adverse Claims made upon Persons having no Interest in the Subject Matter of such Claims.

[18th August 1846.]

‘ **W**HEREAS it often happens that a Person sued at Law for the Recovery of Money or Goods wherein he has no Interest, and which are also claimed of him by some Third Party, has no Means of relieving himself from such adverse Claims but by a Suit in Equity against the Plaintiff and such Third Party, usually called a Bill of Interpleader, which is attended with Expence and Delay;’ for Remedy thereof 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, That upon Application made by or on the Behalf of any Defendant sued in any of Her Majesty’s Courts of Law at *Dublin* in any Act. on of Assumpsit, Detinue, or Trover, such Application being made after Declaration and before Plea by Affidavit or otherwise, showing that such Defendant does not claim any Interest in the Subject Matter of the Suit, but that the Right thereto is claimed or supposed to belong to some Third Party who has sued or is expected to sue for the same, and that such Defendant does not in any Manner collude with such Third Party, but is ready to bring into Court or to pay or dispose of the Subject Matter of the Action in such Manner as the Court or any Judge thereof may order or direct, it shall be lawful for the Court or any Judge thereof to make Rules and Orders calling upon such Third Party to appear and to state the Nature and Particulars of his Claim, and maintain or relinquish his Claim, and upon such Rule or Order to hear the Allegations as well of such Third Party as of the Plaintiff, and in the meantime to stay the Proceedings in such Action, and finally to order such Third Party to make himself Defendant in the same or some other Action, or to proceed to Trial on One or more feigned Issue or Issues, and also to direct which of the Parties shall be Plaintiff or Defendant on such Trial, or, with the Consent of the Plaintiff and such Third Party, their Counsel or Attornies, to dispose of the Merits of their Claims, and determine the same in a summary Manner, and to make such other Rules and Orders therein as to Costs and all other Matters as may appear to be just and reasonable.

II. And be it enacted, That the Judgment in any such Action or Issue as may be directed by the Court or Judge, and the Decision of the Court or Judge in a summary Manner, shall be final and conclusive against the Parties, and all Persons claiming by, from, or under them.

III. And be it enacted, That if such Third Party shall not appear upon such Rule or Order to maintain or relinquish his Claim, being duly served therewith, or shall neglect or refuse to comply with any Rule or Order to be made after Appearance, it shall be lawful for the Court or Judge to declare such Third Party, and all Persons claiming by, from, or under him, to be forever barred from prosecuting his Claim against the original Defendant,

Upon Application by a Defendant in an Action of Assumpsit, &c. stating that the Right in the Subject Matter is in some Third Party, the Court may order such Third Party to appear, &c. and in the meantime Proceedings in such Action to be stayed.

Judgment and Decision of the Court final.

If Third Party neglect, &c. Court may bar his Claim, &c.

dant, his Executors or Administrators, saving nevertheless the Right or Claim of such Third Party against the Plaintiff, and thereupon to make such Order between such Defendant and the Plaintiff as to Costs and other Matters as may appear just and reasonable.

Saving his Rights against Plaintiff.

IV. Provided always, and be it enacted, That every Order to be made in pursuance of this Act by a single Judge not sitting in open Court shall be liable to be rescinded or altered by the Court in like Manner as other Orders made by a single Judge.

Certain Orders liable to be rescinded.

V. Provided also, and be it enacted, That if upon Application to a Judge in the first instance, or in any later Stage of the Proceedings, he shall think the Matter more fit for the Decision of the Court, it shall be lawful for him to refer the Matter to the Court, and thereupon the Court shall and may hear and dispose of the same in the same Manner as if the Proceeding had originally commenced by Rule of Court instead of the Order of a Judge.

If a Judge think fit, he may refer the Matter for the Decision of the Court.

VI. 'And whereas Difficulties sometimes arise in the Execution of Process against Goods and Chattels issued by or under the Authority of the said Courts, by reason of Claims made to such Goods and Chattels by Assignees of Bankrupts and other Persons not being the Parties against whom such Process has issued, whereby Sheriffs and other Officers are exposed to the Hazard and Expence of Actions, and it is reasonable to afford Relief and Protection in such Cases to such Sheriffs and other Officers;' be it therefore enacted, That when any such Claim shall be made to any Goods or Chattels taken or intended to be taken in Execution under any such Process, or to the Proceeds or Value thereof, it shall and may be lawful to and for the Court from which such Process issued, or any Judge of such Court, upon Application of such Sheriff or other Officer made before or after the Return of such Process, and as well before as after any Action brought against such Sheriff or other Officer, to call before them or him, by Rule of the Court or Judge, as well the Party issuing such Process as the Party making such Claim, and thereupon to exercise, for the Adjustment of such Claims, and the Relief and Protection of the Sheriff or other Officer, all or any of the Powers and Authorities herein-before contained, and make such Rules and Decisions as shall appear to be just, according to the Circumstances of the Case; and the Costs of all such Proceedings shall be in the Discretion of the Court or any Judge thereof.

For Relief and Protection of Sheriffs and other Officers employed in Execution of Process against Goods and Chattels.

VII. And be it enacted, That all Rules, Orders, Matters, and Decisions to be made and done in pursuance of this Act, except only the Affidavits to be filed, may, together with the Declaration in the Cause (if any), be entered of Record, with a Note in the Margin expressing the true Date of such Entry, to the end that the same may be Evidence in future Times, if required, and to secure and enforce the Payment of Costs directed by any such Rule or Order; and every such Rule or Order so entered shall have the Force and Effect of a Judgment, except only as to becoming a Charge on any Lands, Tenements, or Hereditaments; and in case any Costs shall not be paid within Fifteen Days after Notice of the Taxation and Amount thereof given to the Party

Rules, Orders, &c. made in pursuance of this Act may be entered of Record, and made Evidence.

Payment of Costs.

ordered

ordered to pay the same, his Agent or Attorney, Execution may issue for the same by Fieri facias or Capias ad satisfaciendum, adapted to the Case, together with the Costs of such Entry, and of the Execution if by Fieri facias; and such Writ and Writs may bear Teste on the Day of issuing the same, whether in Term or Vacation; and the Sheriff or other Officer executing any such Writ shall be entitled to the same Fees and no more as upon any similar Writ grounded upon a Judgment of the Court.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

As to the testing of Writs, and Sheriff's Fees.

Act may be amended, &c.

C A P. LXV.

An Act to provide for the more effectual Execution of the Office of a Justice of the Peace, and the better Administration of the Police, within the Borough of *Wolverhampton* and certain Parishes and Places in the Neighbourhood thereof, all in the County of *Stafford*.

[18th August 1846.]

‘ **W**HEREAS the Execution of the Office of a Justice of the Peace within the Borough of *Wolverhampton* in the County of *Stafford*, and the several Parishes, Towns, Townships, Liberties, Hamlets, Vills, and Places therein and in the Neighbourhood thereof, (that is to say,) the Parishes of *Darlaston*, *Kingswinford*, *Sedgley*, *Tipton*, *Wednesbury*, and *Westbromwich*, and the Towns, Townships, Liberties, Hamlets, Vills, and Places of *Bilston*, *Wednesfield*, *Willenhall*, *Wolverhampton*, *Wordsley*, *Brierley Hill*, *Coseley*, *Upper Gornall*, *Lower Gornall*, *Gornall Wood*, *Gospel-End*, *Strait Green*, *Woodsitton*, *Ettingshall*, *Dudley Port*, *Toll End*, *Hill Top*, *Spon Lane*, and *Quarry Bank*, or some of them, in the several Parishes of *Darlaston*, *Kingswinford*, *Sedgley*, *Tipton*, *Wednesbury*, *Westbromwich*, and *Wolverhampton*, all within the Mineral District of the Southern Division of the said County of *Stafford*, has become and is likely to continue difficult and burdensome, owing to the very great and increasing Extent of the Population and Manufactories within the Borough and Places aforesaid, and the Attendance of a sufficient Number of Justices of the Peace for the said County cannot always be procured for the prompt Administration of the said Office therein, and it would tend to afford better Protection to the Persons and Properties of the Inhabitants, and be of advantage to the Public, if Provision were made by Authority of Parliament for the Appointment of a Justice of the Peace, with a Stipend or Salary, for the more effectual Execution of the Office of a Justice of the Peace within the said Borough, and Parishes and Places in the Neighbourhood thereof, and for other Purposes connected therewith:’ May it therefore please Your Majesty that it may be enacted; and 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,

bled, and by the Authority of the same, That it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, as Occasion may require, to appoint, and from Time to Time to remove, One fit and able Person, being a Barrister at Law of Six Years standing at the least, and being a Justice of the Peace for the County of *Stafford*, to execute the Office of a Justice of the Peace within the said Borough of *Wolverhampton*, and the Places in the Neighbourhood thereof, herein-before mentioned; and it shall be lawful for any such Person so appointed to act as a Justice of the Peace within the said Borough, and Places in the Neighbourhood thereof, without having such Qualification and without taking such Oath of Qualification as are required by Law for qualifying any Person to act as a Justice of the Peace, any Law or Statute to the contrary notwithstanding; and it shall also be lawful for any such Person so appointed a Justice of the Peace to receive and take the Stipend or Salary herein-after mentioned as a Remuneration for his Services under the Provisions of this Act.

Her Majesty to appoint a Stipendiary Justice for the Borough of *Wolverhampton*.

II. And be it enacted, That it shall be lawful for any such Stipendiary Justice to sit and act as a Justice of the Peace of the said County within the said Borough and Parishes and Places aforesaid, or in the Neighbourhood thereof, either alone or together with any other Justice or Justices of the Peace of the said County who may think proper to attend; but such Stipendiary Justice shall not during his Continuance in his said Office act as a Justice of the Peace out of the Limits of this Act, except only in the event of any Riot, Prize Fight, unlawful Assembly, or Breach of the Peace, or except only in the event of his having such Qualification and taking such Oath of Qualification as are required by Law for qualifying any Person to act as a Justice of the Peace, in any of which Cases he shall have full Power to act as a Justice within any County for which he is or shall be appointed a Justice of the Peace.

Justice may act as a Justice of the Peace, with or without other Justices, but must not act out of the Limits, except in certain Cases.

III. Provided always, and be it enacted, That it shall be lawful for any such Stipendiary Justice to do alone any Act within the Limits of this Act which by any Law now in force, or by any Law not containing an express Enactment to the contrary, hereafter to be made, is or shall be directed to be done by more than One Justice, in all Cases relating to Assaults, taking Recognizances of Bail in Cases of Felony, enforcing and compelling Payment of Poor Rates, Church Rates, Highway Rates, County Rates, and Police Rates, and in the Removal of poor Persons born in *Scotland*, *Ireland*, the Islands of *Man*, *Scilly*, *Jersey*, or *Guernsey*, and chargeable in *England*.

Justice may act alone in certain Cases, where more than One Justice is required by Law.

IV. Provided also, and be it enacted, That no Stipendiary Justice of the Peace to be appointed by virtue of this Act shall during his Continuance in Office as such Stipendiary Justice be capable of being elected or of sitting as a Member of the House of Commons.

Justice not to be a Member of the House of Commons.

V. And be it enacted, That such Stipendiary Justice shall reside within the Borough of *Wolverhampton*, or within Two Miles of the Collegiate Church in the Town of *Wolverhampton*, and shall attend at some suitable public Rooms or Offices at the Times and in the several Towns herein-after mentioned, for the hearing and despatch

The Limits within which the Justice must reside, his Attendances, and Places of Meeting.

despatch of Business; (that is to say,) in every Week Two Days at *Wolverhampton*, One Day at *Bilston* or *Sedgley* alternately, One Day at *Wednesbury* or *Westbromwich* alternately, and One Day at *Brierley Hill*, and on each Day from the Hour of Ten of the Clock in the Forenoon to the Hour of Four of the Clock in the Afternoon, unless the Business of the Day be sooner disposed of, and at all such other Times when any special Occasion may require his immediate Services: Provided always, that the Attendance of such Justice may, when requisite, be supplied by any other Justice of the Peace for the said County; provided also, that no such Attendance shall be given on *Sunday*, *Christmas Day*, *Good Friday*, or any Day appointed for a public Fast or Thanksgiving, unless in Cases of urgent Necessity, or when it shall be directed by One of Her Majesty's Principal Secretaries of State.

Salary of Stipendiary Justice, and Mode of Payment.

VI. And be it enacted, That a Salary at the Rate of One thousand Pounds in each Year shall be paid by the Treasurer to be appointed as herein-after directed to such Stipendiary Justice and his Successors respectively, such Salary to commence from the Time when any such Justice shall enter on the Duties of his Office, and to be paid so long as any such Justice shall continue to discharge the Duties of his Office, such Salary to be payable and paid by Four equal quarterly Payments on the Twenty-fourth Day of *June*, the Twenty-ninth Day of *September*, the Twenty-fifth Day of *December*, and the Twenty-fifth Day of *March*, or on any following Day, on demand made by or by Authority of such Justice; and a due Proportion of the first quarterly Sum shall be paid at the Time and in Manner aforesaid, in case the Justice shall enter on the Duties of his Office on any Day between such quarterly Days; and in case of the Resignation or Removal of any such Justice between any such quarterly Days of Payment, then he shall be entitled to and be paid a due Proportion of the said Salary up to the Period of his Resignation or Removal; and in case of his Death between any such quarterly Days of Payment his Representatives shall be entitled to and be paid a due Proportion of the said Salary up to the Period of his Death.

Power to Justice to appoint a Clerk, being an Attorney at Law.

VII. And be it enacted, That it shall be lawful for any such Stipendiary Justice from Time to Time to appoint One fit and able Person, being an Attorney at Law of some One of the Superior Courts at *Westminster*, of Seven Years standing at the least, as a Clerk, and from Time to Time, at his Pleasure, to remove any Clerk so appointed; and such Clerk shall attend in his own Person, and not by any Deputy, Substitute, or Proxy, (except when prevented by Illness, or some other sufficient Cause to be allowed under the Hand of such Justice,) at all official Sittings of any Justice acting for the Purposes of this Act, and assist him in the Execution of his Duties; and the said Clerk shall be allowed and paid a Salary or Sum not exceeding Four hundred Pounds *per Annum*, at the Discretion of the said Stipendiary Justice, in full Recompence for his Trouble and Attendance and Expences in the Execution of this Act, such Salary or Sum to be paid by the Treasurer to be appointed as herein-after mentioned in Four equal quarterly Payments in every Year, and the first quarterly Payment thereof to be made at the End of Three Calendar Months from the Time of such Appointment.

Salary of Clerk, and Mode of Payment.

VIII. And

VIII. Provided also, and be it enacted, That it shall be lawful for the Justices of the Peace for the said County of *Stafford* acting for the Northern Division of the Hundred of *Seisdon*, at any Meeting of such Justices holden for the Purpose, and of which Meeting and of the Object thereof Ten Days Notice at least, by Post or otherwise, shall have been given to every such Justice, if they shall think it expedient so to do, from Time to Time to fix and direct a Sitting or Sittings to be periodically holden by such Stipendiary Justice so to be appointed as aforesaid at or within any other or others of the said Parishes, Townships, or Places herein-before mentioned as are within the said Northern Division of the Hundred of *Seisdon*, and the said Justice shall from Time to Time attend and hold his Sitting at or within the Parish, Township, or Place to be so fixed for that Purpose accordingly.

Justices of the Hundred of *Seisdon* may direct a Sitting to be periodically holden within any of the Parishes, &c. within the said Hundred.

IX. And be it enacted, That as soon as conveniently may be after the passing of this Act Her Majesty's Justices of the Peace acting for the Northern Division of the Hundred of *Seisdon* in the County of *Stafford*, in Special Sessions assembled, or any Two of them, shall make and settle a Table of the Fees which shall be taken by the Clerk to be appointed under this Act; and such Table of Fees shall be submitted to One of Her Majesty's Principal Secretaries of State, and such Table of Fees shall be confirmed and allowed by such Secretary of State, either with or without any Additions, Abatements, or Alterations therein to be made, or not, at the Discretion of such Secretary of State, and thenceforth such Clerk shall and lawfully may demand and take the Fees therein mentioned: Provided always, that it shall be lawful for any such Justices in Special Sessions assembled, or any Two of them, from Time to Time as Occasion may require, to make and settle any other Table of Fees to be taken instead of the Fees contained in any former Table, which shall be also submitted to and be confirmed and allowed by One of Her Majesty's Principal Secretaries of State, in the Manner herein-before mentioned with respect to the first-mentioned Table of Fees; provided also, that until such Tables of the Fees so to be taken shall have been made and confirmed as aforesaid it shall be lawful for such Clerk to take such Fees as are authorized by the Table for the Time being to be taken by the Clerks to the Justices acting for the said County of *Stafford*; provided also, that a Copy of the Table of Fees payable to such Clerk shall be affixed for public Inspection in the public Office or Place of public Business of the Justice or Justices acting in pursuance of this Act.

Justices of the Hundred of *Seisdon* to settle a Table of Fees to be taken by the Clerk, subject to the Approval of One of the Secretaries of State.

Until Table of Fees approved, present Fees to be taken.

X. And be it enacted, That such Clerk so to be appointed shall receive all Fees and Monies chargeable and to be received in respect of any Act or Business to be done or transacted by any Justice or Clerk in the Execution or by virtue of his or their Office or Employment as Justice of Peace or Clerk as aforesaid, and shall pay the same over to the Treasurer of the Fee Fund herein-after mentioned, and keep a full, true, and particular Account in Writing of all such Fees and Monies, and shall once in every Quarter of a Year, or oftener if required, render to the said Justices acting for the said Northern Division of the Hundred of *Seisdon* a true Account, verified by the Declaration of such Clerk before some Justice acting for the said Division (which

Clerk to receive and keep an Account of Fees.

Declaration every or any such Justice is hereby empowered and authorized to receive), of all Fees and Monies received by him under the Authority of this Act during the Period of such Account, in such Form and with such Particulars as the said Justices acting for the Division aforesaid shall from Time to Time require.

Fees and Monies received under the Act to form One general Fund.

XI. And be it enacted, That all Fees and Monies which such Clerk to the Stipendiary Justice shall so receive as aforesaid shall be carried to the Account of, and together with all Monies arising from the Rates under this Act, shall constitute One aggregate general Fund, to be called "The Fee Fund of the Justices for the Northern Division of the Hundred of *Seisdon*," and which Fund shall be placed and remain in such Bank within the Town of *Wolverhampton* as the Justices assembled at the General or Quarter Sessions of the Peace for the County of *Stafford*, or at any Adjournment of the same, shall from Time to Time direct; and it shall be lawful for the said Justices in Quarter Sessions assembled, upon Notice to be given thereof with the Notice for holding the Sessions, if they shall think it necessary or expedient so to do, from Time to Time to appoint any fit Person to be Treasurer of the said Fee Fund, with such yearly or other Salary or Allowance, to be paid out of the same Fund, as the said Justices shall think fit: Provided always, that sufficient Security shall be taken from every such Treasurer, and every other Officer intrusted with the Custody of such Fee Fund, or with the Custody of the Monies arising from the Rates under this Act, for the faithful Execution and due Performance of his Office, such Treasurer to be removable from his said Office at the Pleasure of the said Justices.

Quarter Sessions to appoint a Treasurer, who shall give Security.

Application of the Fee Fund.

XII. And be it enacted, That the aforesaid Fee Fund shall be applicable and shall be from Time to Time applied in the Payment of the Salary of the Stipendiary Justice to be appointed under this Act, and of the Clerk and Treasurer to be appointed as aforesaid, and in Payment of the Expences of applying for, obtaining, and passing this Act (together with lawful Interest for any Money which shall have been advanced and paid for such Expences from the Time of advancing the same), and in purchasing or providing Lands, Buildings, Rooms, Offices, Lock-up Houses, and Conveniences necessary for the Purposes of this Act, and in their Repair and Maintenance, and in paying the Expences of Printing, Stationery, and all Charges and Expences by this Act authorized, and in the Payment of the Charges and Expences of carrying this Act and the Purposes thereof into execution.

Accounts to be kept, balanced, and audited.

XIII. And be it enacted, That full and accurate Accounts of all Monies received and expended under the Provisions of this Act shall be kept by such Persons as shall be appointed by the Justices of the Court of General or Quarter Sessions for the Purpose, and in such Manner as such Justices shall from Time to Time order or direct; and such Accounts shall be balanced once in every Year at the least, and such Accounts shall be audited once in every Year at the least by such Justices, or by such Person or Persons as such Justices may appoint as Auditor or Auditors of such Accounts, which they are hereby authorized to appoint; and all Accounts, Books, and Vouchers relating to such Accounts shall be produced to such Justices, or to such Auditors; and

and the Remuneration of such Auditors may be defrayed by the Order of such Justices out of the said Fee Fund; and such Justices may make such Orders and Regulations for effecting such several Purposes as to such Justices shall seem expedient.

XIV. And be it enacted, That an annual Account in abstract shall be prepared of the total Receipts and Expenditure of all Funds to be levied under this Act for the past Year, under the several distinct Heads of Receipts and Expenditure, with a Statement of the Balance of the said Account duly audited and certified by Three or more of the Justices of the Peace of the Northern Division of the Hundred of *Seisdon*, or by such Auditors as aforesaid; and a Copy of such annual Account shall be transmitted free of Charge to the Clerk of the Peace for the said County of *Stafford* on or before the Twenty-first Day of *March* in each Year, to be by such Clerk of the Peace laid before the next General Quarter Sessions of the Peace; and such Clerk of the Peace shall be entitled to a Fee of Five Shillings for receiving such Copy, and the same shall at all reasonable Times be open to the Inspection of the Public, on Payment of One Shilling, and the further Sum of One Shilling *per* every Hour of such Inspection; and if the Person having the Custody of such Accounts under the Authority of such Justices shall omit to prepare and transmit such Account as aforesaid, he shall forfeit for every such Omission the Sum of Twenty Pounds.

Abstract of Accounts, audited and certified, to be transmitted to the Clerk of the Peace, and be open to Inspection.

Penalty.

XV. And be it enacted, That no Clerk appointed under this Act, except as herein-after provided, shall, during the Continuance of his Office, or within Six Calendar Months after he shall have resigned, or shall have been removed from such Office, be concerned either by himself or any Partner, or in any Manner directly or indirectly, as an Attorney or Agent in any Matter brought or to be brought before the Justice, or in any Prosecution at any Court of Sessions or of the Peace, or of Oyer and Terminer and Gaol Delivery, arising out of or consequent upon any Proceeding before the Justice; and any Clerk who shall offend against this Enactment shall forfeit the Sum of Fifty Pounds, to be recovered by any Person who will sue for the same, by Action of Debt or Information, to be commenced within Six Calendar Months next after the Commission of the Offence; but nothing herein contained shall subject any such Clerk to any Penalty for any Act done by him in the Discharge of his official Duty.

Clerks disqualified from acting as Attornies in certain Cases.

Penalty.

XVI. And be it enacted, That in order to provide suitable and convenient Rooms and Offices for the Attendance and Business of the said Stipendiary Justice, and proper Lock-up Houses or temporary Places of Confinement for Persons charged with Felonies, Misdemeanors, and other Offences within the Limits of this Act, and for any Uses or Purposes incidental to the Execution of this Act, it shall be lawful for Her Majesty's Justices of the Peace acting for the said County of *Stafford*, in General or Quarter Sessions assembled, and they are hereby authorized and empowered (on Application or Requisition made to them for the Purpose in Writing, transmitted to the Office of the Clerk of the Peace of the said County, signed by any Five or more Householdiers in the Township of *Wolverhampton* as one Division, of the Township of *Bilston* as one other Division, of the Parish of *Wednesbury* as one

As to providing Offices for the Justice, and Lock-up Houses for the Purposes of this Act.

other Division, of the Parish of *Westbromwich* as one other Division, and of the Parish of *Kingswinford* as one other Division respectively, liable to be rated or assessed in such Townships or Parishes or Places respectively for the Purposes of this Act to the Amount of Twenty Pounds each or upwards, and of which Application or Requisition Notice shall be given by the Clerk of the Peace (with the Notice for holding the Sessions), to treat, contract, and agree with any Person or Persons for the Purchase of, or for the hiring for any Term or for any Number of Years of any fit and suitable Buildings and Premises, or of any Land or Ground for the Erection thereon of any Buildings for any of the Purposes aforesaid, and also to contract and agree with any Person or Persons for the erecting of any such Rooms, Offices, or Lock-up Places as aforesaid, or any of them, or for any Uses or Purposes incidental to the Execution of this Act, and from Time to Time to fit up, repair, alter, improve, and maintain the same respectively, as the said Justices shall from Time to Time order and direct; and the Treasurer to be appointed for the Purposes of this Act shall and he is hereby authorized and required from Time to Time to pay the Purchase Money for such Houses, Buildings, Lands, Grounds, and Premises, and also the Costs and Expences of all Erections, Alterations, Fittings-up, Repairs, and Works made or done from Time to Time by the Order or Directions of the said Justices, for the Purposes of this Act, and also such yearly or periodical Rents or Payments as shall be agreed upon as aforesaid between such Justices and the respective Owners, Lessees, or Persons interested in such Houses, Buildings, and Premises, on Demand and Production of any Lease, Assignment, Contract, or Agreement made in pursuance of this Act, on an Order signed by any Three or more of the said Justices for such Payments; and all such Buildings, Land, Ground, and Premises shall be conveyed to the Clerk of the Peace of the County of *Stafford* for the Time being, and be vested in and held by him in trust for the Purposes of this Act.

Constables authorized to take Recognizances in certain Cases, without Fee or Reward.

XVII. And be it enacted, That for the better Administration of the Police within the Limits of this Act it shall be lawful for such Stipendiary Justice, by Writing under his Hand, to appoint One or more of the Constables in every Township within the Limits aforesaid, and at his Pleasure in like Manner to vacate any such Appointment, for the Purpose of taking, and every such Constable so appointed is hereby authorized to take, Recognizances, without any Fee or Reward, from any Person who shall be brought before him in the Night-time (or at any other Time when such Justice is not sitting for the Despatch of Business as aforesaid) on any Charge not amounting to Felony, for the Appearance of such Person before such Justice, or before any other Justice or Justices of the Peace of the said County of *Stafford* acting for the said Division, at his or their next public Sitting, for further Examination; and such Recognizances so to be taken as aforesaid shall be of equal Obligation to the Parties entering into the same, and liable to the same Proceedings for the estreating thereof, as if the same had been taken before any of Her Majesty's Justices of the Peace; and every such Constable shall enter in a Book to be kept for that Purpose the Names, Residences,

Residences, and Occupations of the Parties and of their Sureties (if any) entering into any such Recognizance, together with the Conditions thereof, and the Sums respectively acknowledged, and shall lay the same before the Justice or Justices who shall be present at the Time and Place when and where the Parties are required to appear; and if the Parties do not appear at the Time and Place required, or within One Hour afterwards, such Justice or Justices shall cause a Record of the Recognizance to be drawn up, and to be signed by such Constable, and shall return the same to the next General or Quarter Sessions of the Peace, or the Adjournment thereof, for the said County of *Stafford*, with a Certificate at the Back thereof, signed by such Justice or Justices, that the Parties have not complied with the Obligation therein contained, and the Clerk of the Peace shall make the like Extracts and Schedules of every such Recognizance as of Recognizances taken in the Sessions of the Peace; but in case the Parties not appearing shall apply by any Person on their Behalf to postpone the hearing of the Charge against them, it shall be lawful for such Justice or Justices to enlarge the Recognizances to such further Time as he or they shall think proper; and in case of Appearance of the Parties before any Justice in pursuance of a Recognizance, then such Recognizance shall be discharged by such Justice, without a Fee.

XVIII. And be it enacted, That for raising the Monies necessary from Time to Time for Payment of the Salary of the Stipendiary Justice to be appointed under this Act, and of the Clerk and Treasurer to be appointed as aforesaid, and for Payment of the Expences of applying for, obtaining, and passing this Act (together with lawful Interest for any Money which shall have been advanced and paid for such Expences from the Time of advancing the same), and also for the Payment of the Charges and Expences of carrying this Act and the Purposes thereof into execution, it shall be lawful for the Justices of the Peace acting for the said County of *Stafford*, at any General or Quarter Sessions of the Peace holden in and for the said County, or at any Adjournment thereof, and they are hereby required, from Time to Time to make a Rate or Rates, Assessment or Assessments (not exceeding the Amount herein-after limited, and of which Rate or Assessment Notice shall be given with the Notice for holding the Sessions,) upon all Property rateable to the County Rate within the Limits of the said several Parishes, Townships, or Places, for the Purpose of raising so much Money as, together with the Fee Fund herein-before mentioned (the Amount or probable Amount of which shall from Time to Time be by the said Justices ascertained or estimated as correctly as may be), shall be sufficient for the Payment of the said several Salaries, Charges, and Expences herein mentioned, such Rate or Rates, Assessment or Assessments to be made in the same Manner as is now by Law directed, authorized, or practised for making County Rates.

Justices at
General or
Quarter Ses-
sions may make
Rate for Pay-
ment of Ex-
pences of Act.

XIX. Provided always, and be it enacted, That the annual Value of the rateable Property within the Limits of the said several Parishes, Townships, or Places rateable under this Act as aforesaid, as such Value shall have been, or from Time to Time may be, ascertained and determined for the Purpose of assessing

Mode of ascer-
taining Value of
rateable Pro-
perty.

the County Rate upon or within the same Parishes, Townships, or Places respectively, shall be from Time to Time adopted and taken by the said Justices as the Basis of any Assessment and Rating to be made by them for the Purposes of this Act as aforesaid, without any separate or other Valuation of such Property or any Part thereof being made or required.

Powers of Acts relating to County Rates applied to this Act.

XX. And be it enacted, That all and every the Powers, Authorities, Provisions, Clauses, and Regulations given or contained by or in any Act or Acts of Parliament now subsisting and in force, for or relating to the making, assessing, collecting, levying, paying, or enforcing of County Rates in *England*, shall, so far as the Nature of the Case will admit, and except as is herein otherwise specially provided, be deemed and taken to apply to the said Rate or Rates so by this Act directed or authorized to be made as aforesaid, as if the same Powers, Authorities, Provisions, Clauses, and Regulations were here severally repeated and re-enacted with reference to such Rate or Rates, and in the same Manner, and as fully and effectually, in all respects, as if such Rate or Rates respectively were a County Rate assessed or to be assessed upon the said several Parishes, Townships, or Places intended to be hereby made liable to the Payment thereof as aforesaid: Provided always, that the Sum to be raised by a Rate or Rates under the Authority of this Act as aforesaid (except as herein-after mentioned) shall not in any One Year exceed the Sum of Two-pence in the Pound upon the annual Value of the rateable Property in the several Parishes, Townships, or Places aforesaid.

Rates in certain Parishes, &c. may be increased for erecting Offices, &c.

XXI. 'And whereas it may be necessary to increase the Amount aforesaid for defraying the Costs and Expences of purchasing, erecting, or providing Rooms, Lock-up Houses, and other Buildings, Offices, and Land, for the Purposes of this Act, as aforesaid;' be it therefore enacted, That it shall be lawful for the Justices of the Peace acting for the said County of *Stafford*, at any General or Quarter Sessions of the Peace holden in and for the said County, or at any Adjournment thereof, to increase to any Extent, not exceeding the further Sum of Four-pence in the Pound altogether, nor Two-pence in the Pound in any One Year, the Rate or Charge on the Occupiers of rateable Property within the respective Parishes or Townships wherein any such Rooms, Lock-up Houses, Buildings, Offices, or Land shall be deemed requisite by the said Justices to be provided for the Purposes aforesaid, and wherein any Five or more of the Inhabitants liable to be rated or assessed as aforesaid shall make any such Application or Requisition as herein-before mentioned, and of which Application and Requisition Notice shall be given by the Clerk of the Peace with the Notice for holding the Sessions: Provided always, that no such increased Rate shall be made or assessed after the Expiration of Three Years from the passing of this Act.

Overseers of the several Parishes, &c. to levy and collect the Rates.

XXII. Provided also, and be it enacted, That the Overseer or Overseers of the Poor of the said several Parishes, Townships, or Places liable to the Payment of any Rate to be made under the Authority of this Act as aforesaid, or other the Person or Persons whose Duty it shall be to collect and levy the County Rates, shall, within the Time to be limited or expressed for that Purpose

pose in or by the Order of the said Justices making such Rate as aforesaid (which Order shall of itself, and without any other Precept or Warrant whatsoever, be a sufficient Authority for the levying of the said Rate by such Overseer or Overseers, or other Person or Persons whose Duty it shall be to levy the same as aforesaid,) levy and collect such Rate, and pay the Amount thereof into the Hands of the Treasurer of the said Fee Fund, or, if there be no such Treasurer, into the Hands of the Clerk to the said Stipendiary Justice, who shall carry the same to the Account of the said Fee Fund herein-before directed to be formed; and in case any such Overseer or Overseers of the Poor, or other Person or Persons whose Duty it shall be to collect or levy such Rate as aforesaid, shall neglect, make default, or refuse to pay the same within the Time to be limited or specified for that Purpose as aforesaid, to the said Treasurer or Clerk hereby appointed and authorized to receive the same as aforesaid, it shall be lawful for any Justice of the Peace of the said County of *Stafford*, upon Complaint thereof made by such Treasurer or Clerk as aforesaid, to levy the same by Distress and Sale of the Offenders Goods.

XXIII. Provided also, and be it enacted, That all or any Forfeitures or Penalties to be inflicted or recoverable under or by virtue of any of the statutable Powers or Provisions hereby extended or made applicable to the said Rate hereby directed to be made and levied as aforesaid, in respect of such Rate, or any Proceeding relating thereunto, shall, when recovered, be paid to the said Treasurer of the said Fee Fund, or to the said Clerk as aforesaid, and shall be by him carried to the Account of the said general Fee Fund, and be applied as Part thereof.

Penalties applicable to Rate to be carried to the Account of the general Fee Fund.

XXIV. And be it enacted, That all other Fines, Penalties, and Forfeitures, except such as are herein-before referred to, and which shall be imposed by such Stipendiary Justice, either alone or together with any other Justice or Justices of the Peace for the said County, which are or shall be by any Act limited and made payable to Her Majesty, or to any Person whomsoever, save and except the Informer who shall sue for the same, or any Party aggrieved, shall be recovered for and adjudged to be paid to the Treasurer of the Public Stock of the County of *Stafford*, and shall be applied in aid or reduction of the general County Rate: Provided always, that nothing herein contained shall extend to any Penalties or Forfeitures to be recovered under any Act relating to the Customs, Excise, or Post Office, or to Trade or Navigation, or any Branch of Her Majesty's Revenue.

Penalties payable to Her Majesty, &c. shall be paid to County Treasurer, in aid of County Rate.

Proviso.

XXV. And be it enacted, That the several Words herein-after particularized, used in this Act, shall bear the Interpretation following, unless there shall be something in the Subject Matter or Context repugnant thereto; (that is to say,)

Interpretation of Act.

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular:

Words importing the Masculine Gender only shall include Females.

XXVI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

Public Act.

C A P. LXVI.

An Act to amend the Laws relating to the Removal of the Poor. [26th August 1846.]

No Person to be removed from any Parish in which he or she shall have resided for Five Years.

Time during which Persons are serving in the Army or Navy, &c. not to be computed as Time of Residence.

Removal of Widows.

No Child under Sixteen Years of Age liable to be removed.

Sick Persons not to be removed except in certain Cases.

Settlement not to be gained by Nonremoval.

‘ **WHEREAS** it is expedient that the Laws relating to the Removal of the Poor 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, That from and after the passing of this Act no Person shall be removed, nor shall any Warrant be granted for the Removal of any Person, from any Parish in which such Person shall have resided for Five Years next before the Application for the Warrant: Provided always, that the Time during which such Person shall be a Prisoner in a Prison, or shall be serving Her Majesty as a Soldier, Marine, or Sailor, or reside as an In-Pensioner in *Greenwich* or *Chelsea* Hospitals, or shall be confined in a Lunatic Asylum, or House duly licensed or Hospital registered for the Reception of Lunatics, or as a Patient in a Hospital, or during which any such Person shall receive Relief from any Parish, or shall be wholly or in part maintained by any Rate or Subscription raised in a Parish in which such Person does not reside, not being a *bond fide* charitable Gift, shall for all Purposes be excluded in the Computation of Time herein-before mentioned, and that the Removal of a Pauper Lunatic to a Lunatic Asylum, under the Provisions of any Act relating to the Maintenance and Care of Pauper Lunatics, shall not be deemed a Removal within the Meaning of this Act: Provided always, that whenever any Person shall have a Wife or Children having no other Settlement than his or her own, such Wife and Children shall be removable whenever he or she is removable, and shall not be removable when he or she is not removable.

II. And be it enacted, That no Woman residing in any Parish with her Husband at the Time of his Death shall be removed, nor shall any Warrant be granted for her Removal, from such Parish, for Twelve Calendar Months next after his Death, if she so long continue a Widow.

III. And be it enacted, That no Child under the Age of Sixteen Years, whether legitimate or illegitimate, residing in any Parish with his or her Father or Mother, Stepfather or Stepmother, or reputed Father, shall be removed, nor shall any Warrant be granted for the Removal of such Child, from such Parish, in any Case where such Father, Mother, Stepfather, Stepmother, or reputed Father may not lawfully be removed from such Parish.

IV. And be it enacted, That no Warrant shall be granted for the Removal of any Person becoming chargeable in respect of Relief made necessary by Sickness or Accident, unless the Justices granting the Warrant shall state in such Warrant that they are satisfied that the Sickness or Accident will produce permanent Disability.

V. Provided always, and be it enacted, That no Person hereby exempted from Liability to be removed shall by reason of such Exemption acquire any Settlement in any Parish.

VI. And

VI. And be it enacted, That if any Officer of any Parish or Union do, contrary to Law, with Intent to cause any poor Person to become chargeable to any Parish to which such Person was not then chargeable, convey any poor Person out of the Parish for which such Officer acts, or cause or procure any poor Person to be so conveyed, or give directly or indirectly any Money, Relief, or Assistance, or afford or procure to be afforded any Facility for such Conveyance, or make any Offer or Promise or use any Threat to induce any poor Person to depart from such Parish, and if, in consequence of such Conveyance or Departure, any poor Person become chargeable to any Parish to which he was not then chargeable, such Officer, on Conviction thereof before any Two Justices, shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty on Persons unlawfully procuring Removals of poor Persons.

VII. And be it enacted, That the Delivery of any Pauper under any Warrant of Removal directed to the Overseers of any Parish at the Workhouse of such Parish, or of any Union to which such Parish belongs to any Officer of such Workhouse, shall be deemed the Delivery of such Pauper to the Overseers of such Parish.

Delivery of Paupers under Orders of Removal.

VIII. And be it enacted, That an Act passed in the Fifth Year of the Reign of King *William* the Fourth, for the Amendment and better Administration of the Laws relating to the Poor in *England* and *Wales*, and all Acts to amend and extend the same, and the present Act, except so far as the Provisions of any former Act are altered, amended, or repealed by any subsequent Act, shall be construed as One Act; and all Penalties and Forfeitures imposed under this Act shall be recoverable as Penalties and Forfeitures under the said Act for the Amendment of the Laws relating to the Poor.

4 & 5 W. 4. c. 76. and this Act to be construed as one.

IX. And be it enacted, That this Act shall extend only to *England*.

Extent of Act.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

C A P. LXVII.

An Act to remove Doubts concerning Citations, and Services and Execution of Diligence, in *Scotland*.

[26th August 1846.]

‘ **W**HEREAS an Act was passed in the Second Year of the Reign of Her Majesty, intituled *An Act to amend the Law of Scotland in Matters relating to personal Diligence, Arrestments, and Poindings*, whereby it was enacted, that Extracts, Citations, Deliverances, Schedules, and Executions may be either printed or in Writing, or partly both, and that, excepting in the Case of Poindings, more than One Witness shall not be required for Service or Execution thereof: And whereas Doubts have been entertained regarding the Interpretation of the Provisions above recited; and it is expedient to remove such Doubts: Be it therefore declared and 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,

1 & 2 Vict. c. 114.

Recited Enactment to apply to all Citations, Services, &c.

assembled, and by the Authority of the same, That the Enactment herein-before recited does and shall apply to all Citations on all Summonses, and to all Cases whatsoever of Services and Execution, and that more than One Witness is not and shall not be required for Service or Execution in any Case, excepting only in Cases of Poinding as aforesaid.

Act may be amended, &c.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

C A P. LXVIII.

An Act for better enabling the Burial Service to be performed in One Chapel where contiguous Burial Grounds shall have been provided for Two or more Parishes or Places.

[26th August 1846.]

8 & 9 Vict. c. 70. **W**HEREAS an Act was passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for the further Amendment of the Church Building Acts*, whereby it was amongst other things enacted, that where any Land should have been purchased or obtained for any new or additional Burial Ground not within the Bounds of the Parish or Parishes for the Use of which the same should have been so purchased or obtained, it should be lawful for Her Majesty's Commissioners for building new Churches, if they should think fit, in accepting a Conveyance of such Land for the Purposes aforesaid, under the Provisions of the therein-before recited Acts or any of them, to declare in such Conveyance, or by any other Instrument under their Common Seal, that such Land should, after the Consecration thereof for the Purposes aforesaid, be and be deemed to be Part of the Parish or Parishes for the Use of which such Land should have been so purchased or obtained, and after Consecration such Land should be Part of such Parish or Parishes accordingly for the Purposes aforesaid: And whereas it is expedient that the said Provision of the herein-before recited Act should be amended: Be it therefore 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, That such Provision shall extend to any distinct and separate Parish, District Parish, District Chapelry, or Consolidated District already or to be hereafter formed under the Church Building Acts, and to any new Parish already or to be hereafter constituted by or under the Proceedings of the Ecclesiastical Commissioners for *England*, and that where any Land, wherever situated, shall have been purchased or obtained for the Purpose herein-before recited, for the Use of Two or more Parishes or Places, it shall be lawful for the said Commissioners, in accepting a Conveyance of such Land for the Purposes aforesaid, to order and direct in such Conveyance, or by any other Instrument under their Common Seal, that any Chapel which at the Time of such Order and Direction shall have been or shall be thereafter erected on any Portion of such Land as aforesaid for the Performance of the Burial Service therein, and any Lodge or other

Church Building Commissioners may direct that One Chapel shall be used by the different Parishes or Places for which Burial Grounds contiguous to each other shall have been provided.

other Building which shall at the Time of such Order and Direction have been erected or shall thereafter be erected on any Part of such Land, and also any and every Access or Approach to and from such Chapel, Lodge, or other Building shall be for the Use of all and every of the Parishes or Places for which such Land shall have been purchased or obtained and conveyed as aforesaid, and such Order and Direction shall be valid and binding; and it shall be lawful for the Officiating Minister of each Parish respectively to use (subject to the Regulations herein-after mentioned) the said Chapel for the Purpose of the Burial Service therein; and the like Fees for the Performance of such Burials, and for the making, opening, or using any Catacombs, Vaults, or Ground for Burials within each such Burial Ground, shall be due and payable as are accustomed to be taken in the Parish for which such Burial Ground shall have been purchased, obtained, and conveyed as aforesaid; and the Use of such Chapel, Lodge, or other Building by such Officiating Minister for the Purpose aforesaid shall be subject to such Regulations as the Bishop of the Diocese shall at any Time under his Hand and Seal make or ordain.

Ministers of each Parish may use Chapel.

Same Fees payable as are due in Parishes for which Ground has been purchased.

II. And be it enacted, That it shall be lawful for the said Bishop, in consecrating such Chapel as aforesaid for the Purposes aforesaid, to declare in the Sentence of Consecration that such Chapel is intended for the Use of the respective Parishes or Places, for the Performance of the Burial Service therein, for which such Land shall have been purchased or obtained and conveyed as aforesaid; and if any additional Land shall after the Consecration of such Chapel be purchased or obtained, and conveyed as aforesaid to the said Commissioners, as a Burial Ground, for the Use of such Parish or Parishes, Place or Places, or for the Use of any other Parish or Parishes, Place or Places (such Land adjoining or being near to such former Land so purchased or obtained and conveyed,) such Chapel, subject to the Regulations as aforesaid by the Bishop of the Diocese, may be used for the Performance of the Burial Service in such additional Ground, and such Lodge or other Building, and every Access and Approach to and from such Chapel, Lodge, or Building, may be in like Manner used for the Purposes aforesaid.

Bishop of the Diocese may declare in the Sentence of Consecration that such Chapel is intended for the Use of such respective Parishes or Places.

III. And be it enacted, That for the Enclosure of such Land One Boundary Fence around the whole may be declared by such Bishop (if he think fit) sufficient, without any Sub-division Fences enclosing the Portions conveyed to the said Commissioners for the Use of the several Parishes or Places respectively; but if the said Bishop shall think fit he may require such Bound Stones to be put down as may appear to him necessary for marking the Boundaries of the Land so conveyed as aforesaid to the said Commissioners for the Use of the respective Parishes.

One Boundary Fence sufficient, unless Bishop direct Stones for marking Boundaries of each Parish.

IV. Provided always, and be it enacted, That nothing in this Act contained shall be construed to authorize any Church Rate to be made on the said Parishes or any of them for the Repair or Sustentation of such Chapel, Lodge, or other Building, or Fence as aforesaid, but such Repair or Sustentation shall be provided for by such a Sum of Money as the said Commissioners shall consider sufficient; and such Sum shall be set apart, and invested in Government

Act not to authorize Church Rate, &c.

A sufficient Fund for the

Repair, &c.
be set apart,
and invested in
the Names of
Trustees.

Vacancies
amongst Trus-
tees to be filled
up.

Interpretation
of Act.

vernment Securities in the Names of Trustees to be appointed by the said Commissioners, and shall be held by such Trustees in trust for the Purposes aforesaid, and the Dividends or annual Proceeds arising therefrom shall be applied in and about such Repair and Sustentation, as and when the Trustees or Trustee for the Time being, with the Consent of the Bishop of the Diocese, shall deem fit from Time to Time to direct; and in case of a Vacancy or Vacancies amongst such Trustees, the remaining Trustees or Trustee, and if there shall be no remaining Trustee, or no Trustee that is capacitated or willing to act, the Bishop of the Diocese shall supply such Vacancy or Vacancies, by the Appointment of a fresh Trustee or Trustees, who shall hold such Trust Fund, and apply the annual Dividends and Proceeds arising therefrom jointly with the remaining Trustees or Trustee, if any, in like Manner as the former Trustees or Trustee in whose Room he or they shall be appointed.

V. And be it enacted, That in the Interpretation of this Act, where the Words "Parish" or "Parishes" occur therein, such Words, or either of them, shall include any distinct and separate Parish, District Parish, District Chapelry, or Consolidated District already or to be hereafter formed under the Provisions of the Church Building Acts, and also any new Parish already or to be hereafter constituted by or under the Proceedings of the Ecclesiastical Commissioners for *England*.

C A P. LXIX.

An Act to authorize until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, the Regulation of the Annuities and Premiums of the Naval Medical Supplemental Fund Society. [26th *August* 1846.]

WHEREAS under an Order in Council, bearing Date the Thirteenth Day of *August* One thousand eight hundred and seventeen, the Naval Medical Supplemental Fund Society was established for the Relief of Widows of Medical Officers in the Royal Navy, and certain Rules and Regulations were thereby made and prescribed for the Government, Regulation, and Management of the said Society, and the Funds thereof: And whereas certain Pensions and Annuities have been and are paid and payable by, and Premiums have been and are paid and payable to, the said Society, and it is expedient that the Rate of the said Pensions, Annuities, and Premiums now paid or payable should be continued during the Continuance of this Act, unless it be found expedient to reduce or vary the Rate thereof, as herein-after mentioned, in order to prevent any Encroachment on the Funds of the said Society: Be it therefore 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, That from and after the passing of this Act the Amount or Rate of Pensions and Annuities now paid and payable by, and the Rate of Premiums now paid and payable to, the said Society shall,

Amount or
Rate of Pen-
sions and An-

shall, during the Continuance of this Act, continue to be paid and payable by and to the said Society, unless the Lord High Admiral, or the First Commissioner for executing the Office of Lord High Admiral for the Time being, as Patron of the said Society, and the Secretary of the Admiralty for the Time being, as President of the said Society, shall deem it expedient at any Time or Times to reduce or vary the same; in which Case it shall be lawful for the Lord High Admiral, or the said First Commissioner, and the said Secretary, and they are hereby authorized and empowered to vary or reduce at any Time and from Time to Time, by Writing under their respective Hands, as the Exigencies of the Case may seem to them requisite, the Amount of the Annuity now or hereafter payable by the said Society to Widows or other Claimants, provided that the Amount of the Annuities be not thereby rendered less than Two Thirds of the Amount which is now paid, and also to vary and increase the Rate of Premium which now is or shall be paid to the said Society for or in respect of any Annuity, so that the Amount of the Premium shall not exceed the Rate established by the said Order in Council: Provided always, that nothing in this Act contained shall render it obligatory on any Person to commence or continue the Payment of the full or reduced Amount of any such Premiums of Insurance as aforesaid.

nunities payable by, and Premiums payable to, the Society, shall continue to be paid, unless the Patron or President shall think fit to vary the same.

Proviso.

II. And be it enacted, That this Act shall commence and take effect from the passing thereof, and shall continue in force until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and from thence to the End of the then next Session of Parliament.

Term of Act.

III. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

Public Act.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

C A P. LXX.

An Act to amend the Act to facilitate the Inclosure and Improvement of Commons. [26th *August* 1846.]

‘ WHEREAS an Act was passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *an Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands, and the Division of intermixed Lands; to provide Remedies for defective or incomplete Executions, and for the Non-execution of the Powers of general and local Inclosure Acts; and to provide for the Revival of such Powers in certain Cases; and it is expedient that the said Act should be amended as herein-after mentioned:’* 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, That where it shall appear to the Commissioners that the Terms and Conditions of any Provisional Order heretofore issued or which shall here-
after

8 & 9 Vict.
c. 118.

Provisional Orders of Commissioners may be varied or amended.

after be issued by the Commissioners in the Matter of an Inclosure ought to be varied or amended, it shall be lawful for the Commissioners, at any Time before they shall have certified in their annual General Report their Opinion that the proposed Inclosure would be expedient, or, in case the Land proposed to be inclosed shall be Land to the Inclosure of which the previous Authority of Parliament shall not be necessary before they shall have caused Notice to be given of their Intention to proceed with such Inclosure, whether the requisite Consents shall or shall not have been taken to such Provisional Order, to make void and cancel the same, and to issue in lieu thereof such varied or amended Provisional Order as they shall think fit; and such Deposit shall be made, and Notice given, and other Proceedings had thereupon, as by the said Act would have been required in respect of an Original Provisional Order in the like Matter; and in case any Consents shall have been taken to a Provisional Order, and it shall not appear necessary to the Commissioners wholly to cancel the same, then it shall be lawful for the Commissioners, at any Time before they shall have certified in their annual General Report their Opinion that the proposed Inclosure would be expedient, or in case the Land proposed to be inclosed shall be Land to the Inclosure of which the previous Authority of Parliament shall not be necessary at any Time before they shall have caused Notice to be given of their Intention to proceed with such Inclosure, to vary or amend the Terms and Conditions of such Provisional Order, or any of them, by a Supplemental Provisional Order: Provided always, that in every Case in which a Supplemental Provisional Order shall be made, the Commissioners shall cause a Copy thereof to be deposited for Inspection in the same Manner as by the said Act required in reference to a Provisional Order, and shall cause Notice to be given of such Deposit, and shall by such Notice specify the Time within which Dissents may be signified to such Supplemental Order; and unless Persons the aggregate Amount of whose Interests in the Land proposed to be inclosed shall exceed One Third in Value of the whole Interest in such Land shall, within the Time so limited, signify in Writing to the Commissioners their Dissent from such Supplemental Order, such Order shall, for all the Purposes of the Inclosure, be deemed Part of the Provisional Order.

II. Provided always, and be it enacted, That where under the said Act the Consent of the Person interested in such Land in right of a Manor is required to an Inclosure, or the Dissent of any Person or Persons so interested might, in respect of his or their Interest in right of a Manor, have prevented an Inclosure, such Supplemental Order shall not take effect in case such Person or Persons respectively shall, within the Time so limited, signify in Writing to the Commissioners his or their Dissent from such Order; and where the Freemen, Burgesses, or Inhabitant Householders of any City, Borough, or Town shall be entitled to Rights of Common or other Interests in such Land, no Supplemental Provisional Order shall take effect without the like Consents of the like Number of such Freemen, Burgesses, and Inhabitant Householders as would have been required to the Provisional Order.

III. And

Copies of Supplemental Orders to be deposited for Inspection.

Supplemental Order not to take effect unless Consent of certain Parties be obtained.

III. And be it enacted, That in case any Supplemental Provisional Order so issued shall not take effect by reason of Dissents having been signified as aforesaid, the Commissioners may, at their Discretion, proceed as if such Supplemental Provisional Order had not been issued, or may suspend all Proceedings in the Inclosure.

If Orders do not take effect, Commissioners may suspend Proceedings.

IV. And be it enacted, That where Allotments for Exercise and Recreation, or for the labouring Poor, or for any other public Purpose, shall have been made the Condition of any Provisional or any Supplemental Provisional Order, it shall be lawful for the Commissioners, on the Application in Writing of the Valuer, at any Time before such Valuer shall have made his Award, under their Seal, to allow an equal Quantity of the Land proposed to be inclosed to be allotted for either or both of the Purposes aforesaid, or for any other public Purpose, in lieu of that which may have been directed to have been allotted by the Original or any Supplemental Provisional Order.

As to Allotments for Exercise and Recreation, &c. ;

V. And be it enacted, That it shall be lawful for the Commissioners, by their Provisional Order in the Matter of any Inclosure, to make it a Condition that there shall be awarded to the Lord of the Manor, instead of the whole or any Part of the Share or Proportion of the Residue of the Land to which it shall be thereby declared he would have been otherwise entitled in respect of his Right and Interest as Lord in the Soil, and also if they shall think fit in lieu of any other Allotment or Allotments to which he may be found entitled in respect of any other Rights or Interests in the Land proposed to be inclosed, such perpetual Rent-charge or Rent-charges of such aggregate Amount as shall in the Judgment of the Valuer be equal to such Share or Proportion of the Residue and such other Allotment or Allotments as aforesaid, as the Case may be, and such Rent-charge or Rent-charges shall be awarded accordingly, and shall be recoverable by the same Means as are by the Act of the Seventh Year of King *William* the Fourth, for the Commutation of Tithes in *England* and *Wales*, or any Act amending the same, given for recovering Rent-charges charged under the last-mentioned Act ; and the aggregate Amount of Rent-charge to which the Lord shall be found entitled under this Provision shall be charged by the Valuer, as he shall deem convenient, as separate Rent-charges or as One Rent-charge on the Allotments or Allotment to be allotted and awarded to any Persons or Person who shall consent thereto ; and the Valuer shall award to the Person whose Allotment shall be made liable to any such Rent-charge, and as a Portion of his Allotment so charged, such Addition in Land as the Valuer shall deem equivalent to such Rent-charge ; but in case such aggregate Amount of Rent-charge shall not be so charged, with Consent as aforesaid, the Valuer shall charge separate Rent-charges making together the aggregate Amount of Rent-charge on all the Allotments except the Allotments for public Purposes, in proportion to the Value, in the Judgment of the Valuer, of the respective Allotments.

and Allotments to Lord of Manor for Right of Soil, &c.

VI. And be it enacted, That where any Copyhold or Customary Land shall be intermixed or held or occupied together with Land of Freehold Tenure, or with Copyhold or Customary Land held of another Manor, or under other Customs or Titles, and such Copyhold or Customary Land cannot be identified by the Description

Award may be made by Assistant Commissioner, subject to Approval of Commissioners, in certain Cases

of intermixed Copyhold, Customary, or Freehold Lands.

tion thereof on the Rolls of the Manor, and the Situation or Boundaries of such Freehold and Copyhold or Customary Land respectively shall be unknown or unascertained, whether such Lands shall or shall not be subject to be inclosed under the said recited Act, and whether any Proceedings for an Inclosure shall or shall not be pending, it shall be lawful for the Commissioners, upon the Application in Writing of the Persons interested in such Lands, and with the Consent of the Lord or Lords of the Manor or respective Manors of which such Copyhold or Customary Land shall be holden, by Order under their Seal, to appoint and authorize an Assistant Commissioner or any other Person to award and declare what Part of the Lands so intermixed or held or occupied together shall be and be deemed Copyhold or Customary Land and Freehold Land respectively, or shall respectively be held of each such Manor or under each of such Customs or Titles respectively, or to determine and declare the Situation and Boundary thereof, as the Case may require: and such Assistant Commissioner or other Person shall frame a Draft Award, declaring which Parts of such Lands so intermixed or occupied should in his Judgment be or be deemed Copyhold or Customary Lands, for or in lieu of the Copyhold or Customary Land or several Copyhold or Customary Lands passed by the Description or several Descriptions in the Court Rolls, and for and in lieu of such Freehold Land respectively, with a Map or Plan annexed thereto; and the Commissioners may, if they think fit, make such Inquiries in relation to the Matter of such Draft Award or any Part thereof, and cause the same to be revised by such Assistant Commissioner or other Person; and in case such Draft Award, without or after such Revision as aforesaid, shall appear satisfactory to the Commissioners, they shall cause the same to be engrossed, and to be signed by such Assistant Commissioner or other Person, and shall approve the same under their Seal; and from and after such Approval the Land described in such Award shall be and be deemed of such Tenures, and to be held of such Manor and under such of the said respective Customs or Titles, as therein declared, and shall be subject to the same Services, Uses, Trusts, and Charges as the Lands in respect of which they shall be awarded respectively; and a Copy of such Award shall be delivered to the Lord of the Manor or of each Manor to which the same may relate, or his Steward, and shall be kept with and deemed Part of the Court Rolls.

Application of Provisions of recited Act as to Notices and Dissents.

VII. And be it enacted, That the Provisions of the said recited Act concerning Notices and Dissents in the Case of an Order of Exchange shall apply to and have the same Effect respectively in the Case of such Award as aforesaid as if the Approval of such Award were the Confirmation of an Order of Exchange.

Boundaries of Leaseholds may be declared in Award setting out Boundaries of Copyhold or Customary Lands.

VIII. And be it enacted, That where any Land held by Lease for Years or for Life or Lives shall be intermixed with or held or occupied together with, or shall be alleged to be intermixed with or to be held or occupied together with other Land, and by reason of the Description of the Parcels in such Lease being general and indefinite, or inapplicable to the actual Condition of the Property, or otherwise, the Quantity, Situation, or Boundaries of such Leasehold Land cannot be ascertained, or Differences or Disputes

Disputes shall have arisen concerning such Quantity, Situation, or Boundaries, (whether such Land shall or shall not be subject to be inclosed under the said recited Act, and whether any Proceedings for an Inclosure shall or shall not be pending,) it shall be lawful for the Commissioners, upon such Application as herein-after mentioned, in and by any Order under their Seal, to authorize or to appoint and authorize any Assistant Commissioner or other Person to award and declare what Part of the Lands so intermixed or held or occupied together, or alleged to be intermixed or held or occupied together, shall be and be deemed to be the Land held under such Lease or to determine and declare the Quantity, Situation, and Boundaries thereof, as the Case may require; and any such Authority, or Appointment and Authority as last aforesaid, may be inserted in any Order which shall also relate to Copyhold or Customary Land, or may be made and given by separate Order, as the Case may require; and the Assistant Commissioner or other Person so authorized shall insert a Declaration in his Draft Award, or shall frame a Draft Award, as the Case may require, in like Manner as herein-before provided in the Case of Copyhold or Customary Land being intermixed or held or occupied as aforesaid; and the Provisions herein-before contained for Inquiries in the Matter of a Draft Award concerning Copyhold or Customary Land, and the Revision thereof, and the Ingrossment, Execution, and Approval thereof, shall apply to a Draft Award and the Declarations in a Draft Award concerning such Leasehold Land as aforesaid; and from and after the Approval of the Award concerning such Leasehold Land the Land which shall be thereby declared to be or to be deemed Leasehold Land shall be and be deemed to be held under such Lease, according to the Intent of the Declaration therein contained: Provided always, that every such Order which shall

Proviso.

IX. And be it enacted, That the Provisions of the said recited Act respecting the Exchange of Lands, and respecting the Division into convenient Parcels and Allotment of Lands intermixed or divided into Parcels of inconvenient Form or Quantity, (and respectively applicable to Land not subject to be inclosed under the said Act, and to Land so subject as to which no Proceedings for an Inclosure shall be pending,) shall extend and be applicable to Lands of Copyhold or Customary Tenure and the Land taken in exchange under any Order of Exchange; and the Land allotted under any Order of Division and Allotment in respect of any Copyhold or Customary Land shall be deemed Copyhold or Customary Land, and shall be held of the Lord of the

Copyhold and Customary Lands may be exchanged.

Consent of Lord
of the Manor
required.

same Manor, under the same Rent, Custom, and Services as the Copyhold or Customary Land in respect of which it may be so taken and allotted respectively was or ought to have been held, without any new Admittance in respect of Land so taken and allotted; and the Land taken in exchange and the Land allotted under such Orders respectively in respect of Freehold Land shall be of Freehold Tenure: Provided always, that no such Order of Exchange or of Division and Allotment of or affecting any Copyhold or Customary Land shall be confirmed by the Commissioners unless the Consent of the Lord of the Manor of which such Copyhold or Customary Land shall be holden shall have been given, either to the Application of the Persons interested for such Exchange or Division and Allotment, or to the Exchange or Division and Allotment to which such Order shall relate; and a Copy of every such Order, when confirmed, shall be delivered to the Lord of such Manor or his Steward, and shall be kept with and deemed Part of the Court Rolls of such Manor.

Steward or
Deputy may
consent in
Writing on
behalf of the
Lord.

X. And be it enacted, That in every Case where the Consent of the Lord of a Manor is required under this Act a Declaration or Statement in Writing under the Hand of the Steward or his Deputy authorized to take Surrenders or grant Admittances of or to Copyhold or Customary Lands in such Manor, signifying that the Lord has consented, shall be Evidence of such Consent for all the Purposes of this Act; and a Recital or Statement of the Consent of the Lord of a Manor contained in an Award which shall be approved or in an Order which shall be confirmed by the Commissioners shall, so far as respects the Validity of such Award or Order, be conclusive Evidence of such Consent.

Shares of Land
and Cattle
Gates and
Stints may be
exchanged.

XI. And be it enacted, That [where a Person interested in any undivided Share, or any Cattle Gate or other Gate, or any Right of Common defined by Numbers or Stints, in or to be exercised over any Land, and a Person interested in any undivided Share or Gate or Right (so defined) in or to be exercised over any other Land, shall be desirous of exchanging their respective Shares, Gates, or Rights, whether such respective Lands or either of them shall or shall not be subject to be inclosed under the said recited Act, and whether any Proceedings for an Inclosure of such respective Lands or either of them shall or shall not be pending, it shall be lawful for the Commissioners, upon the Application in Writing of the Persons interested in such Shares, Gates, or Rights, which they shall be so desirous of exchanging, or in such Lands in respect of such Shares, Gates, or Rights, to make an Order of Exchange of such respective Shares, Gates, or Rights, without requiring the Concurrence in such Application of the other Persons interested in such Lands; and all the Provisions of the said recited Act and this Act respecting the Exchange of Lands shall extend and be applicable to the Exchange of such respective Shares, Gates, or Rights; provided that, instead of the Map or Plan by the said recited Act directed to be annexed to an Order of Exchange, the Commissioners may cause to be therein inserted or thereunto annexed such Descriptions as may appear to them sufficiently to ascertain such respective Shares, Gates, or Rights, and such respective Lands as aforesaid.

XII. ' And whereas by the said Act Provision is made for the Adoption and Use for the Purposes of any Inclosure under the said Act of a Copy of any Map or Plan which shall have been confirmed under the Hands and Seal of the Tithe Commissioners, or of any other Map or Plan of the Accuracy of which the Inclosure Commissioners shall be satisfied, or for making a new Survey, Map, or Plan ;' be it enacted, That every new Survey, Map, or Plan which is used for the Purposes of any Inclosure under the said Act shall be signed by the said Inclosure Commissioners, after Examination of the Accuracy thereof under their Direction, and sealed with their Official Seal in testimony of such Examination.

Accuracy of Maps to be certified.

XIII. ' And whereas by the said recited Act it is provided that the Valuer may in the Cases therein mentioned be assisted by an Assistant Commissioner specially appointed as an Assessor, who shall be a practising Barrister at Law of Five Years standing at the least ;' be it enacted, That any Assistant Commissioner under the said Act may be specially appointed as an Assessor for the Purpose aforesaid.

Assistant Commissioner may be appointed Assessor.

XIV. And be it enacted, That this Act shall be taken to be a Part of the said recited Act, and be construed accordingly.

Act deemed Part of recited Act.

XV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session.

Act may be amended, &c.

C A P. LXXI.

An Act to amend an Act of the present Session, intituled *An Act to authorize Grand Juries in Ireland, at the Spring Assizes of the present Year, to appoint Extraordinary Presentment Sessions ; to empower such Sessions to make Presentments for County Works ; and to provide Funds for the Execution of such Works ; and also to provide for the more prompt Payment of Contractors for Works under Grand Jury Presentments in Ireland.* [26th August 1846.]

WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act to authorize Grand Juries in Ireland, at the Spring Assizes of the present Year, to appoint Extraordinary Presentment Sessions ; to empower such Sessions to make Presentments for County Works ; and to provide Funds for the Execution of such Works ; and also to provide for the more prompt Payment of Contractors for Works under Grand Jury Presentments in Ireland :* And whereas it is expedient to alter and amend certain of the Provisions of the said Act : Be it therefore 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, That from and after the passing of this Act so much of the said recited Act as requires that any Extraordinary Baronial Presentment Sessions held under the Provisions of the said Act shall be adjourned until some Day not sooner than Fourteen Days after the Day fixed for the Extraordinary County Presentment Sessions, or as provides for or

9 & 10 Vict. c. 2.

Certain Parts of the recited Act repealed.

relates to the Preparation of Forms of Tender for the Execution of any Works, or sealed Tenders or Proposals for Works, or the notifying, making, receiving, or otherwise dealing with any such Tenders or Proposals, or entering into any Contracts in respect thereof, or any Security for such Contracts, or the keeping of any Book or Abstract of such Contracts, shall be and the same is hereby repealed, save and except as to any Matter or Thing heretofore done under any of such Provisions respectively: Provided always, that if, under the Provisions or in pursuance of the said recited Act, any Work shall have been actually commenced, or a Contract for any Work shall have been approved of and entered into at any adjourned Extraordinary Baronial Presentment Sessions, such Work shall and may be executed, and the several Matters and Things in relation to the same shall and may be done and carried on, as if this Act had not been passed.

Works already commenced or contracted for under recited Act to be executed.

Proceedings commenced, &c. under the said Act to be carried on.

II. And be it enacted, That, save as last aforesaid, the several Proceedings (if any) heretofore commenced in respect to Works applied for under the Provisions of the said recited Act shall or may be continued or carried on under the said Act as amended by this Act; and all Proceedings hereafter to be commenced in relation to any such Applications and Works as in the said Act specified shall be carried on under the Provisions of the said Act as amended by this Act.

Schedules of Works to be executed by Commissioners of Public Works, or by the County Surveyor, presented for at Extraordinary County Presentment Sessions, shall be transmitted to the Lord Lieutenant, who may lay them before the Lords of the Treasury for their Approval.

III. 'And whereas it is expedient that all Works heretofore presented or which shall hereafter be presented under the Provisions of the said recited Act and this Act, or either of them, but which at the Time of the passing of this Act have not been commenced or contracted for, should be executed, not by Contract as in the said recited Act provided, but either by the Commissioners of Public Works in *Ireland* or by the respective County Surveyors; be it therefore enacted, That when any Presentment for any Works shall be made at any Extraordinary County Presentment Sessions or Extraordinary Presentment Sessions hereafter to be holden under the Provisions of the said recited Act and this Act or either of them, such Sessions shall determine which of such Works shall be executed by the County Surveyor and which of them by the Commissioners of Public Works in *Ireland*, and each such Presentment shall be thereupon noted or endorsed by the Chairman according to such Determination; and such Chairman shall at the same Time cause to be made out and shall sign with his Name separate Schedules of all Applications for Works which shall have been duly approved and presented at such Sessions respectively, that is to say, one Schedule of all such Works (if any) so to be executed by the County Surveyor, and another Schedule of all such Works (if any) so to be executed by the said Commissioners of Public Works, and shall deposit such Schedules with the Secretary of the Grand Jury of such County, County of a City, or County of a Town, who within Six Days shall transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* a Copy, signed by himself, and verified by his Declaration before a Justice of the Peace, of each of such Schedules of Works so presented at such Presentment Sessions, together with a Certificate of the acting Clerk of the Crown that such Works have been duly presented under the said

Act and this Act or either of them, which such Clerk of the Crown is hereby required to furnish; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to cause the same or Copies thereof respectively to be forthwith transmitted to the Commissioners of Her Majesty's Treasury for their Sanction and Approval; and in all Cases of Extraordinary County Presentment Sessions holden for any County after the passing of this Act as aforesaid any adjourned Extraordinary Baronial Presentment Sessions in such County theretofore appointed shall either not assemble, or shall separate without the Transaction of any Business.

IV. Provided always, and be it enacted, That if at the Time of the passing of this Act any Extraordinary County Presentment Sessions or Extraordinary Presentment Sessions holden under the said recited Act shall have been concluded and shall have separated, but the Period for assembling the adjourned Extraordinary Baronial Presentment Sessions for such County or Place pursuant to Adjournment shall not have arrived, then and in such Case the adjourned Extraordinary Baronial Presentment Sessions shall assemble pursuant to the Adjournment, and when assembled shall not accept of or adopt any Proposals or Tenders for the Execution of Works by Contract as in the said recited Act provided, but in lieu thereof shall in relation to all Works presented for at the Extraordinary County Presentment Sessions or Extraordinary Presentment Sessions determine which of the said Works shall be executed by the County Surveyor, and which of the said Works shall be executed by the said Commissioners of Public Works, and each such Presentment shall be thereupon noted and endorsed by the Chairman of such Extraordinary Baronial Presentment Sessions according to such Determination, or such Chairman shall make an Entry thereof in a Book to be kept for that Purpose; and such Chairman shall at the same Time cause to be made out and shall sign with his Name separate Schedules of the Works so presented, that is to say, One Schedule of the Works (if any) to be executed by the County Surveyor, and One Schedule of the Works (if any) to be executed by the said Commissioners of Public Works, and shall deposit the said Schedules with the Secretary of the Grand Jury of such County, County of a City, or County of a Town, who within Six Days shall transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* a Copy, signed by himself and verified as aforesaid, of each of such Schedules, together with such Certificate of the acting Clerk of the Crown as aforesaid; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to transmit the same or Copies thereof to the said Commissioners of the Treasury for their Approval, and such last-mentioned Proceedings shall be as valid for the Purposes of the said Act and this Act as if the Mode of Execution of such Works had been determined on, and as if such Schedules had been duly signed at an Extraordinary County Presentment Sessions or Extraordinary Presentment Sessions holden after the passing of this Act as aforesaid.

In Cases where Extraordinary County Sessions shall have been concluded, but the adjourned Extraordinary Baronial Sessions shall not have arrived before the passing of this Act, then such Baronial Sessions to determine who the Works presented shall be executed by, subject to the Approval of the Lord Lieutenant and the Treasury.

V. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury from Time to Time, by Warrant under the Hands of any Three or more of them, to authorize

The Treasury may, out of the Monies authorized to be issued under

recited Act, make Advances for such Works as are determined to be executed by the Board of Works, and authorize them to execute them.

The Board of Works shall proceed to execute such Works as are authorized to be executed by them.

6&7W.4. c. 116.

Advances by the Treasury for Works to be executed by the County Surveyor.

ize the Commissioners of Public Works in *Ireland* to execute the said Works so presented and specified in any such Schedule of Works to be executed by the said Commissioners of Public Works as aforesaid, or such of the said Works as the said Commissioners of the Treasury shall think fit, at and for the Amount so presented for each such Work respectively; and it shall be lawful for the said Commissioners of the Treasury, out of the Monies authorized to be advanced by the said Commissioners by way of Loan under the Provisions of the said recited Act, to advance and place at the Disposal of the said Commissioners of Public Works the several and respective Sums of Money so presented for each and every such Work so authorized to be by them executed, to be by the said Commissioners of Public Works applied and expended respectively to and for and in the Execution of the said several and respective Works so to be executed by them, and to be accounted for to the said Commissioners of the Treasury; and the Monies so to be from Time to Time advanced shall be accounted to be Part of the Money by the said recited Act authorized to be advanced by way of Loan.

VI. And be it enacted, That the said Commissioners of Public Works shall, upon the Receipt of any such Warrant of the said Commissioners of the Treasury, forthwith cause the Execution or Construction of any such respective Works therein authorized to be proceeded with, and shall for such Purpose have and use all such Powers and Authorities as they are by any of the Acts now in force for the Extension and Promotion of Public Works in *Ireland* invested with for the Construction of any Road or Bridge or other Work, for the Construction whereof a Grant shall have been sanctioned by the said Commissioners of the Treasury, and also all such Rights, Powers, Authorities, and Privileges as any County Surveyor or Contractor appointed or acting under and by virtue of an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentation of Public Money by Grand Juries* in *Ireland*, may have or use with reference to the Execution of Works thereunder.

VII. And be it enacted, That the Copy of any Schedule as aforesaid of Works to be executed by the respective County Surveyors, so transmitted to the said Lord Lieutenant or other Chief Governor or Governors of *Ireland*, shall, in addition to the Signature of the Secretary of the Grand Jury, be also signed, under the Hand of the Treasurer of such respective County, County of a City, or County of a Town, with his Name, and such Signature by him shall be deemed and construed to be an Application by such respective Treasurer for an Advance by the Commissioners of Her Majesty's Treasury, out of the Monies authorized by the said recited Act to be by them advanced by way of Loan, to the Amount of the respective Sums specified in any such Schedule as presented for the respective Works therein comprised; and it shall be lawful for the said Commissioners of the Treasury, after the Receipt of any such Schedule, or a Copy thereof, and of such Certificate of the Clerk of the Crown as aforesaid, by a Warrant in Writing under the Hands of any Three or more of them, to authorize an Advance of the Sums presented for the Execution of all or any of the Works specified in such Schedule, and so to be executed by
any

any such County Surveyor, or any Part thereof, or of such of the said Works as they shall think fit, and to transmit their Determination thereon to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to be communicated to such Secretary of the Grand Jury, County Treasurer, and County Surveyor; and it shall thereupon be lawful for the said Commissioners of the Treasury, out of the Monies authorized to be advanced by them by way of Loan under the Provisions of the said recited Act, from Time to Time to advance and place at the Disposal of any such County Treasurer as aforesaid such respective Sums as aforesaid for every or any such Work specified in such Schedule, and so by them approved of and authorized; and any such Money so advanced shall be delivered or paid by such Officer or Person and in such Manner as the said Commissioners shall think fit, and by such Instalments as may be necessary, to the Treasurer of the County, County of a City, or County of a Town in which the Works in respect of which such Advances shall be made are to be executed, and shall be accounted for by him in like Manner as any other Monies by him received for the Use of such County, County of a City, or County of a Town, and all Securities given or to be given by him or on his Behalf shall extend to such Money; and every such Treasurer shall also from Time to Time, and at all Times when thereunto required by the Grand Jury of the said respective Counties, account for the same, and for all his Disbursements and Receipts in respect of such Advances, in such and the same Manner as such Treasurer is now by Law bound to account for other Public Monies received by him as such.

Monies advanced to be paid to the Treasurer of the County, &c., who shall account for the same.

VIII. And be it enacted, That any such County Treasurer shall, upon Application for that Purpose made to him by the County Surveyor, out of the Monies so placed at his Disposal, advance and pay to such County Surveyor the Sums from Time to Time required for the Execution of the respective Works so authorized to be executed by such County Surveyor, not exceeding the Sums respectively presented for the said Works, upon the Certificate of such Surveyor that a Sum equal to the Amount applied for had been expended upon such Work, or will become due and payable in respect thereof at the Termination of the current Week.

County Treasurer empowered to advance Monies to the County Surveyor.

IX. And be it enacted, That the County Surveyor of any County, County of a City, or County of a Town, as the Case may be, shall, as soon as any such Works so presented to be executed by him shall have been authorized and approved of by the Commissioners of the Treasury, forthwith cause the same to be executed, and cause to be expended thereupon any Sums not exceeding the respective Sums presented for the same respectively, and for such Purpose shall have Power to employ sufficient Workmen, either at reasonable Wages or by Taskwork, and also an Overseer for each such Work, if he shall deem such Overseer to be necessary, and shall account for the Execution of such respective Works, and for the Expenditure thereon, and for the Sums advanced to him for such Works, before the Grand Jury at the Assizes next ensuing the Completion of such Works respectively; and all and every the Powers and Authorities or Provisions given or contained in the Acts for consolidating and amending the Laws relating to the Presentment of Public Money by Grand Juries in *Ireland*

County Surveyor to execute the Works authorized to be executed by him.

with reference to Execution of Works thereunder shall, as far as the same are applicable, extend and apply to the executing of such Works as aforesaid by the County Surveyor.

The Lord Lieutenant may cause Grand Jurors to be re-assembled for the Appointment of Presentment Sessions,

X. And be it enacted, That it shall and may be lawful for the Sheriff, or in his Absence for the Sub-Sheriff of any County, County of a City, or County of a Town, and such Sheriff or Sub-Sheriff is hereby authorized and required, in case he shall receive a Direction by Warrant for that Purpose, to be issued from Time to Time as may be necessary, under the Hand of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, (and whether any Warrant shall have been theretofore issued for such Purpose under the Provisions of the said recited Act or this Act or not,) to summon the several and respective Persons who shall have served as Grand Jurors upon the Grand Jury at the Spring Assizes of the present Year for such County, County of a City, or County of a Town to re-assemble and attend for the Purposes of the said recited Act and this Act, at the usual Place of holding Assizes, upon a Day by such Sheriff or Sub-Sheriff to be fixed, not later than Seven Days from the Day on which such Sheriff or Sub-Sheriff shall have received such Warrant as aforesaid; and such Persons so summoned are hereby required to come and appear, agreeably to the Exigency of such Summons, under the like Penalties, and subject to the like Forfeiture of Issues, as Persons heretofore summoned to appear and serve on Grand Juries at any Assizes in *Ireland*; and on the Day and at the Place appointed for such Attendance such Sheriff or Sub-Sheriff, and also the Clerk of the Crown or his Deputy, shall attend at such Time and Place, and proceed to call such Grand Jurors, and such Clerk of the Crown or his Deputy shall thereupon administer to such Grand Jurors, and to such Persons (if any) as may be associated with them as herein-after mentioned, the Oath in the Schedule to this Act set forth; but in case all the Grand Jurors who were impanelled at such Spring Assizes, or Fifteen of them at the least, shall not be so in attendance, it shall be lawful for such Sheriff or Sub-Sheriff to call and summon, to be associated with such Grand Jurors then and there attending, such Number of other Persons whose Attendance can be procured, and whose Names shall have been on the Grand Jury Panel for such Spring Assizes, as will be sufficient with such first-named Grand Jurors attending to make up a Number not less than Fifteen and not exceeding Twenty-three; and such Grand Jurors so attending, or, as the Case may be, such Grand Jurors so attending together with such other Persons associated with them, shall have all the Powers and Authorities by the said recited Act given to the respective Grand Juries at the Spring Assizes of this Year, or to Grand Jurors summoned to re-assemble under the said Act, for appointing any such Extraordinary Presentment Sessions as therein provided; and it shall be lawful for them, if they shall respectively so think fit, Twelve of them at the least assenting, by a Presentment to appoint such Extraordinary Presentment Sessions respectively, and the Times and Places for holding the same, and the several Matters relating to the same as in the said recited Act provided; and any such Extraordinary Presentment Sessions so appointed shall be as valid,
and

and have all such Powers and Authorities, and be subject to such Provisions, as if the same had been appointed by the Grand Jury at such Spring Assizes under the Provisions of the said recited Act; provided that after the passing of this Act the Time to be so appointed for holding the first Extraordinary Baronial Presentment Sessions in each County, County of a City, or County of a Town shall not be later than Fifteen Days from the Days so respectively from Time to Time fixed for the respective Grand Juries to re-assemble.

XI. And be it enacted, That whenever any Extraordinary Baronial Presentment Sessions, Extraordinary County Presentment Sessions, or Extraordinary Presentment Sessions shall have been or shall be duly appointed under the Provisions of the said recited Act and this Act or either of them, and any such Sessions shall have adjourned or separated without having approved of or presented for any Work to be executed, as also in all Cases wherein from the Distress in any District it may seem expedient to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* that such several Presentment Sessions respectively, although they may have made Presentments, should have an Opportunity of again assembling and making further Presentments, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by a Notice or Notices to be published in the *Dublin Gazette*, and also in One or more Newspapers circulating in the respective District, and of which Copies shall be posted in the usual Places for posting public Grand Jury Notices in such District, to require such respective Extraordinary Baronial Presentment Sessions, or Extraordinary County Presentment Sessions, or Extraordinary Presentment Sessions, as the Case may be, to meet and re-assemble at the Place or Places theretofore appointed in that Behalf, on such Day or Days and Hours as shall be specified in such Notice, not being sooner than Fifteen nor later than Twenty Days after the Publication of such Notice in the *Gazette* as aforesaid, and the respective Justices and Cess-payers are hereby required to meet and assemble pursuant to such Notice; and any such respective Sessions so appointed shall be as valid and shall have all such Powers and Authorities, and be subject to such Provisions, so far as the same shall be applicable, as any other Extraordinary Baronial Presentment Sessions, or Extraordinary County Presentment Sessions, or any Extraordinary Presentment Sessions respectively, under the Provisions of the said Act as amended by this Act: Provided always, that no Extraordinary Baronial Presentment Sessions, or Extraordinary County Presentment Sessions, or Extraordinary Presentment Sessions, under the Provisions of the said recited Act and this Act or either of them, shall be appointed to be held on any Day later than the First Day of *October* in this present Year.

Extraordinary Baronial or County Presentment Sessions, separating without approving or presenting for any Work, may be re-assembled by the Lord Lieutenant.

No Extraordinary Sessions to be held after 1st Oct. 1846.

XII. Provided always, and be it enacted, That it shall not be necessary for the Purposes of the said recited Act and this Act that any Applications for any Work should be lodged with any High Constable earlier than Ten Days, or with the Secretary of the Grand Jury earlier than Seven Days, before the Day appointed for holding the first Extraordinary Baronial Presentment Sessions so appointed in such County or Place; and every such High Constable

Times for Service of Notices of Application for Works, &c.

stable with whom any such Application shall be lodged shall transmit every such Application to the Secretary of the Grand Jury Seven Days before the Day appointed for holding such first Sessions; and it shall not be necessary for the Purposes of the said recited Act and this Act that any Notices in respect of such Applications for Works shall be affixed, delivered, or given earlier than Seven Days previous to the first Day appointed for holding the several Sessions respectively at which the Application for the Works is to be made.

Advances from Treasury to be repaid by compulsory Presentment by Instalments.

XIII. 'And whereas certain Provisions are made in and by the said recited Act in regard to the Manner in which and the Times when the Monies to be advanced under the Provisions thereof by the Commissioners of Her Majesty's Treasury shall be repaid, and it is expedient to alter and amend the said Act in relation thereto;' be it enacted, That the Monies from Time to Time advanced or to be advanced pursuant to the Provisions of the said recited Act and of this Act, or either of them, by the Commissioners of Her Majesty's Treasury, for the Execution of any Works under the said recited Act and this Act or either of them, in any County, County of a City, or County of a Town, shall be repaid by Grand Jury Presentments by such Number of half-yearly Instalments, not less than Four and not more than Twenty, as the said Commissioners of the Treasury shall direct, and commencing at the Spring Assizes of the Year of our Lord One thousand eight hundred and forty-seven, and with such Interest (not exceeding the Rate of Five Pounds *per Centum per Annum*) as the said Commissioners of the Treasury shall appoint and direct; and the said Commissioners shall from Time to Time cause to be certified to the Secretary of the Grand Jury of each such County, County of a City, or County of a Town, to or for whose Use any such Monies shall have been advanced, the Amount of the Instalment or Instalments so to be repaid; and each such Secretary shall lay such Certificate before the Grand Jury of such County, County of a City, or County of a Town, at the next Assizes or Presenting Term after he shall receive the same; and it shall be lawful for every such Grand Jury and they are hereby required to present the Sum mentioned in every such Certificate relating to such County, County of a City, or County of a Town to be raised off the respective Baronies or Half Baronies, County of a City or County of a Town, in respect whereof the Works for which any such Monies shall be so advanced by the said Commissioners shall have been presented; and the Treasurer of such County, County of a City, or County of a Town shall pay the Sum so presented by the Grand Jury, when and as by him received, to such Bank or Person, and to such Account or in such Manner, as the said Commissioners of the Treasury shall direct: Provided always, that if the Grand Jury of any County, County of a City, or County of a Town shall fail to present the Sum, or any Part thereof, contained in any such Certificate, relating to such County, County of a City, or County of a Town, the Treasurer of such County, County of a City, or County of a Town shall and he is hereby required to insert such Sum, or such omitted Part thereof, in his Warrant for raising the Monies presented at the same Assizes, as if such Sum had been duly presented

If Grand Jury fail to present, the Treasurer of the County to insert the Sum required in his Warrant.

sented by such Grand Jury to be raised off the respective Baronies or Half Baronies properly chargeable therewith as aforesaid, or County of a City or County of a Town (as the Case may be), and the same shall be raised and levied off such Barony or Half Barony, County of a City or County of a Town, (as the Case may be,) accordingly, as if the same had been so presented, and the said Treasurer shall pay over the Amount when by him received as herein-before provided in the Case of such Money being presented by the Grand Jury; and all the Provisions of the Acts for consolidating and amending the Laws relating to the Presentment of Public Money by Grand Juries in *Ireland* with reference to the raising, Applotment, Collection, Levy, or Recovery of Grand Jury Cess shall, as far as the same are applicable, apply to all such Sums of Money so presented by the Grand Jury, or so inserted in such Warrant.

XIV. And be it enacted, That when any public Road shall have been or shall be widened under the Provisions of the said recited Act and this Act or either of them, it shall be lawful for any Occupier or Owner of the Ground taken and occupied by the widening of such Road to demand and obtain from the Officer of the said Commissioners of Public Works or the County Surveyor, as the Case may be, by whom such Work shall have been or shall be executed, a Certificate under his Hand, which such Officer or Surveyor is hereby required to give, stating the Quantity of Ground belonging to such Occupier or Owner which shall have been so taken and occupied by means of the widening of such Road, and an Estimate of the average annual Value of such Ground, the Tenure of such Occupier or Owner thereof, and an Estimate of the total Damage sustained by him by the widening of such Road; and upon giving or tendering such Certificate it shall be lawful for such Officer or Surveyor as aforesaid to proceed in the Execution of the Presentment for widening such Road without the Interruption of any Person; and it shall be lawful for any such Owner or Occupier, giving Ten Days previous Notice to the Secretary of the Grand Jury, to make Application to the Grand Jury at the Assizes next following the giving of such Certificate, or the next subsequent Assizes, for the Amount of Damages specified in such Certificate, whereupon it shall be lawful for the Grand Jury to present, without previous Application to Presentment Sessions, such Sum or Sums of Money, for the Use of such Owner or Occupier, in respect of the Damage sustained by him, as they, upon Inspection of such Certificate, shall deem reasonable to be raised off the Barony or Half Barony in which such Ground shall be situated, and to such Presentment no Traverse shall be allowed or received; but in case such Owner or Occupier shall not think fit to make such Application to the Grand Jury, it shall be lawful for him at the Assizes next following the giving of the said Certificate, or at the next subsequent Assizes, upon giving Ten Days Notice previously to such Assizes to the Secretary of the Grand Jury of the Amount of Damages intended to be claimed, to have a Traverse for Damages entered in the Crown Book in respect of such Damage sustained by him, and thereupon such Traverse shall be tried in like Manner, and like Proceedings shall be had and Presentment made in respect of

When any Road shall be widened under this Act, Owners, &c. of Land taken to obtain from the Board of Works or County Surveyor a Certificate of the Value, &c. of the same, upon Production of which Grand Jury to present a Sum of Money for Damage sustained.

In case Owner, &c. shall not make Application to Grand Jury, he may apply to the Assizes, upon giving Notice.

the same, and subject to like Provisions, as far as the same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of Public Monies by Grand Juries in *Ireland*.

Construction of Acts.
Interpretation.

XV. And be it enacted, That the said recited Act and this Act shall be construed together as One Act; and that the several Words and Expressions to which an extended Meaning is given in the said Act shall have or include the same extended Meaning in this Act, unless in such several Cases there be something in the Subject or Context repugnant thereto.

County Surveyors to assist in carrying into execution Works under this Act.

XVI. And be it enacted, That the several County Surveyors in *Ireland* and their Assistants within their respective Counties do and shall from and after the passing of this Act, in addition to their Duties herein-before mentioned and to all their other Duties, obey, perform, and execute, either alone or conjointly with or subject to the Direction of any other Person or Persons to be appointed for that Purpose by the Commissioners of Public Works in *Ireland*, all such Orders and Directions as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or the said Commissioners of Public Works, shall from Time to Time issue and transmit to them or any of them respecting the planning, laying out, superintending, or overseeing any such Work or Works under the Provisions of the said Act and this Act or either of them, within their respective Counties, as shall be specified in and by such Orders or Directions, or the disbursing any such Sum or Sums of Money as shall be placed at his or their Disposal for that Purpose, and do and shall from Time to Time, and as often as he or they shall be so required, report to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or to the said Commissioners of Public Works, how and in what Manner he or they shall have executed such Orders and Directions, or disbursed such Sum or Sums of Money so to be issued and transmitted to him or them as aforesaid.

Act not to interfere with existing Contracts.

XVII. Provided always, and be it enacted, That nothing in this Act contained shall be deemed to prejudice or interfere with any existing Contract for keeping any Road in repair, under the Provisions of any Acts relating to the Presentment of Public Money by Grand Juries in *Ireland*.

Act may be amended, &c.

XVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULE to which the foregoing Act refers.

Form of Oath.

You shall diligently inquire on behalf of the County [*or County of the City, or County of the Town*] of _____ and true Presentment make of all such Matters and Things as shall come before you in relation to the Appointment of Extraordinary Baronial Presentment Sessions *or* Extraordinary County Presentment Sessions [*or, in the Case of a County of a City or County of a Town, Extraordinary Presentment Sessions*] in the said County [*or County of a City, or County of a Town*], under the Provisions

Provisions of an Act of the Ninth Year of the Reign of Her present Majesty, intituled " An Act to authorize Grand Juries in Ireland, at the Spring Assizes of the present Year, to appoint " Extraordinary Presentment Sessions; to empower such Sessions " to make Presentment for County Works; and to provide Funds " for the Execution of such Works; and also to provide for the " more prompt Payment of Contractors for Works under Grand " Jury Presentments in Ireland," and under another Act of the present Session amending the same; you shall not present nor allow nor disallow any Matter or Thing through Hatred or Illwill, nor through Fear, Favour, or Affection.

So help you GOD.

C A P. LXXII.

An Act to amend the Act for Marriages in *Ireland*, and for registering such Marriages. [26th August 1846.]

‘ WHEREAS an Act was passed in the Session of Parliament ‘ holden in the Seventh and Eighth Years of the Reign of ‘ Her present Majesty, intituled *An Act for Marriages in Ireland*, 7 & 8 Vict. ‘ and for registering such Marriages: And whereas it is expedient c. 81.

‘ to amend the Provisions of the same in respect of Marriages of ‘ Parties, One of whom may reside in *England* or *Scotland*: Be it therefore 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, That in any Case of a Marriage intended to be solemnized in *Ireland* between Parties One of whom shall be resident in *England*, such Party so resident in *England* shall give Notice in the Form used in *England* in that Behalf, or to the like Effect, to the Superintendent Registrar of the District within which such Party shall have dwelt for not less than Seven Days then next preceding, and shall state therein the Name and Surname and the Profession or Condition of each of the Parties intending Marriage, the Dwelling Place of each of them, and the Time, not being less than Seven Days, during which each has dwelt therein, and the Church or other Building in which the Marriage is to be solemnized, provided that if either Party shall have dwelt in the Place stated in the Notice more than One Calendar Month, it may be stated therein that he or she hath dwelt there One Month and upwards; and such Notice shall be dealt with in such Manner, and such Certificate shall be given by such Registrar in such Manner, as is prescribed in an Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for Marriages in England*, provided that in such Case such Certificate shall not be issued before the Expiration of Seven Days from the Entry of such Notice as aforesaid; and from and after the Expiration of Seven Days from the issuing of such Certificate the Production of the same to the Person duly authorized under the Provisions of the said first-recited Act to grant a Licence for Marriage in such Case shall be as valid and effectual to all Intents and Purposes for authorizing such Person to grant a Licence for Marriage, and such

Marriages intended to be solemnized in *Ireland* between Parties One of whom resides in *England*, Notice of the same to be given to Superintendent Registrar of the District in *England* within which the Party resides Seven Days preceding, &c.

6 & 7 W. 4. c. 85.

Certificate

Certificate shall be as valid and effectual for all other Purposes under the Provisions of the said first-recited Act as any Certificate of a Registrar of a District in *Ireland* would be under the said Act if such Party giving such Notice were resident within such District in *Ireland*, and the other Party to such intended Marriage were also resident within another Registrar's District in *Ireland*.

If One Party shall be resident in Scotland, a Certificate of the Banns having been published in the Congregation of which the Party is a Member to be obtained from the Minister.

II. And be it enacted, That in the Case of a Marriage intended to be solemnized in *Ireland* between Parties One of whom shall be resident in *Scotland*, it shall be lawful for such Party to obtain from the Minister of the Congregation in *Scotland* of which he or she shall be a Member for at least One Calendar Month preceding a Certificate under his Hand that Banns of such intended Marriage of such Parties have been duly published or proclaimed in such Congregation on Three several *Sundays*; and from and after the Expiration of Seven Days from the granting of such Certificate the Production of such Certificate to the Person duly authorized in *Ireland* under the Provisions of the said first-recited Act to grant a Licence for Marriage in such Case shall be as valid and effectual to all Intents and Purposes for authorizing such Person to grant a Licence for Marriage, and such Certificate shall be as valid and effectual for all other Purposes under the Provisions of the said recited Act as any Certificate of a Registrar of a District in *Ireland* would be under the said Act if such Party giving such Notice were resident within such District in *Ireland*, and the other Party to such intended Marriage also were resident within another Registrar's District in *Ireland*.

Places having no Parish Church, &c., and Extra-parochial Places having no Chapel wherein Marriages may be solemnized, to be deemed, for the Purpose of this Act only, to belong to an adjoining Parish.

III. ' And whereas it is by the said Act, amongst other things, provided, that no Surrogate or other Person having Authority to grant any Licences for Marriages shall grant any Licence for Marriage, not being a Special Licence, until Seven Days after Notice shall have been given by one of the Parties who shall have resided for not less than Seven Days then next preceding in the Parish named in that Notice, under his or her Hand, in the Form therein mentioned, to such Surrogate or other Person having Authority to grant Licences as aforesaid, which Notices he shall file and keep with the Records of his Office, and that such Surrogate or other Person shall forthwith send a Copy of such Notice to the Incumbent or Incumbents of the Parish or Parishes in which the Parties intending Marriage dwell: And whereas certain Parishes in *Ireland* have no Parish Church or Chapel belonging thereto, or no Church or Chapel where Divine Service is usually solemnized every *Sunday*, and certain Places are extra-parochial; and it is expedient to make Provision for such Cases, and other Cases, as herein-after mentioned: Be it enacted, That all Parishes where there shall be no Parish Church or Chapel belonging thereto, or none wherein Divine Service shall be usually solemnized every *Sunday*, and all Extra-parochial Places whatever having no public Chapel wherein Banns may be lawfully published or Marriage celebrated, shall be deemed and taken to belong to any Parish or Chapelry having such Church or Chapel next adjoining, for the Purposes of the said recited and this Act only; and where Banns shall be published in any Church or Chapel of any Parish or Chapelry adjoining to any such Parish or Chapelry where there shall be no Church or Chapel, or none wherein

wherein Divine Service shall be solemnized as aforesaid, or to any Extra-parochial Place as aforesaid, the Parson, Vicar, Minister, or Curate publishing such Banns shall, in Writing under his Hand, certify the Publication thereof, and act in all Things in the same Manner as if either of the Persons to be married had dwelt in such adjoining Parish or Chapelry.

IV. And be it enacted, That if the Church of any Parish, or Chapel of any Chapelry, wherein Marriages may have been usually solemnized, be in Ruins, or be demolished in order to be rebuilt, or for any other Cause, or be under Repair, and on such Account or for any other Reason be disused for Public Service, it shall be lawful for Banns to be proclaimed and Marriages to be celebrated in a Church or Chapel of any adjoining Parish or Chapelry in which Banns are usually proclaimed or Marriage is usually celebrated, or in any Place within the Limits of the Parish or Chapelry which shall be licensed by the Ordinary of the Diocese for the Performance of Divine Service, during or by Reason of the Repair or Rebuilding or Disuse of the Church as aforesaid; and where no such Place shall be so licensed, then during such Period as aforesaid the Marriage may be solemnized in the adjoining Church or Chapel wherein the Banns have been proclaimed, or which shall have been specified in the Licence; and all Marriages heretofore solemnized in other Places within the said Parishes or Chapelries than the said Churches or Chapels on account of their being in Ruins, under Repair, or demolished, or taken down in order to be rebuilt, or for any other Cause, shall not be liable to have their Validity questioned on that Account, nor shall the Ministers who have so solemnized the same be liable to any Ecclesiastical Censure, or to any other Proceeding or Penalty whatsoever.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

When Parish Church is in Ruins, &c., Banns may be proclaimed and Marriages celebrated in an adjoining Parish, &c.

Act may be amended, &c.

C A P. LXXIII.

An Act further to amend the Acts for the Commutation of Tithes in *England and Wales*. [26th August 1846.]

‘ WHEREAS an Act was passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Commutation of Tithes in England and Wales*, and the said Act has been amended, and the Provisions thereof have been extended, by Acts passed in the Sessions of Parliament held in the First Year, the Second and Third Years, the Third Year, and the Fifth and Sixth Years of the Reign of Her present Majesty: And whereas an Act was passed in the Session of Parliament held in the First and Second Years of Her present Majesty, intituled *An Act to facilitate the Merger of Tithes in Land*: And whereas it is expedient that the said Acts should be amended as herein-after mentioned:’ Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent

6 & 7 W. 4. c. 71.

1 & 2 Vict. c. 64.

Power to Land-owners to redeem a Rent-charge not apportioned where the Amount does not exceed Fifteen Pounds.

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where, under any Agreement or Award which has been or hereafter shall be confirmed by the Commissioners, the Amount of the Rent-charge agreed or awarded to be paid instead of the Tithes of any Parish shall not exceed the Sum of Fifteen Pounds, and shall not have been apportioned, or the Apportionment of such Rent-charge shall not have been confirmed by the Commissioners, it shall be lawful for the Owners of the Land chargeable therewith, or any of them, with the Consent of the Person or Persons for the Time being entitled to the Receipt thereof, or, in the Case of an Infant, Feme Covert, or Lunatic, with the Consent of the Guardian, Husband, or Committee of the Estate of the Person so under Disability, to redeem such Rent-charge on Payment, in manner herein-after mentioned, (within such Time as the Commissioners shall in each Case limit in this Behalf,) of a Sum of Money not less than Twenty-four Times the Amount of such Rent-charge.

Upon Payment of the Consideration Money, Commissioners to certify that the Parish is discharged of Tithes.

II. And be it enacted, That in every Case in which any such Rent-charge, not exceeding Fifteen Pounds as aforesaid, has been or shall be awarded to be paid, ~~the Commissioners~~ shall give Notice, in such Manner as they shall think fit, of the Time within which it shall be lawful for the Owners of the Land charged therewith, or any of them, to redeem such Rent-charge; and when it shall appear to the Commissioners that the Consideration Money for the Redemption of such Rent-charge as aforesaid shall have been paid, according to the Provisions of this Act, within the Time limited by them in this Behalf, or within any enlarged Time which the Commissioners may by any Order under their Hands and Seal allow for that Purpose, no Apportionment of the Rent-charge shall be made, but the Commissioners shall, by a Certificate under their Hands and Seal, certify that such Rent-charge has been redeemed, and that the Parish is discharged of such Rent-charge, and of the Tithes in lieu of which such Rent-charge was agreed or awarded to be paid, as from such Time as the Commissioners shall think reasonable and declare, and such Parish shall be thenceforth discharged according to the Terms of such Certificate.

*See enclosed
book of vol 23
24 Dec: c. 93
See: 31. 32.
35-*

Power to redeem Rent-charge erroneously apportioned on Lands not chargeable therewith.

III. And be it enacted, That in every Case in which, by any Instrument of Apportionment confirmed under the Provisions of the said Acts, any Rent-charge or Portion of Rent-charge has been or shall have been (by reason of Error as to Boundary or otherwise) charged on Lands not within the Parish in respect of the Tithes of which the aggregate Rent-charge the Apportionment of which shall have been so confirmed was agreed or awarded to be paid, such Rent-charge or Portion of Rent-charge so charged on Lands not within the Parish shall be redeemable on Payment by the Owners of the Lands charged with the Residue of such aggregate Rent-charge, or any of them, of a Sum of Money equal to Twenty-four Times the Amount of the Rent-charge or Portion of Rent-charge hereby made redeemable, and it shall be lawful for the Commissioners before they shall proceed to direct a new Apportionment to give Notice that the Rent-charge or Portion of Rent-

Rent-charge so erroneously apportioned on Lands not within the Parish may be redeemed, under the Provisions of this Act, within a Time in such Notice to be limited in this Behalf.

IV. And be it enacted, That when it shall appear to the Commissioners that the Consideration Money for the Redemption of the Rent-charge or Portion of Rent-charge so charged by such Instrument of Apportionment on Lands not within the Parish shall have been paid, according to the Provisions of this Act, within the Time which shall have been limited by the Commissioners in this Behalf, or within any enlarged Time which the Commissioners may by Order under their Hands and Seal allow for that Purpose, and that the Arrears thereof (if any) have been paid, the Commissioners shall under their Hands and Seal certify that such Rent-charge or Portion of Rent-charge has been redeemed, and thenceforth, except as respects the Lands so erroneously charged, and the Rent-charge or Portion of Rent-charge apportioned thereon, the Apportionment and Charges made by such Instrument of Apportionment shall be valid and effectual in such and the same Manner as if the aggregate Rent-charge had originally consisted only of the Sum of the Portions charged on the Lands within the Parish, and had been apportioned on such Lands, and no others, in the Portions in the Instrument of Apportionment expressed.

After Redemption of the Rent-charge erroneously apportioned, the Apportionment of the Remainder to be valid.

V. And be it enacted, That in every Case in which, under any confirmed Instrument of Apportionment or any altered Apportionment under the Powers of the said Acts, the whole Amount of the Rent-charge or separate Portion of Rent-charge with which the Lands of any Owner shall be charged in respect either of all Tithes or of any Kind of Tithes payable to separate Tithe-owners shall be a Sum not exceeding Twenty Shillings, it shall be lawful for such Owner at his Option, and with the Consent of the Person or Persons for the Time being entitled to the Receipt thereof, or, in the Case of an Infant, Feme Covert, or Lunatic, with the Consent of the Guardian, Husband, or Committee of the Estate of the Person so under Disability, at any Time to redeem such Rent-charge or separate Portion of Rent-charge on Payment, according to the Provisions of this Act, of such a Sum of Money as shall be not less than Twenty-four Times the Amount of the Rent-charge or Portion of Rent-charge; and after Payment of such Consideration Money according to the Provisions of this Act the Commissioners shall certify that such Rent-charge or Portion of Rent-charge has been redeemed, and the same, from and after the Payment of the half-yearly Portion of such Rent-charge or Portion of Rent-charge which shall next accrue due subsequently to the Time of the Payment of such Consideration Money, shall cease and be extinguished; Provided always, that no such Redemption as last aforesaid shall extinguish or affect any extraordinary Rent-charge which would become payable in respect of such Land upon any Change of the Cultivation thereof.

Separate Rent-charges, not exceeding Twenty Shillings in Amount, may be redeemed after Apportionment.

Extraordinary Charge not to be affected.

VI. And be it enacted, That in every Case in which a Rent-charge is redeemable under the Provisions of this Act, the Commissioners shall, upon the Request of the Owners of Land chargeable with such Rent-charge or any of them, certify under the Hands and Seal of the Commissioners the Sum of Money in

Commissioners to certify the Amount of Consideration Money for Redemption.

consideration of which such Rent-charge may be redeemed; and when it shall appear to the Commissioners that Payment of Tender of such Consideration Money has been duly made, it shall be lawful for the Commissioners to certify that such Rent-charge has been redeemed under the Provisions of this Act, and such Certificate shall be final and conclusive: Provided that if any Consideration Money shall be paid for the Redemption of a Rent-charge to a Person not entitled under the Provisions of this Act to receive the same, the Land which was charged with such Rent-charge before the Redemption thereof shall be charged in equity with the Payment of such Consideration Money to the Person rightfully entitled thereto as if the same were Purchase Money for such Land remaining unpaid; but the same Remedies may be had against the Person who shall have wrongfully received such Money as Purchasers are entitled to by the Rules of Law and Equity.

Consideration Money for Redemption, how payable.

VII. And be it enacted, That where the Person entitled to a Rent-charge redeemable under the Provisions of this Act shall be absolutely entitled thereto in Fee Simple in possession, or shall be enabled to dispose of the Fee Simple in possession independently of the Provisions of this Act, and shall not be a Spiritual Person entitled in respect of his Benefice or Cure, or a Corporation prevented from aliening such Rent-charge otherwise than under the Provisions of this Act, a Payment or Tender to the Person so entitled, or to the proper Officer of the Corporation so entitled, of the Sum of Money certified by the Commissioners as aforesaid, shall be deemed a due Payment of the Consideration Money; and in every other Case the Payment of the Sum of Money so certified according to the Provisions herein-after contained shall be deemed a due Payment of the Consideration Money.

Consideration for Redemption of Rent-charges payable to Spiritual Owners to be paid to Governors of Queen Anne's Bounty.

VIII. And be it enacted, That the Consideration Money for the Redemption under this Act of any Rent-charge agreed or awarded to be paid or payable under any Apportionment to any Spiritual Person in respect of his Benefice or Cure shall be paid to the "Governors of Queen Anne's Bounty for the Augmentation of the Maintenance of the poor Clergy," and such Consideration Money shall be applied and disposed of by the said Governors as Money in their Hands appropriated for the Augmentation of such Benefice or Cure should by Law and under the Rules of the said Governors be applied and disposed of; and the Receipt of the Treasurer of the said Governors shall be a sufficient Discharge for such Consideration Money, and the Person paying the same to such Treasurer shall not be concerned to see to the Application or Disposal thereof.

Consideration Money, in case of Owners under Disability, how payable.

IX. And be it enacted, That in all other Cases in which the Person for the Time being entitled to any Rent-charge or apportioned Rent-charge subject to be redeemed under the Provisions of this Act shall be only entitled thereto for a limited Estate or Interest therein, or shall be under any Disability, or shall be a Corporation not authorized to make an absolute Sale of such Rent-charge otherwise than under the Provisions of this Act, the Consideration Money to be paid for the Redemption thereof shall be applied in manner hereafter provided; (that is to say,) shall, at the Option of the Person for the Time being entitled as aforesaid, be paid into the Bank of *England* in the Name and with the Privy

Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Tithe Commissioners, pursuant to the Method prescribed by any Act for the Time being in force for regulating Monies paid into the said Court, and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; (that is to say,) in the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Rent-charge in respect of which such Money shall have been paid, or the Tithes for which the same shall have been substituted, or affecting other Hereditaments settled therewith, to the same or the like Uses, Trusts, or Purposes; or in the Purchase of other Lands, to be conveyed, limited, and settled upon the like Uses, Trusts, Purposes, and in the same Manner, as the Rent-charge for Redemption of which such Money shall have been paid stood settled; or in Payment to any Party becoming absolutely entitled to such Money; and such Money may be so applied as aforesaid upon an Order of the Court of Chancery made on the Petition of the Party who would have been entitled to the Receipt of the Rent-charge in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or in Government or Real Securities, and the Dividends thereof paid to the Party who would for the Time being have been entitled to the Rent-charge in case the same had not been redeemed, or otherwise such Consideration Money may be paid, at the like Option of the Person for the Time being so entitled, to the Trustees acting under the Will, Conveyance, or Settlement under which such Person having such limited Interest shall be entitled to or interested in such Rent-charge, or if there are no such Trustees, then into the Hands of Trustees to be nominated under the Hands and Seal of the said Commissioners; and the Money, when so paid to such Trustees, shall be applied by the said Trustees, with the Consent of the said Commissioners, in the Manner herein-before directed concerning any Money to be paid for Redemption into the Bank of *England* in the Name and with the Privity of the said Accountant General; and upon every Vacancy in the Office of such Trustee some other fit Person shall be appointed by the said Commissioners in like Manner.

X. Provided also, and be it enacted, That when any Consideration Money so to be paid as last herein-before mentioned shall not exceed the Sum of Twenty Pounds for the Redemption of all the Rent-charge which shall be redeemable under this Act, and shall not be payable to the Governors of Queen *Anne's* Bounty as aforesaid, the same shall be paid, if the said Commissioners shall so direct, to the Person for the Time being entitled to the Rent-charge, for his own Use and Benefit, or in case of Coverture, Infancy, Idiocy, Lunacy, or other Incapacity of the Person for the Time being entitled, then such Money shall be paid, for the Use of the Person so entitled, to the Husband, Guardian, Committee, or Trustee of such Person; and in case any Dispute shall arise as to the proper Application, Appropriation, or Investment of any Money according to the Intention of this Act, it shall be lawful

As to Consideration Money under 20l.

for the said Commissioners to decide such Question, and their Decision shall be final and conclusive thereon.

Power to Persons entitled for limited Interests to charge Expenses of Redemption.

XI. And be it enacted, That every Owner of an Estate in Land less than an immediate Estate in Fee Simple or Fee Tail, or which may be settled upon any Uses or Trusts, may, with the Consent of the Commissioners, or in such Manner as they shall direct, charge so much of the Consideration Money and other Monies payable in respect of the Redemption of a Rent-charge, or any Part thereof, with Interest after the yearly Rate of Four Pounds by the Hundred upon the Lands of such Owner which would have been subject to such Rent-charge, or to an apportioned Part thereof, but so, nevertheless, that the Charge upon such Land shall be lessened in every Year after the Redemption of such Rent-charge by One Twentieth Part at least of the whole original Charge thereon.

Commissioners Certificates of Redemption to show Amount of Consideration for the same.

XII. And be it enacted, That every Certificate of the Commissioners of the Redemption of a Rent-charge under the Provisions of this Act shall be under the Hands and Seal of the Commissioners, and shall show the Amount of the Consideration Money for the Redemption thereof, and to whom or in what Manner the same shall have been paid; and Copies of every such Certificate shall be made, and sealed with the Seal of the Commissioners, and shall be deposited in the like Custody and in like Manner as by the said first-recited Act is provided concerning every confirmed Instrument of Apportionment; and Copies of and Extracts from any Copy of such Certificate shall be furnished in like Manner as Copies of any Copy of a confirmed Instrument of Apportionment; and every Recital or Statement in any such Certificate or in any sealed Copy thereof, shall be Evidence of the Matters therein recited.

Alteration of Apportionment may be made after Inclosure, &c.

XIII. And be it enacted, That where Lands now charged or hereafter to be charged with Rent-charges or Portions of Rent-charges under confirmed Instruments of Apportionment have been or shall be (after the Confirmation of such Apportionment) inclosed or divided, allotted or exchanged, by Agreement or Award made under the Powers of any general or local Act of Inclosure (or otherwise), in such Manner that the Apportionment shall appear to the Commissioners to be inconvenient with reference to the altered Distribution of the Land among the several Owners thereof, it shall be lawful for the Commissioners, upon the Application of the Owners of such Lands, or the Majority in Number and Value of such Owners, or upon the Application of the Person or Persons entitled to such Rent-charges or Portions of Rent-charges, or any of them, to make or confirm an altered Instrument of Apportionment adapted to the altered Distribution of the Lands, in order that the Rent-charges or Portions of Rent-charges originally charged on the several Portions of Land which shall have been taken or allotted away from the former Owners on such Inclosure, Division, Allotment, or Exchange shall be charged on the Lands which shall have been allotted or received in the way of Substitution or Compensation for the Lands so taken or allotted away from the former Owners thereof, or as near thereto as Circumstances will admit; and every such altered Apportionment, when confirmed under the Hands and Seal of the Commissioners, shall

Such Alteration, when confirmed, to be valid.

be

be valid as from the Date of such Confirmation, and shall be taken to be an Amendment of the original Apportionment.

XIV. And be it enacted, That all the Expences of the altered Apportionment last aforesaid shall be borne by the Owners of the Lands to which such altered Apportionment shall relate, and shall be recovered in the same Manner as Expences chargeable on the same Owners in or about the making of an original Apportionment of the Sum of the Rent-charges charged on the same Lands respectively would have been recoverable; and all the Provisions of the said Acts in relation to such of the Expences of or incident to making an Apportionment of a Rent-charge as are payable by the Owners of the Land included therein shall extend and be applicable to the Expences of such altered Apportionment.

Expences of Alteration of Apportionment shall be borne by Owners of Lands to which it shall relate.

XV. And be it enacted, That where by any Agreement or Award made under the Provisions of the said Acts a Rent-charge has been or shall have been agreed or awarded to be paid to any Person in lieu of any Tithes, and after the Apportionment of such Rent-charge shall have been made and confirmed under the Provisions of the said Acts it shall appear that some Tithes included in the aggregate Tithes in lieu of which such Rent-charge shall have been so agreed or awarded to be paid, or some Portion or undivided Share of some Tithes so included, were or was at the Time of such Agreement or Award the Property of some Person other than the Person to whom the same Rent-charge was so agreed or awarded to be paid, or that the whole of the Tithes included in the aggregate in respect of which such Rent-charge was agreed or awarded to be paid were not held by the Person to whom such Rent-charge was so agreed or awarded to be paid in the same Right and for the same Estate, or were not subject after the Determination of the Estate of such Person to the same Limitations or Estates legal and equitable, it shall be lawful for the Commissioners in any of the Cases aforesaid, in pursuance of or in accordance with the Decree or Direction of a Court of Equity of competent Jurisdiction, or on the Request in Writing of the Parties who for the Time being in case there had been no Commutation would have been the Owners of all the Tithes included in such aggregate, to make or confirm a supplemental Award or Apportionment of such Rent-charge in such Manner that, without altering the aggregate Amount of Rent-charge to which any Owner of Land may be subject, separate Rent-charges or separate Portions of Rent-charge may be made payable to the Parties who would have been Owners of the Tithes in case they had not been extinguished in lieu of the several Tithes or Portions of Tithe included in such aggregate which would belong to different Persons, or be held in different Rights, or be subject to different Limitations or Estates; and by such supplemental Award and Apportionment the Commissioners, if they shall so think fit, may apportion or award to be paid to one of the respective Owners, or to the Owner in lieu of one of his respective Rights, the whole of any Rent-charges payable under the original Instrument of Apportionment out of specific Lands, instead of dividing each Rent-charge made payable in lieu of the aggregate of the Tithes of each Parcel of Land between or among the Owners of the separate Tithes arising out of such Parcel; and such supplemental Award

Supplemental Apportionment of a Rent-charge as made payable to one Owner in respect of Tithes belonging to several Owners or held in separate Rights.

and Apportionment, when confirmed by the Commissioners under their Hands and Seal, shall take effect from the half-yearly Day of Payment which shall happen next after the Confirmation thereof.

Commissioners empowered to declare that Lands to which Doubts have arisen, shall be considered a separate District for Commutation, and the Residue of the Parish to remain subject to the original Award.

XVI. And be it enacted, That where by any confirmed Agreement or Award a Rent-charge shall have been agreed or awarded to be paid instead of the Tithes of any Parish, or of any of such Tithes, and before the Apportionment of such Rent-charge shall have been confirmed, it shall appear to the Commissioners that by reason of any Question or Doubt which after the Confirmation of such Agreement or Award shall be raised or shall exist in respect of any actual or supposed Exemption from Tithes, Modus, Composition real, or prescriptive or customary Payment, applicable only to a Part of the Lands in such Parish, or by reason of any other Question or Doubt whatsoever applicable only to a Part of the Lands in such Parish, or by reason of any Question or Doubt touching the Boundaries of such Parish, it cannot be immediately ascertained whether the Agreement or Award might require any and what Rectification in respect of the Matters to which such Question or Doubt shall relate, it shall be lawful for the Commissioners by a separate Award by way of Supplement to the Agreement or Award to declare that the Lands to which such Doubt or Question shall be applicable shall be considered a separate District for the Commutation of the Tithes thereof, and that the Residue of the Parish, or the Parish exclusively of the Lands to which the Question or Doubt touching Boundaries may be applicable, shall remain subject to the Agreement or original Award with such Variation as in the Award by way of Supplement shall be directed; and the Commissioners, in case they shall find that in estimating or fixing the Amount of the Rent-charge so agreed or awarded to be paid any Sum was included or added in respect of the Lands which they shall have directed to be considered a separate District, shall declare what Sum was so added, and shall direct the Residue of the Rent-charge, after deducting such Sum, to be apportioned on the Lands composing the Residue of the Parish, or on the Parish exclusively of the Lands which they shall have formed into a separate District; but if they shall find that by reason of Exemption or supposed Exemption or otherwise no Sum was so included or added in respect of the Lands which they shall have formed into a separate District, they shall direct the whole of such Rent-charge to be apportioned on the Lands comprising the Residue of the Parish, or on the Parish exclusively of the Lands which they shall have formed into a separate District; and all Awards by way of Supplement under this Section shall be subject to the Provisions of the said Act of the Session of Parliament holden in the Second and Third Years of the Reign of Her Majesty, concerning the separate Awards by way of Supplement to a parochial Agreement or Award.

Place of Deposit of Copy of confirmed Apportionment may be altered by Quarter Sessions.

XVII. And be it enacted, That where the Place of Deposit of the Copy of a confirmed Instrument of Apportionment which by the said Act of the Session of Parliament holden in the Sixth and Seventh Years of the Reign of King *William* the Fourth is directed to be deposited with the Incumbent and Church or Chapel Wardens for the Time being, or such other fit Person as the Com-

missioners

missioners shall approve, shall be alleged to be inconvenient to the Majority of the Persons interested therein, or otherwise inconvenient or unsafe, it shall be lawful for any Person interested in the Lands or Rent-charge to which such Apportionment shall relate to apply to the Court of General Quarter Sessions of the Peace for the County, Riding, Division, or Place in which such Place of Deposit shall be situate for an Order for the Deposit of such Copy in some more convenient or secure Custody or Place, and Fourteen Days Notice in Writing of every such Application shall be given to the Persons in whose Custody such Copy shall at the Time of such Application be deposited; and it shall be lawful for the Court at the Quarter Session for which such Notice shall be given to hear and determine such Application in a summary Way, or they may, if they think fit, adjourn it to the following Session; and upon the hearing of such Application, the Court may, if they think fit, order such Copy to be removed from the Custody of the Persons with whom the same shall have been deposited, and to be deposited with such other Persons or in such other Custody as the Court, having reference to the Security and due Preservation of such Copy, and to the Convenience of the Parties interested therein, may think fit, and may make such Order concerning the Notice to be given of such Removal and Deposit, and concerning the Costs of such Application, or of any Opposition thereto, as they may think reasonable.

XVIII. And be it enacted, That where by any Agreement or Award already made or hereafter to be made a Rent-charge shall have been agreed or awarded to be paid instead of the Tithes of any Parish, or instead of any of such Tithes, and shall not have been apportioned, it shall be lawful for the Person who under the Provisions of the said recited Acts would have been enabled in case such Agreement or Award had not been made to merge the Tithes in lieu of which such Rent-charge shall have been agreed or awarded to be paid, or such of the same Tithes as were payable out of Part of the said Lands, by any Deed or Declaration, to be made in such Form as the Commissioners shall approve, and to be confirmed under their Hands and Seal, to declare that the Tithes which he would have been so entitled to merge shall, so far as respects all the Lands, or, if he shall think fit, so far as respects only any specified Part of the Lands out of which the same were payable, and the Rent-charge or Portion of Rent-charge which shall have been awarded or ought to be apportioned in lieu thereof on such Lands, or specified Parts of such Lands, as the Case may be, shall be merged, and such Merger shall take effect accordingly; and in case such Merger shall extend to all the Lands which would have been chargeable with such Rent-charge, no Apportionment of such Rent-charge shall be made under the Provisions of the said recited Acts; but in case such Merger shall extend to Part only of the Lands which would have been chargeable with such Rent-charge, then such Portion of the Rent-charge shall be apportioned among the other Lands which would have been chargeable with such Rent-charge as such other Lands would have been subject to in case such Merger had not taken place; and the Owner of the Land to which such Merger shall extend shall pay such Portion of the Expences of or incident to the Apportionment as

Tithes or Rent-charge in lieu thereof may be merged after Agreement or Award, but before Apportionment.

the Commissioners or any Assistant Commissioner may under the special Circumstances order to be paid by such Owner, instead of the rateable Proportions to which he would have been liable in case the whole of such Rent-charge had been apportioned.

Powers relating to the Merger, &c. of any Tithes may be executed by a Person entitled in Equity.

XIX. And be it enacted, That all Powers relating to the Merger and Extinguishment of any Tithes, or Rent-charge instead thereof, may be executed by a Person entitled in Equity to such Tithes or Rent-charge in all respects and with the same Consequence as he could have done if he had been legally entitled thereunto; and every Instrument already executed and purporting to be made in pursuance of the Powers of the said Acts or any of them by any Person so entitled in Equity shall in every respect be as effectual and have the same Consequence as if he had been legally entitled to the said Tithes or Rent-charge at the Time of the Execution of such Instrument, subject nevertheless in every Case to any Charge, Incumbrance, or Liability which lawfully or equitably existed on such Tithes or Rent-charge to the Extent of the Value of such Tithes or Rent-charge; and any such Charge, Incumbrance, or Liability shall have such Priority, and the Lands and the Owners thereof for the Time being shall be liable in the same Manner in respect of such Rent-charge, Incumbrance, or Liability, or of any Penalty or Damages for Nonpayment or Nonperformance thereof respectively, as by the said Act of the Session of Parliament held in the Second and Third Years of the Reign of Her present Majesty is provided in the Case of such Merger or Extinguishment as therein mentioned; and every Instrument purporting to merge any Tithes or Rent-charge, and made with the Consent of the said Commissioners before the passing of this Act, shall be hereby absolutely confirmed and made valid both at Law and in Equity in all respects, subject nevertheless to any Charge, Incumbrance, or Liability in all respects as is lastly herein-before provided.

1 & 2 Vict. c. 64. to be construed as Part of the Tithe Commutation Acts.

XX. And be it enacted, That the said Act of the Session of Parliament holden in the First and Second Years of the Reign of Her Majesty shall be construed with and as Part of the first-recited Act as amended by the several Acts passed for the Amendment thereof and by this Act.

Decisions concerning Boundary not appealed against to be valid notwithstanding Informality.

XXI. And be it enacted, That in every Case in which the Judgment or Determination of the Commissioners or of any Assistant Commissioner already given respecting the Boundary of any Parish, Township, District, or Lands shall not have been removed into the Court of Queen's Bench by Certiorari within the Time limited in that Behalf, such Judgment or Determination shall be valid and conclusive notwithstanding any Want of Form in such Judgment or Determination, or in the Award in which the same may be set forth, and although it may not appear on the Face of such Award, Judgment, or Determination, or otherwise, that the Commissioners or Assistant Commissioner had Jurisdiction in relation to such Boundary.

Glebe Lands may be exchanged although no Commutation be pending.

XXII. And be it enacted, That the Provisions of the said Act of the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her Majesty for the Exchange of Glebe Lands for other Lands shall authorize and be deemed to have authorized the Exchange of Glebe Lands for other Lands, although at the Time of such Exchange, or of the Applications in relation thereto,

thereto, no Proceedings for or concerning the Commutation of Tithes in the Parish in which such Glebe Lands may be situate shall have been pending, and whether the Commutation of Tithes in such Parish shall or shall not have been completed.

XXIII. And be it enacted, That this Act shall be construed with and as Part of the first-recited Act as amended by the several Acts passed for the Amendment thereof and by this Act. Construction of Act.

XXIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

C A P. LXXIV.

An Act to encourage the Establishment of public Baths and Wash-houses. [26th August 1846.]

‘ WHEREAS it is desirable for the Health, Comfort, and Welfare of the Inhabitants of Towns and populous Districts to encourage the Establishment therein of public Baths and Wash-houses and open Bathing Places:’ 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, That this Act may be adopted for any incorporated Borough in *England* which is regulated under an Act passed in the Sixth Year of the Reign of His late Majesty, to provide for the Regulation of Municipal Corporations, or any Charter granted in pursuance of the said Act, or any Act passed for the Amendment thereof, and also, with the Approval of One of Her Majesty’s Principal Secretaries of State, for any Parish in *England* not within any such incorporated Borough.

Act may be adopted in certain Boroughs and Parishes.

II. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say, Interpretation of Act.

“ Parish ” shall mean every Place having separate Overseers of the Poor, and separately maintaining its own Poor :

“ Borough ” shall mean City, Borough, Port, Cinque Port, or Town Corporate :

“ Rate-payers ” shall mean such of the Persons for the Time being assessed to and paying Rates for the Relief of the Poor of the Parish as for the Time being shall be duly qualified to vote for the Election of Overseers for the Parish :

“ Churchwardens ” shall mean also Chapelwardens, or other Persons discharging the Duties of Churchwardens :

“ Overseers ” shall mean also any Persons authorized and required to make and collect or cause to be collected the Rate for the Relief of the Poor of the Parish, and acting instead of Overseers of the Poor :

“ Vestry ” shall mean the Inhabitants of the Parish lawfully assembled in Vestry, or for any of the Purposes for which Vestries are holden, except in those Parishes in which there is a Select Vestry elected under an Act passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act to amend the Laws for the Relief of the Poor*, or elected

1 & 2 W. 4.
c. 60.

electd under an Act passed in the Second Year of the Reign of His late Majesty, intituled *An Act for the better Regulation of Vestries, and for the Appointment of Auditors of Accounts, in certain Parishes of England and Wales*, or electd under the Provisions of any local Act of Parliament for the Government of any Parish by Vestries, in which Parishes it shall mean such Select Vestry :

“ Commissioners ” shall mean the Commissioners appointed in accordance with this Act for any Parish, and for the Time being in Office and acting as such Commissioners :

“ Clerk ” shall mean, as regards an incorporated Borough, the Town Clerk of such Borough ; and, as regards a Parish, the Clerk appointed pursuant to this Act by the Commissioners :

“ Justice ” shall mean Justice of the Peace for the County, Riding, Division, Liberty, Borough, or Place where the Matter requiring the Cognizance of Justices shall arise :

“ Lands ” shall mean Lands, Tenements, and Hereditaments, of whatsoever Nature or Tenure :

Words importing the Masculine Gender shall include the Feminine :

Words of the Plural Number shall include the Singular, and Words of the Singular Number shall include the Plural.

Council of any Borough may adopt the Provisions contained in this Act, if they think fit.

III. And be it enacted, That the Council of any such Borough as aforesaid may, if they think fit, determine that this Act shall be adopted for such Borough, and then and in such Case such of the Provisions of this Act as are applicable in that Behalf shall thenceforth take effect and come into operation in such Borough, and this Act shall be carried into execution in such Borough in accordance with such Provisions and the Laws for the Time being in force relating to the Municipal Corporation of such Borough.

Expences of carrying this Act into execution shall be charged upon the Borough Fund, and Income arising carried to same.

IV. And be it enacted, That the Expences of carrying this Act into execution in any such Borough in which the Council shall have resolved to adopt this Act for their Borough shall be chargeable upon and paid out of the Borough Fund, and for that Purpose the Council may levy with and as Part of the Borough Rate, or by a separate Rate to be assessed, levied, paid, and recovered in like Manner and with the like Powers and Remedies in all respects as the Borough Rate, such Sums of Money as shall be from Time to Time necessary for defraying such Expences, and shall apply the same accordingly as if the Expence of carrying this Act into execution were an Expence necessarily incurred in carrying into effect the Provisions of the said Act of the Sixth Year of the Reign of His late Majesty ; and the Income arising from the Baths and Wash-houses and open Bathing Places in any Borough shall be paid to the Credit of the Borough Fund thereof, and the Council shall keep distinct Accounts of their Receipts, Payments, Credits, and Liabilities, with reference to the Execution of this Act, to be called “ The public Baths and Wash-houses Account.”

On the Requisition of Ten Rate-payers, Church-wardens, &c. to convene Vestry Meet-

V. And be it enacted, That upon the Requisition in Writing of Ten or more Rate-payers of any such Parish as aforesaid, not being within any such incorporated Borough, the Churchwardens or other Persons to whom it belongs to convene Meetings of the Vestry in such Parish shall convene a Meeting of the Vestry for the special Purpose of determining whether this Act shall be adopted

adopted for the Parish, after public Notice of such Vestry, and the Place and Hour of holding the same, and the special Purpose thereof, given in the usual Manner in which Notice of the Meetings of the Vestry is given at least Seven Days before the Day to be appointed for holding such Vestry; and if thereupon it shall be resolved by the Vestry that this Act ought to be adopted for the Parish, a Copy of such Resolution extracted from the Minutes of the Vestry, and signed by the Chairman, shall be sent to One of Her Majesty's Principal Secretaries of State for his Approval, and as soon as such Approval shall have been signified in Writing under the Hand of any such Secretary of State, such of the Provisions of this Act as are applicable in that Behalf shall thenceforth take effect and come into operation in the Parish: Provided always, that no such Resolution of the Vestry shall be deemed to be carried unless at least Two Thirds of the Number of Votes given on the Question according to the usual Manner of voting at such Vestry shall have been given for such Resolution.

ing to determine whether this Act shall be adopted;

and if adopted a Resolution to be sent to Secretary of State, &c.

No Resolution carried unless Two Thirds vote for it.

VI. And be it enacted, That in such Case the Vestry shall appoint not less than Three nor more than Seven Persons, being Rate-payers of the Parish, Commissioners for carrying this Act into execution in the Parish, of whom One Third, or as nearly as may be One Third (to be determined among themselves), shall go out of Office yearly, but shall be eligible for immediate Re-appointment.

Where Act adopted Vestry to appoint Commissioners, &c.

VII. And be it enacted, That any Commissioner may at any Time resign his Office as a Commissioner on giving Seven Days Notice in Writing of his Intention to resign to the Clerk, and also to the Churchwardens.

Resignation of Commissioners.

VIII. And be it enacted, That any Vacancies in the Commissionership may be filled up by the Vestry when and as the Vestry shall think fit.

Vacancies to be filled by Vestry.

IX. And be it enacted, That the Commissioners shall meet at least once in every Calendar Month at their Office, or some other convenient Place previously publicly notified.

Meetings of the Commissioners.

X. And be it enacted, That the Commissioners may meet at such other Time as at any previous Meeting shall be determined upon, and it shall be at all Times competent for any One Commissioner, by Writing under his Hand, to summon, with at least Forty-eight Hours Notice, the Commissioners for any special Purpose, therein named, and to meet at such Times as shall be therein named.

Special Meetings of Commissioners.

XI. And be it enacted, That at all Meetings of the Commissioners any Number not less than One Third of the whole Number when more than Three Commissioners shall have been appointed, and when only Three Commissioners shall have been appointed then any Number not less than Two Commissioners, shall be a sufficient Number for transacting Business, and for exercising all the Powers of the Commissioners.

Quorum of Meetings of Commissioners.

XII. And be it enacted, That the Commissioners shall appoint, and may remove at Pleasure, a Clerk and such other Officers and Servants as shall be necessary for effecting the Purposes of this Act, and, with the Approval of the Vestry, may appoint reasonable Salaries, Wages, and Allowances for such Clerk, Officers, and Servants, and, when necessary, may hire and rent a sufficient Office

Commissioners may appoint and remove Officers &c.

Office for holding their Meetings and transacting their Business, and may agree for and pay a reasonable Rent for such Office.

Minutes of Proceedings of Commissioners to be entered in a Book.

XIII. And be it enacted, That all Orders and Proceedings of the Commissioners shall be entered in Books to be kept by them for that Purpose, and shall be signed by the Commissioners, or any Two of them; and all such Orders and Proceedings so entered and purporting to be so signed, shall be deemed to be original Orders and Proceedings; and such Books may be produced and read as Evidence of all such Orders and Proceedings, upon any Appeal, Trial, Information, or other Proceeding, civil or criminal, and in any Court of Law or Equity whatsoever.

Commissioners to keep Accounts, which shall be open to Inspection.

XIV. And be it enacted, That the Commissioners shall provide and keep Books in which shall be entered true and regular Accounts of all Sums of Money received and paid for or on account of the Purposes of this Act in the Parish, and of all Liabilities incurred by them for such Purposes, and of the several Purposes for which such Sums of Money shall have been paid and such Liabilities shall have been incurred; and such Books shall at all reasonable Times be open to the Examination of every Commissioner, Churchwarden, Overseer, and Rate-payer, without Fee or Reward, and they respectively may take Copies of or Extracts from such Books or any Part thereof, without paying for the same; and in case the Commissioners, or any of them, or any of their Officers or Servants having the Custody of the said Books, being thereunto reasonably requested, shall refuse to permit or shall not permit any Churchwarden, Overseer, or Rate-payer to examine the same, or take any such Copy or Extract, every Commissioner, Officer, or Servant so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Penalty for refusing to allow Inspection.

Auditors to be appointed yearly, who shall examine the Accounts, &c.

XV. And be it enacted, That the Vestry shall yearly appoint Two Persons, not being Commissioners, to be Auditors of the Accounts of the Commissioners, and at such Time in the Month of *March* in every Year after the Adoption of this Act for the Parish as the Vestry shall appoint the Commissioners shall produce to the Auditors their Accounts, with sufficient Vouchers for all Monies received and paid, and the Auditors shall examine such Accounts and Vouchers, and report thereon to the Vestry.

Expences of executing Act in any Parish to be paid out of the Poor's Rate.

XVI. And be it enacted, That the Expences of carrying this Act into execution in any Parish not within any such incorporated Borough to such Amount as shall be from Time to Time sanctioned by the Vestry shall be chargeable upon and paid out of the Monies to be raised or applicable for the Relief of the Poor of the Parish.

Overseers to levy, as Part of the Poor's Rate, such Sums as Vestry shall deem necessary to pay Expences.

XVII. And be it enacted, That for defraying the Expences which shall have been or shall be incurred in carrying this Act into execution in the Parish the Vestry may and shall from Time to Time order the Overseers to levy with and as Part of the Rate for the Relief of the Poor of the Parish such Sums as the Vestry shall deem necessary, and the Amount thereof shall accordingly be assessed, levied, paid, and recovered in like Manner, and with the like Powers and Remedies in all respects, as such Rate, and shall be paid by the Overseers, according to the Order of the Vestry, to such Person as shall be appointed by the Commissioners to receive the same, and his Receipt shall be a sufficient Discharge

Discharge to the Overseers for the same, and shall be allowed accordingly in passing their Accounts.

XVIII. And be it enacted, That the Money raised for defraying the Expences of carrying this Act into execution, and the Income arising from the Baths and Wash-houses and open Bathing Places in the Parish, shall be applied by the Commissioners in or toward defraying the Expences of carrying this Act into execution in the Parish; and whenever, after Repayment of all Monies borrowed for the Purpose of carrying this Act into execution in the Parish, and the Interest thereof, and after satisfying all the Liabilities of the Commissioners with reference to the Execution of this Act in the Parish, and providing such a Balance as shall be deemed by the Commissioners sufficient to meet their probable Liabilities during the then next Year, there shall be at the Time of holding the Meeting of the Vestry at which the yearly Report of the Auditors shall be produced any surplus Money at the Disposal of the Commissioners, they shall pay the same to the Overseers in aid of the Rate for the Relief of the Poor of the Parish.

Monies raised, and the Income arising from Baths, &c. in the Parish, to be applied to-wards defraying Expences.

XIX. And be it enacted, That the Vestries of any Two or more neighbouring Parishes which shall have respectively adopted this Act may concur in carrying this Act into execution in such Parishes in such Manner not inconsistent with the Provisions of this Act, and for such Time, as they shall mutually agree; and for that Purpose it may, with the Approval of such Secretary of State, be agreed on between such Vestries that any public Baths and Wash-houses and open Bathing Places shall be erected and made in any One of such Parishes, to be vested in the Commissioners thereof, and that the Expences of carrying this Act into execution with reference to the same shall be borne by such Parishes in such Proportions as such Vestries shall mutually agree, and the Proportion for each of such Parishes of such Expences shall be chargeable upon and paid out of the Monies to be raised for the Relief of the Poor of the same respective Parish accordingly; and, according and subject to the Terms which shall have been so agreed on, the Commissioners appointed for each of such Parishes shall, in the Management of the said Baths and Wash-houses and open Bathing Places, form One Body of Commissioners, and shall act accordingly in the Execution of this Act, and the Accounts and Vouchers of such Commissioners shall be examined and reported on by the Auditors of each of such Parishes; and the surplus Money at the Disposal as aforesaid of such Commissioners shall be paid to the Overseers of such Parishes respectively in the same Proportions as those in which such Parishes shall be liable to such Expences.

Vestries of Two or more Pa- rishes may con- cur in carrying this Act into execution, sub- ject to the Ap- proval of Secre- tary of State.

XX. And for the more easy Execution of the Purposes of this Act, be it enacted, That the Commissioners of every such Parish shall be a Body Corporate, with perpetual Succession, which shall not be deemed to be interrupted by any partial or total Vacancy from Time to Time in their Office, by the Name of "The Commissioners for public Baths and Wash-houses in the Parish of () in the County of ()," and by that Name may sue and be sued in all Courts, and before all Justices and others, and may have and use a Common Seal, and by

Incorporation of Comm- issioners.

by that Name may take, hold, and convey any Lands vested in them for the Purposes of this Act.

Councils, &c.
may borrow
Money for the
Purposes of the
Act, with the
Approval of the
Treasury.

XXI. And be it enacted, That for carrying this Act into execution in any Borough or Parish respectively, the Council, with the Approval of the Commissioners of Her Majesty's Treasury, and the Commissioners, with the Sanction of the Vestry, and also with the Approval of the Commissioners of Her Majesty's Treasury, may from Time to Time borrow at Interest, on the Security of a Mortgage, as the Case may be, of the Borough Fund, or of the Rates for the Relief of the Poor of the Parish, the Money which may be by them respectively required, and shall apply the Monies so borrowed accordingly.

The Public
Works Loan
Commissioners
may advance
Money for the
Purposes of this
Act.

XXII. And be it enacted, That the Commissioners for carrying into execution an Act passed in the Second Session of the Fifth Year of the Reign of Her Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to a limited Amount for carrying on Public Works and Fisheries and Employment of the Poor, and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes*, may from Time to Time make to the Council of any such Borough, or Commissioners of any such Parish respectively, for the Purposes of this Act, any Loan under the Provisions of the recited Act or the several Acts therein recited or referred to, upon Security of the Borough Fund, or the Rates for the Relief of the Poor of the Parish, as the Case may be.

8 & 9 Vict.
c. 16. incorpo-
rated with this
Act for certain
Purposes.

XXIII. And be it enacted, That the Provisions of the Companies Clauses Consolidation Act, 1845, with respect to the borrowing of Money by any Company on Mortgage, and the Provisions of the same Act with respect to the Accountability of the Officers of the Company, and the Provisions of the same Act with respect to the making of Bye Laws, subject to the Provision herein-after contained, and the Provisions of the same Act with respect to the Recovery of Damages not specially provided for, and Penalties, so far as such Provisions may respectively be applicable to the Purposes of this Act, shall be respectively incorporated with this Act; and the Expressions in such Provisions applicable to the Company and the Directors shall apply as regards a Borough to the Council, and as regards a Parish to the Commissioners; and all Deeds and Writings which under such Provisions are required or directed to be made or executed under the Common Seal of the Company shall in the Application of such Provisions to this Act be deemed to be required or directed to be made or executed as regards a Borough under the Common Seal of the Mayor, Aldermen, and Burgesses, and as regards a Parish under the Common Seal of the Commissioners; and so much of such Provisions as are applicable to the "Secretary of the Company" shall apply to the Clerk; and in such of the said Provisions as relate to the Inspection of Accounts as regards a Borough the Burgesses, and as regards a Parish the Rate-payers, shall have the Privileges of Shareholders.

Council may
appropriate,
with Consent

XXIV. And be it enacted, That in any such Borough the Council, with the Approval of the Commissioners of Her Majesty's Treasury, may from Time to Time appropriate for the Purposes of

this

this Act in the Borough any Lands vested in the Mayor, Aldermen, and Burgesses; and in any such Parish the Commissioners appointed under this Act, with the Approval of the Vestry and of the Guardians of the Poor of the Parish (if any), and of the Poor Law Commissioners for *England* and *Wales*, may from Time to Time appropriate for the Purposes of this Act in the Parish any Lands vested in such Guardians, or in the Churchwardens, or in the Churchwardens and Overseers of the Parish, or in any Feoffees, Trustees, or others, for the general Benefit of the Parish; and in any such Parish the Commissioners, with the Approval of the Vestry, and in any such Borough the Council, may from Time to Time contract for the purchasing or renting of any Lands necessary for the Purposes of this Act, and the Property therein shall be vested in the Mayor, Aldermen, and Burgesses in the Case of a Borough, or in the Commissioners in the Case of a Parish.

XXV. And be it enacted, That the Council and Commissioners respectively may from Time to Time, on any Lands so appropriated, purchased, or rented, or contracted so to be respectively, erect any Buildings suitable for public Baths and Wash-houses, and as to such Wash-houses either with or without open Drying Grounds, and make any open Bathing Places, and convert any Buildings into public Baths and Wash-houses, and may from Time to Time alter, enlarge, repair, and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences.

XXVI. And be it enacted, That the Council and Commissioners respectively may from Time to Time enter into any Contract with any Persons or Companies for building and making, and for altering, enlarging, repairing, and improving, such public Baths and Wash-houses and open Bathing Places, and for supplying the same respectively with Water, and for lighting the same respectively, and for fitting up the same respectively, and for furnishing any Materials and Things, and for executing and doing any other Works and Things necessary for the Purposes of this Act; which Contracts respectively shall specify the several Works and Things to be executed, furnished, and done, and the Prices to be paid for the same, and the Times when the Works and Things are to be executed, furnished, and done, and the Penalties to be suffered in Cases of Nonperformance; and all such Contracts, or true Copies thereof, shall be entered in Books to be kept for that Purpose: Provided always, that no Contract above the Value or Sum of One hundred Pounds shall be entered into by the Council or the Commissioners, for the Purposes of this Act, unless previous to the making thereof Fourteen Days Notice shall be given in One or more of the public Newspapers published in the County in which the Borough or Parish shall be situated, expressing the Intention of entering into such Contract, in order that any Person willing to undertake the same may make Proposals for that Purpose, to be offered to the Council or Commissioners at a certain Time and Place in such Notice to be mentioned, but it shall not be incumbent on the Council or Commissioners to contract with the Person offering the lowest Price.

XXVII. And be it enacted, That the Council of any such Borough, and the Commissioners, with the Approval of the Vestry

of the Treasury, Lands vested in the Mayor, &c. Commissioners may, with Approval of Vestry, &c., appropriate Lands, &c. or contract for Purchase of the same.

Councils and Commissioners may erect, &c. public Baths and Wash-houses and open Bathing Places.

Councils and Commissioners may enter into Contracts for the Purposes of this Act.

No Contract above 100*l.* to be entered into without Notice.

Council and Commissioners may purchase

existing Baths,
&c.

of any such Parish, may, if they shall think fit, contract for the Purchase or Lease of any Baths and Wash-houses already or hereafter to be built and provided in any such Borough or Parish, and appropriate the same to the Purposes of this Act, with such Additions or Alterations as they shall respectively deem necessary; and the Trustees of any public Baths and Wash-houses which have been already or may hereafter be built or provided in any such Borough or Parish by private Subscriptions or otherwise may, with the Consent of the Council of any such Borough, or with the Consent of the Commissioners, and Approval of the Vestry of any such Parish, and with the Consent of a Majority of the Committee or other Persons by whom they were appointed Trustees, sell or lease the said Baths and Wash-houses to the said Council or Commissioners respectively, or make over to them the Management of such Baths and Wash-houses; and in all such Cases the Baths and Wash-houses so purchased or leased, or of which the Management has been so made over, shall be deemed to be within the Provisions of this Act as fully as if they had been built or provided by the said Council or Commissioners; and the Property therein shall be vested in the Mayor, Aldermen, and Burgesses in the Case of a Borough, or in the Commissioners in the Case of a Parish.

Power to Water
and Gas Com-
panies to supply
Water and Gas
to Baths, &c.

XXVIII. And be it enacted, That any Commissioners of Waterworks, Trustees of Waterworks, Water Companies, Canal Companies, Gas Companies, and other Corporations, Bodies, and Persons having the Management of any Waterworks, Canals, Reservoirs, Wells, Springs, and Streams of Water, and Gas Works respectively, may in their Discretion grant and furnish Supplies of Water or Gas for such public Baths and Wash-houses and open Bathing Places either without Charge or on such other favourable Terms as they shall think fit.

Councillors and
Commissioners not to
be personally
liable.

XXIX. And be it enacted, That nothing in this Act contained shall render any Member of the Council of any Borough, or any Commissioner, personally, or any of their Lands, Goods, Chattels, or Monies (other than such Lands, Goods, Chattels, or Monies as may be vested in or under the Management or Control of the Council or Commissioners respectively in pursuance of this Act), liable to the Payment of any Sum of Money as or by way of Compensation or Satisfaction for or in respect of any thing done or suffered in due pursuance of this Act.

Persons may
appeal against
Orders of
Councils and
Commissioners.

XXX. And be it enacted, That every Person who shall feel aggrieved by any Bye Law, Order, Direction, or Appointment of or by the Council or Commissioners shall have the like Power of Appeal to the General Quarter Sessions as under the Provisions of the Companies Clauses Consolidation Act, 1845, incorporated with this Act, he might have if feeling aggrieved by any Determination of any Justice with respect to any Penalty.

Council, &c.
empowered to
make Sale and
Exchange of
Lands, with
Consent.

XXXI. And be it enacted, That the Council, with the Approval of the Commissioners of Her Majesty's Treasury, and the Commissioners appointed under this Act, with the Approval of the Vestry, and of the Commissioners of Her Majesty's Treasury respectively, may from Time to Time make Sale and dispose of any Lands vested in the Mayor, Aldermen, and Burgesses, or in the Commissioners respectively for the Purposes of this Act, and apply the Proceeds in or towards the Purchase of other Lands better

adapted for such Purposes, and may, with the like Approval, exchange any Lands so vested, and either with or without paying or receiving any Money for Equality of Exchange, for any other Lands better adapted for such Purposes, and the Mayor, Aldermen, and Burgesses, or the Commissioners, may convey the Lands so sold or exchanged accordingly.

XXXII. And be it enacted, That whenever any public Baths or Wash-houses or open Bathing Places which shall have been for Seven Years or upwards established under the Authority of this Act shall be determined by the Council or by the Vestry, in accordance with a previous Recommendation of the Commissioners, to be unnecessary or too expensive to be kept up, the Council or Commissioners, with the Approval of the Commissioners of Her Majesty's Treasury, may sell the same for the best Price that can reasonably be obtained for the same, and the Mayor, Aldermen, and Burgesses, or the Commissioners, shall convey the same accordingly; and the Purchase Money shall be paid to such Person as the Council or Commissioners shall appoint, and his Receipt shall be a sufficient Discharge for the same; and the net Proceeds of such Sale shall be paid to the Credit of the Borough Fund, or of the Rate for the Relief of the Poor of the Parish.

XXXIII. And be it enacted, That the general Management, Regulation, and Control of the public Baths and Wash-houses and open Bathing Places established under this Act shall, subject to the Provisions of this Act, be as to any Borough vested in and exercised by the Council, and as to any Parish vested in and exercised by the Commissioners.

XXXIV. And be it enacted, That the Bye Laws which the Council and Commissioners respectively may from Time to Time make, alter, repeal, and enforce shall include such Bye Laws for the Management, Use, and Regulation of the public Baths and Wash-houses and open Bathing Places, and of the Persons resorting thereto respectively, and for determining from Time to Time the Charges for the Use of such Baths and Wash-houses and open Bathing Places respectively, as the Council and Commissioners respectively shall think fit, and they respectively may appoint any Penalty not exceeding Five Pounds for any and every Breach, whether by their Officers or Servants, or by other Persons, of any Bye Law made by them respectively; and such Bye Laws shall make sufficient Provision for the several Purposes respectively expressed in the Schedule (A.) to this Act: Provided always, that no Bye Law made under the Authority of this Act shall be of any legal Force until the same shall have received the Approval of One of Her Majesty's Principal Secretaries of State.

XXXV. And be it enacted, That a printed Copy or sufficient Abstract of the Bye Laws relating to the Use of the Baths and open Bathing Places respectively shall be put up in every Bath Room and open Bathing Place respectively; and a printed Copy or sufficient Abstract of the Bye Laws relating to the Use of the Wash-houses shall be put up in some convenient Place near every Washing Tub or Trough, or every Pair of Washing Tubs or Troughs, in every Wash-house.

XXXVI. And be it enacted, That the Number of Baths for the labouring Classes in any Building or Buildings under the

When Baths, &c. are considered too expensive they may, with Approval of Treasury, be sold, and Proceeds of Sale carried to Borough Fund or Poor's Rate.

Management to be vested in Councils and Parish Commissioners.

Council, &c. may make Bye Laws for regulating the Use of Baths and Wash-houses, &c., and Charges thereat.

Bye Laws to be approved by the Secretary of State.

Copies or Abstracts of Bye Laws to be hung up in every Bath Room, &c.

Proportion of Baths for the labouring Classes.

Management of the same Council or Commissioners shall not be less than Twice the Number of the Baths of any higher Class if but One, or of all the Baths of any higher Classes if more than One in the same Building or Buildings.

Charges to be fixed by Councils and Commissioners, not exceeding those in Schedule (B.)

XXXVII. And be it enacted, That the Council and the Commissioners respectively may from Time to Time make such reasonable Charges for the Use of the Baths and Wash-houses and open Bathing Places respectively provided under this Act as they shall think fit, but not exceeding such Charges as are mentioned in the Schedule (B.) annexed to this Act, unless for the Use of any Washing Tub or Trough for more than Two Hours in any one Day, for which any Charges may be made which the Council or Commissioners respectively shall deem reasonable.

As to Recovery of Charges at Wash-houses.

XXXVIII. And be it enacted, That for the Recovery of the Charges at such Wash-houses the Officers, Servants, and others having the Management thereof may detain the Clothes brought to be washed or other Goods and Chattels of any Person refusing to pay the Charge to which such Person may be liable, or any Part thereof, till full Payment thereof be made, and in case such Payment be not made within Seven Days may sell such Clothes, Goods, and Chattels, or any of them, returning the surplus Proceeds of such Sale, after deducting the unpaid Charge and the Expences of such Detention and Sale, and the unsold Articles, if any, on demand, to such Person.

Penalty for Council, Commissioners, or Officers taking Fees beyond Salaries, or being interested in Contracts.

XXXIX. And be it enacted, That if any Clerk or other Officer, or any Servant who shall be in anywise employed by any Council or Commissioners in pursuance of this Act, shall exact or accept any Fee or Reward whatsoever for or on account of any thing done or forborne or to be done or forborne in pursuance of this Act, or on any account whatsoever relative to putting this Act into execution, other than such Salaries, Wages, or Allowances as shall have been appointed by the Council or Commissioners, or shall in anywise be concerned or interested in any Bargain or Contract made by the Council or Commissioners for or on account of any thing done or forborne or to be done or forborne in pursuance of this Act, or on any account whatsoever relative to the putting of this Act into execution, or if any Person during the Time he holds the Office of Member of the Council or Commissioner shall exact or accept any such Fee or Reward, or shall accept or hold any Office or Place of Trust created by virtue of this Act, or be concerned directly or indirectly in any such Bargain or Contract, every such Person so offending shall be incapable of ever serving or being employed under this Act, and shall for every such Offence also forfeit the Sum of Fifty Pounds.

Application of Penalties.

XL. And be it enacted, That such Part of any Penalty recovered under this Act as shall not be awarded to the Informer shall be paid to the Credit as regards a Borough of the Borough Fund, and as regards a Parish of the Rate for the Relief of the Poor thereof.

Act may be amended, &c.

XLI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Bye Laws to be made in all Cases.

For securing that the Baths and Wash-houses and open Bathing Places shall be under the due Management and Control of the Officers, Servants, or others appointed or employed in that Behalf by the Council or Commissioners.

For securing adequate Privacy to Persons using the Baths and Wash-houses and open Bathing Places, and Security against Accidents to Persons using the open Bathing Places.

For securing that Men and Boys above Eight Years old shall bathe separately from Women and Girls and Children under Eight Years old.

For preventing Damage, Disturbance, Interruption, and indecent and offensive Language and Behaviour, and Nuisances.

For determining the Duties of the Officers, Servants, and others appointed by the Council or Commissioners.

In Parishes, For regulating the Procedure of the Commissioners.

SCHEDULE (B.)

Maximum Charges during the First Seven Years after the Establishments are opened for public Use; and after such Seven Years, except only so long after such Seven Years as higher Charges may be necessary for defraying the current Expences of the Establishments.

Baths for the labouring Classes, supplied with clean Water for every Bather, or for several Children bathing together:

For One Person above Eight Years old, including the Use of One clean Towel:

Cold Bath - - One Penny.

Warm Bath - - Two-pence.

For several Children, not exceeding Four, including the Use of One clean Towel for every Child:

Cold Bath - - Two-pence.

Warm Bath - - Four-pence.

Wash-houses for the labouring Classes, supplied with Conveniences for washing and drying Clothes and other Articles:

For the Use by One Person of One Washing Tub or Trough, or One Pair of Washing Tubs or Troughs:

For One Hour only in any

One Day - - One Penny.

For Two consecutive Hours

only in any One Day - Three-pence.

Such Charges to include the Use of the drying Apparatus for drying all the Articles washed. The Time occupied in drying not to be included in the Hour or Two Hours. A Fraction of an Hour, exceeding Five Minutes, to be reckoned One Hour.

Open Bathing Places, where several Persons bathe in the same Water:

For One Person - - One Halfpenny.

C A P. LXXV.

An Act to regulate Joint Stock Banks in *Scotland* and *Ireland*.

[26th August 1846.]

7&8 Vict. c.113.

Provisions of recited Act extended to *Scotland* and *Ireland*.

‘ WHEREAS an Act was passed in the Eighth Year of the Reign of Her Majesty, intituled *An Act to regulate Joint Stock Banks in England*, and it is expedient to extend the Provisions of the said Act to *Scotland* and *Ireland*:’ 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, That all the Provisions of the said Act (except as herein-after excepted) shall extend to *Scotland* and *Ireland*, and to every Company of more than Six Persons who shall carry on the Trade or Business of Bankers in *Scotland* or *Ireland* after the passing of this Act, as if the first-recited Act were herein re-enacted, with the Substitution of the Words “United Kingdom of *Great Britain* and *Ireland*,” instead of the Word “*England*,” wherever the same is found in the said Act: Provided always, that where by the said Act Enactments are made with reference to Agreements or Covenants of Copartnership entered into on or after the Sixth Day of *May* last passed, before the passing of the said Act, and Companies carrying on or established for the Purpose of carrying on the Trade or Business of Bankers in *England* on or before the said Sixth Day of *May*, the same Enactments shall be deemed to apply in *Scotland* and *Ireland* only to Agreements or Covenants of Copartnership entered into on or after the Ninth Day of *August* One thousand eight hundred and forty-five, and Companies carrying on or established for the Purpose of carrying on the Trade or Business of Bankers in *Scotland* or *Ireland* on or before the said Ninth Day of *August*: Provided always, that nothing herein contained shall extend to apply to *Scotland* or *Ireland* so much of the said recited Act as declares what Companies shall be deemed trading Companies within the Provisions of an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act for facilitating the winding up of the Affairs of Joint Stock Companies unable to meet their pecuniary Engagements*.

Nothing herein to apply certain Part of recited Act to *Scotland* or *Ireland*.
7&8 Vict. c.111.

Nothing in this Act to preclude Creditors in *Scotland* from Remedies, &c. competent to them before the passing thereof.

Interpretation of Act.

‘ II. And be it declared and enacted, That nothing herein or in the first-recited Act contained shall be held to preclude any Creditor of any such Company in *Scotland* from any Remedy or Proceeding now competent to such Creditor by the Law of *Scotland* against such Company or the Partners thereof, or the Property, Funds, or Effects of such Company or of the Partners thereof, or to preclude any Partner of any such Company in *Scotland* from any Remedy or Proceeding now competent to such Partner by the Law of *Scotland* against such Company or any of the other Partners thereof, or against the Property, Funds, or Effects of such Company or Partners.

‘ III. And be it enacted, That the following Words and Expressions in the first-recited Act shall have in *Scotland* the several Meanings hereby assigned to them, unless there be something in the Subject Matter or Context repugnant to such Construction; (that is to say,) the Expression “Copy of the Register of such Marriage,

Marriage, or other Particulars of the Celebration thereof," shall be held to include all legal Evidence of such Marriage; the Expression "Probate of the Will or Letters of Administration, or an official Extract therefrom," shall be held to include the Will itself, or an official Extract therefrom, or Confirmation of an official Extract therefrom; the Expression "Committee of such Idiot or Lunatic" shall be held to include any Curator or other Person having by lawful Authority the Right to receive the Funds of such Idiot or Lunatic.

IV. ' And whereas certain Companies of more than Six Persons are now carrying on the Trade and Business of Bankers under Agreements or Covenants of Copartnership entered into since the Ninth Day of *August* One thousand eight hundred and forty-five, and it is expedient to allow to such Companies a certain Time within which they may be at liberty to comply with the Provisions of this Act; be it therefore enacted, That any Company of more than Six Persons which shall be now carrying on the Trade and Business of Bankers under Agreements or Covenants of Copartnership entered into subsequently to the said Ninth Day of *August* may continue to carry on the said Trade and Business until the Thirty-first Day of *December* One thousand eight hundred and forty-six and no longer, any thing in this Act to the contrary notwithstanding: Provided always, that it shall be lawful for every such Company to apply to Her Majesty for Letters Patent under the Provisions of this Act in the same Manner as if such Company had carried on the Trade and Business of Bankers under an Agreement entered into before the said Ninth Day of *August*; and if Her Majesty shall be pleased to grant to such Company Letters Patent on or before the Thirty-first Day of *December* One thousand eight hundred and forty-six, it shall be lawful for such Company thereafter to carry on their Trade and Business of Bankers as aforesaid according to this Act, and not otherwise.

Banking Companies established since 9th August 1845, may carry on Business until the 31st Dec. 1846, and no longer;

but may apply for Letters Patent under this Act; and if granted, to carry on Business according to this Act.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this Session of Parliament.

Act may be amended, &c.

C A P. LXXVI.

An Act for the Abolition of the exclusive Privilege of Trading, or of regulating Trades, in Cities, Towns, or Boroughs in *Ireland*. [26th *August* 1846.]

' **WHEREAS** in certain Counties of Cities, Counties of Towns, Cities, Towns, and Boroughs in *Ireland* certain Persons styling themselves Guilds, Crafts, Incorporations, or Fraternities, or claiming to be Members of Guilds, Crafts, and Fraternities, claim to possess exclusive Privileges of dealing in certain Merchandize, and of carrying on or exercising certain Trades, Occupations, Mysteries, or Handicrafts, or of regulating, controlling, or restraining Persons in the Use or Exercise of such Trades, Occupations, Mysteries, or Handicrafts, and the Admission of Apprentices to learn and practise the same, or other Matters relating thereto, respectively, within their respective Cities,

' Towns, or Boroughs, as well by making Bye Laws in relation thereto, as otherwise; and Claim is made, on the Part of Bodies styled Guilds, Crafts, Incorporations, or Fraternities, to the Existence and Exercise of Rights and Powers entitling them to prevent Persons not being Members, or not conforming to the Regulations thereof, from dealing in such Merchandize, or from carrying on or exercising such Trades, Occupations, Mysteries, or Handicrafts, or from being apprenticed to learn the same, within such Cities, Towns, or Boroughs, and also to the Existence and Exercise of Rights, Powers, and Authorities enabling them to impose Pains, Punishments, Penalties, Forfeitures, Fines, and Imprisonment in respect of the said Matters or some of them: And whereas it has become expedient that any such exclusive Privileges, Rights, Powers, and Authorities should be abolished: Be it therefore 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, That from and after the passing of this Act no such exclusive Privileges, and no such Rights, Powers, or Authorities as aforesaid, shall be exercised or enjoyed, or shall be henceforth treated as existing in *Ireland*; and it shall be lawful for any Person or Persons to deal in any Merchandize, and to carry on, use, and exercise any lawful Trade, Occupation, Mystery, or Handicraft, and to take Apprentices to learn the same, in any City, Town, or Borough, and elsewhere, in *Ireland*, without being a Member of any Guild, Craft, Incorporation, or Fraternity, and free from any Control, Regulation, Restraint, or Interference of any Guild, Craft, Incorporation, or Fraternity whatsoever; any Royal Charter, Grant, or Letters Patent, or any Prescription, Custom, or Bye Law, to the contrary notwithstanding.

Exclusive Privileges and Rights as to exercising Trades in Cities, Towns, or Boroughs in *Ireland* to cease.

Actions, &c. commenced by any Guild, &c. for Recovery of Penalties to be discontinued.

II. And be it enacted, That after the passing of this Act it shall be lawful for any Person or Persons against whom any Action, Bill, Complaint, or Information shall have been sued out, commenced, or prosecuted by or on behalf of any Body or Persons claiming to be or styling itself or themselves as such Guild, Craft, Incorporation, or Fraternity, for the Recovery of any pecuniary Penalty or Penalties, Forfeiture or Sum, incurred or payable on or before the Day of the passing of this Act, under or by virtue or in respect of any such alleged exclusive Privilege, or any such alleged Rights, Powers, or Authorities as aforesaid, or in respect of any of the Matters aforesaid, to apply to the Court in which such Action, Bill, Complaint, or Information shall have been sued out, commenced, or prosecuted, or to any Judge of any of the Superior Courts at *Dublin*, for an Order that such Action, Bill, Complaint, or Information shall be discontinued upon Payment of the Costs thereof which were incurred on or before the First Day of *April* in the Year One thousand eight hundred and forty-six, such Costs to be taxed according to the Form of such Court; and every such Court or Judge, upon such Application, shall make such Order as aforesaid; and upon the making of such Order, and Payment or Tender of such Costs as aforesaid, such Action, Bill, Complaint, or Information shall be forthwith discontinued.

Officers of any Guild, &c.

III. And be it enacted, That if any Person shall, in a Memorial to be presented to the Lord Lieutenant within Three Calendar Months

Months after the passing of this Act, claim to have been at the Time of the passing of this Act an Officer of any such Guild, Craft, Incorporation, or Fraternity holding any Office to which he was appointed on or before the Sixteenth Day of *February* in the Year One thousand eight hundred and thirty-six, and shall in such Memorial allege that such his Office has been abolished, or has ceased or become unnecessary by reason of this Act, and that thereby or that otherwise by Force of this Act he has been deprived of Salary, Fees, or Emoluments to which he would have been entitled if this Act had not passed, and shall specify in such Memorial the Nature and Tenure of such Office, and the Time and Manner of his Appointment to the same, and the Duties thereof, and the Salary, Fees, or Emoluments respectively to which he shall allege that he would have been entitled if this Act had not passed, and of which he shall allege that he has been so deprived, and the Services for which and the Right under which he shall allege that he enjoyed the same, and the Amount of such Salary, Fees, and Emoluments respectively received by him in each Year for Six Years next before the passing of this Act, then and in any such Case it shall be lawful for the Lord Lieutenant by Warrant under his Hand (if he shall so think fit) to authorize and direct a Barrister to be named in such Warrant (which shall be conclusive Evidence of his Authority) to inquire into such Claim, and the Grounds thereof, and the Matter of such Memorial, and all the Facts and Circumstances relating to such alleged Office, and the original Appointment to and the Enjoyment of the same, and to such alleged Salary, Fees, or Emoluments, and to such Claim, and (if he shall think fit) into the Amount and Receipt and Right to any Salary, Fees, or Emoluments of such Officer claimed or enjoyed by him since the Sixteenth Day of *February* in the said Year One thousand eight hundred and thirty-six, and it shall be lawful for such Barrister accordingly to inquire on Oath into the same, and to administer an Oath to, or in any Case in which an Affirmation is allowed by Law instead of an Oath to take the Affirmation of the Claimant and any Person to be examined before such Barrister, and to issue a Summons signed by such Barrister to be served upon such Claimant or Person, requiring such Claimant or Person to attend before such Barrister, at a Time and Place to be specified in such Summons, to give Evidence touching the Matter of such Inquiry, and further (if such Barrister shall so think fit) requiring such Claimant or Person to produce before such Barrister all such Writings and Documents relating to the Matter of such Inquiry as shall be specified in such Summons; and such Claimant or Person being served with such Summons shall attend accordingly at the Time and Place specified in such Summons, and shall produce all such Writings and Documents as he shall be required to produce as aforesaid, and shall submit to be sworn or affirmed, as the Case may be, and examined by or before such Barrister, and if upon such Oath or Affirmation any Claimant or Person making the same shall wilfully and corruptly give any false Evidence, any Person so offending shall be deemed and taken to be guilty of Perjury, and shall be prosecuted and punished accordingly.

whose Offices have been abolished by this Act may memorialize Lord Lieutenant, who may cause Inquiry to be made by a Barrister.

Barrister to report to Lord Lieutenant.

IV. And be it enacted, That the Barrister who shall make any such Inquiry as aforesaid shall report to the Lord Lieutenant the Result of such Inquiry, and also, if so required by the Lord Lieutenant, the Evidence given before him upon such Inquiry, and the Lord Lieutenant shall, if he shall deem it proper so to do, lay such Report, either with or without such Evidence, before both Houses of Parliament: Provided always, that nothing in this Act contained or in any Proceeding thereunder shall operate or be deemed or construed to operate to create or affirm any Right in any such Officer to any such Compensation.

Nothing in this Act to repeal or alter Provisions of 23 & 24 G. 3. c. 23. or 47 G. 3. sess. 2. c. 15.

V. Provided always, and be it enacted, That nothing in this Act contained shall repeal or alter any thing contained in an Act passed in the Parliament of Ireland in the Session held in the Twenty-third and Twenty-fourth Years of the Reign of His late Majesty King George the Third, intituled *An Act to regulate the Assay of Gold, and promote the Manufacture of Gold and Silver Wares in this Kingdom*, or an Act passed in the Forty-seventh Year of the Reign of His said late Majesty King George the Third, intituled *An Act to provide for the regulating and securing the Collection of the Duty on Gold and Silver Plate wrought or manufactured in Ireland*, or so much of the said recited Acts as is now in force.

Act not to alter or affect Provisions of 3 & 4 Vict. c. 108. and 31 G. 3. (1.)

VI. Provided always, and be it enacted, That nothing herein contained shall in any Manner alter or affect the Provisions of an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in Ireland*, or the Construction thereof, but the same shall be construed and applied as if this Act had not passed: Provided also, that nothing herein contained shall in any Manner alter or affect any thing contained in an Act passed in the Thirty-first Year of the Reign of His late Majesty King George the Third, intituled *An Act for the more effectually preserving the Health of His Majesty's Subjects, for erecting an Apothecaries Hall in the City of Dublin, and regulating the Profession of an Apothecary throughout the Kingdom of Ireland*, or the Rights, Privileges, or Immunities of the Governor and Company of the Apothecaries Hall of Dublin.

Interpretation of Act.

VII. And be it enacted, That in the Construction of this Act, unless there be something in the Subject or Context repugnant to such Construction, every Word importing the Singular Number only shall extend and be applied to several Persons and Things as well as to one Person or Thing, and the converse, and the Words "Lord Lieutenant" shall be construed to mean the Lord Lieutenant, Lords Justices, or other Chief Governor or Governors of Ireland.

Act may be amended, &c.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

C A P. LXXVII

An Act to amend the Acts relating to the Offices of the House of Commons. [26th August 1846.]

WHEREAS an Act was passed in the Fifty-second Year of the Reign of His Majesty King George the Third, intituled *An Act to repeal an Act passed in the Thirty-ninth and Fortieth Year of His present Majesty, for establishing certain Regulations in the Offices of the House of Commons; and to establish other and further Regulations in the said Offices:* 52 G. 3. c. 11.

And whereas another Act was passed in the Third Year of the Reign of His Majesty King William the Fourth, intituled *An Act for the better Support of the Dignity of the Speaker of the House of Commons, and for disabling the Speaker of the House of Commons for the Time being from holding any Office or Place of Profit during Pleasure under the Crown:* 23 & 3 W. 4. c. 105.

And whereas another Act was passed in the Fifth Year of the Reign of His said Majesty King William the Fourth, intituled *An Act to regulate the Salaries of the Officers of the House of Commons, and to abolish the sinecure Offices of Principal Committee Clerks and Clerk of Ingrossments:* And whereas in pursuance of the said Acts, and of the Recommendations contained in several Reports from Select Committees of the House of Commons, the whole of the Fees and Sums payable in the several Offices and Departments of the said House, as well those mentioned and provided for in the said recited Acts as all other the Fees, Perquisites, and Emoluments payable in the said several Offices and Departments, are now paid to the Account of the Commissioners for regulating the Offices of the House of Commons appointed by virtue of the said first-recited Act, and an Estimate of the Salaries and Expences of the said House is annually laid before the House of Commons; and it is expedient to amend the said Acts: Be it therefore 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, That the Person or Persons appointed by the said Commissioners acting under the Provisions of the said first-recited Act to collect the Fees, Perquisites, and Emoluments of the Clerk of the House of Commons, the Clerks Assistant, the Serjeant-at-Arms, and the Deputy Serjeant-at-Arms shall in like Manner collect the Fees, Perquisites, and Emoluments appertaining to the Offices of the Speaker of the House of Commons and of the Speaker's Secretary, and also all Fees, Perquisites, and Emoluments payable in the several Offices of the Clerk of the House of Commons and in the Department of the Serjeant-at-Arms, and shall pay the Money so collected into the Bank of England to the Account directed to be established by the said first-recited Act, and called "The Account of the Commissioners for regulating the Offices of the House of Commons;" and the Person so collecting such Sums shall from Time to Time, and at such Times and in such Manner as the Speaker of the House of Commons or the said Commissioners shall direct, render to the said Speaker or Commissioners a full

All Fees, &c. to be collected by the Collector appointed under first-recited Act.

Money collected to be paid into Bank of England to the Account directed by the said Act.

a full and true Account of all the Sums of Money to be received by him by virtue of this and the said recited Acts.

Application of the Monies so paid to the said Account.

II. And be it enacted, That the Money so paid to the said Account shall be applied, first, in Payment of the Salaries of the Clerk, Clerks Assistant, Serjeant-at-Arms, Deputy Serjeant-at-Arms, and Speaker's Secretary, as directed by the said Acts, or any other Act for the Time being in force relating to such Offices, and, next, in Payment of the Salaries and Superannuation and other Allowances and Expences in the Offices of the Clerk of the House, and in the Departments of the Speaker and the Serjeant-at-Arms, and in Payment of any other Charges and Expences of the House of Commons, as such Payments may from Time to Time be directed by the said Speaker or by the said Commissioners, in conformity with the Estimate of such Salaries, Allowances, Superannuations, Charges, and Expences directed to be laid before the House of Commons as herein-after mentioned; and in case the Monies standing to the said Account shall in any Year be more than sufficient to pay and discharge all such Salaries and other Charges, the said Commissioners (after retaining in their Hands a Sum sufficient to answer all Demands in respect of the same which may be likely to arise to the First Day of *July* in the following Year) shall, within Six Weeks after the End of the Session, pay the Surplus into the Receipt of the Exchequer to the Credit of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

So much of the said first-recited Act as requires a Plan to be laid before House of Commons repealed, and instead thereof an Estimate to be prepared of the probable Sums required.

III. And be it enacted, That so much of the said first-recited Act as requires a Statement of the Money remaining to the Account of the said Commissioners, with a Plan of the proposed Expenditure thereof, to be in every Session laid before the House of Commons, shall be repealed; and instead thereof an Estimate shall annually be prepared by the Clerk of the House, the Serjeant-at-Arms, and the Speaker's Secretary respectively of the Sums which will probably be required in their several Departments for the Payment of Salaries, Allowances, and contingent Expences during the Year ending on the First Day of *April* in the following Year; and such Estimates shall be submitted to the Speaker for his Approbation, and, subject to such Approbation, and to such Alterations as the Speaker shall consider proper, shall be embodied, together with an Estimate of the Sums which will be required for the Payment of retired Allowances and Compensation for Loss of Office in One Estimate; and there shall also be prepared under the Direction of the Speaker an Estimate of the Money which will probably remain in the Hands of the Commissioners after the Payments of the current Quarter ending on the First Day of *April*, and of the Fees expected to be received during the then Session, and of any Sum which may be required to be provided by Parliament, in addition to such Sums for the Payments set forth in the said Estimate of Expenditure; and such Estimates, signed by the Speaker, shall be transmitted by him to the Commissioners of Her Majesty's Treasury for their Approval, and shall be laid before the House of Commons with the other Estimates.

Estimates to be transmitted to Treasury, and laid before House of Commons.

Salaries, &c. to be paid by the

IV. And be it enacted, That all the said Salaries, Allowances, and Expences shall be paid according to the Directions of the Speaker

Speaker from Time to Time, and the said Commissioners shall appoint an Officer for that Purpose, who shall be called the Paymaster of the House of Commons, and shall take from him such Security for the faithful Discharge of his Office as they shall think fit; and an Account shall be opened at the Bank of *England* in the Name of the said Paymaster; and the Commissioners appointed under the said first-recited Acts shall from Time to Time transfer such Sums as they shall deem necessary for that Purpose from the Account of the said Commissioners at the Bank of *England* to the said Account of the said Paymaster by an Order signed by the Speaker of the House of Commons and One other of the said Commissioners; and in case of the Death or Removal from Office of any such Paymaster, the Monies standing to his Credit in the Account aforesaid shall be forthwith transferred to the Account of the said Commissioners at the said Bank.

Paymaster of the House of Commons.

Money to be transferred by Commissioners to Account of Paymaster.

Speaker to act notwithstanding Dissolution of Parliament.

V. And be it enacted, That for the Purposes of the said first-recited Act and this Act the Person who shall fill the Office of Speaker of the House of Commons at the Time of any Dissolution of Parliament shall be deemed to be the Speaker until a Speaker shall be chosen by the new Parliament, and that in the event of the Death or Disability or Absence from the Realm of the Speaker during any Dissolution or Prorogation of Parliament, it shall be lawful for any Three of the said Commissioners to execute any of the Purposes of the said first-recited Act or this Act.

Payments may be advanced if the Estimate be deficient.

VI. Provided always, and be it enacted, That it shall be lawful for the said Commissioners, upon Application of the Clerk of the House of Commons in respect of his Offices, and of the Serjeant-at-Arms in respect of his Department, and of the Speaker's Secretary in respect of the Department of the Speaker, to direct such further Sums to be advanced beyond those stated in the said Estimate of Expenditure as to them shall seem right to make good any unexpected Payments or Expences which shall not have been provided for in such Estimate; and an Account of all such Payments shall be laid before the House of Commons in the ensuing Session, with the Estimate for that Year.

Account to be laid before the House.

C A P. LXXVIII.

An Act to authorize a further Advance of Money out of the Consolidated Fund towards defraying the Expence of County Works presented in *Ireland*. [26th August 1846.]

WHEREAS by an Act passed in the present Session of Parliament, intituled *An Act to authorize Grand Juries in Ireland at the Spring Assizes of the present Year to appoint extraordinary Presentment Sessions, to empower such Sessions to make Presentment for County Works, and to provide Funds for the Execution of such Works, and also to provide for the more prompt Payment of Contractors for Works under Grand Jury Presentments in Ireland*, it is amongst other things enacted, that it shall and may be lawful for the Commissioners of Her Majesty's Treasury, on Application to them in that Behalf, to make Advances, not exceeding in the whole the Sum

9 & 10 Vict. c.2.

' of One hundred thousand Pounds, by way of Loan, at such Rate
 ' of Interest not exceeding the Rate of Five Pounds *per Centum*
 ' *per Annum* as they shall think fit, out of the growing Produce
 ' of the Consolidated Fund of the United Kingdom of *Great*
 ' *Britain and Ireland* arising in *Ireland*, to defray the Expence
 ' of any public Work or Works, the Execution of which shall
 ' have been approved of and presented under the Provisions
 ' therein in that Behalf contained, or of any Work presented for
 ' by a Grand Jury under the Provisions of any Acts relating to
 ' the Presentment of public Money by Grand Juries in *Ireland*
 ' (save as herein mentioned); and that when and so soon as any
 ' Application for such Works as aforesaid shall have been duly
 ' certified to the said Commissioners of the Treasury by the acting
 ' Clerk of the Crown to have been duly approved of, and presented
 ' according to the Provisions of any of the said last-mentioned
 ' Acts or of this Act, it shall and may be lawful for the said Com-
 ' missioners from Time to Time to make, upon the Credit of such
 ' Application so approved of and presented as aforesaid, any
 ' Advance they may think fit, and that any such Money advanced
 ' under the Authority of the said Act shall be delivered or paid
 ' by such Officer or Person and in such Manner as the said
 ' Commissioners shall think fit, and by such Instalments as may
 ' be necessary, to the Treasurer of the County, County of a City,
 ' or County of a Town in which the Works in respect of which
 ' such Advances shall be made shall have been or are intended
 ' to be executed, and shall be accounted for by him in like Manner
 ' as any other Monies by him received for the Use of such
 ' County, County of a City, or County of a Town; and all Secu-
 ' rities given or to be given by him or on his Behalf shall extend
 ' to such Money; and every such Treasurer shall also from Time
 ' to Time, and at all Times when thereunto required by the said
 ' Commissioners of Her Majesty's Treasury, furnish to the said
 ' Commissioners, as they may direct, an Account of all his Dis-
 ' bursements and Receipts in respect of such Advances: And
 ' whereas Applications have been made to the Commissioners of
 ' Her Majesty's Treasury for Advances to defray the Expences of
 ' Works under said recited Act to an Amount exceeding the said
 ' Sum of One hundred thousand Pounds by the said recited Act
 ' authorized to be issued for such Purposes, and it is necessary to
 ' provide additional Funds for such Works: Be it therefore
 ' 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, That it shall be lawful for the Commis-
 ' sioners of Her Majesty's Treasury, in addition to the said Sum
 ' of One hundred thousand Pounds by the said Act authorized to
 ' be advanced, to make Advances, not exceeding in the whole the
 ' further Sum of Thirty-five thousand Pounds, by way of Loan, at
 ' such Rate of Interest not exceeding the Rate of Five Pounds *per*
 ' *Centum per Annum* as they shall think fit, out of the growing
 ' Produce of the Consolidated Fund of the United Kingdom of
 ' *Great Britain and Ireland* arising in *Ireland*, in the Manner, for
 ' the Purposes, and subject to the several Provisions, Conditions,
 ' and Regulations in the said recited Act contained.

Power to the
 Treasury to
 advance an ad-
 ditional Sum of
 35,000*l.* for the
 Purposes of the
 said recited Act.

II. And be it enacted, That all and every the several Clauses, Powers, Authorities, Provisions, and Enactments in the said recited Act contained, for the recovering of the Sum of Money or any Part thereof by the said Act authorized to be advanced, shall be taken to extend and apply for the recovering of the said Sum of Thirty-five thousand Pounds by this Act authorized to be advanced, or any Part thereof, in the same Manner as if such Clauses, Powers, Authorities, Provisions, and Enactments were herein repeated and set forth, and applied to the Monies authorized by this Act to be advanced.

The Provisions of said recited Act to extend to this Act.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

Act may be amended, &c.

C A P. LXXIX.

An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and to the End of the then Session of Parliament, an Act of the Fifth and Sixth Years of Her present Majesty, for amending the Law relative to Private Lunatic Asylums in *Ireland*.

[26th August 1846.]

“ 5 & 6 *Vict.* c. 123. continued as in Title.”

C A P. LXXX.

An Act to authorize the Advance of Money out of the Consolidated Fund, for carrying on Public Works and Fisheries, and Employment of the Poor.

[26th August 1846.]

‘ **W**HEREAS an Act was passed in the Fifty-seventh Year
 ‘ of the Reign of His Majesty 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, in manner therein mentioned:* And whereas another
 ‘ Act was passed in the same Session of Parliament, intituled *An*
 ‘ *Act to amend an Act made in the present Session of Parlia-*
 ‘ *ment, for authorizing the Issue of Exchequer Bills and the Ad-*
 ‘ *vance of Money for carrying on Public Works and Fisheries,*
 ‘ *and the Employment of the Poor:* And whereas another Act was
 ‘ passed in the First Year of the Reign of His Majesty King
 ‘ *George* the Fourth, intituled *An Act to amend and continue*
 ‘ *Two Acts passed in the Fifty-seventh Year of His late Majesty*
 ‘ *King George the Third, for authorizing the Issue of Exchequer*
 ‘ *Bills and the Advance of Money for carrying on of Public*
 ‘ *Works and Fisheries, and Employment of the Poor, and to*
 ‘ *extend the Powers of the Commissioners for executing the said*
 ‘ *Acts in Great Britain:* And whereas another Act was passed in
 ‘ the First and Second Years of the Reign of His said Majesty
 ‘ King *George* the Fourth, intituled *An Act to empower the Com-*
 ‘ *missioners*

57 G. 3. c. 34.

57 G. 3. c. 124.

1 G. 4. c. 60.

1 & 2 G. 4. c. 111.

- 'missioners in Great Britain for the Execution of several Acts
 'for authorizing the Issue of Exchequer Bills for carrying on of
 'Public Works and Fisheries, and Employment of the Poor, and
 'to extend the Time for the Payment of certain Advances under
 'the said Acts: And whereas another Act was passed in the
 3 G. 4. c. 86. 'Third Year of the Reign of His said last-mentioned Majesty,
 'intituled *An Act to amend Two Acts of the Fifty-seventh Year*
 'of His late Majesty, and the First Year of His present Majesty,
 'for authorizing the Issue of Exchequer Bills and the Advance
 'of Money for carrying on Public Works and Fisheries, and
 'Employment of the Poor, and to authorize a further Issue of
 'Exchequer Bills for the Purposes of the said Acts: And
 4 G. 4. c. 63. 'whereas another Act was passed in the Fourth Year of the
 'Reign of His said last-mentioned Majesty, intituled *An Act to*
 'authorize the Advance of Money by the Commissioners under
 'several Acts for the Issue of Exchequer Bills for Public Works
 'for the building, rebuilding, enlarging, or repairing of Gaols in
 'England: And whereas another Act was passed in the Fifth
 5 G. 4. c. 36. 'Year of the Reign of His said last-mentioned Majesty, intituled
 'An Act to amend and render more effectual the several Acts
 'for the issuing of Exchequer Bills for Public Works: And
 5 G. 4. c. 77. 'whereas another Act was passed in the same Year, intituled *An*
 'Act to amend the Acts for the Issue of Exchequer Bills for
 'Public Works: And whereas another Act was passed in the
 6 G. 4. c. 35. 'Sixth Year of the Reign of His said last-mentioned Majesty,
 'intituled *An Act to render more effectual the several Acts for*
 'authorizing Advances for carrying on Public Works so far as
 'relates to Ireland: And whereas another Act was passed in the
 7 G. 4. c. 30. 'Seventh Year of the Reign of His said last-mentioned Majesty,
 'intituled *An Act to amend the several Acts for authorizing Ad-*
 'vances for carrying on Public Works, and to extend the Pro-
 'visions thereof in certain Cases: And whereas another Act was
 7 & 8 G. 4. c. 12. 'passed in the Seventh and Eighth Years of the Reign of His
 'said last-mentioned Majesty, intituled *An Act to amend an Act*
 'of the First Year of His present Majesty, for the Advance of
 'Money for carrying on Public Works in Ireland: And whereas
 7 & 8 G. 4. c. 47. 'another Act was passed in the same Year, intituled *An Act for*
 'the further Amendment and Extension of the Powers of the
 'several Acts authorizing Advances for carrying on Public
 'Works: And whereas another Act was passed in the First and
 1 & 2 W. 4. c. 24. 'Second Years of the Reign of His late Majesty King *William*
 'the Fourth, intituled *An Act to amend several Acts passed for*
 'authorizing the Issue of Exchequer Bills and the Advance of
 'Money for carrying on Public Works and Fisheries, and Em-
 'ployment of the Poor, and to authorize a further Issue of Exche-
 'quer Bills for the Purposes of the said Acts: And whereas
 3 & 4 W. 4. c. 32. 'another Act was passed in the Third and Fourth Years of the
 'Reign of His said late Majesty, intituled *An Act to amend several*
 'Acts authorizing Advances for carrying on Public Works: And
 4 & 5 W. 4. c. 72. 'whereas another Act was passed in the Fourth and Fifth Years
 'of the Reign of His said late Majesty, intituled *An Act to amend*
 'several Acts for authorizing the Issue of Exchequer Bills for
 'carrying on Public Works and Fisheries and Employment of
 'the Poor, and to authorize a further Issue of Exchequer Bills
 'for

‘ for the Purposes of the said Acts: And whereas another Act
‘ was passed in the First Year of the Reign of Her present
‘ Majesty Queen Victoria, intituled *An Act to authorize the fur-* 7 W. 4. &
‘ *ther Issue of Exchequer Bills for Public Works and Fisheries,* 1 Vict. c. 51.
‘ *and Employment of the Poor, and to amend the Acts relating*
‘ *thereto:* And whereas another Act was passed in the First and
‘ Second Years of the Reign of Her present Majesty, intituled *An* 1 & 2 Vict. c. 88.
‘ *Act to authorize the further Issue of Exchequer Bills for Public*
‘ *Works and Fisheries, and Employment of the Poor, and to*
‘ *amend the Acts relating thereto:* And whereas another Act was
‘ passed in the Third Year of the Reign of Her present Majesty,
‘ intituled *An Act to authorize the Issue of Exchequer Bills for* 3 & 4 Vict. c. 10.
‘ *Public Works and Fisheries, and Employment of the Poor:*
‘ And whereas another Act was passed in the Fifth Year of the
‘ Reign of Her present Majesty, intituled *An Act to authorize the* 5 & 6 Vict. c. 9.
‘ *Advance of Money out of the Consolidated Fund, to a limited*
‘ *Amount, for carrying on Public Works and Fisheries, and Em-*
‘ *ployment of the Poor, and to amend the Acts authorizing the*
‘ *Issue of Exchequer Bills for the like Purposes:* And whereas
‘ sundry Advances or Loans have been made by the Commissioners
‘ of the said recited Acts for the Purposes in the same Acts
‘ specified, and great Benefits have been derived therefrom: And
‘ whereas further Advances or Loans are required for the like
‘ Objects, and it is deemed expedient to make further Advances of
‘ Money out of the Consolidated Fund for the Purposes of such
‘ Loans: Be it therefore enacted by the Queen’s most Excellent
Majesty, by and with the Advice and Consent of the Lords Spi-
ritual and Temporal, and Commons, in this present Parliament
assembled, and by the Authority of the same, That for the Pur-
poses of such Advances or Loans as aforesaid the Commissioners
of Her Majesty’s Treasury of the United Kingdom of *Great Bri-*
tain and Ireland for the Time being are hereby empowered, by
Warrant under the Hands of any Three or more of them, to charge
the Consolidated Fund of the United Kingdom of *Great Britain*
and *Ireland* (after providing for all preceding Charges, but having
Preference of all future Charges), and to direct the Issue or the
Payment thereof to the Account of the Commissioners for the
Time being for the Reduction of the National Debt of a Sum or
Sums of Money not exceeding Three hundred and sixty thousand
Pounds *per Annum* during the Five Years next ensuing the
Fourth Day of *April* One thousand eight hundred and forty-seven,
by quarterly Instalments or Issues not exceeding Ninety thousand
Pounds *per Quarter*, the same to become due on the Fifth Day of
January, the Fifth Day of *April*, the Fifth Day of *July*, and the
Tenth Day of *October* in each Year, the first Instalment thereof
to become due and payable on the Fifth Day of *April* One thou-
sand eight hundred and forty-seven.

360,000*l.* per
Annum to be
charged upon
the Consoli-
dated Fund by
Issues not ex-
ceeding 90,000*l.*
per Quarter.

II. And be it enacted, That the Commissioners for the Time
being for the Reduction of the National Debt shall be and they
are hereby appointed Trustees on the Part of the Public for
holding the said Monies to be issued and paid out of the Con-
solidated Fund as aforesaid, and they shall continue or cause to be
continued the separate Account already opened at the Bank of
England with them under the Title of “The Commissioners for
the Commissioners
for Reduction
of National Debt
to be Trustees
of Public Works
Loan Fund,
and to cause a
separate Ac-
count to be con-

tinued at the Bank of England for the Purpose.

the Reduction of the National Debt on account of the Public Works Loan Fund," and which Account the Governor and Company of the Bank of *England* shall and they are hereby required to continue in their Books accordingly, and to which Account shall be carried all such Monies as shall be issued and paid out of the Consolidated Fund for the Purposes aforesaid; and the said Commissioners for the Reduction of the National Debt shall continue and keep or cause to be continued and kept in their Office a Book or Books, in which all the Monies transferred to their Account by virtue of this Act and the said last-recited Act shall be entered and kept separate and apart from all other Monies, and such Monies shall be by them held subject to the Disposal, Orders, and Directions of the said Commissioners of the said recited Acts and of this Act for the Purposes of such Loans and Advances as by the same Acts or the Acts relating thereto, or this Act, are directed or authorized to be made, and for other the Purposes herein-after mentioned.

Bank to continue the Account already opened with the Commissioners for executing this Act.

III. And be it enacted, That the Governor and Company of the Bank of *England* shall and they are hereby required to continue the Account already opened in their Books with the Commissioners for the Execution of this Act and of the said recited Acts, under the Title of "The Commissioners for the Issue of Loans for Public Works and Fisheries, &c.," to the Credit of which Account shall be carried all Principal and Interest Monies which shall from Time to Time become payable in respect of Loans made or to be made under the said recited Acts or this Act, and which shall be paid to the Cashiers of the said Bank of *England* upon such or the like Certificates under the Hands of the said Commissioners of the said recited Acts and of this Act as have been heretofore used for such Purpose in regard to Exchequer Bill or other Loans as directed by the said recited Acts, or some or one of them, in such or the like Manner in all respects as if the Clauses and Provisoes in the said recited Acts with respect to such Payments and Certificates had been repeated and re-enacted in the Body of this Act, or as near thereto as the Difference of the Circumstances will admit.

Money paid to the Account of Commissioners for executing this Act to make Part of Consolidated Fund.

IV. And be it enacted, That all and every Sum and Sums of Money which shall be paid into the Bank of *England* to the Account of the Commissioners for executing this Act, under and by virtue of this Act, shall from Time to Time, immediately on such Payments being made to the said Account, be transferred by the Governor and Company of the Bank of *England* to the Account kept by the said Bank of *England* with Her Majesty's Exchequer, and when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

Commissioners for executing recited Acts to be Commissioners for executing this Act.

V. And be it enacted, That the several Persons who in and by the said recited Acts, or any of them, are named or constituted Commissioners for the Execution of the said Acts, or so many of them as shall be living at the Time of passing of this Act, shall be and they and all future Parties so constituted are hereby constituted Commissioners for the Execution of the said recited Acts and this Act, and all Acts authorized by the said recited Acts and
this

this Act to be done and executed by the said Commissioners may be done and executed by any Three or more of them.

VI. And be it enacted, That the said Commissioners named in and by the said recited Acts or either of them, shall, before they enter upon the Execution of this Act, sign a Declaration to the following Effect :

‘ I *A.B.* do declare, That according to the best of my Judgment
‘ I will faithfully and impartially execute the several Duties,
‘ Powers, and Trusts vested in me by an Act, intituled [*insert*
‘ *Title of this Act*], according to the Tenor and Purport of the
‘ said Act and the Acts therein recited, and other Acts having
‘ reference thereto :’

And that such Declaration shall be kept and entered with the other Proceedings of the said Commissioners.

VII. And be it enacted, That when and so soon as the said Commissioners for the Execution of the said recited Acts and this Act shall have determined upon any Amount of Money to be advanced and lent or paid under the Provisions of this Act, the said Commissioners, or any Three or more of them, shall forthwith certify such Amount to the Commissioners for the Reduction of the National Debt for the Time being, and at the Foot of every such Certificate the Secretary of the said Commissioners for the Execution of the said recited Acts and this Act shall state the Name or Names of the Person or Persons by whom every such Certificate is to be presented to the said Commissioners for the Reduction of the National Debt ; and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt the Comptroller General or Assistant Comptroller, or Chief Clerk acting under the said last-named Commissioners, shall upon the Back of every such Certificate endorse and sign an Order for the Payment of the Sum mentioned in every such Certificate to the Person or Persons named at the Foot of every such Certificate, or to One of such Persons, and which Order of such Officer, previous to the issuing thereof, shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other Check Officer acting under the said last-named Commissioners, and shall be addressed to the Cashiers of the Governor and Company of the Bank of *England* ; and such Cashiers, or One of them, shall, upon the Production of every such Order, pay the Sum mentioned therein to the Person or Persons mentioned in every such Order ; and the Signature of such Person or Persons, jointly or severally, shall be a sufficient Discharge to the said Commissioners for the Reduction of the National Debt, and to the said Governor and Company respectively, provided the total Amount directed to be paid by such Certificate or Certificates respectively shall not at any Time exceed the Amount for the Time being standing to the Credit of the said Account of the said Commissioners for the Reduction of the National Debt under the Provisions of this Act or of the said last-recited Act.

VIII. And be it enacted, That the Commissioners for the Reduction of the National Debt shall cause to be made up, for Examination and Audit, an annual Account to the Thirty-first Day of *December* in each Year of the Receipts, Payments, and Balances

Commissioners
to sign the fol-
lowing Decla-
ration.

Amount of
Monies to be
advanced under
this Act to be
certified to the
Commissioners
for the Reduc-
tion of the Na-
tional Debt.

Commissioners
to furnish annual
Account of the
Fund for Audit.

on the said Account so directed to be kept by them in respect of the said Public Works Loan Fund as aforesaid, and shall deliver the same to the Commissioners for auditing the Public Accounts at *Somerset Place*.

Powers, &c. of recited Acts to have the same Force as if re-enacted in this Act.

IX. And be it enacted, That all and every the several Clauses, Powers, Authorities, Provisoos, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in the said recited Acts, or any of them, so far as the same can be made applicable and are not varied by this Act, shall be taken to extend to this Act, and to every thing to be done in pursuance of this Act, and as if such Clauses, Powers, Authorities, Provisoos, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures were herein repeated and set forth.

Act may be amended, &c.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

C A P. LXXXI.

An Act for regulating the Deduction at the Bank of *England* of Income Tax Duty in respect of certain Offices.

[26th August 1846.]

‘ **W**HEREAS certain Salaries, Compensations, and Pensions are by several Statutes charged upon and payable without Draft out of Cash standing in the Books of the Governor and Company of the Bank of *England* in the Name of the Accountant General of the High Court of Chancery to the respective Accounts, intituled “Account of Interest arising from Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery,” and “Account of Interest arising from Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery :” And whereas the Income Tax Duty in respect of the Dividends composing the Cash standing to such several Accounts is deducted therefrom at the Bank of *England* previously to carrying such Dividends to the Credit of the said Accountant General, and it is therefore expedient that in paying such Salaries, Compensations, and Pensions an Amount equivalent to such Duty be deducted therefrom at the Bank of *England* : Be it therefore 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, That from and after the passing of this Act the proportionate Amount of Income Tax Duty which shall have been deducted from the Dividends composing the Cash standing to the Credit of the said Accountant General to the aforesaid respective Accounts in the Books of the Governor and Company of the Bank of *England* be deducted by the said Governor and Company from all Salaries, Compensations, and Pensions charged upon and payable without Draft out of the said Cash at the Time of each Payment thereof here-

Income Tax Duty to be deducted at Bank of England on Payment of Salaries, &c. charged upon Suitors Funds Accounts of Court of Chancery.

after to accrue due, any thing in any Statute contained to the contrary thereof notwithstanding.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

C A P. LXXXII.

An Act to amend an Act of the present Session for authorizing a Loan from the Consolidated Fund to the *New Zealand Company*. [26th August 1846.]

‘ WHEREAS by an Act passed in the present Session of Parliament, intituled *An Act to authorize a Loan from the Consolidated Fund to the New Zealand Company*, it was enacted, that it should be lawful for the Lord High Treasurer, or any Three or more Commissioners of Her Majesty’s Treasury of the United Kingdom of *Great Britain and Ireland*, from Time to Time to advance and lend to the *New Zealand Company*, in manner therein mentioned any Sum or Sums of Money not exceeding in the whole the Sum of One hundred thousand Pounds, to be applied by the said Company in the Proportions and for the Purposes therein also mentioned; and it was by the said Act provided, that no Part of the said Sums should be applied to the Payment of any Principal Sum of Money for which any Debenture had been or should be issued under the Seal of the said Company: And whereas it is expedient that so much of the said Proviso as relates to Debentures already issued by the said Company should be repealed, and that the said Company should be authorized and empowered to apply a certain Portion of the said Loan of One hundred thousand Pounds, not exceeding Thirty-two thousand five hundred Pounds, to the Payment of certain Sums of Money, for which such Debentures as last aforesaid have been issued under the Seal of the said Company:’ Be it therefore 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, That the said Proviso, so far as regards any Debentures which shall have been already issued by the said Company, shall be and the same is hereby repealed. 9&10 Vict. c. 42.

So much of recited Act as regards Debentures already issued by Company repealed.

II. And be it enacted, That notwithstanding any thing in the said Act contained whereby it is enacted, that the said Loan of One hundred thousand Pounds shall be applied by the said Company in the Proportions and for the Purposes therein mentioned, it shall be lawful, nevertheless, for the said Company to apply any Portion thereof not exceeding the Sum of Thirty-two thousand five hundred Pounds, to the Payment of the Principal Sums due on certain Debentures which have been issued by the said Company, and are now due or will become due and payable on or before the Fourth Day of *January* which will be in the Year One thousand eight hundred and forty-seven, which said Sum of Thirty-two thousand five hundred Pounds, or so much thereof as shall be so applied by the said Company, shall be repaid, and they are hereby required and made liable to repay the same, Repayment of Loan.

to the Lord High Treasurer or Commissioners of Her Majesty's Treasury, or to such other Persons as the said Lord High Treasurer or Commissioners shall direct, within the Space of Three Years after the passing of this Act; and if within or at the Expiration of such Period of Three Years the Company shall not have repaid the said Sum, it shall be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of Her Majesty's Treasury, to cause Notice in Writing to be given to the said Company, by leaving the same at the Office of the said Company, to repay the said Sum of Thirty-two thousand five hundred Pounds, or so much thereof as shall have been applied as aforesaid, and shall remain due and unpaid, within One Calendar Month from the Day on which such Notice shall be given or served on the said Company.

If Company, after Notice, refuse or neglect to repay Loans, Treasury may, by Warrant, make Calls on subscribed Capital not paid up.

Treasury may enforce Payment of Calls.

Sums applied by the Company to certain Purposes to be reckoned as so much towards Repayment of Loan.

Monies derived from Moiety of Lands pledged as Security for Loan not to be reckoned as Part of Repayment.

III. And be it enacted, That if the said Company, after Receipt of such Notice, shall refuse, or for the Space of One Calendar Month from the Day on which such Notice shall have been given or served, neglect, to repay the said Sum, it shall be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of Her Majesty's Treasury, and they are hereby authorized and empowered, by Warrant under their Hands, to declare and make a Call or Calls on such Portion of the subscribed Capital of the said Company as shall not at the Time of such Call or Calls have been called up and paid as shall be sufficient to repay the said Sum; and for the Purpose of enforcing Payment of any such Call or Calls, the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury shall have, use, and exercise all such Power and Authority as the said Company now have or may use and exercise for enforcing Payment of any Calls to be made by them under any Letters Patent or Act of Parliament now in force.

IV. Provided always, and be it enacted, That if it shall appear to the Satisfaction of the Lord High Treasurer, or any Three or more of the Commissioners of Her Majesty's Treasury, that the said Company during the said Period of Three Years from the passing of this Act, have applied any Sum or Sums of Money to any of the Purposes mentioned in the said recited Act to which the said Loan of One hundred thousand Pounds was thereby directed to be applied, then and in such Case the Amount of such Sums so applied by the said Company shall be taken and reckoned towards Repayment of the said Sum of Thirty-two thousand five hundred Pounds, or so much thereof as shall be due and unpaid.

V. ' And whereas by the said recited Act a Moiety of the Purchase Money of any Lands, Tenements, and Hereditaments belonging or hereafter to be acquired by the said Company, and of the Rents, Issues, and Profits to be thereafter received by the said Company, is pledged as a Security for the Repayment from Time to Time of the said Loan of One hundred thousand Pounds; ' it is hereby declared and enacted, That if it shall appear that any such Sums as are herein-before directed to be taken and reckoned towards Repayment of the said Sum of Thirty-two thousand five hundred Pounds, or so much thereof as shall be due and unpaid, shall have been paid out of the said Moiety so pledged as aforesaid, then and in every such Case such Sums

Sums shall not be taken and reckoned as aforesaid, but that such Sums only shall be so taken and reckoned as shall appear to have been paid out of the Moiety of the said Lands, Tenements, and Hereditaments, Rents, Issues, and Profits, remaining at the Disposal of the said Company, or out of any other Sums at their Disposal which are not so pledged as aforesaid.

VI. And be it enacted, That until the said Sum of Thirty-two thousand five hundred Pounds, or so much thereof as shall be due and unpaid, shall be repaid by the said Company as aforesaid, it shall not be lawful for the said Company, without the Consent in Writing of the Lord High Treasurer, or any Three or more of the Commissioners of Her Majesty's Treasury, to make any Call or Calls exceeding in the whole the Amount of One Half of such Portion of the subscribed Capital of the said Company as at the Time of the passing of this Act has not been called up and paid; and all and every such Call or Calls as, with the Consent aforesaid, shall be made by the said Company, shall be only for the Purpose of and shall be applied to the Repayment of the said Sum of Thirty-two thousand five hundred Pounds, or so much thereof as shall be due and unpaid.

Company not to make above a certain Amount of Call without Consent of the Treasury until Repayment of the Sum of 32,500*l*.

VII. And be it enacted, That whenever the said Company shall repay as aforesaid the said Sum of Thirty-two thousand five hundred Pounds or any Part thereof, the same shall be deemed and taken to be a Part of the said Loan of One hundred thousand Pounds so authorized to be advanced to the said Company, and may, at the Discretion of the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, be advanced and lent to the said Company for the Purposes and subject to the Provisions in the said recited Act contained.

Repayment of the Sum of 32,500*l*. to be deemed part Repayment of Loan of 100,000*l*.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c

C A P. LXXXIII.

An Act to empower the Commissioners for the Issue of Loans for Public Works and Fisheries to make Loans in Money to the Commissioners of Her Majesty's Woods, in lieu of Loans heretofore authorized to be made in Exchequer Bills. [26th August 1816.]

WHEREAS by divers Acts of Parliament for effecting Improvements in the Metropolis, and for other Purposes, the Commissioners for issuing Exchequer Bills for Public Works acting in the Execution of an Act passed in the Fifty-seventh Year of the Reign of King *George* the Third, and of several subsequent Acts for amending and extending the same, have been from Time to Time authorized and empowered to advance and lend to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Purposes of the said Acts respectively, divers Sums of Money in Exchequer Bills, upon such Terms and Securities, with such Provisions for the Repayment thereof, and in such Manner, as in the same Acts respectively is prescribed or referred to: And whereas by

5 & 6 Vict. c. 9.

‘ an Act passed in the Session of Parliament held in the Fifth
 ‘ and Sixth Years of Her present Majesty, intituled *An Act to*
 ‘ *authorize the Advance of Money out of the Consolidated Fund*
 ‘ *to a limited Amount for carrying on Public Works and Fisheries,*
 ‘ *and Employment of the Poor, and to amend the Acts authorizing*
 ‘ *the Issue of Exchequer Bills for the like Purposes,* it was enacted,
 ‘ that in lieu of the Advances theretofore made in Exchequer
 ‘ Bills by the Commissioners for issuing Exchequer Bills for Public
 ‘ Works certain Sums of Money should be advanced for the like
 ‘ Purposes out of the Consolidated Fund in manner therein men-
 ‘ tioned, and that such Advances should be made in manner
 ‘ therein mentioned by the said Commissioners, thereby styled
 ‘ “The Commissioners for the Issue of Loans for Public Works
 ‘ and Fisheries, *et cætera* :” And whereas no Exchequer Bills
 ‘ applicable to Public Works now remain to be issued under the
 ‘ Authority of the said Act of the Fifty-seventh Year of King
 ‘ George the Third, or of the several subsequent Acts for amending
 ‘ and extending the same, and it is expedient that in all Cases
 ‘ where Loans have as aforesaid been authorized by Parliament to
 ‘ be made to the Commissioners of Her Majesty’s Woods, Forests,
 ‘ Land Revenues, Works, and Buildings of any Sum or Sums of
 ‘ Money in Exchequer Bills, but which have not yet been actually
 ‘ made, such Loans respectively should be made out of the Monies
 ‘ from Time to Time placed at the Disposal of the said Commis-
 ‘ sioners for the Issue of Loans for Public Works and Fisheries, *et*
 ‘ *cætera*, by the said recited Act of the Fifth and Sixth Years of
 ‘ Her Majesty’s Reign or any other Act:’ Be it therefore 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, That it shall be lawful for the Commissioners for the
 Issue of Loans for Public Works and Fisheries, *et cætera*, for the
 Time being, and they are hereby authorized and empowered, by
 and out of the Monies from Time to Time placed at their Disposal
 under or by virtue of the said recited Act passed in the Session
 of Parliament held in the Fifth and Sixth Years of Her Majesty’s
 Reign, or any other Act already passed or to be passed during the
 present Session of Parliament, to lend to the Commissioners of
 Her Majesty’s Woods, Forests, Land Revenues, Works, and Build-
 ings for the Time being, and also to the said Commissioners (who
 are incorporated by several Acts for effecting Improvements in
 the Metropolis) and their Successors, all and every Sums and
 Sum of Money which by any Act or Acts of Parliament the
 Commissioners acting in execution of the said recited Act of the
 Fifty-seventh Year of the Reign of His Majesty King George the
 Third, and of the several subsequent Acts for amending and ex-
 tending the same, have been by any Act already passed, or shall
 be by any Act passed during the present Session of Parliament,
 authorized to lend to Her Majesty’s said Commissioners respectively
 in Exchequer Bills, and as if Powers enabling such Loans to be
 made in Money had been contained in such Acts respectively in
 addition to or in lieu of the Powers therein contained enabling
 such Loans to be made in Exchequer Bills.

Commissioners
 for Loans for
 Public Works
 and Fisheries
 empowered to
 make Loans to
 the Commis-
 sioners of Woods
 in Money in
 lieu of Exche-
 quer Bills.

II. And be it enacted, That notwithstanding any thing in the said recited Act of the Session of Parliament held in the Fifth and Sixth Years of Her Majesty's Reign, or in the Acts therein recited or referred to, or in any Act passed or to be passed during the present Session of Parliament, contained to the contrary, every Loan to be made by the Commissioners for the Issue of Loans for Public Works and Fisheries, *et cætera*, by virtue of this Act, shall be made by such Instalments, at such Rate of Interest, not exceeding the Rate of Four Pounds *per Centum per Annum*, upon such Terms and Conditions as to the Repayment thereof and otherwise, and upon such Securities as in any such Act or Acts of Parliament as aforesaid is or shall be directed, indicated, or provided with respect to Advances thereby authorized to be made of Monies in Exchequer Bills; and all and singular the Powers, Authorities, Provisions, and Exemptions in such Acts respectively contained with respect to Advances of Monies in Exchequer Bills to be made to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, or to the said Commissioners incorporated as aforesaid, and their Successors, shall (so far as the same are applicable) extend to all Loans to be made to the said Commissioners respectively by virtue of this Act; and the Loans of Monies to be from Time to Time made to the said Commissioners by virtue of this Act shall be by them applied to such and the same Purposes as the Loans by any such Act or Acts as aforesaid authorized to be made in Exchequer Bills, in lieu whereof such Loans in Monies shall be made under this Act, are or shall be by the same Acts respectively authorized or directed to be applied.

Provisions with respect to Loans in Exchequer Bills extended to Loans in Money.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

Act may be amended, &c.

C A P. LXXXIV.

An Act to amend the Law concerning Lunatic Asylums and the Care of Pauper Lunatics in *England*.

[26th August 1846.]

‘ WHEREAS Doubts have been entertained whether under
 ‘ the Provisions of an Act of the last Session of Parlia-
 ‘ ment, intituled *An Act to amend the Laws for the Provision and
 ‘ Regulation of Lunatic Asylums for Counties and Boroughs, and
 ‘ for the Maintenance and Care of Pauper Lunatics, in England,*
 ‘ it is incumbent on Justices of the Peace, and others therein
 ‘ specified, to issue Orders for the Reception into a Lunatic Asylum,
 ‘ or House licensed or Hospital registered for the Reception of
 ‘ Lunatics, of all Persons who shall be brought before them, or
 ‘ whom they shall visit in the Manner prescribed by the said
 ‘ Act, and of whose Lunacy they shall be satisfied, or only of
 ‘ those Persons of whose Lunacy they shall be satisfied, and whom
 ‘ they shall deem proper Persons to be confined, according to the
 ‘ Tenor of the Order set forth in the Form numbered One in the
 ‘ Schedule marked (E.) annexed to the said Act:’ Be it declared
 and enacted by the Queen's most Excellent Majesty, by and with

8&9 Vict. c.126.

In what Cases
Justices and
others are to
issue Orders for
Confinement of
Lunatics.

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 it shall not be deemed incumbent on any Justice of the Peace, or upon any Clergyman, Overseer, or Relieving Officer, to sign or issue such Order as aforesaid, in all Cases in which the Physician, Surgeon, or Apothecary whom he or they shall have called to his or their Assistance shall have signed the Certificate according to the Form numbered One in the said Schedule (E.) as provided by the said Act; but that every Justice, Clergyman, Overseer, or Relieving Officer by whom any such Order shall be signed or issued, in the Case of every such Person of whose Lunacy he shall be satisfied, shall be bound, before signing the Order, to satisfy himself of the Propriety of confining such Lunatic in a Lunatic Asylum, unless a Medical Certificate that such Lunatic is a proper Person to be so confined, in the same Form as the Medical Certificate in the said Schedule (E.) Number One, shall have been signed by the Medical Officer of the Union or Parish to which the Lunatic belongs, as well as by the said Physician, Surgeon, or Apothecary, in which Case such Two Medical Certificates shall be received by every such Justice, Clergyman, Overseer, and Relieving Officer as conclusive Evidence that such Lunatic is a proper Person to be so confined.

Committees of
Justices ap-
pointed, or who
may hereafter
be appointed,
for providing
Lunatic Asy-
lums, deemed
to have been
legally appoint-
ed.

II. ' And whereas by the said Act it is enacted, that a Com-
' mittee of Justices to superintend or to treat and enter into an
' Agreement for the erecting or providing an Asylum for the
' Pauper Lunatics of any County or Borough which has no Asylum
' for the Pauper Lunatics thereof shall be appointed at the Time
' and in the Manner prescribed by the said Act, after public
' Notice of the Intention to appoint such Committee given on or
' before the General or Quarter Sessions for such County or
' Borough next after the Twentieth Day of *December* One thou-
' sand eight hundred and forty-five; but the Objects of the Act
' have not been in all Cases fully attained, and Doubts have been
' entertained as to the Power of the Justices in the Appointment
' of such Committees, and as to the Powers of such Committees
' when appointed; be it declared and enacted, That a Committee
as aforesaid may and shall be appointed in every County and
Borough which has no Asylum for the Pauper Lunatics thereof,
and in which a Committee has not been already appointed, or in
which a Committee once appointed has ceased or shall hereafter
cease to exist without carrying into effect the Purposes for which
it was appointed, or if appointed for the Purpose only of treating
and entering into an Agreement, has reported or shall hereafter
report that it is not practicable or expedient to enter into an
Agreement, or to that Effect; and that, notwithstanding any Com-
mittee already appointed or hereafter to be appointed may have
been appointed either for the Purpose only of superintending the
erecting or providing an Asylum, or for the Purpose only of treat-
ing and entering into an Agreement for erecting or providing an
Asylum, or for effecting the one or the other of the said Purposes,
as to the said Committee may seem best, such Committee shall be
deemed to have been legally appointed under the said Act, and
duly empowered to carry into effect the Purpose for which it has
been or may be so appointed; and in any Case in which the

Occasion for the Appointment of a Committee for any of the Purposes aforesaid now exists or shall hereafter arise, public Notice of the Intention to appoint the same shall be given in the Manner prescribed by the said Act, on or before the General Quarter Session of the Peace to be holden for such County or Borough next after the passing of this Act, or next after the Occasion for the Appointment thereof shall have arisen, as the Case may be: Provided nevertheless, that Notice at any subsequent General Quarter Session of the Peace for such County or Borough of the Intention to appoint any such Committee, and the Appointment of a Committee in pursuance thereof, shall be valid.

III. And be it enacted, That when any Committee hath been or shall hereafter be appointed for one of the aforesaid Purposes only, it shall be lawful for the Justices, if they shall think fit, at any General Quarter Session of the Peace after the like public Notice as is required in the Case of the first Appointment of the Committee, to enlarge the Powers of the Committee, so as to authorize the Committee to effect the one or the other of such Purposes, as to the said Committee may seem best, and, if necessary, under the Provisions of the said Act, to appoint additional Members of the said Committee; and every such Committee shall be deemed to have been legally appointed under the said Act, and duly authorized to carry into effect the one or the other of the said Purposes, as to the said Committee may seem best.

IV. And be it enacted, That until a Committee of Visitors shall, under the Provisions of the said Act or of this Act, be appointed on behalf of any County or Borough, Counties or Boroughs, the Committee appointed or hereafter to be appointed, either for superintending the erecting or providing, or for treating and entering into an Agreement for erecting or providing an Asylum, or for effecting the one or the other of those Purposes, as to the said Committee may seem best, shall have, on behalf of the County or Borough by which such Committee shall have been appointed, all the Powers, as well of contracting with the Proprietors of any House licensed for the Reception of Lunatics, as otherwise, of a Committee of Visitors appointed under the said Act, save that a Committee for the Purpose only of treating and entering into an Agreement as aforesaid shall not have Power to take Measures towards erecting or providing a Lunatic Asylum for the sole Use of the County or Borough for which it shall have been appointed.

V. And be it enacted, That whenever any Agreement shall have been entered into, signed, and reported, as in the said Act is mentioned, the Justices of every County to which such Agreement shall relate, assembled at the General or Quarter Sessions to which such Report shall be made, and the Justices of every Borough to which such Agreement shall relate, shall, at a Special Meeting to be held within Twenty Days after such Agreement shall have been reported as aforesaid, and the Subscribers of every Lunatic Asylum to which such Agreement shall relate, or the Majority of such Subscribers, present at a Meeting to be holden within Twenty-eight Days after the signing of such Agreement, and of which Notice shall have been given by public Advertisement in some Newspaper circulated within the Place in which

Powers of Committees may be enlarged by Justices.

Until Committees of Visitors shall be appointed for any County, &c., the Committee appointed for providing an Asylum shall act as such.

Committee of Visitors to be appointed by Justices and Subscribers to Lunatic Asylums.

such Lunatic Asylum shall be situated, shall appoint a Committee of Visitors, in the same Manner and under the Regulations and with the Powers mentioned in the said Act in respect of a Committee of Visitors appointed for the like Purpose at the Times mentioned in the said Act, and all the Provisions in the said Act relating to Committees of Visitors shall apply to the said Committee, as far as the same may be applicable.

Further Provision for the temporary Care of Pauper Lunatics.

VI. ' And whereas certain Powers are given by the said Act to every Committee of Visitors to contract for certain Purposes, for a limited Time and under certain Restrictions, with the Proprietors of any House licensed for the Reception of Lunatics : And whereas it is expedient to enable further Provision to be made for the temporary Care of Pauper Lunatics : ' be it enacted, That it shall be lawful for any Committee of Visitors to make Provision, either in manner mentioned in the said Act or otherwise, for the temporary Care of Pauper Lunatics, subject to the Approval, Restrictions, Limitations, and Provisoos mentioned in the said Act with respect to such Contracts as aforesaid, in as far as such Limitations and Restrictions and Provisoos are applicable to any Provision other than a Contract with the Proprietor of a House licensed as aforesaid, and the Expences of making such Provision shall be paid out of the same Monies or Funds and in the same Manner as is provided in the said Act in the Case of Contracts with such Proprietors as aforesaid ; and it shall be lawful for the Guardians and Overseers of any Union or Parish, with the Consent of the Poor Law Commissioners for *England* and *Wales*, to contract with any such Committee of Visitors for the Use and Occupation of all or any Part of a Workhouse as a temporary Asylum for Pauper Lunatics ; and during such temporary Occupation such Workhouse, or the Part of it so occupied, shall be subject to the same Law as a Workhouse taken for the Reception of Pauper chronic Lunatics under the Provisions of the said Act.

Separate Committees to be appointed for every such Asylum.

VII. ' And whereas by the said Act Provision is made that in certain Cases therein specified more than One Asylum shall be erected or provided in a County or Borough, and it hath been doubted whether a separate Committee of Justices should be appointed in reference to every such Asylum ; ' be it declared and enacted, That the true Intent and Meaning of the said Act is, that a separate Committee of Justices be appointed in every such County or Borough for every such Asylum, each of which Committees shall have all the Powers and be subject to all the Provisions of the said Act with regard to the Asylum for which it is appointed, as if it were the only Asylum for that County or Borough : Provided always, that it shall be lawful for the Justices of the County or Borough, if they shall think fit, with the Approval of One of Her Majesty's Principal Secretaries of State, to appoint the same Committee for Two or more such Asylums.

Justices may appoint the same Committee for Two Asylums.

For recovering Money under Orders made by Justices under Provisions of 9 G. 4. c. 40.

VIII. And be it enacted, That all the Powers and Remedies given by the said Act of the last Session of Parliament, and the Provisions therein contained for recovering Money ordered by Justices of the Peace, under the Provisions of the same Act, to be paid by the Overseers of any Parish, shall extend to the Recovery of any Money which may have been ordered by any Justices

Justices of the Peace under the Provisions of an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend the Laws for the Erection and Regulation of County Lunatic Asylums, and more effectually to provide for the Care and Maintenance of Pauper and Criminal Lunatics, in England*, to be paid by the Overseers of any Parish, and which at the Time of the passing of this Act may be due, or may thereafter become due by virtue of any such Order.

IX. And be it enacted, That the Powers given by the said Act to the Justices of every such County and to the Council of every such Borough to borrow Money toward defraying the Expences of carrying into effect the Purposes of the said Act, or of any Act thereby repealed, whenever it should appear, as therein provided, that such Expences would exceed the several Sums of Five thousand Pounds or Two thousand Pounds, in the several Cases therein specified, shall be extended to all Cases in which it shall appear to the said Justices or Council respectively expedient to borrow Money toward defraying such Expences, whether or not it shall appear that such Expences will exceed the Sum of Five thousand Pounds or Two thousand Pounds, as the Case may be; and such Money may be raised in any Sum or Sums at any Rate of Interest not exceeding the yearly Rate of Five Pounds in the Hundred.

Extending Powers of borrowing Money.

X. And be it enacted, That the Words "furnishing and completing" the Asylum, in the said Act, shall be held to include the Purchase of Clothing sufficient for opening the said Asylum for the Reception of Patients.

Construction of Terms.

XI. And be it enacted, That this Act shall be construed with and as Part of the said Act of the last Session of Parliament.

Act to be construed with 8&9 Vict. c. 126.

XII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

C A P. LXXXV.

An Act to authorize the Application of Money for the Purposes of Loans for carrying on Public Works in *Ireland*.

[26th August 1846.]

‘ WHEREAS an Act was passed in the Second Year of the
 ‘ Reign of His late Majesty King *William* the Fourth, intituled
 ‘ *An Act for the Extension and Promotion of Public Works in Ireland*:
 ‘ in Ireland: And whereas another Act was passed in the Seventh
 ‘ Year of the same Reign, intituled *An Act to amend an Act passed in the First and Second Years of His present Majesty, for the Extension and Promotion of Public Works in Ireland*:
 ‘ And whereas another Act was passed in the First Year of the
 ‘ Reign of Her present Majesty, intituled *An Act to amend the Acts for the Extension and Promotion of Public Works in Ireland*:
 ‘ And whereas another Act was passed in the Second Year of the
 ‘ the Reign of Her present Majesty, intituled *An Act to authorize a further Issue of Exchequer Bills for Public Works and Fisheries and Employment of the Poor; and to amend the Acts relating thereto*: And whereas another Act was passed in the
 ‘ Third Year of the Reign of Her present Majesty, intituled *An Act*

1 & 2 W. 4. c. 33.
 6 & 7 W. 4. c. 108.
 7 W. 4. & 1 Vict. c. 21.
 1 & 2 Vict. c. 88.
 2 & 3 Vict. c. 50.

‘ *Act to extend and amend the Provisions of the Acts for the Extension and Promotion of Public Works in Ireland; and for the Recovery of Public Monies advanced for the Use of Counties, Parishes, and other Districts in Ireland, on the Faith of Grand Jury Presentments and Parochial Assessments: And whereas*
 5 & 6 Vict. c. 9. ‘ another Act was passed in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund, to a limited Amount, for carrying on Public Works and Fisheries, and Employment of the Poor; and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes: And whereas* another Act
 6 & 7 Vict. c. 14. ‘ was passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts for carrying on Public Works in Ireland: And whereas* another Act was passed
 9 & 10 Vict. c. 1. ‘ in the Ninth Year of the Reign of Her present Majesty, intituled *An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in Ireland: And whereas* by an Act passed in the present Session of Parliament, intituled
 9 & 10 Vict. c. 80. ‘ *An Act to authorize the Advance of Money out of the Consolidated Fund, for carrying on Public Works and Fisheries, and Employment of the Poor*, the Commissioners of Her Majesty’s Treasury of the United Kingdom of *Great Britain and Ireland* for the Time being are empowered, by Warrant under the Hands of any Three or more of them, to charge the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, and to direct the Issue or Payment thereof to the Account of the Commissioners for the Time being for the Reduction of the National Debt of a Sum or Sums of Money not exceeding Three hundred and sixty thousand Pounds *per Annum* during the Five Years next ensuing the Fourth Day of *April* One thousand eight hundred and forty-seven, by quarterly Instalments or Issues, not exceeding Ninety thousand Pounds *per Quarter*, the same to become due on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each Year, the first Instalment thereof to become due and payable on the Fifth Day of *April* One thousand eight hundred and forty-seven: And whereas sundry Advances or Loans have been made by the Commissioners of Public Works in *Ireland* under the said first-recited Act, and the several Acts since passed for amending and extending the same, for the Purposes in the same Acts specified, and great Benefits have been derived therefrom, and further Advances or Loans are required for the like Objects;’ Be it therefore 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, That the Commissioners of Public Works for the Time being shall be Commissioners for the Execution of this Act.

Commissioners
for this Act.

Treasury may
out of the
360,000*l.* per
Annum granted
by 9 & 10 Vict.
c. 80. apply a

II. And be it enacted, That the said Commissioners of Her Majesty’s Treasury, by Warrant under the Hands of any Three or more of them, may direct from Time to Time, that out of the Sum not exceeding Three hundred and sixty thousand Pounds *per Annum*, which by the said Act of this present Session of Parlia-
 ment

ment they are authorized to charge on the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, and which they are authorized to direct to be paid to the Account of the Commissioners for the Reduction of the National Debt during the Term of Five Years next ensuing the Fourth Day of *April* One thousand eight hundred and forty-seven, by quarterly Instalments or Issues not exceeding Ninety thousand Pounds *per Quarter*, as aforesaid, there shall issue and be paid unto the said Commissioners for the Reduction of the National Debt during the said Term of Five Years a Sum not exceeding Fifteen thousand Pounds *per Quarter*, to be at the Disposal of the said Commissioners of Public Works, as herein-after mentioned, such quarterly Instalments or Issues to become due on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each Year, the first Instalment thereof to become due and payable on the Fifth Day of *April* One thousand eight hundred and forty-seven.

III. And be it enacted, That for the Purpose of receiving the said quarterly Instalments the said Commissioners for the Reduction of the National Debt shall continue or cause to be continued the separate Account already opened with them at the Bank of *England*, under the Title of "The Commissioners for the Reduction of the National Debt, on account of the Public Works Loan Fund for *Ireland*," which Account the Governor and Company of the Bank of *England* shall and they are hereby required to continue in their Books accordingly; and the said Commissioners for the Reduction of the National Debt shall continue and keep, or cause to be continued and kept, in their Office, a Book or Books, in which all Monies transferred to the said last-mentioned Account by virtue of this Act, and the said recited Act of the Seventh Year of the Reign of Her present Majesty, shall be kept apart from all other Monies, and such Monies shall be by the same Commissioners held subject to the Disposal of the said Commissioners of Public Works for the several Purposes of the said first-recited Act, and the other Acts amending the same, and of this Act.

IV. And be it enacted, That when the said Commissioners of Her Majesty's Treasury shall have sanctioned any Loan under this Act or any of the above-recited Acts, and the said Commissioners of Public Works shall have ascertained that any Sum of Money is required to be issued on account of such Loan, they shall forthwith certify the Amount of such Issue to the Commissioners for the Reduction of the National Debt for the Time being; and in every such Certificate the Loan in Payment of which such Issue is required, and the Party or Parties to whom such Issue is intended to be made, shall be stated; and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt, the Comptroller General or Assistant Comptroller, or Chief Clerk acting under the last-named Commissioners, shall upon the Back of such Certificate endorse and sign an Order for the Payment of the Sum mentioned in such Certificate to the Governor and Company of the Bank of *England*, to be by them placed to the Account of the Governor and Company of the Bank of *Ireland*, for the separate Account

Sum not exceeding 15,000*l.* per Quarter to be applied for Public Works in Ireland.

A separate Account to be continued at the Bank of *England*.

Commissioners of Public Works in Ireland to certify Amount of Loans granted by them to Commissioners for Reduction of the National Debt.

Upon Certificate being produced Payment to be made.

Account and Credit of the Paymaster of Civil Services in *Ireland*, on account of the Public Works Loan Fund for *Ireland*, to be by him paid over on the Warrants of the said Commissioners of Public Works: Provided always, that Approval of such Issue by the Commissioners of Her Majesty's Treasury shall appear on such Certificate under the Hand of One of their Secretaries, and that the Amount of such Issue shall not exceed the Sum for the Time being standing in the Names of the said Commissioners for the Reduction of the National Debt, subject to the Disposal of the said Commissioners of Public Works.

Proviso.

Order to be entered by the proper Officer, countersigned by the Actuary, and addressed to Cashiers of the Bank of England, who shall pay the same.

V. And be it enacted, That every such Order of the Officer of the said Commissioners for the Reduction of the National Debt before the issuing thereof, shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other Check Officer acting under the said Commissioners for the Reduction of the National Debt, and shall be addressed to the Cashiers of the Governor and Company of the Bank of *England*; and such Cashiers, or One of them, shall, upon the Production of every such Order, pay the Sum mentioned therein to the Governor and Company of the Bank of *England*; and the Signature of One of the Cashiers of the said Governor and Company of the Bank of *England* shall be a sufficient Discharge to the said Commissioners for the Reduction of the National Debt.

Commissioners for Reduction of National Debt to furnish an annual Account for Audit.

VI. And be it enacted, That the Commissioners for the Reduction of the National Debt shall cause to be made up for Examination and Audit an annual Account to the Thirty-first Day of *December* in each Year of the Receipts, Payments, and Balances on the said Account so directed to be kept by them in respect of the said Public Works Loan Fund for *Ireland* as aforesaid, and shall deliver the same to the Commissioners for auditing the Public Accounts.

Bank of Ireland to continue Account with Paymaster of Civil Services of Repayments.

VII. And be it enacted, That the Governor and Company of the Bank of *Ireland* shall continue the Account already opened in their Books with the Paymaster of the Civil Services of *Ireland* under the Title of "The Paymaster of the Civil Services, on account of the Repayment of Loans for Public Works;" and Monies which shall from Time to Time be repaid in respect of Loans made under this Act, or in respect of the Interest thereof, shall be carried to the Credit of the same Account.

Appropriation and Entry of Repayments.

VIII. And be it enacted, That as soon as any Sum of Money shall have been so lodged to the Credit of the said Account of the Paymaster of Civil Services, on account of the Repayment of Loans for Public Works, the said Commissioners of Public Works shall, upon a Notification thereof, cause to be made out and delivered to the said Paymaster of Civil Services a Statement of the proper Appropriation of such Payment, whether for account of Interest or Principal, or how much for each respectively, upon which the said Paymaster of Civil Services shall cause to be prepared accordingly the proper Receipt or Voucher, and send the same to the said Commissioners of Public Works, who shall thereupon cause the Sum or Sums therein mentioned to be entered on the Books of the said Commissioners to the Credit of the Loan on account of which such Payment shall have been made; and such Receipt, when so entered, shall be delivered to the Party or Person

on

on whose Account such Payment shall have been so made, and such Receipt shall be a sufficient Discharge to the Party or Person paying the same.

IX. And be it enacted, That every Sum of Money which shall be paid into the Bank of *Ireland* to the Account of the Paymaster of Civil Services, on account of the Repayment of Loans for Public Works under this Act, shall from Time to Time, immediately on such Payments being made, be transferred to the Governor and Company of the Bank of *Ireland*, to the Account kept by the Bank of *England* with Her Majesty's Exchequer, and when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

All Sums paid into the Bank of *Ireland* to be carried to and made Part of the Consolidated Fund.

X. And be it enacted, That all the Enactments contained in the said recited Acts relating to Public Works in *Ireland*, or any of them, shall, except as is herein otherwise provided, extend to this Act, and to all Things done or directed to be done by the said Commissioners of Her Majesty's Treasury, or the said Commissioners of Public Works, or their Secretary for the Time being, or any other Persons or Bodies Corporate, under the Authority of the said recited Acts or this Act, or any of them, in such or the like Manner as if they had been particularly and severally re-enacted in the Body of this Act, or as near thereto as the Difference of the Circumstances will admit, except so far only as the same are amended or altered by any of the said Acts or by this Act.

Powers of recited Acts as to Advances to have the same Force as if re-enacted in this Act.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

C A P. LXXXVI.

An Act to extend and consolidate the Powers hitherto exercised by the Commissioners of Public Works in *Ireland*, and to appoint additional Commissioners.

[26th August 1846.]

WHEREAS an Act was passed in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in Ireland*: And whereas by the said Act it is enacted, that it should and might be lawful for the King's most Excellent Majesty, by Warrant or Warrants under the Royal Sign Manual, to nominate Three Persons to be Commissioners for the Execution of the said Act during His Majesty's Pleasure, and to remove any One or more of the same, and in like Manner to nominate another or others in the Room of the Person or Persons so removed, and the said Persons so to be from Time to Time nominated should be and they were thereby constituted and appointed Commissioners for the Execution of the said Act: And whereas an Act was passed in the Session holden in the Sixth and Seventh Years of the Reign of His said late Majesty, intituled *An Act to amend an Act passed in the First and Second Years of the Reign of His present Majesty, for the Extension and Promotion of Public Works in Ireland*: And

1 & 2 W. 4. c. 33.

6 & 7 W. 4. c. 108.

- 7 W. 4. & 1 Vict. c. 21. And whereas another Act was passed in the First Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts for the Extension and Promotion of Public Works in Ireland*: And whereas another Act was passed in the Session holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to authorize a further Issue of Exchequer Bills for Public Works and Fisheries, and Employment of the Poor, and to amend the Acts relating thereto*: And whereas another Act was passed in the Session holden in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act to amend and extend the Provisions of the Acts for the Extension and Promotion of Public Works in Ireland, and for the Recovery of Public Monies advanced for the Use of Counties, Parishes, and other Districts in Ireland on the Faith of Grand Jury Presentments and Parochial Assessments*: And whereas another Act was passed in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to a limited Amount for carrying on Public Works and Fisheries, and Employment of the Poor, and to amend the Acts authorizing the Issue of Exchequer Bills for like Purposes*: And whereas another Act was passed in the Session holden in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to amend the Acts for carrying on Public Works in Ireland*: And whereas another Act was passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in Ireland*: And whereas another Act was passed in the present Session of Parliament, intituled *An Act to authorize the Application of Money to a limited Amount for the Purposes of Loans for carrying on Public Works in Ireland*: And whereas by the said recited Act of the Second and Third Years of the Reign of Her present Majesty it is amongst other things enacted, that in the said Act, and in any other Act passed or which might be thereafter passed, the Expression "Commissioners of Public Works in Ireland" should be construed to mean the Commissioners for the Time being appointed under and acting in execution of the said first herein-before recited Act of the First and Second Years of the Reign of His said late Majesty, and the other Acts amending the same: And whereas Lieutenant Colonel *Harry David Jones, Brook Taylor Otley, and John Radcliff, Esquires*, have been appointed and are now the Commissioners of Public Works in *Ireland* acting in the Execution of and under the Provisions of the said severally recited Acts: And whereas an Act was passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William the Fourth*, intituled *An Act for the Improvement of the Navigation of the River Shannon*: And whereas another Act was passed in the Session holden in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for the Improvement of the Navigation of the River Shannon*: And whereas the Improvements authorized to be executed under the said Two last-recited Acts in the River *Shannon* have been considerably advanced
- 1 & 2 Vict. c. 88.
- 2 & 3 Vict. c. 50.
- 5 & 6 Vict. c. 9.
- 6 & 7 Vict. c. 44.
- 9 & 10 Vict. c. 1.
- 9 & 10 Vict. c. 85.
- 5 & 6 W. 4. c. 67.
- 2 & 3 Vict. c. 61.

‘ advanced towards Completion, and the Duties of the Commissioners for the Execution of the said Two last-recited Acts may now, with Advantage to the Public Service and Economy to the Resources of the Nation, be performed and discharged by the Commissioners of Public Works for the Time being:’ Be it therefore 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, That from and after the Thirtieth Day of *September* One thousand eight hundred and forty-six the Persons heretofore appointed and now being Commissioners for the Execution of the said Two last-recited Acts, or either of them, shall cease to be Commissioners for the Execution of the said Two last-recited Acts, or either of them.

Powers of Commissioners under recited Acts for Improvement of Shannon Navigation to cease.

The Commissioners of Public Works to be Commissioners for the Execution of the said Acts for Improvement of the Shannon.

II. And be it enacted, That from and after the said Thirtieth Day of *September* One thousand eight hundred and forty-six the Commissioners of Public Works in *Ireland* for the Time being shall be the Commissioners for the Execution of the said Two last-recited Acts for the Improvement of the Navigation of the River *Shannon*; and all the Powers, Authorities, and Privileges, Rights, Titles, and Interests, now or heretofore vested in the Commissioners for the Execution of the said Two last-recited Acts, shall vest in and devolve upon and shall be respectively used, exercised, and enjoyed by the Commissioners of Public Works in *Ireland* for the Time being, who shall for the Purposes of the said last-recited Acts be and be deemed to be in the Place and Stead of the Persons heretofore being Commissioners for the Execution of the said Two last-recited Acts.

III. ‘ And whereas an Act was passed in the Session holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to promote the Drainage of Lands and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland*: And whereas the said last-mentioned Act has since been amended by an Act of the Eighth and Ninth Years of the Reign of Her present Majesty, and has been further amended by an Act of the Ninth Year of the Reign of Her present Majesty: And whereas an Act was passed in the Sixth Year of the Reign of Her present Majesty, intituled *An Act to regulate the Irish Fisheries*: And whereas another Act was passed in the Session holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for the further Amendment of an Act of the Sixth Year of the Reign of Her present Majesty, for regulating the Irish Fisheries*: And whereas an Act was passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act to encourage the Sea Fisheries of Ireland by promoting and aiding with Grants of Public Money the Construction of Piers, Harbours, and other Works*: And whereas the Commissioners of Public Works in *Ireland* for the Time being are the Commissioners for the Execution of the said severally recited Acts for the Drainage and Improvement of Land, regulating the *Irish Fisheries*, and encouraging the Sea Fisheries by promoting with Grants the Construction of Piers and other Works: And whereas Power is given by certain of said Acts to the Lords Commissioners of

5 & 6 Vict. c. 89.

8 & 9 Vict. c. 69.

9 & 10 Vict. c. 4.

5 & 6 Vict. c. 106.

8 & 9 Vict. c. 108.

9 & 10 Vict. c. 3.

So much of recited Act 5 & 6 Vict. c.89. and of Acts amending the same, also 5 & 6 Vict. e. 106. and of Acts amending the same, and also 9 & 10 Vict. c. 3., for the Appointment of additional Commissioners, repealed.

Power to appoint Two additional Commissioners of Public Works.

Power to remove Commissioners, and appoint others in their Stead.

‘ Her Majesty’s Treasury to appoint additional Commissioners to assist the said Commissioners of Public Works in the Execution of the said Acts: And whereas by reason of additional Commissioners of Public Works being appointed, as herein-after provided, it will be unnecessary that there should be any additional Commissioner or Commissioners to assist the said Commissioners of Public Works in the Execution of the said recited Acts, or any of them;’ be it therefore enacted, That from and after the passing of this Act so much of the said recited Act of the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage*, in Ireland, and of the said recited Acts, or any other Acts amending the same, and also of the said recited Act of the Sixth Year of the Reign of Her present Majesty, intituled *An Act to regulate the Irish Fisheries*, and of the said recited Acts, or any other Act amending the same, and also of the said Act of the Ninth Year of the Reign of Her present Majesty, intituled *An Act to encourage the Sea Fisheries of Ireland by promoting and aiding with Grants of Public Money the Construction of Piers, Harbours, and other Works*, as authorize the Appointment of additional Commissioners or an additional Commissioner to assist the said Commissioners of Public Works in the Execution of the said Acts, or any of them, be and the same is hereby repealed; and the Person or Persons heretofore appointed as Commissioner or Commissioners to assist the said Commissioners of Public Works in the Execution of the said Acts, or any of them, shall cease to be such Commissioner or Commissioners.

IV. ‘ And whereas by reason of the Transfer to the Commissioners of Public Works in *Ireland* of the Duties heretofore discharged by the Commissioners for the Execution of the said recited Acts for the Improvement of the Navigation of the River *Shannon*, as well as the various other Duties by the said several recited Acts and otherwise imposed upon the said Commissioners of Public Works, it has been found necessary and it is expedient that Two additional Commissioners of Public Works should be appointed for the Execution of the said several recited Acts and this Act;’ be it therefore enacted, That it shall and may be lawful for the Queen’s most Excellent Majesty, by Warrant or Warrants under the Royal Sign Manual, to nominate and appoint, in addition to the said Persons so as aforesaid appointed and now acting as Commissioners of Public Works, Two Persons, who with the said last-mentioned Commissioners shall be the Commissioners of Public Works in *Ireland* as fully and effectually to all Intents and Purposes as the Commissioners of Public Works in *Ireland* were and existed before the passing of this Act, and shall be the Commissioners for the Execution of the said several Acts herein-before recited and of this Act, and also of all other Acts for the Execution of which the Commissioners of Public Works in *Ireland* are Commissioners.

V. And be it enacted, That it shall and may be lawful for the Queen’s most Excellent Majesty to remove either of the said Commissioners so to be appointed, or any of the Commissioners heretofore appointed under the said first-recited Act, and in like

Manner

Manner to nominate another or others in the Stead of the Person or Persons so removed, or in the Stead of any of the said Commissioners being removed or dying or resigning: Provided however, that there shall not be at any one Time more than Five Persons Commissioners of Public Works in *Ireland* for the Execution of the said severally recited Acts, and all other Acts for the Execution of which the Commissioners of Public Works shall have been appointed or are the Commissioners.

VI. And be it enacted, That all Acts, Matters, and Things which the Commissioners of Public Works are by any of the Provisions of the said recited Acts or any of them, or this Act, required or authorized to do or execute, shall and may be done and executed by any Two of the Commissioners of Public Works for the Time being, and that the Commissioners of Public Works in *Ireland* for the Time being may hereafter be called, known, and described by the Name of "The Commissioners of Public Works in *Ireland*."

All Acts executed by any Two of the Commissioners valid.

VII. And be it enacted, That so much of the said recited Act of the First and Second Years of the Reign of His said late Majesty King *William* the Fourth as authorizes the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being to issue and advance, or cause to be issued and advanced such Sums of Money in such Manner as therein mentioned, out of any of the Public Monies remaining in Her Majesty's Exchequer in *Dublin*, for the Purpose of paying the Salaries and Allowances, and in defraying all other necessary Charges and Expences in or about the Execution of the said Act, be and the same is hereby repealed.

So much of recited Act 1 & 2 W. 4. c. 33. as to Payment of Salaries and Allowances repealed.

VIII. And be it enacted, That no Obligation, Contract, Agreement, Assignment, Deed, Conveyance, or other Instrument whatever taken or made to or by the said Commissioners for the Execution of the said Act of the First and Second Years of the Reign of His late Majesty King *William* the Fourth, for the Extension and Promotion of Public Works in *Ireland*, or any of the Acts amending the same, nor any Affidavit, Deposition, Certificate, Order, or Receipt to be respectively taken or made under or by virtue of the said last-mentioned Acts, or any of them, shall be liable to any Stamp Duty whatever, any thing in any Act or Acts in force in *Ireland* to the contrary in anywise notwithstanding.

No Obligation or Contract taken or made liable to Stamp Duty.

IX. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, from Time to Time to fix and appoint such Salaries as they may think fit for the said Commissioners of Public Works, and also to appoint such additional and other Officers, Clerks, and Servants, and at such Salaries, as the said Commissioners of the Treasury may think proper and necessary, and from Time to Time to dismiss such Officers, Clerks, and Servants, and to appoint others in their Place and Stead, and also to make such Orders, Rules, and Regulations, and from Time to Time to vary and alter the same, as they the said Commissioners of Her Majesty's Treasury may think necessary and proper for the full and effectual Execution of the Provisions of the said recited Acts and this Act,

The Treasury to fix Salaries, &c., to appoint additional Officers, and to make Rules and Regulations for the Commissioners of Public Works.

and of the Discharge of the Duties of the Commissioners of Public Works for the Time being thereunder.

Act may be amended, &c.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

C A P. LXXXVII.

An Act for promoting the voluntary Establishment in Boroughs and certain Cities and Towns in *Ireland* of public Baths and Wash-houses. [26th August 1846.]

‘ WHEREAS it is desirable, for the Health, Comfort, and Welfare of the Inhabitants of Cities and Towns in *Ireland*, to encourage the Establishment therein of public Baths and Wash-houses, and public open Bathing Places;’ 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, That this Act may be adopted for any incorporated Borough in *Ireland* which is regulated under an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty, to provide for the Regulation of Municipal Corporations in *Ireland*, or any Charter granted in pursuance of the said Act, or any Act passed for the Amendment thereof; and also for any City or Town in *Ireland* in which any Commissioners shall have been or shall be elected under an Act of the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make Provision for the lighting, cleansing, and watching of Cities, Towns Corporate, and Market Towns in Ireland, in certain Cases*; and for any City or Town in *Ireland* in which there shall be Commissioners or Trustees, or other Persons appointed for the Time being, under any local or other Act or Acts, for paving, flagging, lighting, watching, cleansing, or improving such Town, or for any of such Purposes, and in which respectively there shall not be a Town Council elected under the Provisions of the said Act of the Third and Fourth Years of the Reign of Her present Majesty.

Act may be adopted in any incorporated Borough in *Ireland* regulated under 3 & 4 Vict. c. 108.; and also in any City or Town in which Commissioners have been elected under 9 G. 4. c. 82.

Interpretation of Act.

II. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say.)

“Town” shall include any Borough in which Commissioners Trustees, or other Persons have been or shall be elected or appointed under the Provisions of the said Act of the Ninth Year of King *George* the Fourth, or any such local or other Act or Acts as aforesaid, for the Purposes of executing the Provisions or Powers of such Act or Acts, or superintending the Execution of the same, and in which there shall not be a Town Council elected under the Provisions of the said Act of the Third and Fourth Years of the Reign of Her present Majesty:

“Town Rate” shall mean the Rate or Rates authorized in each Case to be levied by any such Commissioners, Trustees, or other such Persons as aforesaid, elected or appointed for any City

City or Town under the Provisions of the said Act of the Ninth Year of King *George* the Fourth, or any such local or other Act or Acts as aforesaid :

“Town Fund” shall mean the Town Fund, or the Rates or Property vested in and under the Control and Direction of any such Town Commissioners for any such City or Town as last aforesaid, applicable to the Purposes of the said Act of the Ninth Year of King *George* the Fourth, or the said Act of the Reign of Her present Majesty, or any of them, or the Rates, Funds, or Property vested in any such Commissioners, Trustees, or other Persons as aforesaid, under any such local or other Act or Acts as aforesaid, and applicable to the Purposes of such local or other Act or Acts :

“Town Commissioners” shall mean the Commissioners for the Time being elected under the Provisions of the said Act of the Ninth Year of the Reign of His late Majesty King *George* the Fourth, for any such City or Town in *Ireland*, or the Commissioners, Trustees, or other such Persons as aforesaid appointed for the Time being under any such local or other Act or Acts as aforesaid for any such City or Town, for paving, flagging, lighting, watching, or cleansing or improving the same, or for any of such Purposes :

“Clerk” shall mean, as regards an incorporated Borough, the Town Clerk of such Borough, and as regards a City or Town in which there shall be Commissioners, Trustees, or other such Persons as aforesaid under the Provisions of the said Act of the Ninth Year of King *George* the Fourth, or any such local or other Act or Acts as aforesaid, the Clerk appointed by the Town Commissioners :

“Justice” shall mean Justice of the Peace for the County, Riding, Division, Liberty, Borough, or Place where the Matter requiring the Cognizance of Justices shall arise :

“Lands” shall mean Lands, Tenements, and Hereditaments, of whatsoever Nature or Tenure :

Words importing the Masculine Gender shall include the Feminine :

Words of the Plural Number shall include the Singular, and Words of the Singular Number shall include the Plural.

III. And be it enacted, That the Council of any such incorporated Borough as aforesaid, or the Town Commissioners for any such City or Town as aforesaid, in which there shall not be a Town Council, may, if they think fit, determine that this Act shall be adopted for such Borough, or for such City or Town as aforesaid ; and then and in such Case such of the Provisions of this Act as are applicable in that Behalf shall thenceforth take effect and come into operation in such Borough, or such City or Town, as the Case may be ; and this Act shall be carried into execution in such Borough, or in such City or Town, in accordance with such Provisions, and the Laws for the Time being in force relating to the Municipal Corporation of such Borough, or relating to such City or Town, under the Provisions of the said Act of the Ninth Year of His late Majesty King *George* the Fourth, or of such local or other Act or Acts as aforesaid, as the Case may be.

Council of any Borough, or Commissioners for any City or Town, may adopt this Act, if they think fit.

Expences of carrying this Act into execution shall be charged upon the Borough Fund or Town Fund, and Income arising carried to the same.

IV. And be it enacted, That the Expences of carrying this Act into execution in any such Borough or such City or Town in which the Council or Town Commissioners respectively shall have resolved to adopt this Act for their Borough or City or Town respectively shall be chargeable upon and paid out of the Borough Fund or Town Fund respectively; and for that Purpose the Council or Town Commissioners may levy with and as Part of the Borough Rate or Town Rate respectively, or by a separate Rate to be assessed, levied, paid, and recovered in like Manner and with the like Powers and Remedies in all respects as the Borough Rate or Town Rate, such Sums of Money as shall be from Time to Time necessary for defraying such Expences, and shall apply the same accordingly, as if the Expence of carrying this Act into execution were an Expence necessarily incurred in carrying into effect the Provisions of the said Act of the Third and Fourth Years of the Reign of Her present Majesty, or the said Act of the Ninth Year of His Majesty King *George* the Fourth, or of such local or other Act or Acts as aforesaid, as the Case may be; and the Income arising from the Baths and Wash-houses and open Bathing Places in any Borough or City or Town shall be paid to the Credit of the Borough Fund or Town Fund thereof; and the Council and Town Commissioners respectively shall keep distinct Accounts of their Receipts, Payments, Credits, and Liabilities, with reference to the Execution of this Act, to be called "The public Baths and Washhouses Account."

Town Council and Commissioners to cause separate Accounts to be kept.

V. And be it enacted, That when the Town Council of any such Borough as aforesaid, or the Town Commissioners for any such City or Town as aforesaid, shall have adopted this Act for their Borough, City, or Town respectively, they shall cause their Treasurer, or where there shall be no Treasurer such Person as they shall appoint, to keep a true and regular Account of all Sums of Money expended by them in the Purchase of any Land or Buildings for the Purpose of erecting Baths or Wash-houses thereon, or in the Purchase of any Baths now erected, and of all Sums of Money borrowed by them under the Powers of this Act, and of all Expences incurred by them for or on account of the Purposes of this Act; and the said Account shall be examined, balanced, and audited in like Manner and at the same Time as all other Accounts of Receipts and Payments of such Borough, City, or Town respectively are examined, balanced, and audited; and the said Council or Town Commissioners shall, within One Month after the same shall have been examined and balanced or audited, transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being a true and correct Copy of such Account; and the said Council or Town Commissioners shall also within the Time aforesaid cause a Copy of such Account to be deposited in the Office of the Town Clerk, or of such Person as they shall appoint to execute the Duties of Clerk of such Council or Commissioners, within One Month after the same shall have been audited; and the said Account shall be open to the Inspection of all Inhabitants of such Borough, City, or Town, and Copies thereof shall be delivered to any Inhabitant of such Borough, City, or Town applying for the same, upon Payment of a reasonable Charge for the same, to be fixed by the Town Council or Town Commissioners, as the Case shall be.

Accounts, when audited, to be transmitted to Lord Lieutenant, and a Copy deposited with the Town Clerk, &c., and be open to Inspection.

VI. And

VI. And for the more easy Execution of the Purposes of this Act, be it enacted, That the Town Commissioners of every such City or Town as aforesaid shall for the Purposes of this Act be a Body Corporate, with perpetual Succession, which shall not be deemed to be interrupted by any partial or total Vacancy from Time to Time in their Office, by the Name of "The Town Commissioners for public Baths and Wash-houses in the Town of () in the County of ()," and by that Name may sue and be sued in all Courts, and before all Justices and others, and may have and use a Common Seal, and by that Name may take, hold, and convey any Lands vested in them for the Purposes of this Act.

Incorporation of Town Commissioners for the Purposes of this Act.

VII. And be it enacted, That for carrying this Act into execution in any Borough or City or Town respectively the Council or the Town Commissioners, with the Approval of the Commissioners of Her Majesty's Treasury, may from Time to Time borrow at Interest, on the Security, as the Case may be, of the Borough Fund or of the Town Fund, the Money which may be by them respectively required, and shall apply the Monies so borrowed accordingly.

Councils and Town Commissioners may borrow Money for Purposes of this Act.

VIII. And be it enacted, That the Commissioners acting in the Execution of an Act passed in the Seventh Year of the Reign of Her Majesty, intituled *An Act to amend the Acts for carrying on Public Works in Ireland*, may from Time to Time make to the Council of any such Borough, or the Town Commissioners of any such City, Borough, or Town respectively, for the Purposes of this Act, any Loan under the Provisions of the said Act, or of any Act in force therein recited, upon the Security of a Mortgage of the Borough Fund or the Town Fund, as the Case may be.

The Public Works Loan Commissioners acting under 6 & 7 Vict. c. 44. may grant Loans on Security.

IX. And be it enacted, That the Provisions of the Companies Clauses Consolidation Act, 1845, with respect to the borrowing of Money by any Company on Mortgage, and the Provisions of the same Act with respect to the Accountability of the Officers of the Company, and the Provisions of the same Act with respect to the making of Bye Laws, subject to the Provision herein-after contained, and the Provisions of the same Act with respect to the Recovery of Damages not specially provided for, and Penalties, so far as such Provisions may respectively be applicable to the Purposes of this Act, shall be respectively incorporated with this Act; and the Expressions in such Provisions applicable to the Company and the Directors shall apply, as regards a Borough, to the Council, and as regards any such City or Town as aforesaid, to the Town Commissioners; and all Deeds and Writings which under such Provisions are required or directed to be made or executed under the Common Seal of the Company shall, in the Application of such Provisions to this Act, be deemed to be required or directed to be made or executed, as regards a Borough, under the Common Seal of the Mayor, Aldermen, and Burgesses, and as regards any such City or Town as aforesaid under the Common Seal of the Town Commissioners for public Baths and Wash-houses; and so much of such Provisions as are applicable to the "Secretary of the Company" shall apply to the Clerk; and in such of the said Provisions as relate to the Inspection of Accounts, as regards a Borough, the Burgesses, and as regards any

Provisions of 8 & 9 Vict. c. 16. respecting borrowing Money, Accountability of Officers, Bye Laws, Damages, and Penalties, incorporated with this Act.

such City or Town as aforesaid, the Persons in each Case qualified to vote at the Election of the respective Town Commissioners, shall have the Privileges of Shareholders.

Councils, &c. with Approval of Treasury, may purchase, &c. Lands for the Purposes of this Act.

X. And be it enacted, That in any such Borough the Council, or in any such City or Town the Town Commissioners, (as the Case may be,) with the Approval of the Commissioners of Her Majesty's Treasury, may from Time to Time appropriate for the Purposes of this Act in the Borough or such City or Town any Lands vested in the Mayor, Aldermen, and Burgesses, or the Town Commissioners respectively; and in any such Borough the Council, and in any such City or Town as aforesaid the Town Commissioners, may from Time to Time contract for the purchasing or renting of any Lands necessary for the Purposes of this Act.

Councils and Town Commissioners may erect Buildings for public Baths and Wash-houses and open Bathing Places.

XI. And be it enacted, That the Council and Town Commissioners respectively may from Time to Time, on any Lands so appropriated, purchased, or rented, or contracted so to be respectively, erect any Buildings suitable for public Baths and Wash-houses, and as to such Wash-houses either with or without open drying Grounds, and make any open Bathing Places, and convert any Buildings into public Baths and Wash-houses, and may from Time to Time alter, enlarge, repair, and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences.

Councils and Town Commissioners may enter into Contracts for the Purposes of this Act.

XII. And be it enacted, That the Council and Town Commissioners respectively may from Time to Time enter into any Contract with any Persons or Companies for building and making, and for altering, enlarging, repairing, and improving, such public Baths and Wash-houses, and public open Bathing Places, and for supplying the same respectively with Water, and for lighting the same respectively, and for fitting up the same respectively and for furnishing any Materials and Things, and for executing and doing any other Works and Things necessary for the Purposes of this Act; which Contracts respectively shall specify the several Works and Things to be executed, furnished, and done, and the Prices to be paid for the same, and the Times when the Works and Things are to be executed, furnished, and done, and the Penalties to be suffered in Cases of Nonperformance; and all such Contracts, or true Copies thereof, shall be entered in Books to be kept for that Purpose: Provided always, that no Contract above the Value or Sum of One hundred Pounds shall be entered into by the Council or the Town Commissioners for the Purposes of this Act, unless previous to the making thereof Fourteen Days Notice shall be given in One or more of the public Newspapers published in the County in which the Borough or such City or Town shall be situated, expressing the Intention of entering into such Contract, in order that any Person willing to undertake the same may make Proposals for that Purpose, to be offered to the Council or Town Commissioners at a certain Time and Place in such Notice to be mentioned; but it shall not be incumbent on the Council or Town Commissioners to contract with the Person offering the lowest Price.

No Contract above 100l. to be entered into unless Fourteen Days Notice has been given.

Council or Town Commis-

XIII. And be it enacted, That the Council of any such Borough and the Town Commissioners respectively, as the Case may be,
may,

may, if they shall think fit, contract for the Purchase or Lease of any Baths and Wash-houses already or hereafter to be built and provided in any such Borough or such City or Town as aforesaid, and appropriate the same to the Purposes of this Act, with such Additions or Alterations as they shall respectively deem necessary; and the Trustees of any public Baths and Wash-houses which have been already or may hereafter be built or provided in any such Borough or such City or Town, by private Subscriptions or otherwise, may, with the Consent of the Council of any such Borough, or with the Consent of the Town Commissioners, as the Case may be, and with the Consent of a Majority of the Committee or other Persons by whom they were appointed Trustees, sell or lease the said Baths and Wash-houses to the said Council or Town Commissioners respectively, or make over to them the Management of such Baths and Wash-houses; and in all such Cases the Baths and Wash-houses so purchased or leased, or of which the Management has been so made over, shall be deemed to be within the Provisions of this Act, as fully as if they had been built or provided by the said Council or Town Commissioners; and the Property therein shall be vested in the Mayor, Aldermen, and Burgesses, in the Case of a Borough, or in the Town Commissioners in the Case of any such City or Town as aforesaid, as herein-before provided.

XIV. And be it enacted, That any Commissioners of Waterworks, Trustees of Waterworks, Water Companies, Canal Companies, Gas Companies, and other Corporations, Bodies, and Persons having the Management of any Waterworks, Canals, Reservoirs, Wells, Springs, and Streams of Water, and Gas Works respectively, may, in their Discretion, grant and furnish Supplies of Water for such public Baths and Wash-houses and open Bathing Places, either without Charge or on such other favourable Terms as they shall think fit.

XV. And be it enacted, That nothing in this Act contained shall render any Member of the Council of any Borough or any Town Commissioner personally, or any of their Lands, Goods, Chattels, or Monies, (other than such Lands, Goods, Chattels, or Monies as may be vested in or under the Management or Control of the Council or Town Commissioners respectively in pursuance of this Act,) liable to the Payment of any Sum of Money as or by way of Compensation or Satisfaction for or in respect of any thing done or suffered in due pursuance of this Act.

XVI. And be it enacted, That every Person who shall feel aggrieved by any Bye Law, Order, Direction, or Appointment of or by the Council or Town Commissioners shall have the like Power of Appeal to the General Quarter Sessions as, under the Provisions of the Companies Clauses Consolidation Act, 1845, incorporated with this Act, he might have if feeling aggrieved by any Determination of any Justice with respect to any Penalty.

XVII. And be it enacted, That the Council or Town Commissioners respectively, with the Approval of the Commissioners of Her Majesty's Treasury, may from Time to Time make Sale and dispose of any Lands vested in the Mayor, Aldermen, and Burgesses, or in the Town Commissioners respectively, for the Purposes of this Act, and apply the Proceeds in or toward the Purchase of other

sioners may purchase existing Baths, &c. if they think fit.

Power to Water and Gas Companies to supply Water and Gas to B.ths, &c.

Councillors and Town Commissioners not to be personally liable.

Persons may appeal against Orders of Councils and Town Commissioners.

Council or Commissioners may make Sale and Exchange of Lands, with Consent of Treasury.

other Lands better adapted for such Purposes, and may; with the like Approval, exchange any Lands so vested, and either with or without paying or receiving any Money for Equality of Exchange, for any other Lands better adapted for such Purposes; and the Mayor, Aldermen, and Burgesses, or the Town Commissioners, may convey the Lands so sold or exchanged accordingly.

When Baths, &c. are considered unnecessary, they may, with Approval of Treasury, be sold, and Proceeds carried to Borough or Town Fund.

XVIII. And be it enacted, That whenever any public Baths or Wash-houses or open Bathing Places which shall have been for Seven Years or upwards established under the Authority of this Act shall be determined by the Council or by the Town Commissioners respectively to be unnecessary, or too expensive to be kept up, the Council or Town Commissioners, with the Approval of the Commissioners of Her Majesty's Treasury, may sell the same for the best Price that can reasonably be obtained for the same; and the Mayor, Aldermen, and Burgesses, or the Town Commissioners respectively, shall convey the same accordingly; and the Purchase Money shall be paid to such Person as the Council or Town Commissioners shall appoint, and his Receipt shall be a sufficient Discharge for the same; and the net Proceeds of such Sale shall be paid to the Credit of the Borough Fund or of the Town Fund, as the Case may be.

Management to be vested in Councils and Town Commissioners.

XIX. And be it enacted, That the general Management, Regulation, and Control of the public Baths and Wash-houses and open Bathing Places established under this Act shall, subject to the Provisions of this Act, be, as to any Borough, vested in and exercised by the Council, and as to any such City or Town as aforesaid vested in and exercised by the Town Commissioners.

Council and Commissioners may make Bye Laws for regulating the Use of Baths and Wash-houses, &c., and Charges thereat.

XX. And be it enacted, That the Bye Laws which the Council and Town Commissioners respectively may from Time to Time make, alter, repeal, and enforce, shall include such Bye Laws for the Management, Use, and Regulation of the public Baths and Wash-houses and open Bathing Places, and of the Persons resorting thereto respectively, and for determining from Time to Time the Charges for the Use of such Baths and Wash-houses and open Bathing Places respectively, as the Council and Town Commissioners respectively shall think fit; and they respectively may appoint any Penalty not exceeding Five Pounds for any and every Breach, whether by their Officers or Servants or by other Persons, of any Bye Law made by them respectively; and such Bye Laws shall make sufficient Provision for the several Purposes respectively expressed in the Schedule (A.) to this Act: Provided always, that no Bye Law made under the Authority of this Act shall have any Effect until the same shall have received the Approval of One of Her Majesty's Principal Secretaries of State.

Bye Laws to be approved by the Secretary of State.

Copies or Abstracts of Bye Laws to be hung up in every Bath Room, &c.

XXI. And be it enacted, That a printed Copy or sufficient Abstract of the Bye Laws relating to the Use of the Baths and open Bathing Places respectively shall be put up in every Bath Room and open Bathing Place respectively; and a printed Copy or sufficient Abstract of the Bye Laws relating to the Use of the Wash-houses shall be put up in some convenient Place near every Washing Tub or Trough, or every Pair of Washing Tubs or Troughs, in every Wash-house.

Proportion of Baths for the

XXII. And be it enacted, That the Number of Baths for the labouring Classes in any Building or Buildings under the Management

ment of the same Council or Town Commissioners shall not be less than Twice the Number of the Baths of any higher Class, if but One, or of all the Baths of any higher Classes, if more than One, in the same Building or Buildings.

XXIII. And be it enacted, That the Council and the Town Commissioners respectively may from Time to Time make such reasonable Charges for the Use of the Baths and Wash-houses and open Bathing Places respectively provided under this Act as they shall think fit, but not exceeding such Charges as are mentioned in the Schedule (B.) annexed to this Act, unless for the Use of any Washing Tub or Trough for more than Two Hours in any One Day, for which any Charges may be made which the Council or Town Commissioners respectively shall deem reasonable.

XXIV. And be it enacted, That for the Recovery of the Charges at such Wash-houses the Officers, Servants, and others having the Management thereof may detain the Clothes brought to be washed, or other Goods and Chattels of any Person refusing to pay the Charge to which such Person may be liable, or any Part thereof, till full Payment thereof be made, and, in case such Payment be not made within Seven Days, may sell such Clothes, Goods, and Chattels, or any of them, returning the surplus Proceeds of such Sale, after deducting the unpaid Charge, and the Expences of such Detention and Sale, and the unsold Articles, if any, on demand, to such Person.

XXV. And be it enacted, That if any Clerk or other Officer, or any Servant who shall be in anywise employed by any Council or Town Commissioners in pursuance of this Act, shall exact or accept any Fee or Reward whatsoever, for or on account of any thing done or forborne or to be done or forborne in pursuance of this Act, or on any Account whatsoever relative to putting this Act into execution, other than such Salaries, Wages, or Allowances as shall have been appointed by the Council or Town Commissioners, or shall in anywise be concerned or interested in any Bargain or Contract made by the Council or Town Commissioners for or on account of anything done or forborne or to be done or forborne in pursuance of this Act, or on any Account whatsoever relative to the putting of this Act into execution, or if any Person during the Time he holds the Office of Member of the Council or Town Commissioner shall exact or accept any such Fee or Reward, or shall accept or hold any Office or Place of Trust created by virtue of this Act, or be concerned directly or indirectly in any such Bargain or Contract, every such Person so offending shall be incapable of ever serving or being employed under this Act, and shall for every such Offence also forfeit the Sum of Fifty Pounds.

XXVI. And be it enacted, That such Part of any Penalty recovered under this Act as shall not be awarded to the Informer shall be paid to the Credit, as regards a Borough, of the Borough Fund, and as regards any such City or Town as aforesaid, of the Town Fund.

XXVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

labouring
Classes.

Charges to be
fixed by Councils
and Town
Commissioners,
not exceeding
those in Schedule
(B.)

As to the Recovery
of Charges
at Wash-houses.

Penalty for
Officers taking
Fees beyond
Salaries, or
being interested
in Contracts;

also for Councilors
and
Commissioners
taking Fees, or
being interested
in Contracts.

Application of
Penalties.

Act may be
amended, &c.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Bye Laws to be made in all Cases.

For securing that the Baths and Wash-houses and open Bathing Places shall be under the due Management and Control of the Officers, Servants, or others appointed or employed in that Behalf by the Council or Town Commissioners.

For securing adequate Privacy to Persons using the Baths and Wash-houses and open Bathing Places, and Security against Accidents to Persons using the open Bathing Places.

For securing that Men, and Boys above Eight Years old, shall bathe separately from Women and Girls and Children under Eight Years old.

For preventing Damage, Disturbance, Interruption, and indecent and offensive Language and Behaviour, and Nuisances.

For determining the Duties of the Officers, Servants, and others appointed by the Council or Town Commissioners.

SCHEDULE (B.)

Maximum Charges during the first Seven Years after the Establishments are opened for public Use; and after such Seven Years, except only so long after such Seven Years as higher Charges may be necessary for defraying the current Expences of the Establishments.

Baths for the labouring Classes, supplied with clean Water for every Bather, or for several Children bathing together :

For One Person above Eight Years old, including the Use of One clean Towel :

Cold Bath - - - One Penny.

Warm Bath - - - Two-pence.

For several Children, not exceeding Four, including the Use of One clean Towel for every Child :

Cold Bath - - - Two-pence.

Warm Bath - - - Four pence.

Wash-houses for the labouring Classes, supplied with Conveniences for washing and drying Clothes and other Articles :

For the Use by One Person of One Washing Tub or Trough, or One Pair of Washing Tubs or Troughs :

For One Hour only in any

One Day - - - One Penny.

For Two consecutive Hours

only in any One Day - Three-pence.

Such Charges to include the Use of the drying Apparatus for drying all the Articles washed. The Time occupied in drying not to be included in the Hour or Two Hours. A Fraction of an Hour exceeding Five Minutes to be reckoned One Hour.

Open Bathing Places, where several Persons bathe in the same Water :

For One Person - - - One Halfpenny.

C A P. LXXXVIII.

An Act to remove Doubts as to the Legality of certain Assignments of Ecclesiastical Patronage.

[26th August 1846.]

‘ **W**HEREAS by an Act passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act to carry into effect, with certain Modifications, the Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues*, it is enacted, “ that it shall not be lawful for any Spiritual Person to sell or assign any Patronage or Presentation belonging to him by virtue of any Dignity or Spiritual Office held by him, and that every such Sale or Assignment shall be null and void to all Intents and Purposes ;” and Doubts have been entertained whether or not certain Agreements and Proceedings authorized under the several Acts for the Augmentation of the Maintenance of the Poor Clergy, or under the Church Building Acts, are to be deemed Sales or Assignments prohibited by the first-recited Act ; and it is expedient that such Doubts be removed.’

Be it declared and 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, That no Agreement or other Proceeding touching any Advowson or Patronage, or Right of Presentation or Nomination of any Spiritual Person to any Cure or Benefice, Donative, or Perpetual Curacy, or to serve any Church or Chapel authorized by an Act passed in the First Year of the Reign of King George the First, intituled *An Act for making more effectual Her late Majesty’s gracious Intentions for augmenting the Maintenance of the Poor Clergy*, or by any Act passed for the Amendment thereof, or by an Act passed in the last Session of Parliament, intituled *An Act for the further Amendment of the Church Building Acts*, or by any Act recited therein, is or shall be deemed a Sale or Assignment such as is prohibitel by the first-recited Act ; but that every such Agreement or Proceeding already or hereafter to be duly made and taken under the Provisions of any of the said Acts is and shall be deemed to have been from the Time of the making thereof as good in Law to all Intents and Purposes as if the first-recited Act had not been passed.

3 & 4 Vict.
c. 113.

Proceedings
under the Aug-
mentation Acts
and Church
Building Acts
to be deemed
lawful.

1 G. 1. st. 2. c. 10.

8 & 9 Vict. c. 70.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be
amended, &c.

C A P. LXXXIX.

An Act to continue certain Acts for regulating Turnpike Roads in *Ireland* until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and to the End of the then Session of Parliament. [26th August 1846.]

‘ **W**HEREAS certain Acts for making, amending, and repairing the Turnpike Roads in *Ireland* were by an Act passed in the Session of Parliament holden in the Fourth and Fifth Years

‘ Years of the Reign of Her present Majesty, amended and continued for a Time therein limited: And whereas, under the Provisions of Four Acts, passed respectively in the Sessions of Parliament holden in the Fifth, and in the Fifth and Sixth, and in the Sixth and Seventh, and in the Seventh and Eighth Years of Her Majesty’s Reign, the said Acts, except as therein mentioned, were further continued for a Time therein limited: And whereas, under the Provisions of an Act of the last Session of Parliament, the said Acts are further continued, and will remain in force, until the Thirty-first Day of *July* in the present Year, or if Parliament be then sitting, until the End of the then Session of Parliament: And whereas it is expedient that the several Acts for making, amending, or repairing Turnpike Roads in *Ireland* should be further continued:’ Be it therefore 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, That any Act for making, amending, or repairing any Turnpike Road or Roads in *Ireland* which will expire on the said Thirty-first Day of *July* in the present Year, or at or before the End of the present or next ensuing Session of Parliament, shall be and the same is hereby continued as amended by the said recited Act of the Fourth and Fifth Years of Her Majesty’s Reign, until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, or if Parliament be then sitting, until the End of the then Session of Parliament.

Expiring Acts for making or repairing Turnpike Roads in *Ireland* further continued.

Cork and Tralee Turnpike Act, 52 G. 3. c. 138., not continued by this Act, except, &c.

II. Provided always, and be it enacted, That nothing herein contained shall apply or extend to continue an Act passed in the Fifty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for maintaining the Road leading from the City of Cork to the Town of Tralee in the County of Kerry*, except so far as the said Act repeals any former Act.

C A P. XC.

An Act to prevent the Use of Stills by unlicensed Persons.

[26th *August* 1846.]

6 G. 4. c. 81.

‘ **WHEREAS** by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to repeal several Duties payable on Excise Licences in Great Britain and Ireland, and to impose other Duties in lieu thereof, and to amend the Laws for granting Excise Licences*, a Licence Duty of Ten Shillings is imposed upon every Person in *Scotland* or *Ireland*, not being a Distiller, Rectifier, or Compounder of Spirits, who shall keep or use any Still for carrying on the Trade of a Chemist, or any other Trade or Business requiring the Use of any Still or Stills: And whereas it is expedient to impose One uniform Duty for the United Kingdom;’ Be it therefore 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, That from and after the passing of this Act there shall be raised, levied, collected,

An Excise Duty of 10s. to be

lected, and paid unto Her Majesty, Her Heirs and Successors, in and throughout the United Kingdom of *Great Britain and Ireland*, the Duty of Excise following ; (that is to say,)

For every Excise Licence to be taken out by every Person, not being a licensed Distiller, Rectifier, or Compounder of Spirits, or Vinegar Maker, who keeps or uses any Still or Retort, the Sum of Ten Shillings :

paid by every Person taking out a Licence for keeping a Still or Retort.

II. And be it enacted, That every such Licence shall be renewed yearly, and the said Sum of Ten Shillings shall be yearly paid, by every Person keeping or using any Still or Retort, so long as any Still or Retort is kept or used as aforesaid ; and every such Licence shall be in force until the Fifth Day of *July* in each Year, and shall then expire ; and if any Person keeps or uses any Still or Retort without taking out such Licence as by this Act required, or without renewing the same as aforesaid, every Person so offending shall forfeit the Sum of Fifty Pounds ; and all Provisions, Clauses, Matters, and Things contained in the said recited Act of the Sixth Year of King *George* the Fourth shall be applied to this Act, and to the several Provisions, Clauses, Matters, and Things in this Act contained, as fully and effectually as if the same had been repeated and re-enacted in the Body of this Act.

Licence to be renewed, and the Sum of 10s. to be paid annually.

III. And be it enacted, That the Duty by this Act imposed shall be under the Management of the Commissioners of Excise for the Time being, and shall be raised, levied, collected, recovered, paid over, and accounted for in such and the like Manner, and in or by any of the general or special Ways, Means, or Methods by which any other Duties of Excise are or may be raised, levied, collected, recovered, paid over, and accounted for ; and all such Licences respectively shall be in such Form as the Commissioners of Excise direct, and shall be granted by the said Commissioners, or their Officers duly authorized to grant Licences under any Law or Laws of Excise.

Duty to be under the Management of the Commissioners of Excise.

IV. And be it enacted, That every Still, or Still Head, or Worm of a Still, shall be forfeited which is found in the Custody or Possession of any Person not being a Person known as a regular Maker of Stills, and if in *Scotland* or *Ireland* being a Person licensed in that respect, and such Still, Still Head, or Worm being gauged or marked as there by Law required, and if in *Ireland* being accompanied by Permit on Removal thereof, and such Person not being a licensed Distiller, Rectifier, or Compounder of Spirits, or Vinegar Maker, or a Person licensed to keep and use such Still under this Act : Provided always, that the Commissioners of Excise may permit the keeping and using of any Still or Stills for Experiments in Chemistry, under such Regulations as they think fit ; provided also, that the Commissioners of Excise may permit the keeping and using of any Still or Stills by Persons carrying on Trade or otherwise, for the Manufacture of any Articles other than Spirits or Spirit Mixtures, upon every Person who has a Still giving Notice thereof to the nearest Officer of Excise, and conforming to such Regulations as the Commissioners of Excise think fit to direct before beginning to use any Still as last aforesaid.

Stills, &c. found in the Possession of unlicensed Persons to be forfeited.

Commissioners may permit the Use of Stills for Experiments, and by Traders or others, &c. upon giving Notice.

C A P. XCI.

An Act to continue certain Patent Commissions until the Exhibition of the Commissions revoking them.

[26th August 1846.]

‘ WHEREAS sundry Persons have been and are in the Exercise of judicial and other Offices and Employments within Her Majesty’s Colonies and Possessions beyond the Seas, and under and by virtue of Letters Patent under the Great Seal of the United Kingdom of *Great Britain and Ireland*, determinable at the Pleasure of Her Majesty: And whereas by Law such Offices and Employments cease and determine immediately upon the Revocation of such Letters Patent, or the Issue of new Letters Patent for the Grant of the same Offices and Employments respectively: And whereas, by reason of the Remoteness of divers of such Colonies and Possessions, it hath been found necessary that the Judges and others holding and exercising such Offices and Employments under such Letters Patent as aforesaid should continue in the Exercise of the Powers and Authorities thereby vested in them after the Revocation thereof or the Issue of such new Letters Patent, and until such Revocation or Issue of such new Letters Patent should be signified and made known within the said Colonies and Possessions, in the same Manner as if the same had not determined:’ 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, That all the Powers and Authorities which at any Time before the passing of this Act shall have been vested, or which shall hereafter become vested, in any Person exercising or who shall have exercised any Office or Employment during Her Majesty’s Pleasure, within Her Majesty’s Colonies and Possessions beyond the Seas, by virtue of any Letters Patent under the Great Seal of the United Kingdom of *Great Britain and Ireland*, shall be deemed to have continued and to continue in full force and virtue until new Letters Patent under the Great Seal aforesaid shall have been granted for the Revocation of such Letters Patent or the Grant of such Office or Employment, and until the Grant of such new Letters Patent shall have been signified and made known within the Colony or Possession of Her Majesty beyond the Seas to which the same relates, so that the same, if granted after the passing of this Act, be so signified and made known within the said Colony or Possession within Six Calendar Months after the Grant thereof, unless such Colony or Possession be to the Eastward of *Bengal* in the *East Indies*, or to the Westward of *Cape Horn* in *South America*, and in such Case within Nine Calendar Months, and that all Things which shall have been done in the meantime shall be as good and as effectual in Law, and the several Persons exercising or who shall have exercised the said Offices and Employments shall be deemed to have continued and to continue in the meantime entitled to all the Privileges and Emoluments of the same, as fully as if such Letters Patent had not been vacated or made void.

All Powers, &c. vested in Persons acting by virtue of Letters Patent in the Colonies continued till Grant of new Letters Patent shall have been made known in the Colonies to which they relate.

C A P. XCII.

An Act to provide for the Preparation, Audit, and Presentation to Parliament of annual Accounts of the Receipt and Expenditure of the Naval and Military Departments.

[26th August 1846.]

‘ **W**HEREAS by an Act passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intitled *An Act to amend the Laws relating to the Business of the Civil Departments of the Navy, and to make other Regulations for more effectually carrying on the Duties of the said Departments*, Provision was made for the making up, and the laying before Parliament, of an annual Account of Naval Receipt and Expenditure, examined and certified by the Commissioners for auditing the Public Accounts : And whereas it is expedient to amend the Provisions of the said Act, and to provide for the Preparation, Audit, and Presentation to Parliament of Accounts of the Appropriation of the Monies annually granted for the Naval and Military Services :’ Be it therefore 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, That so much of the said recited Act as relates to the Account of Naval Receipt and Expenditure shall be repealed : Provided always, that nothing in this Act contained shall be construed to affect the Preparation, and the laying before Parliament, of the said Account for the Year ended the Thirty-first Day of *March* One thousand eight hundred and forty-six, in accordance with the Provisions of the before-recited Act.

2 & 3 W.4. c. 40.

So much of recited Act as relates to Account of Naval Receipt, &c. repealed. Proviso.

II. And be it enacted, That on or before the Thirtieth Day of *November* in each Year an Account of the Receipt and Expenditure of the Sums granted for Naval Services for the Year ended on the Thirty-first Day of *March* preceding, and on or before the Thirtieth Day of *April* in each Year similar Accounts of the Receipt and Expenditure of the Sums granted for Army, Commissariat, and Ordnance Services for the Year ended on the Thirty-first Day of *March* of the preceding Year, classed under the several Heads of Service as expressed in the Appropriation Act or Acts for the Year, shall be transmitted by each Department charged with the Preparation of the said Accounts to the Commissioners for auditing the Public Accounts, who shall examine the said Accounts, and certify thereon as to the Correctness of the Sums therein charged, as compared with the Books and Vouchers of the several Departments; and the said Commissioners are hereby required to transmit Copies of the said Accounts, so examined and certified, to the Commissioners of Her Majesty’s Treasury : Provided always, that if the Commissioners for auditing the Public Accounts shall discover any Inaccuracies in the said Accounts of Receipt and Expenditure, they shall, if required so to do by the Commissioners of Her Majesty’s Treasury, return the said Accounts, accompanied by Statements of the Errors discovered therein, to the respective Departments concerned, for Correction ; and amended Accounts shall be prepared, and sent to the Commissioners of

Accounts of Receipt, &c. for Navy, Army, Commissariat, and Ordnance Services to be annually audited by Commissioners for auditing Public Accounts, and transmitted to the Treasury.

If Errors discovered, Accounts to be returned to the respective Offices for Correction.

Audit, by the said Departments, in lieu of the Accounts returned for Correction; and the said Commissioners shall transmit Copies of such amended Accounts, examined and certified as aforesaid, to the Commissioners of Her Majesty's Treasury.

No Imprests to be charged in said Accounts.

III. And be it enacted, That no Sum shall be charged in the said Accounts which may be of the Nature of an Imprest or Advance of the Expenditure or Application of which an Account is to be subsequently rendered.

Commissioners of Audit to have Access to Books, Orders, and Papers.

IV. And be it enacted, That the Commissioners for auditing the Public Accounts shall be allowed Access to all Books, Orders, and other Papers to which they may desire to make reference in the Progress of their Examination of the Account Books and Vouchers of the several Departments intrusted with the detailed Application of the Sums granted for Navy, Army, Commissariat, and Ordnance Services.

Objections made to Items of Account from Time to Time, when not satisfactorily answered, to be referred by Commissioners of Audit to the Treasury.

V. And be it enacted, That if during the Progress of the Examination by the Audit Office of the Books and Vouchers of the said Departments any Objections shall arise to any Item to be introduced into the Accounts of Receipt and Expenditure to be transmitted to the Commissioners of Audit as aforesaid, such Objections shall, notwithstanding the said Accounts shall not have been so transmitted, be immediately communicated by the said Commissioners to the Departments to which they may relate, and if the same shall not be answered to the Satisfaction of the Commissioners of Audit by the Officers in the said Departments to whom such Objections shall be addressed, the same shall be referred by the said Commissioners of Audit to the Commissioners of Her Majesty's Treasury, who shall determine in what Manner the Item or Items objected to shall be presented to Parliament.

Auditors to append, to each Account a Report, to be transmitted to the Treasury.

VI. And be it enacted, That the Commissioners for auditing the Public Accounts shall append to each Account to be transmitted to the Commissioners of Her Majesty's Treasury as aforesaid a Report in which they shall recapitulate the several Heads of the Account under which the Sums expended shall have exceeded the Sums voted, giving under each Head the Explanations with which they may have been furnished of the Causes of Excess, and certifying that such Excesses have been sanctioned by the Commissioners of Her Majesty's Treasury, according to the Provisions of the annual Appropriation Act; and the said Commissioners of Audit shall moreover advert in their Report to any Items in respect of which, although admitted under the Provisions of this Act, their Objections shall remain unsatisfied.

Accounts, and Auditors Reports thereon, to be laid before the House of Commons by the Treasury.

VII. And be it enacted, That the Accounts of Receipt and Expenditure, together with the Reports of the Commissioners of Audit thereon, transmitted to the Commissioners of Her Majesty's Treasury as aforesaid, shall be laid before the House of Commons by the said Commissioners of Her Majesty's Treasury on the Days after mentioned, if Parliament be then sitting, or if not, then in each Case within One Week after Parliament shall be next assembled; (*vide licet*,) the Naval Account of Receipt and Expenditure on or before the Thirty-first Day of *January* next following the Thirtieth Day of *November* herein-before mentioned, and the Army, Commissariat, and Ordnance Accounts of Receipt and Expenditure on or before the

the First Day of *June* next following the Thirtieth Day of *April* herein-before mentioned.

VIII. And be it enacted, That this Act shall commence and take effect as to the Accounts to be rendered of the Application of the Grants for Naval and Military Services for the Year ending on the Thirty-first Day of *March* One thousand eight hundred and forty-seven. Commencement of Act.

C A P. XCIII.

[An Act for compensating the Families of Persons killed by Accidents. [26th August 1846.]

‘ WHEREAS no Action at Law is now maintainable against a Person who by his wrongful Act, Neglect, or Default may have caused the Death of another Person, and it is oftentimes right and expedient that the Wrongdoer in such Case should be answerable in Damages for the Injury so caused by him :’ Be it therefore 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, That whensoever the Death of a Person shall be caused by wrongful Act, Neglect, or Default, and the Act, Neglect, or Default is such as would (if Death had not ensued) have entitled the Party injured to maintain an Action and recover Damages in respect thereof, then and in every such Case the Person who would have been liable if Death had not ensued shall be liable to an Action for Damages, notwithstanding the Death of the Person injured, and although the Death shall have been caused under such Circumstances as amount in Law to Felony.

An Action to be maintainable against any Person causing Death through Neglect, &c., notwithstanding Death of Person injured.

II. And be it enacted, That every such Action shall be for the Benefit of the Wife, Husband, Parent, and Child of the Person whose Death shall have been so caused, and shall be brought by and in the Name of the Executor or Administrator of the Person deceased ; and in every such Action the Jury may give such Damages as they may think proportioned to the Injury resulting from such Death to the Parties respectively for whom and for whose Benefit such Action shall be brought ; and the Amount so recovered, after deducting the Costs not recovered from the Defendant, shall be divided amongst the before-mentioned Parties in such Shares as the Jury by their Verdict shall find and direct.

For whose Benefit Action shall be, and by whom to be brought.

III. Provided always, and be it enacted, That not more than One Action shall lie for and in respect of the same Subject Matter of Complaint, and that every such Action shall be commenced within Twelve Calendar Months after the Death of such deceased Person.

Only One Action to lie, and Time of Commencement.

IV. And be it enacted, That in every such Action the Plaintiff on the Record shall be required, together with the Declaration, to deliver to the Defendant or his Attorney a full Particular of the Person or Persons for whom and on whose Behalf such Action shall be brought, and of the Nature of the Claim in respect of which Damages shall be sought to be recovered.

Plaintiff to deliver a full Particular of the Person, &c.

V. And be it enacted, That the following Words and Expressions are intended to have the Meanings hereby assigned to them

Construction of Act.

respectively, so far as such Meanings are not excluded by the Context or by the Nature of the Subject Matter ; that is to say, Words denoting the Singular Number are to be understood to apply also to a Plurality of Persons or Things ; and Words denoting the Masculine Gender are to be understood to apply also to Persons of the Feminine Gender ; and the Word " Person " shall apply to Bodies Politic and Corporate ; and the Word " Parent " shall include Father and Mother, and Grandfather and Grandmother, and Stepfather and Stepmother ; and the Word " Child " shall include Son and Daughter, and Grandson and Granddaughter, and Stepson and Stepdaughter.

Operation and
Extent of Act.

VI. And be it enacted, That this Act shall come into operation from and immediately after the passing thereof, and that nothing therein contained shall apply to that Part of the United Kingdom called *Scotland*.

Act may be
amended, &c.

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

C A P. XCIV.

An Act to enable the Legislatures of certain *British Possessions* to reduce or repeal certain Duties of Customs.

[28th August 1846.]

8 & 9 Vict. c. 93.

‘ WHEREAS by an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to regulate the Trade of the British Possessions abroad*, certain Duties of Customs set forth in a certain Table in the said Act contained are imposed upon the Importation into any of the *British Possessions* in *America*, or into the Island of *Mauritius*, of the several Articles therein mentioned, not being the Growth, Produce, or Manufacture of the United Kingdom, or of the *British Possessions* therein enumerated, and a certain Duty of Ten Pounds for every One hundred Pounds of the Value thereof is imposed upon the Importation thereinto of certain Sugar refined in Bond in the United Kingdom : And whereas by the said Act it is enacted, that all Laws, Bye Laws, Usages, or Customs which shall be in practice, or endeavoured or pretended to be in force or practice, in any of the *British Possessions* in *America*, which are in anywise repugnant to the said Act, or to any Act of Parliament made or to be made in the United Kingdom, so far as such Act shall relate to and mention the said Possessions, are and shall be null and void to all Intents and Purposes whatsoever : And whereas it is expedient to enable the Legislatures or other proper legislative Authorities in the said *British Possessions*, with the Assent of Her Majesty in Council, to reduce or repeal all or any of such Duties of Customs as aforesaid, so far as the same may be in force in such Possessions respectively :’ Be it therefore 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, That if and whenever the Legislature or other proper legislative Authority of any of the said *British Possessions* in *America*

Colonial Legis-
latures may re-

or the *Mauritius* make or pass any Act or Ordinance, Acts or Ordinances, reducing or repealing all or any of the said Duties of Customs so imposed as aforesaid by the said recited Act upon any Articles imported into such Possession, and if Her Majesty, by and with the Advice of Her Privy Council, assent to such Act or Ordinance, Acts or Ordinances, such Duties of Customs shall, upon the Proclamation of such Assent in the Colony, or at any Time thereafter which may be fixed by such Act or Ordinance, be so reduced or repealed in such Possession as if such Reduction or Repeal had been effected by an Act or Acts of the Imperial Legislature, any thing in any Act to the contrary thereof notwithstanding.

duce or repeal all or any of the Duties of Customs imposed by 8 & 9 Vict. c. 93.

II. And be it enacted, That all such Acts and Ordinances shall be laid before both Houses of Parliament by One of Her Majesty's Principal Secretaries of State, within Thirty Days after Her Majesty shall have assented thereunto, if Parliament be then sitting, or if not, then within Thirty Days after the next Meeting of Parliament.

All Acts and Ordinances to be laid before Parliament.

C A P. XCV.

An Act for the more easy Recovery of Small Debts and Demands in *England*. [28th August 1846.]

WHEREAS sundry Acts of Parliament have been passed from Time to Time for the more easy and speedy Recovery of Small Debts within certain Towns, Parishes, and Places in *England*: And whereas by an Act passed in the Eighth Year of the Reign of Her Majesty, intituled *An Act to amend the Laws of Insolvency, Bankruptcy, and Execution*, Arrest upon Final Process in Actions of Debt not exceeding Twenty Pounds was abolished, except as to certain Cases of Fraud and other Misconduct of the Debtors therein mentioned: And whereas by an Act passed in the Ninth Year of the Reign of Her said Majesty, intituled *An Act for the better securing the Payment of Small Debts*, further Remedies were given to Judgment Creditors, in respect of Debts not exceeding Twenty Pounds, for the Discovery of the Property of Debtors, and Punishment of Frauds committed by them: And whereas by the last-mentioned Act Her Majesty is enabled, with the Advice of Her Privy Council, to extend the Jurisdiction of certain Courts of Requests and other Courts for the Recovery of Small Debts to all Debts and Demands, and all Damages arising out of any express or implied Agreement, not exceeding Twenty Pounds, and also to enlarge and in certain Cases to contract the District of such Courts, and make certain other Alterations in the Practice of such Courts in manner in the now-reciting Act mentioned; and it is expedient that the Provisions of such Acts should be amended, and that One Rule and Manner of proceeding for the Recovery of Small Debts and Demands should prevail throughout *England*: And whereas the County Court is a Court of ancient Jurisdiction having Cognizance of all Pleas of Personal Actions to any Amount by virtue of a Writ of Justicies issued in that Behalf: And whereas the Proceedings in the County Court are dilatory

7 & 8 Vict. c. 96.

8 & 9 Vict. c. 127.

‘ and expensive, and it is expedient to alter and regulate the
 ‘ Manner of proceeding in the said Courts for the Recovery of
 ‘ Small Debts and Demands, and that the Courts established under
 ‘ the recited Acts of Parliament, or such of them as ought to be
 ‘ continued, should be holden after the passing of this Act as
 ‘ Branches of the County Court under the Provisions of this Act,
 ‘ and that Power should be given to Her Majesty to effect these
 ‘ Changes at such Times and in such Manner as may be deemed
 ‘ expedient by Her Majesty, with the Advice of Her Privy
 ‘ Council.’ 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, That it shall be lawful for Her
 Majesty, with the Advice of Her Privy Council, from Time to
 Time to order that this Act shall be put in force in such County
 or Counties as to Her Majesty, with the Advice aforesaid, from
 Time to Time shall seem fit; and this Act shall extend to those
 Counties concerning which any such Order shall have been made,
 and not otherwise or elsewhere: Provided always, that no Court
 shall be established under this Act in the City of *London*.

Her Majesty
 may order this
 Act to be put
 in execution.

Counties to be
 divided into
 Districts.

II. And be it enacted, That it shall be lawful for Her Majesty,
 with the Advice aforesaid, to divide the whole or Part of any
 such County, including all Counties of Cities and Counties of
 Towns, Cities, Boroughs, Towns, Ports, and Places, Liberties,
 and Franchises therein contained, or thereunto adjoining, into
 Districts, and to order that the County Court shall be holden for
 the Recovery of Debts and Demands under this Act in each of
 such Districts, and from Time to Time to alter such Districts as
 to Her Majesty with the Advice aforesaid, shall seem fit, and to
 order from Time to Time that the Number of Districts in and
 for which the Court shall be holden shall be increased until the
 whole of such County shall be within the Provisions of this Act,
 and with the Advice aforesaid to alter the Place of holding any
 such Court, or to order that the holding of any such Court be dis-
 continued, or to consolidate any Two or more of such Districts,
 and from Time to Time, with the Advice aforesaid, to declare by
 what Name and in what Towns and Places the County Court shall
 be holden in each District; and if it shall appear to Her Majesty
 that any Part of any County, Liberty, City, Borough, or District
 may conveniently be declared within the Jurisdiction of the County
 Court of an adjoining County, it shall be lawful for Her Majesty,
 with the Advice aforesaid, to order that such Part shall be taken
 to be within the Jurisdiction of the County Court holden for the
 Purposes of this Act for such adjoining County in and for such
 District as Her Majesty shall order, in like Manner as if it were
 Part of such adjoining County.

Courts held
 under this Act
 to have the
 same Jurisdic-
 tion as County
 Courts.

III. And be it enacted, That every Court to be holden under
 this Act shall have all the Jurisdiction and Powers of the County
 Court for the Recovery of Debts and Demands, as altered by
 this Act, throughout the whole District for which it is holden,
 and there shall be a Judge for each District to be created under
 this Act, and the County Court may be holden simultaneously in
 all or any of such Districts; and every Court holden under this
 Act shall be a Court of Record.

IV. And

IV. And be it enacted, That for all Purposes, except those which shall be within the Jurisdiction of the Courts holden under this Act, the County Court shall be holden as if this Act had not been passed; and all Proceedings commenced in the County Court of any County before the Time when any Court shall be holden under this Act in such County may be continued, executed, and enforced against all Persons liable thereunto, in the same Manner as if they had been commenced under the Authority of this Act.

Preserving the Jurisdiction of County Courts.

V. And be it enacted, That it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to order that any Court holden for the Recovery of Small Debts or Demands within the Provisions of any Act cited in either of the Schedules annexed to this Act, and marked (A.) and (B.) respectively, shall be holden as a County Court; and it shall be lawful for Her Majesty, with the Advice aforesaid, to assign a District to every such Court, either greater or less than the District in which the Court holden under the Provisions of any such Act now has Jurisdiction, and to alter the Place of holding any such Court, or to order that any such Court be abolished; and every such Court shall continue to be holden under the Act according to which it is now constituted or regulated until the Time mentioned in any such Order which shall be made with reference to such Court; and from and after the Time mentioned in any such Order the Act or Acts under which such Court is now constituted, so far as the same relate to the Establishment or Jurisdiction or Practice of a Court for the Recovery of Small Debts or Demands, shall be repealed, but not so as to revive any Act thereby repealed; and such Court so ordered to be holden as a County Court shall thenceforth be holden as a County Court under this Act, and in all respects as if it had been originally constituted under the Provisions of this Act.

Her Majesty may order any Court under Acts in Schedules (A.) and (B.) to be held as a County Court, and may assign a District to the same.

VI. And be it enacted, That as soon as a Court shall have been established in any District under this Act, and also at the Time mentioned in any such Order which shall have been made as aforesaid for holding any of the Courts mentioned in either of the said Schedules as a County Court under this Act, the several Provisions and Enactments of the said Acts of Parliament of the Eighth and of the Ninth Year of the Reign of Her Majesty, and of every other Act of Parliament heretofore passed, so far as the same respectively relate to or affect the Jurisdiction and Practice of the Court so established or ordered to be holden as a County Court, or give Jurisdiction to any Court or to any Commissioner of the Court of Bankruptcy, with respect to Judgments or Orders obtained in the Court so established or ordered to be holden as a County Court, shall be repealed.

When a Court shall be established under this Act, recited Acts and all other Acts affecting its Jurisdiction repealed.

VII. Provided always, and be it enacted, That all Proceedings in execution of the said Acts or any of them commenced before the passing of this Act, or before the Days severally appointed for the Alteration of the Constitution of the said Courts, shall be as valid to all Intents and Purposes as if this Act had not been passed, or as if the said Courts had not been altered, and may be continued, executed, and enforced against all Persons liable

Proceedings under former Acts to be valid.

thereto in the same Manner as if they had been commenced under the Authority of this Act.

Orders in Council to be published in the London Gazette.

VIII. And be it enacted, That any Order in Council made for the Purposes of this Act shall be published in the *London Gazette*; and Notice of the Intention of Her Majesty to take into consideration the Propriety of making any such Order shall be published in the *London Gazette* One Calendar Month at least before any such Order shall be made.

Appointment and Qualification of Judges.

IX. And be it enacted, That the Lord Chancellor shall appoint as many fit Persons as are needed to be Judges of the County Court under this Act, each of whom shall be a Barrister at Law who shall be of Seven Years standing, or who shall have practised as a Barrister and Special Pleader for at least Seven Years, or a Barrister or Attorney at Law who under the Provisions of any of the Acts cited in the said Schedules (A.) and (B.), or under the Provisions of either of the said Acts of the Eighth Year and of the Ninth Year of the Reign of Her Majesty, shall have been nominated or appointed to preside in or hold any Court constituted or held under any of the Acts cited in either of the said Schedules (A.) and (B.), whether by the Title of Judge or Barrister, or County Clerk, Assessor, or Steward, or Deputy Steward, or by any other Title or Style whatsoever, or a Person filling the Office of Judge of the County Court, or County Clerk, in the same County, at the Time of the passing of this Act: Provided always, that every Attorney at Law who shall be appointed a Judge of the County Court under this Act, and who shall be the Partner of any other Attorney at Law, shall, within Twelve Calendar Months next after entering on the said Office of Judge of the County Court, dissolve such Partnership or vacate the said Office of Judge, and shall not during his Continuance as such Judge enter into any new Partnership; and that no Attorney at Law who shall be appointed a Judge of any County Court under this Act shall be, either by himself or his Partner, employed or act as Town Clerk, or Clerk of the Peace of any County, City, or Borough, or as Clerk to any Bench of Justices, or as Clerk or Secretary to any Board of Guardians or Governors or Directors of the Poor, or of any Vestry or local or parochial Board of Trustees or Commissioners, or of any public Company or Corporation whatsoever, or directly or indirectly concerned as Attorney or Agent for any Party in any Court regulated by this Act, or after the Expiration of the said Term of Twelve Calendar Months, in any other Court of Law or Equity.

Proviso as to Attorneys acting as Judges under Act cited in Schedules (A.) and (B.)

Judges at present acting in the Courts of Bath, Bristol, Liverpool, and Manchester entitled to the first Appointment under this Act for those Places.

X. 'And whereas under the Provisions of the several Acts cited in the Schedule marked (A.) annexed to this Act, Barristers have been appointed and now act as salaried Commissioner or as Assessor or Assistant to the Commissioners appointed to hold the several Courts of Request constituted or regulated by the said several Acts in the Cities of *Bath* and *Bristol* and in the Boroughs of *Liverpool* and *Manchester*;' be it enacted, That when any Order shall be made for holding a Court under this Act within the said Cities and Boroughs respectively, Districts shall be constituted which shall comprise at least the whole of the said Cities and Boroughs respectively, and every such Barrister who shall have been on the First Day of *June* in this Year the salaried Commis-

Commissioner or Assessor or Assistant to the Commissioners appointed to hold the said several Courts of Request, and who shall continue to hold the same Office at the Time when such Order as last aforesaid shall be made respecting their City or Borough respectively, shall be entitled to be appointed the first Judge under this Act of the Court to be holden in and for the said Cities and Boroughs respectively.

XI. 'And whereas an Act was passed in the Forty-eighth Year of the Reign of King George the Third, intituled *An Act for regulating the Proceedings in the Courts Baron of the Manors of Sheffield and Ecclesall in the County of York*, under the Provisions of which Act *John Parker* Esquire has been appointed and is Steward of the Manor of *Sheffield*, and *Daniel Maude* Esquire has been appointed and is Steward of the Manor of *Ecclesall*;' be it enacted, That if the said *John Parker* shall continue Steward of the Manor of *Sheffield* when any Order shall be made for holding a Court under this Act within the Liberty of *Hallamshire*, a District shall be constituted which shall comprise at least the whole Liberty of *Hallamshire*, except the Hamlet or Bierlow of *Ecclesall*, and if the said *Daniel Maude* shall continue Steward of the Manor of *Ecclesall* when any Order shall be made for holding a Court under this Act in the Manor of *Ecclesall*, another District shall be constituted under the Provisions of this Act, which shall comprise at least the whole Hamlet or Bierlow of *Ecclesall*; and in such Cases respectively the said *John Parker* shall be entitled to be appointed the First Judge under this Act of the Court to be holden in the District comprising the Liberty of *Hallamshire*, except the Bierlow of *Ecclesall*, and the said *Daniel Maude* shall be entitled to be appointed the first Judge under this Act of the Court to be holden in the District comprising the Bierlow of *Ecclesall*, and the Districts of the said Two Courts shall not be reduced within the said Limits respectively so long as the said *John Parker* and *Daniel Maude* respectively shall continue Judges of the said Courts; and the present Deputy Stewards of the said Two Courts Baron shall be entitled to be appointed the first Clerks of the said Two Courts respectively, or in case of the Consolidation of the said Two Courts, to act jointly as Clerks of the consolidated Court under such Regulations as to the Division of Duties and Emoluments of the Office as shall be made by Order of Court, with reference to the Duties and Emoluments of their Offices in the said Two Courts before such Consolidation, in case of Difference between them; and the said *John Parker* and *Daniel Maude* shall have the same Privilege of holding the said Courts by Deputy which they now have of holding the said Courts Baron by Deputy, provided only that the Appointment of every such Deputy shall be subject to the Approval of One of Her Majesty's Principal Secretaries of State; and the said *John Parker* and *Daniel Maude* shall hold the said Courts in all other respects according to the Provisions of this Act.

Stewards of the Manors of Sheffield and Ecclesall appointed under 48 G. 3. c. 103. to be the first Judges under this Act for those Districts.

XII. 'And whereas the County Court of *Middlesex* is regulated under the Provisions of an Act passed in the Twenty-third Year of the Reign of King George the Second, intituled *An Act for preventing Delays and Expences in the Proceedings*

The present County Clerk of Middlesex, appointed under 23 G. 2. c. 33., to be the

first Judge under this Act, and may continue to appoint a Deputy, subject to Approval of Secretary of State.

ings in the County Court of Middlesex, and for the more easy, and speedy Recovery of Small Debts in the said County Court, under which the County Clerk is empowered to appoint a Deputy to act for him in his said Office of County Clerk: And whereas the said County of *Middlesex* within the Jurisdiction of the said Court is so populous that it will be expedient that several Districts should be constituted therein under this Act; be it enacted, That if the present County Clerk of *Middlesex* shall continue County Clerk of *Middlesex* when any Order shall be made for holding a Court under this Act within the Jurisdiction of the said Court, he shall be entitled to be appointed the first Judge under this Act of such of the said Districts as he shall select, and shall hold the said Court in all respects according to the Provisions of this Act, except that he shall be removable from the said Office of Judge only in the same Manner as he is now by Law removable from the Office of County Clerk, and that he shall have Power to hold the Court by his present Deputy, and on Vacancy of the Office of Deputy to appoint a Deputy to hold the said Court for him, provided such Deputy be a Barrister of not less than Three Years standing, and shall be approved by One of Her Majesty's Principal Secretaries of State; and the present Registrar of the said County Court shall be entitled to be the first Clerk of the Court holden in the District so selected by the County Clerk; and all Suits and Proceedings commenced in the County Court of *Middlesex* before the Division of the said County into Districts shall be continued, and may be executed and enforced, as if they had commenced under this Act before the said County Clerk in the District so selected by him.

Present Registrar to be the first Clerk.

Provisions for certain Lords of Manors having Rights of Appointment under the Acts hereby repealed.

XIII. And be it enacted, That whenever any Order shall be made for holding a Court under this Act within the several Towns mentioned in the First Column of the Schedule marked (C.) annexed to this Act, then, upon the next Vacancy which shall happen after the passing of this Act in the several Offices mentioned in the Second Column of the said Schedule (C.) in conjunction with such Courts, the several Lords for the Time being of the Manors and Liberties mentioned in the Third Column of the said Schedule (C.) in conjunction with the said Courts shall be entitled to appoint Persons properly qualified according to the Provisions of this Act, to fill the said Offices respectively, subject nevertheless in each Case to the Approval of One of Her Majesty's Principal Secretaries of State.

Lords of Manors, &c. may surrender Courts, with Consent of Persons interested.

XIV. And be it enacted, That it shall be lawful for the Lord of any Hundred, or of any Honor, Manor, or Liberty, having any Court in right thereof in which Debts or Demands may be recovered, to surrender to Her Majesty the Right of holding such Court (for any such Purpose, with the Consent of any Steward or other Officer, if any, having a Freehold Office in such Court,) or upon the next Vacancy in any such Freehold Office; and from and after such Surrender such Court shall be discontinued, and the Right of holding such Court shall cease, and all Proceedings commenced in such Court may thereafter be continued, and shall be enforced and executed, as if they had been commenced under the Authority of this Act in a County Court holden for the District in which the Cause of Action arose; but no Person shall be entitled

entitled to claim any Compensation under this Act by reason of any such Surrender : Provided always, that the Surrender of the Right of holding any such Court for the Recovery of Debts and Demands shall not be deemed to infer the Surrender or Loss of any other Franchise incident to the Lordship of such Hundred, Honor, Manor, or Liberty, and that the Court thereof may be holden for all other Purposes, if any, incident thereunto, as now by Law it may.

XV. And be it declared and enacted, That the Appointment of any Person who at the passing of this Act shall by any of the Titles herein-before specified preside in or hold any Court constituted or held under any of the Acts cited in either of the said Schedules (A.) and (B.), to be the Judge of any County Court, shall not be deemed an Appointment to hold a Public Office or Employment within the Meaning of an Act passed in the Sixth Year of the Reign of Her present Majesty, intituled *An Act for the Amendment of the Law of Bankruptcy*, so as to deprive him of any Compensation to which he may be entitled under the said Act.

XVI. And be it enacted, That from Time to Time when any Judge appointed under this Act shall die, resign, or be removed, and the District for which he was appointed shall not be consolidated with any other District, another Judge shall be appointed who shall be a Barrister at Law who shall be of Seven Years standing or who shall have practised as a Barrister and Special Pleader for at least Seven Years, or who shall have been the County Clerk of the same County at the Time of the passing of this Act; and every such Appointment shall be made by the Lord Chancellor, or, where the whole of the District is within the Duchy of *Lancaster*, by the Chancellor of the Duchy of *Lancaster*.

XVII. And be it enacted, That no Judge appointed under this Act shall during his Continuance as such Judge practise as a Barrister within the District for which his Court is holden under this Act, except those Barristers already appointed to preside in or hold the said Courts in *Bath*, *Bristol*, *Liverpool*, *Manchester*, *Sheffield*, *Ecclesall*, and *Middlesex*, and now practising in Chambers as Conveyancing Counsel, who may continue such Practice.

XVIII. And be it enacted, That it shall be lawful for the said Lord Chancellor, or, where the whole of the District is within the Duchy of *Lancaster*, for the Chancellor of the said Duchy, if he shall think fit, to remove for Inability or Misbehaviour any such Judge already appointed or hereafter to be appointed.

XIX. Provided always, and be it enacted, That it shall be lawful for the Lord Chancellor or Chancellor of the said Duchy, within their several Jurisdictions, to remove any Judge from any District to which he shall have been appointed, for the Purpose of appointing him to any other District in which the Salary of such Judge shall not be less than in the District from which he shall be so removed.

XX. And be it enacted, That in case of Illness or unavoidable Absence, the Cause whereof shall be entered on the Minutes of the Court, it shall be lawful for the Judge appointed to hold any Court under this Act, or, in case of the Inability of the Judge to make such Appointment, for the Lord Chancellor, or, where the

Appointments of Judges who have previously officiated in any County Court not subject to 5 & 6 Vict. c.122.

For supplying Vacancies among the Judges of the County Court.

Judges not to practise as Barristers in their Districts, except in certain Cases.

Judges of the County Court removable for Inability, &c.

Districts of Judges may be changed.

As to the Appointment of a Deputy to a Judge.

the whole of the District is within the Duchy of *Lancaster*; for the Chancellor of the Duchy, to appoint some other Person, who shall be a Judge appointed under this Act, or who shall have practised as a Barrister at Law for at least Three Years, or as an Attorney of One of Her Majesty's Superior Courts of Common Law for Ten Years, but not then residing or practising as an Attorney in the District for which the Court is holden, to act as the Deputy of such Judge during such Illness or unavoidable Absence; and it shall also be lawful for the Judge, with the Approval of the said Lord Chancellor or Chancellor of the Duchy, to appoint a Deputy, who shall be a Judge appointed under this Act, or who shall have practised as a Barrister at Law for at least Three Years, to act for him for any Time or Times not exceeding in the whole Two Calendar Months in any consecutive Period of Twelve Calendar Months; and every Deputy so appointed, during the Time for which he shall be so appointed, shall have all the Powers and Privileges and perform all the Duties of the Judge for whom he shall have been so appointed.

Judges may act as Justices if in the Commission of the Peace.

XXI. And be it enacted, That every Judge of the County Court whose Name shall be inserted by Her Majesty in any Commission of the Peace for the County, Riding, or Division of a County for which he is appointed Judge of the County Court may and shall act in the Execution of the Office of Justice of the Peace for the said County, Riding, or Division although he may not have such Qualification by Estate or Interest in Lands, Tenements, and Hereditaments as is required by Law in the Case of other Persons being Justices of the Peace for a County, provided that he be not disqualified by Law to act as a Justice of the Peace for any other Cause or upon any other Occasion than in respect of the Want of such an Estate or Interest as aforesaid.

Judges, &c. appointed under this Act authorized to perform certain Duties relating to Matters depending in the Court of Chancery.

XXII. And be it enacted, That the Judges and other Officers to be appointed under this Act shall be authorized and required to perform all such Duties in or relating to any Causes or Matters depending in the High Court of Chancery, or before any Judge thereof, or before the Lord Chancellor in the Exercise of any Authority belonging to him, necessary or proper to be done in their respective Districts, as the Lord Chancellor shall from Time to Time by any General Order direct, and for this Purpose, and subject to the General Rules and Orders of the said Court, shall have and exercise all such Authorities as may be duly exercised by the Commissioners or other Officers of the said Court by whom such Duties are now usually performed, and shall be entitled to receive the same Fees and Sums of Money as are now payable in respect thereof, to be accounted for and applied by them as the other Fees authorized by this Act to be received are directed to be accounted for and applied: Provided always, that the future Amount of such Fees shall continue subject to the same Authority for revising the same to which it is now subject.

Treasury to appoint Treasurers of Courts holden under this Act.

XXIII. And be it enacted, That the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* shall appoint so many Persons as they shall think fit to be Treasurers of the Courts holden under this Act, and may remove any such Treasurer, if they shall see Occasion so to do, and appoint another Person in his Room; and every such Treasurer

surer shall be paid by Salary in such Manner and to such Amount as the said Commissioners from Time to Time shall order; and the Salary of every such Treasurer shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided always, that the Person appointed or acting as Treasurer before the passing of this Act to any Court holden under any Act cited in either of the said Schedules (A.) and (B.), if not disqualified under this Act, shall be entitled to be the first Treasurer of the same Court respectively, when holden as a County Court under this Act, in every Case in which a separate Treasurer shall be appointed exclusively for such Court, and shall in such Case continue to exercise his Office, subject to the Power of Removal provided in this Act.

XXIV. And be it enacted, That for every Court under the Authority of this Act there shall be a Clerk, who shall be an Attorney of One of Her Majesty's Superior Courts of Common Law, and whom the Judge shall be empowered to appoint, subject to the Approval of the Lord Chancellor, and, in case of Inability or Misbehaviour, to remove, subject to the like Approval; and, until otherwise directed by Her Majesty, with the Advice of Her Privy Council, every such Clerk shall be paid by Fees as hereinafter provided; and in Cases requiring the same such Assistant Clerks as may be necessary shall be provided and paid by the Clerk of the Court.

Appointment of Clerks vested in Judges, subject to Approval of Lord Chancellor.

XXV. And be it enacted, That it shall be lawful for the Lord Chancellor, in populous Districts in which it shall appear to him expedient, to direct that Two Persons shall be appointed to execute jointly the Office of Clerk, under such Regulations as to the Division of the Duties and Emoluments of the said Office as shall be from Time to Time made by Order of Court in case of Difference between them, each of such Persons being qualified as is hereinbefore provided in the Case of a single Clerk; and where under the Provisions of any Act cited in either of the said Schedules (A.) and (B.) more than One Clerk is now acting in and for the Court holden under such Act, the same Number of Clerks shall be continued, unless it shall seem expedient to the Lord Chancellor to order that such Number be reduced.

In populous Districts Lord Chancellor may direct Two Clerks to be appointed.

XXVI. And be it enacted, That it shall be lawful for the Clerk of any such Court with the Approval of the Judge, or, in case of Inability of the Clerk to make such Appointment, for the Judge, to appoint from Time to Time a Deputy, qualified to be appointed Clerk of the said Court, to act for the Clerk of the said Court at any Time when he shall be prevented by Illness or unavoidable Absence from acting in such Office, and to remove such Deputy at his Pleasure; and such Deputy while acting under such Appointment shall have the like Powers and Privileges, and be subject to the like Provisions, Duties, and Penalties for Misbehaviour, as if he were the Clerk of the said Court for the Time being.

In case of Illness, &c. of Clerk a Deputy may be appointed.

XXVII. And be it enacted, That the Clerk of each Court, with such Assistant Clerks as aforesaid in Cases requiring the same, shall issue all Summonses, Warrants, Precepts, and Writs of Execution, and register all Orders and Judgments of the said Court, and keep an Account of all Proceedings of the Court, and shall take charge of and keep an Account of all Court Fees and Fines payable

Duties of Clerks.

payable or paid into Court, and of all Monies paid into and out of Court, and shall enter an Account of all such Fees, Fines, and Monies in a Book belonging to the Court, to be kept by him for that Purpose, and shall from Time to Time, at such Times as shall be directed by Order of the Court, submit his Accounts to be audited or settled by the Treasurer.

Offices of Clerk, Treasurer, and Bailiff not to be conjoined.

XXVIII. And be it enacted, That it shall not be lawful for the Clerk of any Court holden under this Act, or the Partner of any such Clerk, or any Person in the Service or Employment of such Clerk or his Partner, to act as Treasurer or High Bailiff of the Court; or for the Treasurer, his Partner or Clerk, or any Person in the Service or Employment of such Treasurer or his Partner, to act as Clerk or High Bailiff; or for the High Bailiff, his Partner or Clerk, or any Person in the Service or Employment of such High Bailiff or his Partner, to act as Clerk or Treasurer of the Court.

Officers not to act as Attornies in the Court.

XXIX. And be it enacted, That no Clerk, Treasurer, High Bailiff, or other Officer of the Court shall, either by himself or his Partner, be directly or indirectly engaged as Attorney or Agent for any Party in any Proceeding in the said Court.

Penalty of 50*l.* on Nonobservance of the Two previous Enactments.

XXX. And be it enacted, That every Person who, being the Clerk of any such Court, or the Partner of such Clerk, or a Person in the Service or Employment of any such Clerk or of his Partner, shall accept the Office of Treasurer or High Bailiff of such Court, or who, being the Treasurer of any such Court, or the Partner of any such Treasurer, or a Person in the Service or Employment of any such Treasurer or of his Partner, shall accept the Office of Clerk or High Bailiff in the Execution of this Act, or who being the High Bailiff of such Court, or the Partner of any such High Bailiff, or a Person in the Service or Employment of any such High Bailiff or of his Partner, shall accept the Office of Clerk or Treasurer in the Execution of this Act, and also every Clerk, Treasurer, High Bailiff, or other Officer of any such Court who shall be, by himself or his Partner, or in any way, directly or indirectly, concerned as Attorney or Agent for any Party in any Proceeding in the said Court, shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same in any of Her Majesty's Superior Courts of Record, by Action of Debt or on the Case.

Appointment of Bailiffs.

XXXI. And be it enacted, That for every such Court there shall be One or more High Bailiffs, whom the Judge shall be empowered by Order of Court to appoint, and, in case of Inability or Misbehaviour, to remove by a like Order; and every such High Bailiff shall be empowered, subject to the Restrictions herein-after contained, by any Writing under his Hand to appoint a sufficient Number of able and fit Persons, not exceeding such Number as shall be from Time to Time allowed by the Judge, to be Bailiffs, to assist the said High Bailiff, and at his Pleasure to dismiss all or any of them, and appoint others in their Stead; and every Bailiff so appointed may also be suspended or dismissed by the Judge.

Provision for the High Bailiffs of Westminster and Southwark.

XXXII. Provided always, and be it enacted, That, until Parliament shall otherwise direct, the High Bailiff of *Westminster* shall have the Execution of all Process issuing out of any of the

said Courts the Jurisdiction of which shall include the City and Liberty of *Westminster* or any Part thereof, and shall be deemed the High Bailiff of such Courts; and the High Bailiff of *Southwark* shall have the Execution of all Process issuing out of any of the said Courts the Jurisdiction of which shall include the Borough of *Southwark* or any Part thereof, and shall be deemed the High Bailiff of such last-mentioned Courts, and no other High Bailiff shall be appointed for such Courts.

XXXIII. And be it enacted, That the said High Bailiffs or One of them shall attend every Sitting of the Court, for such Time as shall be required by the Judge, unless when their Absence shall be allowed for reasonable Cause by the Judge, and shall, by themselves or by the Bailiffs appointed to assist them as aforesaid, serve all the Summonses and Orders, and execute all the Warrants, Precepts, and Writs, issued out of the Court; and the said High Bailiffs and Bailiffs shall in the Execution of their Duties conform to all such general Rules as shall be from Time to Time made for regulating the Proceedings of the Court, as herein-after provided, and, subject thereunto, to the Order and Direction of the Judge; and the said High Bailiffs shall be entitled to receive all Fees and Sums of Money allowed by this Act in the Name of Fees payable to the Bailiff, out of which they shall provide for the Execution of the Duties for which such Fees are allowed, and for the Payment of the Bailiffs and Officers appointed to assist them, according to such Scale of Remuneration as shall be from Time to Time approved by the Judge; and every such High Bailiff shall be responsible for all the Acts and Defaults of himself and of the Bailiffs appointed to assist him, in like Manner as the Sheriff of any County in *England* is responsible for the Acts and Defaults of himself and his Officers.

Duties of the High Bailiffs, &c.

XXXIV. Provided always, and be it enacted, That the Persons holding the Offices or performing the Duties of Clerks and High Bailiffs in any Court holden under any Act cited in either of the said Schedules (A.) and (B.) on the First Day of *June* in this Year, and who shall continue respectively to hold the same Offices or to perform the same Duties at the Time when such Act shall be repealed under the Provisions of this Act, whether or not qualified as herein-before provided, shall be entitled, if not disqualified under this Act, to be the first Clerks and High Bailiffs of the same Court when holden as a County Court under this Act, and shall continue to execute their several Offices, subject to the Power of Removal provided in this Act, except that the Clerks and High Bailiffs already appointed to any Court named in the said Schedule (A.) shall be removable only for such Cause as would have warranted their Removal under the Acts according to which their Court is now holden; and where, under the Provisions of any of the said Acts, more than One Clerk was on the said First Day of *June*, and shall be, when such Act shall be repealed, under the Provisions of this Act, acting in and for any of the said Courts, or in and for any District or Division of any Court, the same Persons shall jointly execute the Office of Clerk of the same Courts as aforesaid, under such Regulations as to the Division of the Duties and Emoluments of the said Office as shall be from Time to Time made by Order of Court, in case of Difference

Provision respecting Clerks and High Bailiffs of Courts under Acts cited in Schedules (A.) and (B.)

between

between them : Provided always, that if the Clerk of any Court cited in the said Schedule (A.) shall, within One Calendar Month next after the Repeal of the Act under which it is now holden, decline to accept the Office of Clerk to the same Court as holden under this Act, it shall be lawful to the Commissioners of Her Majesty's Treasury, if they shall think fit, to take into consideration the special Circumstances of each Case, and to award such Compensation to be paid to such Clerk as under the Circumstances they shall think reasonable, in the Manner herein provided in the Case of Persons whose Emoluments will be diminished or taken away by this Act.

Provision respecting the Officers of the Two Courts at Bristol.

XXXV. ' And whereas the Jurisdiction of the Court of Conscience in the City of *Bristol*, under the Provisions of an Act passed in the First Year of the Reign of Her Majesty, and cited in the Schedule (A.) to this Act annexed, extends to the Recovery of Debts and Demands not exceeding Forty Shillings ; and the Jurisdiction of the Court of Requests in the said City, under the Provisions of an Act passed in the Fifty-sixth Year of the Reign of King *George* the Third, and also cited in the said Schedule (A.), extends to the Recovery of Debts and Demands above Forty Shillings and not exceeding Fifteen Pounds ;' be it enacted, That in case the Persons now holding the Offices of Registrar and Clerk and Deputy Registrar of the said Court of Conscience shall continue to hold the same Offices respectively when a Court shall be established in the said City of *Bristol* under the Provisions of this Act, they shall be entitled to hold the Office and execute the Duties of Clerks of any such Court in all Causes and Matters relating to Debts, Claims, and Demands not exceeding Forty Shillings, under such Regulations as to the Division of the Duties and Emoluments of the said Office as shall be from Time to Time made by Order of Court, in case of Difference between them ; and in case the Person now holding the Office of Clerk of the said Court of Requests shall continue to hold the same Office at the Time when such Court shall be established, he shall be entitled to hold the Office and execute the Duties of Clerk of any such Court in all Causes and Matters relating to Debts, Claims, and Demands exceeding Forty Shillings ; and the said Persons severally shall be removable only for such Cause as would have warranted their Removal under the several Acts according to which the said Courts are now holden.

Treasurers, Clerks, and High Bailiffs to give Security.

XXXVI. And be it enacted, That the Treasurer, Clerk, and High Bailiff of every Court holden under this Act who may receive any Monies in the Execution of his Duty shall give Security, for such Sum and in such Manner and Form as the Commissioners of Her Majesty's Treasury from Time to Time shall order, for the due Performance of their several Offices, and for the due accounting for and Payment of all Monies received by them under this Act (or which they may become liable to pay for any Misbehaviour in their Office).

Fees to be taken according to Schedule (D.), and Tables to be exhibited in conspicuous Places.

XXXVII. And be it enacted, That there shall be payable on every Proceeding in the Courts holden under this Act, to the Judges, Clerks, and High Bailiffs of the several Courts, such Fees as are set down in the Schedule marked (D.) to this Act annexed, or which shall be set down in any Schedule of Fees reduced

reduced or altered under the Power herein-after contained for that Purpose, and none other; and a Table of such Fees shall be put up in some conspicuous Place in the Court House and in the Clerk's Office; and the Fees on every Proceeding shall be paid in the first Instance by the Plaintiff or Party on whose Behalf such Proceeding is to be had, on or before such Proceeding, and in default Payment thereof shall be enforced by Order of the Judge by such Ways and Means as any Debt or Damage ordered to be paid by the Court can be recovered; and the Fees upon Executions shall be paid into Court at the Time of the Issue of the Warrant of Execution, and shall be paid by the Clerk of the Court to the Bailiff upon the Return of the Warrant of Execution, and not before: Provided always, that it shall be lawful for One of Her Majesty's Principal Secretaries of State, with the Consent of the Commissioners of Her Majesty's Treasury, to lessen the Amount of the Fees to be taken in the Courts holden under this Act in such Manner as to him shall seem fit, and again to increase such Fees, so that the Scale of Fees given in the Schedule to this Act be not in any Case surpassed; and in every Court holden under this Act in which the Fees allowed to be taken by the Judges, Clerks, or Bailiffs of the Court shall appear to be more than sufficient, it shall be lawful for the said Secretary of State to order that a certain Part only of their Fees shall be paid to them respectively, not exceeding, in the Case of Judges and Clerks, the Sums herein-after mentioned as the greatest Salaries to be by them respectively received; and in such Case, and so long as such Direction shall be in force, the Amount of the Residue of the Fees shall be accounted for and paid to the Treasurer of the Court, and shall form Part of the General Fund of the Court; but no such Order shall be made to reduce the Fees of any of the Judges, Clerks, and Officers of any Court mentioned in the said Schedule (A.) (so long as they shall be paid by Fees) below the average Amount of their Fees or Emoluments during the Seven Years next before the passing of this Act, with a reasonable Increase for any Increase of Business which they may severally have to perform by reason of this Act.

Fees may be reduced.

Appropriation of surplus Fees.

XXXVIII. And be it enacted, That every Person who is entitled to any Franchise, Right of Appointment, or Office, under any of the Acts under which any Court mentioned in the said Schedule (A.) is holden, and every Person who shall have been entitled to any Fees or Salary for his Services in the Execution of any of the same Acts, or for the Issue of any Writs to the Sheriff out of the High Court of Chancery, and also every Person who is entitled to any Franchise or Right of Appointment to hold Office in any Court in any District in which the County Court had not Jurisdiction before the passing of this Act, and in which District a Court shall be established under the Provisions of this Act, and also every Person holding any Office in any such last-mentioned Court whose Franchise or Right of Appointment or Office shall be affected, abolished, or taken away, or whose Emoluments shall be diminished or taken away under the Operation of this Act, shall be entitled to make a Claim for Compensation to the Commissioners of Her Majesty's Treasury within Six Calendar

Compensation for Persons whose Rights or Emoluments will be diminished.

Months after the passing of this Act, or after the Alteration of such Court; and it shall be lawful for the said Commissioners, in such Manner as they shall think proper, to inquire what was the Nature of the Franchise or Right of Appointment, and what was the Tenure of any such Office, and what were the lawful Fees and Emoluments in respect of which such Compensation should be allowed; and the Commissioners in each Case shall award such gross or yearly Sum and for such Time as they shall think just to be awarded upon consideration of the special Circumstances of each Case; and all such Compensations shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided always, that if any Person holding any Office in any of the said Courts shall be appointed after the passing of this Act to any public Office or Employment, the Payment of the Compensation awarded to him under this Act, so long as he shall continue to receive the Salary or Emoluments of such Office or Employment, shall be suspended if the Amount of such Salary or Emoluments is greater than the Amount of such Compensation, or if not, shall be diminished by the Amount of such Salary or Emoluments: Provided also, that nothing in this Act contained shall be deemed to entitle any Person to Compensation for the Loss or Diminution of the Profits of any Office to which he shall have been appointed under any Act containing a Provision, either that he is not to be entitled to Compensation for the Loss or Diminution of the Profits of his Office, or that such Act should cease on or within a limited Time after the passing of any general Act for the Recovery of Small Debts, or under the Provisions of either of the said Acts of the Eighth Year of Her Majesty and of the Ninth Year of Her Majesty.

Officers of Courts may be paid by Salaries instead of Fees.

If Court abolished, no Compensation allowed, except in certain Cases.

XXXIX. And be it enacted, That it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to order that the Judges, Clerks, Bailiffs, and Officers of the Courts holden under this Act, or any of them, shall be paid by Salaries instead of Fees, or in any Manner other than is provided by this Act; and if Her Majesty shall be pleased, with the Advice aforesaid, to make such Order, or to order that any such Court shall be abolished, or that the District for which any such Court is holden shall be consolidated with any other District, or if any Act shall be passed whereby it shall be provided that the said Courts or any of them shall be abolished, or otherwise constituted than is provided by this Act, no such Clerk or Bailiff, nor any Judge, County Clerk, Treasurer, or other Officer of any such Court, shall be entitled to any Compensation on account of ceasing to hold his Office, or to receive the Fees allowed by this Act, or on account of his Emoluments being affected by such Abolition or Alteration, unless he shall have presided or acted as Judge, Assessor, County Clerk, Treasurer, Clerk, Bailiff, or other Officer, before the passing of this Act, in any of the Courts mentioned in the Schedule (A.) to this Act annexed, in which Case he shall be entitled to Compensation for the Loss of his Fees or Emoluments, in like Manner and subject to the same Regulations as he would have been entitled thereto under the Provisions herein contained in case he had been deprived of any Fees or Emoluments by reason of the passing of this Act; and in such Case all Sums payable in the Name of

Fees

Fees to such Officers of the Court as shall be paid by Salaries shall be paid from Time to Time to the Treasurer of the Court, who shall pay the said several Salaries out of the Proceeds of such Fees, and the Surplus shall form Part of the General Fund of the Court; and whenever the net Amount of the Fees shall not be sufficient to pay the said several Salaries, the Deficiency shall be made good and paid out of the Consolidated Fund of *Great Britain and Ireland*.

XL. And be it enacted, That the greatest Salaries to be received in any Case by the Judges and Clerks of the Courts holden under this Act shall be Twelve hundred Pounds by a Judge and Six hundred Pounds by a Clerk, exclusive of all Salaries to his Clerks employed in the Business of the Court, and other Expences incidental to his Office, unless in the Case of any Judge or Clerk of any such Court acting in the same Capacity before the passing of this Act in any Court mentioned in the said Schedule (A.), whose Salaries shall not be limited to any Sum less than the average Amount of the Fees and Emoluments of their respective Offices during the Seven Years next before the passing of this Act: Provided always, that it shall be lawful for the Commissioners of Her Majesty's Treasury to allow in each Case such Sum as they shall in each Case deem reasonable to defray travelling Expences, with reference to the Size and Circumstances of each District.

Limiting Amount of Salaries to be paid under this Act.

XLI. And be it enacted, That the Clerk of every Court holden under this Act, from Time to Time as often as he shall be required so to do by the Treasurer or Judge of the Court, and in such Form as the Treasurer or Judge shall require, shall deliver to the Treasurer a full Account in Writing of the Fees received in that Court under the Authority of this Act, and a like Account of all Fines levied by the Court, and of the Expences of levying the same, and shall pay over to the Treasurer, quarterly or oftener in every Year, by Order of the Court, the Monies remaining in his Hands over and above his own Fees, and such Balance as he shall be allowed by Order of the Court to retain for the current Expenditure of the Court.

Fees and Fines to be accounted for to Treasurer.

XLII. And be it enacted, That the Treasurer of every Court holden under this Act shall from Time to Time, quarterly or oftener, as shall be directed by Order of the Court, audit and settle the Accounts of the Clerk and other Officers of the Court, and shall receive the Balance of the various Monies which such Clerk and other Officers shall have received under this Act, and shall pay over to the Judge of the Court the Amount of his Fees, and make all such other Payments as it shall be requisite to make thereout in accordance with the Provisions of this Act, and shall from Time to Time pay the Balance remaining in his Hands, or so much thereof as he shall be directed to pay, into such Bank, or otherwise as shall be directed by the Commissioners of Her Majesty's Treasury.

Clerk's Accounts to be audited and settled by Treasurers.

XLIII. And be it enacted, That the Treasurer of every Court holden under this Act shall once in every Year, and oftener if required, on such Day as the Commissioners of Her Majesty's Treasury from Time to Time shall appoint, render to the Commissioners for auditing the Public Accounts of *Great Britain* a

Treasurer of the Court to render Accounts to Audit Board.

true Account in Writing of all Monies received and of all Monies disbursed by him on account of every Court holden under this Act of which he is Treasurer, during the Period comprised in such Account, in such Form, and with such Particulars of Receipt and Disbursement, or otherwise, as the said Commissioners of Audit shall from Time to Time require.

Commissioners of Treasury to direct how Balances shall be applied.

XLIV. And be it enacted, That the Commissioners of Her Majesty's Treasury shall from Time to Time make such Rules as to them shall seem meet for securing the Balances and other Sums of Money in the Hands of any Officers of every Court holden under this Act, and for the due accounting for and Application of all such Balances and other Sums of Money.

Accounts of Treasurers to be audited under Powers of 25 G. 3. c. 52.

XLV. And be it enacted, That the Accounts to be kept by the several Treasurers on account of the said Courts shall be examined and audited by the Commissioners for auditing the Public Accounts of *Great Britain*, under the Powers vested in them under an Act of the Twenty-fifth Year of the Reign of King *George the Third*, intituled *An Act for the better examining and auditing the Public Accounts of this Kingdom*, and under any Act now in force, or otherwise howsoever, except so far as the same are varied by this Act.

Clerk to send to Commissioners of Audit an Account of all Sums paid by him to Treasurer.

XLVI. And be it enacted, That the Clerk of every such Court shall once in every Year, and oftener if required, on such Day as shall be appointed by the Commissioners of Her Majesty's Treasury, make out and send to the said Commissioners of Audit an Account of all Sums paid over by him to the Treasurer of the Court, including all unclaimed Balances carried to the Account of the General Fund, as herein-after provided; and every such Account, duly vouched by Receipts given under the Hand of the Treasurer, shall be a Voucher to charge the Treasurer in his Account before the said Commissioners of Audit.

Accounts when audited to be sent to Treasury.

XLVII. And be it enacted, That it shall not be necessary to declare the Accounts of the said Treasurers before the Chancellor of the Exchequer, but the said Commissioners of Audit shall transmit a Statement of every Account examined and audited by them under the Authority of this Act to the Lord High Treasurer, or the Commissioners of Her Majesty's Treasury for the Time being, who, having considered such Statement, shall return the same to the Commissioners of Audit, together with his or their Warrant, directing them to make up and pass the Account, either conformably to the Statement, or with such Variations as he or they may deem just and reasonable; and the Account having been made up pursuant to such Directions, and signed by Two or more of the said Commissioners for auditing the Public Accounts, shall remain deposited in the Audit Office, and shall have the same Force and Validity, and be as efficient in Law for all Purposes whatsoever, as if the same had been declared according to the usual Course by the Chancellor of the Exchequer; and the said Commissioners shall thereupon, as soon as conveniently may be, cause such or the like Certificate thereof, in the Nature of a Quietus, to be made out and delivered, as is now practised by them with regard to declared Accounts, and which shall be equally valid and effectual to discharge the Accountants, and to all other Intents and Purposes.

XLVIII. And

XLVIII. And be it enacted, That the Treasurer of any Court holden under this Act for which a Court House and Offices, with necessary Appurtenances, shall not have been already provided, or where such Court House and Offices are inconvenient or insufficient, shall, as soon as conveniently may be, with the Approval of One of Her Majesty's Principal Secretaries of State, build, purchase, hire, or otherwise provide Messuages and Lands, with all necessary Appurtenances, fit for holding the Court therein, and for the Offices necessary for carrying on the Business of the said Court, or, instead of providing separate Buildings, may, with the like Approval, contract with any Person, being the Owner of or having the Control and Management of any County or Town Hall or other Building, for the Use and Occupation thereof, or of so much thereof as may be needed for the Purposes of this Act, and subject to such annual Rent, and to such Conditions as to the Repairs, Alterations, or Improvements of such Hall or Building, as may be agreed upon; and all Lands, Messuages, and other Real and Personal Estates and Effects belonging to the Court shall vest in the Treasurer for the Time being, and in his Successors in that Office, in trust for the Purposes of this Act.

Treasurers, with Approval of Secretary of State, to provide Court Houses, Offices, &c.

XLIX. And be it enacted, That it shall be lawful for any Court holden under this Act, with the Approval of One of Her Majesty's Principal Secretaries of State, to use as a Prison for the Purposes of this Act any Prison now belonging to any Court holden under any of the Acts cited in the said Schedules (A.) and (B.), in all Cases where it shall appear to the said Secretary of State that the Common Gaol or House of Correction of the County, District, or Place in which the Court is established is inconveniently situated, or is not applicable for the Use of the said Courts; and whenever any such Prison shall be so allowed to be used it shall be deemed One of the Common Gaols of the County for which it shall be used, as if it had been provided, after Presentment of the Insufficiency of One Common Gaol for such County, under the Provisions of an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to amend the Laws concerning Prisons*, or where such Prison shall be situated within a Borough having a separate Court of Sessions of the Peace, it shall be deemed a House of Correction for such Borough.

Where Common Gaols are inconvenient, Prisons belonging to Courts under Acts cited in Schedules (A.) and (B.) may be used.

5 & 6 Vict. c. 98.

L. And be it declared and enacted, That the Provisions of the Lands Clauses Consolidation Act, 1845, shall apply to the Purchase of Lands by the Treasurer of any such Court for the Purposes of this Act, except so much thereof as relates to the Purchase and taking of Lands otherwise than by Agreement; and in construing the said Act the Treasurer acting with the Approval of One of Her Majesty's Principal Secretaries of State shall be deemed the Promoter of the Undertaking for which such Lands are required.

Power for purchasing Land.

LI. And be it enacted, That for the Purpose of defraying the Expences of building, purchasing, or providing any Messuages and Lands for the Purposes aforesaid, it shall be lawful for the said Treasurer to borrow and take up at Interest so much Money as he shall find to be necessary, the Amount thereof, and the Rate of Interest in each Case being first allowed by the said Commis-

Treasurer empowered to borrow Money for the Purposes of this Act.

sioners of Her Majesty's Treasury; and the Treasurer may enter into and execute such Securities as may be required, and the Securities so entered into shall be binding on him and his Successors in the Office of Treasurer for securing Repayment of the Monies borrowed, with Interest for the same, out of the General Fund herein-after mentioned, and shall enter in a Book belonging to the Court, to be kept by him for that Purpose, the Names of the several Persons by whom any Money shall be advanced for the Purpose aforesaid, in the Order in which the same shall be advanced, and the Monies so borrowed shall be paid off in the same Order.

A General Fund to be raised for paying off Money borrowed.

LII. And be it enacted, That for raising a Fund for providing a Court House and Offices, and for paying off any Monies which may be borrowed as aforesaid, and the Interest due in respect thereof, the Clerk of every Court holden under the Authority of this Act, in which and while it shall be necessary to raise such Fund, shall demand and receive from the Plaintiff in any Suit brought in that Court the Sum of Sixpence when the Debt or Damage claimed shall exceed Twenty Shillings and shall not exceed Forty Shillings, and for every Claim exceeding Forty Shillings One Twentieth Part thereof, neglecting any Sum less than Sixpence in estimating such Twentieth Part, or such other Sum in either Case, not exceeding the Rates herein-before mentioned, as One of Her Majesty's Principal Secretaries of State, with the Consent of the Commissioners of Her Majesty's Treasury, from Time to Time shall order, which Sum, if not paid in the first instance by the Plaintiff upon Suit brought in the Court, may be deducted from the Sum recovered for the Plaintiff, and shall be considered as Costs in the Cause; and the Clerk of the Court shall keep an Account of all Monies so paid to him, and shall pay over the Amount from Time to Time to the Treasurer of the Court, and the Amount thereof shall accumulate to form a Fund to be called "The General Fund of the County Court of
at _____," and shall be applied in the

first place toward paying the Interest of the several Sums so borrowed, and in the second place toward paying the Rent and other Expences necessarily incurred in holding the Court, and in the third place toward paying off the several Principal Sums borrowed, in the Order in which they were borrowed, and in the fourth place toward defraying the other Expences herein charged on the said General Fund, in such Manner as the Judge, with the Approval of One of Her Majesty's Principal Secretaries of State, shall direct; and the Surplus which shall from Time to Time accumulate, after providing for all the said Expences, shall be paid over to the Credit of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*; subject nevertheless, to any Charge which may arise from any future Deficiency of the same Fund.

Property of Courts in Schedules (A.) and (B.) to vest in the Treasurer of the County Court.

LIII. And be it enacted, That, as soon as a Court shall have been established in any District under this Act, all Messuages, Lands, and Tenements, and all Real Estates and Effects, vested in or belonging to the Commissioners, Clerks, Treasurers, Trustees, or other Officers of any of the Courts mentioned in the said Schedules (A.) and (B.), which were holden in trust for the Purposes

of such Court, shall vest in or belong to the Treasurer of the County Court for the Time being, and his Successors in the said Office, in trust for the Purposes of this Act, for the like Estate and Interest, and subject to all the Covenants, Conditions, and Agreements on which the same were respectively holden; and the said Commissioners, Clerks, Treasurers, Trustees, and other Officers, their Heirs, Executors, and Administrators, shall be freed and discharged from all such Covenants, Conditions, and Agreements, and from the Consequences of their being unable to fulfil any Covenants or Agreements into which any of them may have lawfully entered in execution of the Provisions of any of the said Acts, on or before the Repeal of such Act, with respect to their Estate or Interest in such Messuages, Lands, Tenements, Real and Personal Estates and Effects, in consequence of the vesting thereof in the said Treasurer; and all Monies and Securities for Money, and other Property and Effects of any Kind whatsoever, in the Hands of the Commissioners, Clerks, Treasurers, Trustees, or other Officers of any such Court, shall be paid, transferred, and delivered to the said Treasurer, or to such Person as he shall appoint to receive the same, and shall be applied in discharging all Claims and Demands to which the same were liable in the Hands of such Commissioners, Clerks, Treasurers, Trustees, or other Officers, and the Residue thereof shall be applied to the same Purposes to which the General Fund is applicable.

LIV. And be it enacted, That it shall be lawful for the Treasurer of the County Court, with the Approval of the Commissioners of Her Majesty's Treasury, and upon the Certificate of the Expediency thereof under the Hand of the Judge, to sell and dispose of all Messuages, Lands, and Tenements which may be vested in him under the Provisions of this Act which shall not be needed for the Purposes of this Act, or which the Treasurers shall think ought to be sold for the Purpose of better enabling him to discharge any just Debts on account of any Court of which the Constitution shall be altered under this Act, or to provide other and more convenient Buildings for holding a County Court; and the Proceeds of all such Sales, and also all Monies and Securities for Money which shall be paid, transferred, or delivered to him on account of any such Court as aforesaid, shall be applied towards discharging such Debts; and in every Case in which at the Time of the Alteration of the Constitution of the Court there shall be any just Debts owing on account of any such Court, or any Salaries or Annuities legally or equitably chargeable upon or payable out of the Fees of such Court, or out of any Fund to which such Fees are payable, over and above what may be discharged by the Monies and Effects so paid, transferred, or delivered to the Treasurer on account of such Court, and over and above the Proceeds of the Sale of any such Messuages, Lands, and Tenements, in case the same or any Part thereof shall be sold, such Debts, Salaries, and Annuities shall be treated as if they were Debts which had been incurred for the Purpose of providing a Court House for holding the County Court for the District in which the Place is included where such Court was holden, and shall be liquidated out of the General Fund herein-before mentioned, if the same shall be sufficient for that Purpose, and any

Provisions for
outstanding
Liabilities.

Deficiency therein shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

Clerks to have the Charge of the Court Houses, &c., and to appoint and dismiss Servants, &c.

LIV. And be it enacted, That the Clerk of every Court shall have the Care of the Court House and Offices of the Court, and shall appoint and have Power to dismiss the necessary Servants for taking charge of such Court House and Offices, at such Salaries as shall be from Time to Time authorized by the Judge, with the Consent of the Commissioners of Her Majesty's Treasury; and the Clerk of the Court, under the Direction of the said Commissioners, and subject to such Regulations as they may require to be enforced, shall make all necessary Contracts or otherwise provide for repairing and furnishing, and for cleaning, lighting, and warming, the said Court House and Offices, and for supplying the said Court and Offices with Law and Office Books and Stationery, and for defraying all other necessary Expences not otherwise provided for incident to the holding of the said Court, and the Charge of the Court House and Offices, and Expences thereby incurred, shall be paid out of the General Fund of the Court: Provided always, that the Treasurer or Clerk of any Court, or the Partner of any such Treasurer or Clerk, or any Person in the Service or Employment of any such Treasurer or Clerk, shall not be directly or indirectly concerned or interested in any such Contract, or in supplying any Articles for the Use of the said Courts and Offices: Provided also, that no Payment for any such Charge shall be allowed in the Clerk's Accounts until allowed under the Hand of the Judge.

Judge to hold the Court where Her Majesty shall direct.

LVI. And be it enacted, That the Judge of each District shall attend and hold the County Court at each Place where Her Majesty shall have ordered that the County Court shall be holden within his District at such Times as he shall appoint for that Purpose, so that a Court shall be holden in every such Place once at least in every Calendar Month, or such other Interval as One of Her Majesty's Principal Secretaries of State shall in each Case order; and Notice of the Days on which the Court will be holden shall be put up in some conspicuous Place in the Court House and in the Office of the Clerk of the Court, and no other Notice thereof shall be needed; and whenever any Day so appointed for holding the Court shall be altered, Notice of such intended Alteration, and of the Time when it will take effect, shall be put up in some conspicuous Place in the Court House and in the Clerk's Office.

Notices for holding Courts to be put up in a conspicuous Place.

Process of the Court to be under Seal.

LVII. And be it enacted, That for every Court holden under this Act there shall be made a Seal of the Court, and all Summons and other Process issuing out of the said Court shall be sealed or stamped with the Seal of the Court; and every Person who shall forge the Seal or any Process of the Court, or who shall serve or enforce any such forged Process, knowing the same to be forged, or deliver or cause to be delivered to any Person any Paper falsely purporting to be a Copy of any Summons or other Process of the said Court, knowing the same to be false, or who shall act or profess to act under any false Colour or Pretence of the Process of the said Court, shall be guilty of Felony.

Jurisdiction of the Court.

LVIII. And be it enacted, That all Pleas of Personal Actions, where the Debt or Damage claimed is not more than Twenty Pounds, whether on Balance of Account or otherwise, may be

holden in the County Court, without Writ; and all such Actions brought in the said Court shall be heard and determined in a summary Way in a Court constituted under this Act, and according to the Provisions of this Act: Provided always, that the Court shall not have cognizance of any Action of Ejectment, or in which the Title to any corporeal or incorporeal Hereditaments, or to any Toll, Fair, Market, or Franchise, shall be in question, or in which the Validity of any Demise, Bequest, or Limitation under any Will or Settlement may be disputed, or for any malicious Prosecution, or for any Libel or Slander, or for Criminal Conversation, or for Seduction, or Breach of Promise of Marriage.

LIX. And be it enacted, That, on the Application of any Person desirous to bring a Suit under this Act, the Clerk of the Court shall enter in a Book to be kept for this Purpose in his Office a *Plaint in Writing*, stating the Names and the last known Places of Abode of the Parties, and the Substance of the Action intended to be brought, every one of which *Plaints* shall be numbered in every Year according to the Order in which it shall be entered; and thereupon a *Summons*, stating the Substance of the Action, and bearing the Number of the *Plaint* on the Margin thereof, shall be issued under the Seal of the Court according to such Form, and be served on the Defendant so many Days before the Day on which the Court shall be holden at which the Cause is to be tried, as shall be directed by the Rules made for regulating the Practice of the Court, as herein-after provided; and Delivery of such *Summons* to the Defendant, or in such other Manner as shall be specified in the Rules of Practice, shall be deemed good Service; and no Misnomer or inaccurate Description of any Person or Place in any such *Plaint* or *Summons* shall vitiate the same, so that the Person or Place be therein described so as to be commonly known.

Suits to be by
Plaint.

LX. And be it enacted, That such *Summons* may issue in any District in which the Defendant or One of the Defendants shall dwell or carry on his Business at the Time of the Action brought; or, by Leave of the Court for the District in which the Defendant or One of the Defendants shall have dwelt or carried on his Business, at some Time within Six Calendar Months next before the Time of the Action brought, or in which the Cause of Action arose, such *Summons* may issue in either of such last-mentioned Courts.

Summons may
issue, though
Cause of Action
may not arise
in the District.

LXI. And be it enacted, That any *Summons* or other Process which under this Act shall be required to be served out of the District of the Court from which the same shall have issued may be served by the *Bailiff* of any Court holden under this Act in any Part of *England*, and such Service shall be as valid as if the same had been made by the *Bailiff* of the Court out of which such *Summons* or other Process shall have issued within the Jurisdiction of the Court for which he acts.

Processes out of
District of
Court may be
served by *Bailiff*
of any other
Court.

LXII. And be it enacted, That Service of any *Summons* or other Process of the Court which shall require to be served out of the District of the Court may be proved by *Affidavit*, purporting to be sworn before any Judge of a County Court, or before a Master Extraordinary in Chancery, or any Person now authorized by Law to take *Affidavits*; and the Fee for taking such

Proof of Service
of Process out
of the District,
or in the Ab-
sence of the
Bailiff.

Affidavit

Affidavit shall not be more than One Shilling, and shall be Costs in the Cause ; and in every Case of the unavoidable Absence of the Bailiff by whom any Summons or other Process of the Court shall have been served the Service of such Summons or other Process may be proved, if the Judge shall think fit, in the same Manner as a Summons served out of the District of the Court, but without additional Charge to either of the Parties to the Suit.

Demands not to be divided for the Purpose of bringing Two or more Suits.

LXIII. And be it enacted, That it shall not be lawful for any Plaintiff to divide any Cause of Action for the Purpose of bringing Two or more Suits in any of the said Courts, but any Plaintiff having Cause of Action for more than Twenty Pounds, for which a Plaint might be entered under this Act if not for more than Twenty Pounds, may abandon the Excess, and thereupon the Plaintiff shall, on proving his Case, recover to an Amount not exceeding Twenty Pounds ; and the Judgment of the Court upon such Plaint shall be in full Discharge of all Demands in respect of such Cause of Action, and Entry of the Judgment shall be made accordingly.

Minors may sue for Wages.

LXIV. And be it enacted, That it shall be lawful for any Person under the Age of Twenty-one Years to prosecute any Suit in any Court holden under this Act for any Sum of Money not greater than Twenty Pounds which may be due to him for Wages or Piecework, or for Work as a Servant, in the same Manner as if he were of full Age.

Cases of Partnership and Intestacy.

LXV. And be it enacted, That the Jurisdiction of the County Court under this Act shall extend to the Recovery of any Demand, not exceeding the Sum of Twenty Pounds, which is the whole or Part of the unliquidated Balance of a Partnership Account, or the Amount or Part of the Amount of a distributive Share under an Intestacy, or of any Legacy under a Will.

Executors may sue and be sued.

LXVI. And be it enacted, That it shall be lawful for any Executor or Administrator to sue and be sued in any Court holden under this Act in like Manner as if he were a Party in his own Right and Judgment, and Execution shall be such as in the like Case would be given or issued in any Superior Court.

No Privilege allowed.

LXVII. And be it enacted, That no Privilege, except as herein-after excepted, shall be allowed to any Person to exempt him from the Jurisdiction of any Court holden under this Act.

One of several Persons liable may be sued.

LXVIII. And be it enacted, That where any Plaintiff shall have any Demand recoverable under this Act against Two or more Persons jointly answerable, it shall be sufficient if any of such Persons be served with Process, and Judgment may be obtained and Execution issued against the Person or Persons so served, notwithstanding that others jointly liable may not have been served or sued, or may not be within the Jurisdiction of the Court ; and every such Person against whom Judgment shall have been obtained under this Act, and who shall have satisfied such Judgment, shall be entitled to demand and recover in the County Court under this Act Contribution from any other Person jointly liable with him.

Judge alone to determine all Questions unless a Jury be summoned.

LXIX. And be it enacted, That the Judge of the County Court shall be the sole Judge in all Actions brought in the said Court, and shall determine all Questions as well of Fact as of Law, unless a Jury shall be summoned as herein-after mentioned ; and no

Suitors shall in any Case be summoned to hold or have any Jurisdiction in any Court holden under this Act.

LXX. And be it enacted, That in all Actions where the Amount claimed shall exceed Five Pounds it shall be lawful for the Plaintiff or Defendant to require a Jury to be summoned to try the said Action; and in all Actions where the Amount claimed shall not exceed Five Pounds it shall be lawful for the Judge, in his Discretion, on the Application of either of the Parties, to order that such Action be tried by a Jury; and in every Case such Jury shall be summoned according to the Provisions herein-after contained: Provided always, that the Party requiring a Jury to be summoned shall give to the Clerk of the Court, or leave at his Office, such Notice thereof as shall be directed by the Rules made for regulating the Practice of the Court as herein-after provided; and the said Clerk shall cause Notice of such Demand of a Jury, made either by the Plaintiff or Defendant, to be communicated to the other Party to the said Action, either by Post, or by causing the same to be delivered at his usual Place of Abode or Business; but it shall not be necessary for either Party to prove on the Trial that such Notice was communicated to the other Party by the Clerk.

Actions may be tried by a Jury when Parties require it.

LXXI. And be it enacted, That every Party requiring any Jury to be summoned shall at the Time of giving the said Notice, and before he shall be entitled to have such Jury summoned, pay to the Clerk of the Court the Sum of Five Shillings for Payment of the Jury, and such Sum shall be considered as Costs in the Cause, unless otherwise ordered by the Judge.

Party requiring Jury to make a Deposit.

LXXII. And be it enacted, That the Sheriff of every County, and the High Bailiffs of *Westminster* and *Southwark*, shall cause to be delivered to the Clerk of the Court a List of Persons qualified and liable to serve as Jurors in the Courts of Assize and Nisi Prius for their County, City, and Borough respectively, within Fourteen Days from the Receipt of the Jury Book from the Clerk of the Peace of the County or other Officer, each List containing only the Names of Persons residing within the Jurisdiction of the Court, for which List the said Sheriffs and High Bailiffs shall be entitled to receive out of the General Fund of the Court a Fee after the Rate of Two-pence for every Folio of Seventy-two Words; and whenever a Jury shall be required the Clerk of the Court shall cause so many of the Persons named in the List as shall be needed in the Opinion of the Judge to be summoned to attend the Court at a Time and Place to be mentioned in the Summons, and shall administer or cause to be administered to such of them as shall be impannelled to try any Cause or Causes an Oath to give true Verdicts according to the Evidence; and the Persons so summoned shall attend at the Court at the Time mentioned in the Summons, and in default of Attendance shall forfeit such Sum of Money as the Judge shall direct, not being more than Five Pounds for each Default; and the Delivery of such Summons to the Person whose Attendance is required on such Jury, or Delivery thereof to his Wife or Servant, or any Inmate at his usual Place of Abode, Trading, or Dealing, shall be deemed good Service: Provided always, that no Person shall be summoned or compelled to serve on such Jury more than Twice within One Year, or who shall

Who shall be Jurors.

have

have been summoned and shall have attended upon any Jury at the Assizes, or any Court of Nisi Prius, or at the Central Criminal Court for the same County, within Six Calendar Months next before the Delivery of such Summons.

Number of the Jury.

LXXIII. And be it enacted, That whenever there are any Jury Trials Five Jurymen shall be impannelled and sworn, as Occasion shall require, to give their Verdicts in the Causes which shall be brought before them in the said Court, and being once sworn shall not need to be re-sworn in each Trial; and either of the Parties to any such Cause shall be entitled to his lawful Challenge against all or any of the said Jurors in like Manner as he would be entitled in any Superior Court; and the Jurymen so sworn shall be required to give an unanimous Verdict.

Proceedings on hearing the Plaintiff.

LXXIV. And be it enacted, That on the Day in that Behalf named in the Summons the Plaintiff shall appear, and thereupon the Defendant shall be required to appear to answer such Plaintiff; and on Answer being made in Court the Judge shall proceed in a summary Way to try the Cause, and give Judgment, without further Pleading or formal Joinder of Issue.

No Evidence to be given that is not in Summons.

LXXV. And be it enacted, That no Evidence shall be given by the Plaintiff on the Trial of any such Cause as aforesaid of any Demand or Cause of Action, except such as shall be stated in the Summons hereby directed to be issued.

Notices to be given to the Clerk of special Defences, who shall communicate the same to the Plaintiff.

LXXVI. And be it enacted, That no Defendant in any Court holden under this Act shall be allowed to set off any Debt or Demand claimed or recoverable by him from the Plaintiff, or to set up by way of Defence and to claim and have the Benefit of Infancy, Coverture, or any Statute of Limitations, or of his Discharge under any Statute relating to Bankrupts, or any Act for Relief of Insolvent Debtors, without the Consent of the Plaintiff, unless such Notice thereof as shall be directed by the Rules made for regulating the Practice of the Court shall have been given to the Clerk of the Court; and in every Case in which the Practice of the Court shall require such Notice to be given the Clerk of the Court shall, as soon as conveniently may be, after receiving such Notice, communicate the same to the Plaintiff by the Post, or by causing the same to be delivered at his usual Place of Abode or Business; but it shall not be necessary for the Defendant to prove on the Trial that such Notice was communicated to the Plaintiff by the Clerk.

Suits may be settled by Arbitration.

LXXVII. And be it enacted, That the Judge may in any Case, with the Consent of both Parties to the Suit, order the same, with or without other Matters within the Jurisdiction of the Court in dispute between such Parties, to be referred to Arbitration, to such Person or Persons, and in such Manner, and on such Terms as he shall think reasonable and just; and such Reference shall not be revocable by either Party except by Consent of the Judge; and the Award of the Arbitrator or Arbitrators or Umpire shall be entered as the Judgment in the Cause, and shall be as binding and effectual to all Intents as if given by the Judge; provided that the Judge may, if he think fit, on Application to him at the first Court held after the Expiration of One Week after the Entry of such Award, set aside any such Award so given as aforesaid, or may, with the Consent of both Parties aforesaid, revoke the Reference,

ference, or order another Reference to be made in the Manner aforesaid.

LXXVIII. And be it enacted, That Five of the Judges of the Superior Courts of Common Law at *Westminster*, including the Lord Chief Justice of the Court of Queen's Bench, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, or One of the said Chiefs at the least, shall have Power to make and issue all the general Rules for regulating the Practice and Proceedings of the County Courts holden under this Act, and also to frame Forms for every Proceeding in the said Courts for which they shall think it necessary that a Form be provided, and also for keeping all Books, Entries, and Accounts to be kept by the Clerks of the said Courts, and from Time to Time to alter any such Rule or Form; and the Rules so made, and the Forms so framed, shall be observed and used in all the Courts holden under this Act; and in any Case not expressly provided for herein, or by the said Rules, the general Principles of Practice in the Superior Courts of Common Law may be adopted and applied, at the Discretion of the Judges, to Actions and Proceedings in their several Courts.

Forms of Procedure in Courts to be framed by the Judges.

LXXIX. And be it enacted, That if upon the Day of the Return of any Summons, or at any Continuation or Adjournment of the said Court, or of the Cause for which the said Summons shall have been issued, the Plaintiff shall not appear, the Cause shall be struck out; and if he shall appear, but shall not make Proof of his Demand to the Satisfaction of the Court, it shall be lawful for the Judge to nonsuit the Plaintiff, or to give Judgment for the Defendant, and in either Case, where the Defendant shall appear and shall not admit the Demand, to award to the Defendant, by way of Costs and Satisfaction for his Trouble and Attendance, such Sum as the Judge in his Discretion shall think fit, and such Sum shall be recoverable from the Plaintiff by such Ways and Means as any Debt or Damage ordered to be paid by the same Court can be recovered: Provided always, that if the Plaintiff shall not appear when called upon, and the Defendant, or some one duly authorized on his Behalf, shall appear, and admit the Cause of Action to the full Amount claimed, and pay the Fees payable in the first instance by the Plaintiff, the Court, if it shall think fit, may proceed to give Judgment as if the Plaintiff had appeared.

Proceedings if Plaintiff does not appear or prove his Case.

LXXX. And be it enacted, That if on the Day so named in the Summons, or at any Continuation or Adjournment of the Court or Cause in which the Summons was issued, the Defendant shall not appear, or sufficiently excuse his Absence, or shall neglect to answer when called in Court, the Judge, upon due Proof of Service of the Summons, may proceed to the Hearing or Trial of the Cause on the Part of the Plaintiff only, and the Judgment thereupon shall be as valid as if both Parties had attended: Provided always, that the Judge in any such Case, at the same or any subsequent Court, may set aside any Judgment so given in the Absence of the Defendant, and the Execution thereupon, and may grant a new Trial of the Cause, upon such Terms, if any, as to Payment of Costs, giving Security for Debt or Costs, or such other Terms as he may think fit, on sufficient Cause shown to him for that Purpose.

Proceedings if the Defendant does not appear.

LXXXI. And

Judge may
grant Time.

LXXXI. And be it enacted, That the Judge may in any Case make Orders for granting Time to the Plaintiff or Defendant to proceed in the Prosecution or Defence of the Suit, and also may from Time to Time adjourn any Court, or the Hearing or further Hearing of any Cause, in such Manner as to the Judge may seem fit.

Defendant may
pay Money
into Court.

LXXXII. And be it enacted, That it shall be lawful for the Defendant in any Action brought under this Act, within such Time as shall be directed by the Rules made for regulating the Practice of the Court, to pay into Court such Sum of Money as he shall think a full Satisfaction for the Demand of the Plaintiff, together with the Costs incurred by the Plaintiff up to the Time of such Payment; and Notice of such Payment shall be communicated by the Clerk of the Court to the Plaintiff by Post, or by causing the same to be delivered at his usual Place of Abode or Business; and the said Sum of Money shall be paid to the Plaintiff; but if he shall elect to proceed, and if the Plaintiff shall recover no further Sum in the Action than shall have been so paid into Court, the Plaintiff shall pay to the Defendant the Costs incurred by him in the said Action after such Payment; and such Costs shall be settled by the Court, and an Order shall thereupon be made by the Court for the Payment of such Costs by the Plaintiff.

Notice of such
Payment to be
given to Plain-
tiff.

Parties and
others may be
examined.

LXXXIII. And be it enacted, That on the Hearing or Trial of any Action or on any other Proceeding under this Act the Parties thereto, their Wives and all other Persons, may be examined, either on behalf of the Plaintiff or Defendant, upon Oath, or solemn Affirmation in those Cases in which Persons are by Law allowed to make Affirmation instead of taking an Oath, to be administered by the proper Officer of the Court.

False Evidence
deemed Perjury.

LXXXIV. And be it enacted, That every Person who in any Examination upon Oath or solemn Affirmation before any Judge of the County Court shall wilfully and corruptly give false Evidence shall be deemed guilty of Perjury.

Summonses to
Witnesses.

LXXXV. And be it enacted, That either of the Parties to the Suit or any other Proceeding under this Act may obtain, at the Office of the Clerk of the Court, Summonses to Witnesses, to be served by One of the Bailiffs of the Court, with or without a Clause requiring the Production of Books, Deeds, Papers, and Writings in their Possession or Control, and in any such Summons any Number of Names may be inserted.

Penalty on Wit-
nesses neglect-
ing Summonses.

LXXXVI. And be it enacted, That every Person on whom any such Summons shall have been served, either personally or in such other Manner as shall be directed by the general Rules or Practice of the Courts, and to whom at the same Time Payment or a Tender of Payment of his Expences shall have been made on such Scale of Allowance as shall be from Time to Time settled by the general Rules of Practice of the Court, and who shall refuse or neglect, without sufficient Cause, to appear, or to produce any Books, Papers, or Writings required by such Summons to be produced, and also every Person present in Court who shall be required to give Evidence, and who shall refuse to be sworn and give Evidence, shall forfeit and pay such Fine, not exceeding Ten Pounds, as the Judge shall set on him; and the whole or any

Part of such Fine, in the Discretion of the Judge, after deducting the Costs, shall be applicable toward indemnifying the Party injured by such Refusal or Neglect, and the Remainder thereof shall form Part of the General Fund of the Court in which the Fine was imposed.

LXXXVII. And be it enacted, That Payment of any Fine imposed by any Court under the Authority of this Act may be enforced upon the Order of the Judge in like Manner as Payment of any Debt adjudged in the said Court, and shall be accounted for as herein provided.

Fines how to be enforced and accounted for.

LXXXVIII. And be it enacted, That all the Costs of any Action or Proceeding in the Court, not herein otherwise provided for, shall be paid by or apportioned between the Parties in such Manner as the Judge shall think fit, and in default of any special Direction shall abide the Event of the Action, and Execution may issue for the Recovery of any such Costs in like Manner as for any Debt adjudged in the said Court.

Costs to abide the Event of the Action.

LXXXIX. And be it enacted, That every Order and Judgment of any Court holden under this Act, except as herein provided, shall be final and conclusive between the Parties, but the Judge shall have Power to nonsuit the Plaintiff in every Case in which satisfactory Proof shall not be given to him entitling either the Plaintiff or Defendant to the Judgment of the Court, and shall also in every Case whatever have the Power, if he shall think fit, to order a new Trial to be had upon such Terms as he shall think reasonable, and in the meantime to stay the Proceedings.

Judgments how far final.

XC. And be it enacted, That no Plaintiff entered in any Court holden under this Act shall be removed or removable from the said Court into any of Her Majesty's Superior Courts of Record by any Writ or Process, unless the Debt or Damage claimed shall exceed Five Pounds, and then only by Leave of a Judge of One of the said Superior Courts, in Cases which shall appear to the Judge fit to be tried in One of the Superior Courts, and upon such Terms as to Payment of Costs, giving Security for Debt or Costs, or such other Terms as he shall think fit.

No Actions to be removed into Superior Courts but on certain Conditions.

XCI. And be it enacted, That no Person shall be entitled to appear for any other Party to any Proceeding in any of the said Courts unless he be an Attorney of One of Her Majesty's Superior Courts of Record, or a Barrister at Law instructed by such Attorney on behalf of the Party, or, by Leave of the Judge, any other Person allowed by the Judge to appear instead of such Party; but no Barrister, Attorney, or other Person, except by Leave of the Judge, shall be entitled to be heard to argue any Question as Counsel for any other Person in any Proceeding in any Court holden under this Act; and no Person, not being an Attorney admitted to One of Her Majesty's Superior Courts of Record, shall be entitled to have or recover any Sum of Money for appearing or acting on behalf of any other Person in the said Court; and no Attorney shall be entitled to have or recover therefore any Sum of Money, unless the Debt or Damage claimed shall be more than Forty Shillings, or to have or recover more than Ten Shillings for his Fees and Costs, unless the Debt or Damage claimed shall be more than Five Pounds, or more than Fifteen Shillings in any Case within the summary Jurisdiction given by this

Who may appear for any Party in the Superior Courts.

this Act; and in no Case shall any Fee exceeding One Pound Three Shillings and Sixpence be allowed for employing a Barrister as Counsel in the Cause; and the Expence of employing a Barrister or an Attorney, either by Plaintiff or Defendant, shall not be allowed on Taxation of Costs in the Case of a Plaintiff where less than Five Pounds is recovered, or in the Case of a Defendant where less than Five Pounds is claimed, or in any Case unless by Order of the Judge.

Court may make Orders for Payment by Instalments.

XCII. And be it enacted, That the Judge may make Orders concerning the Time or Times and by what Instalments any Debt or Damages or Costs for which Judgment shall be obtained in the said Court shall be paid, and all such Monies shall be paid into Court, unless the Judge shall otherwise direct.

Cross Judgments.

XCIII. And be it enacted, That if there shall be cross Judgments between the Parties Execution shall be taken out by that Party only who shall have obtained Judgment for the larger Sum, and for so much only as shall remain after deducting the smaller Sum, and Satisfaction for the Remainder shall be entered, as well as Satisfaction on the Judgment for the smaller Sum, and if both Sums shall be equal Satisfaction shall be entered upon both Judgments.

Court may award Execution against Goods.

XCIV. And be it enacted, That whenever the Judge shall have made an Order for the Payment of Money, the Amount shall be recoverable, in case of Default or Failure of Payment thereof forthwith, or at the Time or Times and in the Manner thereby directed, by Execution against the Goods and Chattels of the Party against whom such Order shall be made; and the Clerk of the said Court, at the Request of the Party prosecuting such Order, shall issue under the Seal of the Court a Writ of Fieri facias as a Warrant of Execution to the High Bailiff of the Court, who by such Warrant shall be empowered to levy, or cause to be levied, by Distress and Sale of the Goods and Chattels of such Party such Sum of Money as shall be so ordered, wheresoever they may be found within the District of the Court, whether within Liberties or without, and also the Costs of the Execution; and all Constables and other Peace Officers within their several Jurisdictions shall aid in the Execution of every such Warrant.

Execution not to issue till after Default in Payment of some Instalment, &c.

XCv. And be it enacted, That if the Judge shall have made any Order for Payment of any Sum of Money by Instalments, Execution upon such Order shall not issue against the Party until after Default in Payment of some Instalment according to such Order, and Execution or successive Executions may then issue for the whole of the said Sum of Money and Costs then remaining unpaid, or for such Portion thereof as the Judge shall order, either at the Time of making the original Order, or at any subsequent Time, under the Seal of the Court.

What Goods may be taken in Execution.

XCvI. And be it enacted, That every Bailiff or Officer executing any Process of Execution issuing out of the said County Court against the Goods and Chattels of any Person may by virtue thereof seize and take any of the Goods and Chattels of such Person (excepting the Wearing Apparel and Bedding of such Person or his Family, and the Tools and Implements of his Trade to the Value of Five Pounds, which shall to that Extent be protected from such Seizure), and may also seize and take any Money or
Bank

Bank Notes (whether of the Bank of *England* or of any other Bank), and any Cheques, Bills of Exchange, Promissory Notes, Bonds, Specialties, or Securities for Money, belonging to any such Person against whom any such Execution shall have issued as aforesaid.

XCVII. And be it enacted, That the High Bailiff shall hold any Cheques, Bills of Exchange, Promissory Notes, Bonds, Specialties, or other Securities for Money which shall have been so seized or taken as aforesaid, as a Security or Securities for the Amount directed to be levied by such Execution, or so much thereof as shall not have been otherwise levied or raised for the Benefit of the Plaintiff; and the Plaintiff may sue in the Name of the Defendant, or in the Name of any Person in whose Name the Defendant might have sued, for the Recovery of the Sum or Sums secured or made payable thereby, when the Time of Payment thereof shall have arrived.

Securities seized to be held by High Bailiff.

XCVIII. And be it enacted, That it shall be lawful for any Party who has obtained any unsatisfied Judgment or Order in any Court held by virtue of this Act, or under any Act repealed by this Act, for the Payment of any Debt or Damages or Costs, to obtain a Summons from any County Court within the Limits of which any other Party shall then dwell or carry on his Business, such Summons to be in such Form as shall be directed by the Rules made for regulating the Practice of the County Courts as herein provided, and to be served personally upon the Person to whom it is directed, requiring him to appear at such Time as shall be directed by the said Rules to answer such Things as are named in such Summons; and if he shall appear in pursuance of such Summons he may be examined upon Oath touching his Estate and Effects, and the Manner and Circumstances under which he contracted the Debt or incurred the Damages or Liability which is the Subject of the Action in which Judgment has been obtained against him, and as to the Means and Expectation he then had, and as to the Property and Means he still hath, of discharging the said Debt or Damages or Liability, and as to the Disposal he may have made of any Property; and the Person obtaining such Summons as aforesaid, and all other Witnesses whom the Judge shall think requisite, may be examined upon Oath touching the Inquiries authorized to be made as aforesaid; and the Costs of such Summons and of all Proceedings thereon shall be deemed Costs in the Cause.

Parties having obtained an unsatisfied Judgment may obtain a Summons on Charge of Fraud.

XCIX. And be it enacted, That if the Party so summoned shall not attend as required by such Summons, and shall not allege a sufficient Excuse for not attending, or shall, if attending, refuse to be sworn, or to disclose any of the Things aforesaid, or if he shall not make answer touching the same to the Satisfaction of such Judge, or if it shall appear to such Judge, either by the Examination of the Party or by any other Evidence, that such Party, if a Defendant, in incurring the Debt or Liability which is the Subject of the Action in which Judgment has been obtained has obtained Credit from the Plaintiff under false Pretences, or by means of Fraud or Breach of Trust, or has wilfully contracted such Debt or Liability without having had at the same Time a reasonable Expectation of being able to pay or discharge the

Commitment for Frauds, &c.

same, or shall have made or caused to be made any Gift, Delivery, or Transfer of any Property, or shall have charged, removed, or concealed the same, with Intent to defraud his Creditors or any of them, or if it shall appear to the Satisfaction of the Judge of the said Court that the Party so summoned has then, or has had since the Judgment obtained against him, sufficient Means and Ability to pay the Debt or Damages or Costs so recovered against him, either altogether, or by any Instalment or Instalments which the Court in which the Judgment was obtained shall have ordered, and if he shall refuse or neglect to pay the same as shall have been so ordered, or as shall be ordered pursuant to the Power herein after provided, it shall be lawful for such Judge, if he shall think fit, to order that any such Party may be committed to the Common Gaol or House of Correction of the County, District, or Place in which the Party summoned is resident, or to any Prison which shall be provided as the Prison of the Court, for any Period not exceeding Forty Days.

Power of Judge to rescind or alter Orders.

C. And be it enacted, That it shall be lawful for the Judge of any Court before whom such Summons shall be heard, if he shall think fit, whether or not he shall make any Order for the Commitment of the Defendant, to rescind or alter any Order that shall have been previously made against any Defendant so summoned before him for the Payment, by Instalments or otherwise, of any Debt or Damages recovered, and to make any further or other Order, either for the Payment of the whole of such Debt or Damages and Costs forthwith, or by any Instalments, or in any other Manner as such Judge may think reasonable and just.

Power to examine and commit at Hearing of the Cause.

CI. And be it enacted, That in every Case where the Defendant in any Suit brought in any County Court shall have been personally served with the Summons to appear or shall personally appear at the Trial of the same, the Judge at the Hearing of the Cause, or at any Adjournment thereof if Judgment shall be given against the Defendant, shall have the same Power and Authority of examining the Defendant and the Plaintiff and other Parties touching the several Things herein-before mentioned, and of committing the Defendant to Prison, and of making an Order, as he might have and exercise under the Provisions herein-before contained in case the Plaintiff had obtained a Summons for that Purpose after the Judgment obtained as herein-before mentioned.

Mode of issuing and executing Warrants of Commitment.

CII. And be it enacted, That whenever any Order of Commitment shall have been made as aforesaid the Clerk of the said Court shall issue under the Seal of the Court a Warrant of Commitment, directed to One of the Bailiffs of any County Court, who by such Warrant shall be empowered to take the Body of the Person against whom such Order shall be made; and all Constables and other Peace Officers within their several Jurisdictions shall aid in the Execution of every such Warrant; and the Gaoler or Keeper of every Gaol, House of Correction, and Prison mentioned in any such Order shall be bound to receive and keep the Defendant therein until discharged under the Provisions of this Act, or otherwise by due Course of Law; and no Protection, Order, or Certificate granted by any Court of Bankruptcy, or for the Relief of Insolvent Debtors, shall be available to discharge any

any Defendant from any Commitment under such last-mentioned Order.

CIII. And be it enacted, That no Imprisonment under this Act shall in anywise operate as a Satisfaction or Extinguishment of the Debt or other Cause of Action on which a Judgment has been obtained, or protect the Defendant from being anew summoned, and imprisoned for any new Fraud or other Default rendering him liable to be imprisoned under this Act, or deprive the Plaintiff of any Right to take out Execution against the Goods and Chattels of the Defendant, in the same Manner as if such Imprisonment had not taken place.

Imprisonment not to operate as a Satisfaction for the Debt, &c.

CIV. And be it enacted, That in all Cases where a Warrant of Execution shall have issued against the Goods and Chattels of any Party, or an Order for his Commitment shall have been made under this Act, and such Party, or his Goods and Chattels, shall be out of the Jurisdiction of the Court, it shall be lawful for the High Bailiff of the Court to send such Warrant of Execution or of Commitment to the Clerk of any other Court constituted under this Act, within the Jurisdiction of which such Party, or his Goods and Chattels, shall then be or be believed to be, with a Warrant thereto annexed, under the Hand of the High Bailiff and Seal of the Court from which the original Warrant issued, requiring Execution of the same, and the Clerk of the Court to which the same shall be sent shall seal or stamp the same with the Seal of his Court, and issue the same to the High Bailiff of his Court, and thereupon such last-mentioned High Bailiff shall be authorized and required to act in all respects as if the original Warrant of Execution or Commitment had been directed to him by the Court of which he is the High Bailiff, and shall, within such Time as shall be specified in the Rules of Practice, return to the High Bailiff of the Court from which the same originally issued, what he shall have done in the Execution of such Process, and in case a Levy shall have been made shall, within such Time as shall be specified in the Rules of Practice, pay over all Monies received in pursuance of the Warrant to the High Bailiff of the Court from which the same shall have originally issued, retaining the Fees for Execution of the Process; and where any Order of Commitment shall have been made, and the Person apprehended, he shall be forthwith conveyed, in Custody of the Bailiff or Officer apprehending him, to the Gaol or House of Correction or other Prison of the Court within the Jurisdiction of which he shall have been apprehended, and kept therein for the Time mentioned in the Warrant of Commitment, unless sooner discharged under the Provisions of this Act; and all Constables and other Peace Officers shall be aiding and assisting within their respective Districts in the Execution of such Warrant.

How Execution may be had out of the Jurisdiction of the Court.

CV. And be it enacted, That if it shall at any Time appear to the Satisfaction of the Judge, by the Oath or Affirmation of any Person, or otherwise, that any Defendant is unable, from Sickness or other sufficient Cause, to pay and discharge the Debt or Damages recovered against him, or any Instalment thereof ordered to be paid as aforesaid, it shall be lawful for the Judge, in his Discretion, to suspend or stay any Judgment, Order, or Execution given, made, or issued in such Action, for such Time and

Power to Judge to suspend Execution in certain Cases.

on such Terms as the Judge shall think fit, and so from Time to Time until it shall appear by the like Proof as aforesaid that such temporary Cause of Disability has ceased.

Regulating the Sale of Goods taken in Execution.

CVI. And be it enacted, That no Sale of any Goods which shall be taken in Execution as aforesaid shall be until after the End of Five Days at least next following the Day on which such Goods shall have been so taken, unless such Goods be of a perishable Nature, or upon the Request in Writing of the Party whose Goods shall have been taken; and until such Sale the Goods shall be deposited by the Bailiff in some fit Place, or they may remain in the Custody of a fit Person approved by the High Bailiff, to be put in possession by the Bailiff; and it shall be lawful for the High Bailiff, from Time to Time as he shall think proper, to appoint such and so many Persons for keeping Possession, and so many Sworn Brokers and Appraisers for the Purpose of selling or valuing any Goods, Chattels, or Effects taken in Execution under this Act, as shall appear to him to be necessary, and to direct Security to be taken from each of them, for such Sum and in such Manner as he shall think fit, for the faithful Performance of their Duties without Injury or Oppression; and the Judge or High Bailiff may dismiss any Person, Broker, or Appraiser so appointed; and no Goods taken in Execution under this Act shall be sold for the Purpose of satisfying the Warrant of Execution except by One of the Brokers or Appraisers so appointed; and the Brokers or Appraisers so appointed shall be entitled to have, out of the Produce of the Goods so distrained or sold, Sixpence in the Pound on the Value of the Goods for the Appraisal thereof, whether by One Broker or more, over and above the Stamp Duty, and for Advertisements, Catalogues, Sale and Commission, and Delivery of Goods, One Shilling in the Pound on the net Produce of the Sale.

As to the Liability of Goods taken in Execution under 8 Anne, c. 17.

CVII. And be it enacted, That so much of an Act passed in the Eighth Year of the Reign of Queen Anne, intituled *An Act for the better Security of Rents, and to prevent Frauds committed by Tenants*, as relates to the Liability of Goods taken by virtue of any Execution, shall not be deemed to apply to Goods taken in Execution under the Process of any Court holden under this Act; but the Landlord of any Tenement in which any such Goods shall be so taken shall be entitled, by any Writing under his Hand or under the Hand of his Agent, to be delivered to the Bailiff or Officer making the Levy, which Writing shall state the Terms of holding, and the Rent payable for the same, to claim any Rent in arrear then due to him, not exceeding the Rent of Four Weeks where the Tenement is let by the Week, and not exceeding the Rent accruing due in Two Terms of Payment where the Tenement is let for any other Term less than a Year, and not exceeding in any Case the Rent accruing due in One Year; and in case of any such Claim being so made the Bailiff or Officer making the Levy shall distrain as well for the Amount of the Rent so claimed, and the Costs of such additional Distress, as for the Amount of Money and Costs for which the Warrant of Execution issued under this Act, and shall not proceed to sell the same or any Part thereof within Five Days next after such Dis-

Landlords may claim certain Rents in arrear.

Bailiffs making Levies may distrain for Rent and Costs.

treſs taken; and if any Replevin be made of the Goods ſo taken, ſuch of the Goods ſhall be ſold under the Execution as ſhall ſatisfy the Money and Coſts for which the Warrant of Execution iſſued, and the Coſts of the Sale; and the Overplus of ſuch Sale (if any), and alſo the Reſidue of the Goods, ſhall be returned as in other Caſes of Diſtreſs for Rent, and Replevin thereof; and for every ſuch additional Diſtreſs for Rent in arrear the High Bailiff of the Court ſhall be entitled to have as the Coſts of the Diſtreſs, inſtead of the Fees allowed by this Act for making ſuch Diſtreſs, and keeping Poſſeſſion thereof, the Fees allowed by an Act paſſed in the Fifty-ſeventh Year of the Reign of King George the Third, intituled *An Act to regulate the Coſts of Diſtreſſes levied for Payment of ſmall Rents.* 57 G. 3. c. 93.

CVIII. And be it enacted, That no Judgment or Execution ſhall be ſtayed, delayed, or reversed upon or by any Writ of Error, or Supersedeas thereon, to be ſued for the reversing of any Judgment given in any Court holden under the Proviſions of this Act. No Execution ſhall be ſtayed by Writ of Error.

CIX. And be it enacted, That in or upon every Warrant of Execution iſſued againſt the Goods and Chattels of any Perſon whomſoever the Clerk of the Court ſhall cauſe to be inſerted or endorsed the Sum of Money and Coſts adjudged, with the Sums allowed by this Act as increased Coſts for the Execution of ſuch Warrant; and if the Party againſt whom ſuch Execution ſhall be iſſued ſhall, before an actual Sale of the Goods and Chattels, pay or cauſe to be paid or tendered unto the Clerk of the Court out of which ſuch Warrant of Execution has iſſued, or to the Bailiff holding the Warrant of Execution, ſuch Sum of Money and Coſts as aforeſaid, or ſuch Part thereof as the Perſon entitled thereto ſhall agree to accept in full of his Debt or Damages and Coſts, together with the Fees herein directed to be paid, the Execution ſhall be ſuperseded, and the Goods and Chattels of the ſaid Party ſhall be diſcharged and ſet at liberty. Execution to be ſuperseded on Payment of Debt and Coſts.

CX. And be it enacted, That any Perſon impriſoned under this Act who ſhall have paid or ſatisfied the Debt or Demand, or the Inſtalments thereof payable, and Coſts remaining due at the Time of the Order of Impriſonment being made, together with the Coſts of obtaining ſuch Order, and all ſubſequent Coſts, ſhall be diſcharged out of Cuſtody, upon the Certificate of ſuch Payment or Satisfaction, ſigned by the Clerk of the Court, by Leave of the Judge of the Court in which the Order of Impriſonment was made. Debtor to be diſcharged from Cuſtody upon Payment of Debt and Coſts.

CXI. And be it enacted, That the Clerk of every Court holden under this Act ſhall cauſe a Note of all Plaints and Summonſes, and of all Orders, and of all Judgments and Executions, and Returns thereto, and of all Fines, and of all other Proceedings of the Court, to be fairly entered from Time to Time in a Book belonging to the Court, which ſhall be kept at the Office of the Court; and ſuch Entries in the ſaid Book, or a Copy thereof bearing the Seal of the Court, and purporting to be ſigned and certified as a true Copy by the Clerk of the Court, ſhall at all Times be admitted in all Courts and Places whatſoever as Evidence of ſuch Entries, and of the Proceeding referred to by ſuch Entry or Entries, and of the Regularity of ſuch Proceeding, without any further Proof. Minutes of Proceedings to be kept.

Suitors Money
unclaimed in Six
Years to go to
General Fund.

CXII. And be it enacted, That the Clerk or Clerks of every such Court shall in the Month of *March* in each Year make out a correct List of all Sums of Money belonging to Suitors in the Court which shall have been paid into Court, and which shall have remained unclaimed for Five Years before the First Day of the Month of *January* then last past, specifying the Names of the Parties for whom or on whose Account the same were so paid into Court; and a Copy of such List shall be put up and remain during Court Hours in some conspicuous Part of the Court House, and at all Times in the Clerk's Office, and all Sums of Money which shall have been paid into any such Court, to the Use of any Suitor or Suitors thereof, and which shall have remained unclaimed for the Period of Six Years before the passing of this Act, and which are now in the Hands of any Commissioner, Trustee, Judge, or Officer of such Court, or otherwise held in trust for such Suitors, and all further Sums of Money which shall hereafter be paid into any such Court, to the Use of any Suitor or Suitors thereof, shall, if unclaimed for the Period of Six Years after the same shall have been so paid into Court, be applicable as Part of the General Fund of the Court, and shall be carried to the Account of such Fund, and no Person shall be entitled to claim any Sum which shall have remained unclaimed for Six Years; but no Time during which the Person entitled to claim such Sum shall have been an Infant or Feme Covert, or of unsound Mind, or beyond the Seas, shall be taken into account in estimating the said Period of Six Years.

Power of Com-
mittal for
Contempt.

CXIII. And be it enacted, That if any Person shall wilfully insult the Judge or any Juror, or any Bailiff, Clerk, or Officer of the said Court, for the Time being, during his Sitting or Attendance in Court, or in going to or returning from the Court, or shall wilfully interrupt the Proceedings of the Court, or otherwise misbehave in Court, it shall be lawful for any Bailiff or Officer of the Court, with or without the Assistance of any other Person, by the Order of the Judge, to take such Offender into Custody, and detain him until the rising of the Court; and the Judge shall be empowered, if he shall think fit, by a Warrant under his Hand, and sealed with the Seal of the Court, to commit any such Offender to any Prison to which he has Power to commit Offenders under this Act for any Time not exceeding Seven Days, or to impose upon any such Offender a Fine not exceeding Five Pounds for every such Offence, and in default of Payment thereof to commit the Offender to any such Prison as aforesaid for any Time not exceeding Seven Days, unless the said Fine be sooner paid.

Penalty for as-
saulting Bailiffs,
or rescuing
Goods taken
in Execution.

CXIV. And be it enacted, That if any Officer or Bailiff of any Court holden under this Act shall be assaulted while in the Execution of his Duty, or if any Rescue shall be made or attempted to be made of any Goods levied under Process of the Court, the Person so offending shall be liable to a Fine not exceeding Five Pounds, to be recovered by Order of the Court, or before a Justice of the Peace as herein-after provided; and it shall be lawful for the Bailiff of the Court or any Peace Officer in any such Case to take the Offender into Custody (with or without Warrant), and bring him before such Court or Justice accordingly.

CXV. And

CXV. And be it enacted, That in case any Bailiff of the said Court who shall be employed to levy any Execution against Goods and Chattels shall, by Neglect, or Connivance-or Omission, lose the Opportunity of levying any such Execution, then upon Complaint of the Party aggrieved by reason of such Neglect, Connivance, or Omission, (and the Fact alleged being proved to the Satisfaction of the Court on the Oath of any credible Witness,) the Judge shall order such Bailiff to pay such Damages as it shall appear that the Plaintiff has sustained thereby, not exceeding in any Case the Sum of Money for which the said Execution issued, and the Bailiff shall be liable thereto ; and upon Demand made thereof, and on his Refusal so to pay and satisfy the same, Payment thereof shall be enforced by such Ways and Means as are herein provided for enforcing a Judgment recovered in the said Court.

Bailiffs made answerable for Escapes, and Neglect to levy Execution.

CXVI. And be it enacted, That if any Clerk, Bailiff, or Officer of the Court, acting under Colour or Pretence of the Process of the said Court, shall be charged with Extortion or Misconduct, or with not duly paying or accounting for any Money levied by him under the Authority of this Act, it shall be lawful for the Judge to inquire into such Matter in a summary Way, and for that Purpose to summon and enforce the Attendance of all necessary Parties in like Manner as the Attendance of Witnesses in any Case may be enforced, and to make such Order thereupon for the Repayment of any Money extorted, or for the due Payment of any Money so levied as aforesaid, and for the Payment of such Damages and Costs, as he shall think just ; and also, if he shall think fit, to impose such Fine upon the Clerk, Bailiff, or Officer, not exceeding Ten Pounds for each Offence, as he shall deem adequate ; and in default of Payment of any Money so ordered to be paid Payment of the same may be enforced by such Ways and Means as are herein provided for enforcing a Judgment recovered in the said Court.

Remedies against, and Penalties on, Bailiffs and other Officers for Misconduct.

CXVII. And be it enacted, That every Treasurer, Clerk, Bailiff, or other Officer employed in putting this Act or any of the Powers thereof in execution, who shall wilfully and corruptly exact, take, or accept any Fee or Reward whatsoever, other than and except such Fees as are or shall be appointed and allowed respectively as aforesaid, for or on account of any thing done or to be done by virtue of this Act, or on any Account whatsoever relative to putting this Act into execution, shall, upon Proof thereof before the said Court, and in the Case of a Clerk, Treasurer, or High Bailiff on Allowance of the Finding of the Court by the Lord Chancellor, be for ever incapable of serving or being employed under this Act in any Office of Profit or Emolument, and shall also be liable for Damages as herein provided.

Penalty on Officers taking wrong Fees.

CXVIII. And be it enacted, That if any Claim shall be made to or in respect of any Goods or Chattels taken in Execution under the Process of any Court holden under this Act, or in respect of the Proceeds or Value thereof, by any Landlord for Rent, or by any Person not being the Party against whom such Process has issued, it shall be lawful for the Clerk of the Court, upon Application of the Officer charged with the Execution of such Process, as well before as after any Action brought against

Claims as to Goods taken in Execution to be adjudicated in Court.

such Officer, to issue a Summons calling before the said Court as well the Party issuing such Process as the Party making such Claim, and thereupon any Action which shall have been brought in any of Her Majesty's Superior Courts of Record, or in any local or inferior Court, in respect of such Claim, shall be stayed, and the Court in which such Action shall have been brought, or any Judge thereof, on Proof of the Issue of such Summons, and that the Goods and Chattels were so taken in Execution, may order the Party bringing such Action to pay the Costs of all Proceedings had upon such Action after the Issue of such Summons out of the County Court; and the Judge of the County Court shall adjudicate upon such Claim, and make such Order between the Parties in respect thereof, and of the Costs of the Proceedings, as to him shall seem fit, and such Order shall be enforced in like Manner as any Order made in any Suit brought in such Court.

Actions of Replevin may be brought without Writ.

Plaints where to be entered.

How Actions of Replevin may be removed.

CXIX. And be it declared and enacted, That all Actions of Replevin in Cases of Distress for Rent in arrear or Damage faisant which shall be brought in the County Court shall be brought without Writ in a Court held under this Act.

CXX. And be it enacted, That in every such Action of Replevin the Plaintiff shall be entered in the Court holden under this Act for the District wherein the Distress was taken.

CXXI. And be it enacted, That in case either Party to any such Action of Replevin shall declare to the Court in which such Action shall be brought that the Title to any corporeal or incorporeal Hereditament, or to any Toll, Market, Fair, or Franchise, is in question, or that the Rent or Damage in respect of which the Distress shall have been taken is more than the Sum of Twenty Pounds, and shall become bound, with Two sufficient Sureties, to be approved by the Clerk of the Court, in such Sums as to the Judge shall seem reasonable, regard being had to the Nature of the Claim, and the alleged Value or Amount of the Property in dispute, or of the Rent or Damage, to prosecute the Suit with Effect and without Delay, and to prove before the Court by which such Suit shall be tried that such Title as aforesaid is in dispute between the Parties, or that there was Ground for believing that the said Rent or Damage was more than Twenty Pounds, then, and not otherwise, the Action may be removed before any Court competent to try the same in such Manner as hath been accustomed.

Possession of small Tenements may be recovered by Plaintiff in County Court.

CXXII. And be it enacted, That when and so soon as the Term and Interest of the Tenant of any House, Land, or other corporeal Hereditament, where the Value of the Premises or the Rent payable in respect of such Tenancy did not exceed the Sum of Fifty Pounds by the Year, and upon which no Fine shall have been paid, shall have ended, or shall have been duly determined by a legal Notice to quit, and such Tenant, or if such Tenant do not actually occupy the Premises, or occupy only a Part thereof, any Person by whom the same or any Part thereof shall be then actually occupied, shall neglect or refuse to quit and deliver up Possession of the Premises, or of such Part thereof respectively, it shall be lawful for the Landlord or his Agent to enter a Plaintiff in the County Court to be holden under this Act, and thereupon a Summons

a Summons shall issue to the Person so neglecting or refusing ; and if the Tenant or Occupier shall not thereupon appear at the Time and Place appointed, and show cause to the contrary, and shall still neglect or refuse to deliver up Possession of the Premises, or of such Part thereof of which he is then in possession, to the said Landlord or his Agent, it shall be lawful for such Landlord or Agent to give to the Court Proof of the holding, and of the End or other Determination of the Tenancy, with the Time or Manner thereof, and, where the Title of the Landlord has accrued since the letting of the Premises, the Right by which he claims the Possession ; and upon Proof of Service of the Summons, and of the Neglect or Refusal of the Tenant or Occupier, as the Case may be, it shall be lawful for the Judge to issue a Warrant under the Seal of the Court to any Bailiff of the Court, requiring and authorizing him within a Period to be therein named, not less than Seven or more than Ten clear Days from the Date of such Warrant, to give Possession of the Premises to such Landlord or Agent ; and such Warrant shall be a sufficient Warrant to the said Bailiff to enter upon the Premises, with such Assistants as he shall deem necessary, and to give Possession accordingly : Provided always, that Entry upon any such Warrant shall not be made on a *Sunday, Good Friday, or Christmas Day*, or at any Time except between the Hours of Nine in the Morning and Four in the Afternoon : Provided also, that nothing herein contained shall be deemed to protect any Person by whom any such Warrant shall be sued out of the County Court from any Action which may be brought against him by any such Tenant or Occupier for or in respect of such Entry and taking possession where such Person had not, at the Time of suing out the same as aforesaid, lawful Right to the Possession of the same Premises.

If Tenant, &c. neglect to appear, or refuse to give Possession, Judge may, on Proof of Service of Summons, issue Warrant to enforce the same.

CXXIII. And be it enacted, That such Summons as last aforesaid may be served either personally or by leaving the same with some Person being in and apparently residing at the Place of Abode of the Person or Persons so holding over as aforesaid ; provided that if the Person or Persons so holding over, or any or either of them, cannot be found, and the Place of Abode of such Person or Persons shall either not be known, or Admission thereto cannot be obtained for serving such Summons, the posting of the said Summons on some conspicuous Part of the Premises so held over shall be deemed to be good Service upon such Person or Persons respectively.

The Manner in which such Summons shall be served.

CXXIV. And be it enacted, That it shall not be lawful to bring any Action or Prosecution against the Judge or against the Clerk of the Court by whom such Warrant as aforesaid shall have been issued, or against any Bailiff or other Person by whom such Warrant may be executed or Summons affixed, for issuing such Warrant, or executing the same respectively, or affixing such Summons, by reason that the Person by whom the same shall be sued out had not lawful Right to the Possession of the Premises.

Judges, Clerks, Bailiffs, or other Officers not liable to Actions on account of Proceedings taken.

CXXV. And be it enacted, That where the Landlord at the Time of applying for such Warrant as aforesaid had lawful Right to the Possession of the Premises, or of the Part thereof so held over as aforesaid, neither the said Landlord nor his Agent, nor any other Person acting in his Behalf, shall be deemed to be a

Where Landlord has a lawful Title, he shall not be deemed a Trespasser by reason of Irregularity.

Trespasser

Trespasser by reason merely of any Irregularity or Informality in the Mode of proceeding for obtaining Possession under the Authority of this Act, but the Party aggrieved may, if he think fit, bring an Action on the Case for such Irregularity or Informality, in which the Damage alleged to be sustained thereby shall be specially laid, and may recover full Satisfaction for such special Damage, with Costs of Suit; provided that if the special Damage so laid be not proved, the Defendant shall be entitled to a Verdict, and that if proved, but assessed by the Jury at any Sum not exceeding Five Shillings, the Plaintiff shall recover no more Costs than Damages, unless the Judge before whom the Trial shall have been holden shall certify that in his Opinion full Costs ought to be allowed.

How Execution of Warrant of Possession may be stayed.

CXXVI. And be it enacted, That in every Case in which the Person by whom any such Warrant shall be sued out of, the County Court had not at the Time of suing out the same lawful Right to the Possession of the Premises, the suing out of any such Warrant as last aforesaid shall be deemed a Trespass by him against the Tenant or Occupier of the Premises, although no Entry shall be made by virtue of the Warrant; and in case any such Tenant or Occupier will become bound, with Two sufficient Sureties, to be approved by the Clerk of the Court, in such Sum as to the Judge shall seem reasonable, regard being had to the Value of the Premises, and to the probable Cost of such Action, to sue the Person by whom such Warrant was sued out with Effect and without Delay, and to pay all the Costs of the Proceeding in such Action in case a Verdict shall pass for the Defendant, or the Plaintiff shall discontinue or not prosecute his Action or become nonsuit therein, Execution upon the Warrant shall be stayed until Judgment shall have been given in such Action of Trespass; and if upon the Trial of such Action of Trespass a Verdict shall pass for the Plaintiff, such Verdict and Judgment thereupon shall supersede the said Warrant.

Proceedings on the Bond for staying Warrant of Possession, &c.

CXXVII. And be it enacted, That every Bond given on the Removal of any Action out of the County Court, or upon staying the Execution of any such Warrant of Possession as aforesaid, or on moving for a new Trial, or to set aside a Verdict, Judgment, or Nonsuit, shall be made to the other Party to the Action at the Costs of such other Party, and shall be approved by the Judge, and attested under the Seal of the Court; and if the Bond so taken be forfeited, or if, upon the Proceeding for securing which such Bond was given, the Judge before whom such Proceeding shall be had shall not certify upon the Record in Court that the Condition of the Bond hath been fulfilled, the Party to whom the Bond shall have been so made may bring an Action of Debt, and recover thereon: Provided always, that the Court in which such Action as last aforesaid shall be brought may by a Rule of Court give such Relief to the Parties liable upon such Bond as may be agreeable to Justice and Reason, and such Rule shall have the Nature and Effect of a Defeasance to such Bond.

Concurrent Jurisdiction with Superior Courts.

CXXVIII. And be it enacted, That all Actions and Proceedings which before the passing of this Act might have been brought in any of Her Majesty's Superior Courts of Record where

where the Plaintiff dwells more than Twenty Miles from the Defendant, or where the Cause of Action did not arise wholly or in some material Point within the Jurisdiction of the Court within which the Defendant dwells or carries on his Business at the Time of the Action brought, or where any Officer of the County Court shall be a Party, except in respect of any Claim to any Goods and Chattels taken in Execution of the Process of the Court, or the Proceeds or Value thereof, may be brought and determined in any such Superior Court, at the Election of the Party suing or proceeding, as if this Act had not been passed.

CXXIX. And be it enacted, That if any Action shall be commenced after the passing of this Act in any of Her Majesty's Superior Courts of Record, for any Cause other than those lastly herein-before specified, for which a Plaint might have been entered in any Court holden under this Act, and a Verdict shall be found for the Plaintiff for a Sum less than Twenty Pounds, if the said Action is founded on Contract, or less than Five Pounds if it be founded on Tort, the said Plaintiff shall have Judgment to recover such Sum only, and no Costs; and if a Verdict shall not be found for the Plaintiff the Defendant shall be entitled to his Costs as between Attorney and Client, unless in either Case the Judge who shall try the Cause shall certify on the Back of the Record that the Action was fit to be brought in such Superior Court.

As to Actions brought for small Debts in Superior Courts.

CXXX. And be it enacted, That all Penalties, Fines, and Forfeitures by this Act inflicted or authorized to be imposed (the Manner of recovering and applying whereof is not hereby otherwise particularly directed) shall, upon Proof before any Justice of the Peace having Jurisdiction within the County or Place where the Offender shall reside or be, or the Offence shall be committed, either by the Confession of the Party offending, or by the Oath of any credible Witness, be levied, with the Costs attending the Summons and Conviction, by Distress and Sale of the Goods and Chattels of the Party offending, by Warrant under the Hand of any such Justice; and the Overplus (if any), after such Penalties, Fines, and Forfeitures, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner of such Goods and Chattels.

Penalties and Costs to be recovered before a Justice, and levied by Distress.

CXXXI. And be it enacted, That if any such Penalties, Fines, and Forfeitures respectively shall not be paid forthwith upon Conviction, it shall be lawful for such Justice to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justice for his Appearance before him on such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Eight Days from the Time of taking any such Security, which Security such Justice shall be empowered to take by way of Recognizance or otherwise, as to him shall seem fit.

In default of Security, Offender may be detained till Return of Warrant of Distress.

CXXXII. And be it enacted, That if upon Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by Confession of the Offender or otherwise, that he hath not within the Jurisdiction of such Justice sufficient Goods and Chattels

In default of Distress, Offender may be committed.

Chattels whereon to levy all such Penalties, Forfeitures, Costs, and Charges, such Justice may, at his Discretion, without issuing any Warrant of Distress, commit the Offender to the Common Gaol or House of Correction for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Penalties not otherwise applied, to be paid into the General Fund.

CXXXIII. And be it enacted, That the Monies arising from any such Penalties, Forfeitures, and Fines as aforesaid, when paid and levied, shall (if not by this Act directed to be otherwise applied) be from Time to Time paid to the Clerk of the Court, and shall be applied in aid of the General Fund thereof.

Justices may proceed by Summons in the Recovery of Penalties.

CXXXIV. And be it enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable before a Justice of the Peace, it shall be lawful for such Justice to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited before him; and all such Proceedings by Summons without Information in Writing shall be as valid and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

Form of Conviction.

CXXXV. And be it enacted, That in all Cases where any Conviction shall be had for any Offence committed against this Act the Form of Conviction may be in the Words or to the Effect following; (that is to say,)

‘ **B**E it remembered, That on this Day of
 ‘ in the Year of our Lord A.B. is convicted
 ‘ before of Her Majesty’s Justices of the Peace
 ‘ for the [or before a Judge appointed under an Act
 ‘ passed in the Year of the Reign of Her Majesty Queen
 ‘ Victoria, intituled, *here insert the Title of this Act,*] of having
 ‘ [*state the Offence*]; and I [*or we*] the said
 ‘ do adjudge the said to forfeit and pay
 ‘ for the same the Sum of or to be committed
 ‘ to for the Space of
 ‘ Given under Hand and Seal the Day and Year
 ‘ aforesaid.’

Proceedings not invalid, &c.

CXXXVI. And be it enacted, That no Order, Verdict, or Judgment, or other Proceeding, made concerning any of the Matters aforesaid, shall be quashed or vacated for Want of Form.

Distress not unlawful for Want of Form.

CXXXVII. And be it enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party distraining be deemed a Trespasser from the Beginning on account of any Irregularity which shall afterwards be committed by the Party so distraining, but the Person aggrieved

aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

CXXXVIII. And for the Protection of Persons acting in the Execution of this Act, be it enacted, That all Actions and Prosecutions to be commenced against any Person for any thing done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Three Calendar Months after the Fact committed, and not afterwards, or otherwise; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if after Action brought a sufficient Sum of Money shall have been paid into Court, with Costs, by or on behalf of the Defendant.

Limitation of Actions for Proceedings in execution of this Act.

CXXXIX. And be it enacted, That if any Person shall bring any Suit in any of Her Majesty's Superior Courts of Record in respect of any Grievance committed by any Clerk, Bailiff, or Officer of any Court holden under this Act, under Colour or Pretence of the Process of the said Court, and the Jury upon the Trial of the Action shall not find greater Damages for the Plaintiff than the Sum of Twenty Pounds, no Costs shall be awarded to the Plaintiff in such Action unless the Judge shall certify in Court upon the Back of the Record that the Action was fit to be brought in such Superior Court.

Provision for the Protection of Officers of the Court.

CXL. Provided always, and be it enacted, That nothing in this Act contained shall be construed to alter or affect the Rights or Privileges of the Chancellor, Masters, and Scholars of the Universities of *Oxford* or *Cambridge* respectively as by Law possessed, or the Jurisdiction of the Courts of the Chancellors or Vice Chancellors of the said Universities, as holden under the respective Charters of the said Universities, or otherwise.

Act not to affect Rights of Universities of Oxford or Cambridge;

CXLI. Provided always, and be it declared and enacted, That nothing in this Act contained shall be construed to affect the Courts of the Lord Warden or of the Vice Warden of the Stannaries of *Cornwall*; but this Provision shall not be deemed to prevent the Establishment of any Court under this Act within the said Stannaries, or to limit or affect the Jurisdiction of any Court so established under this Act.

nor the Courts of the Wardens of the Stannaries.

CXLII. And be it enacted, That in construing this Act all things directed or authorized to be done by or with respect to the Lord Chancellor shall and may be done by or with respect to a Lord Keeper or the First Commissioner for the Custody of the Great Seal of the United Kingdom of *Great Britain* and *Ireland*; and all things directed or authorized to be done by or with respect to the Commissioners of Her Majesty's Treasury shall and may be done by and with respect to Three or more of the said Commissioners or the Lord High Treasurer; and the Word "Person" shall be understood to mean a Body-Politic, Corporate, or Collegiate, as well as Individual; and every Word importing the Singular Number shall, where necessary to give full Effect to the Enactments herein contained, be understood to mean several Per-

Interpretation of Act.

sons

sons or Things as well as one Person or Thing; and every Word importing the Masculine Gender shall, where necessary, be understood to mean a Female as well as a Male; and the Words "County Court" shall be understood to mean any Court holden under this Act; and the Term "Landlord" shall be understood to mean the Person entitled to the immediate Reversion of the Lands, or, if the Property be holden in Joint Tenancy, Coparcenary, or Tenancy in Common, shall be understood to mean any one of the Persons entitled to such Reversion; and the Word "Clerk" shall be understood to mean "Chief Clerk" or "Registrar;" and the Words "Attorney at Law" shall be understood to include a Solicitor in any Court of Equity; and the Word "Agent" shall be understood to mean any Person usually employed by the Landlord in the letting of Lands, or in the Collection of the Rents thereof, or specially authorized to act in any particular Matter by Writing under the Hand of such Landlord; and the Word "Bailiff" shall be understood to include High Bailiff; unless in any of these Cases there be something in the Context inconsistent with such Meaning.

Act may be amended, &c.

CXLIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

ACTS for the more easy and speedy RECOVERY of SMALL DEBTS within the Towns, Parishes, and Places under written, and other Parishes and Places adjacent; that is to say,

ASHTON-UNDER-LYNE	-	48 Geo. 3. c. xcvi.
BATH	-	45 Geo. 3. c. lxxv.
BEVERLEY	-	46 Geo. 3. c. cxxv.
BIRMINGHAM	-	47 Geo. 3. c. xiv.
BLACKHEATH	-	47 Geo. 3. c. iv.
BOLINGBROKE and HORN-CASTLE	-	47 Geo. 3. Sess. 2. c. lxxviii.
BOSTON	-	47 Geo. 3. Sess. 2. c. i.
BRADFORD	-	47 Geo. 3. Sess. 2. c. xxxix.
BRISTOL	-	56 Geo. 3. c. lxxvi.
BRISTOL	-	7 Will. 4. & 1 Vict. c. lxxxiv.
BRIXTON	-	46 Geo. 3. c. lxxxviii.
BROSELEY	-	22 Geo. 3. c. xxxvii.
CANTERBURY	-	25 Geo. 2. c. xlv.
CHIPPENHAM	-	5 Geo. 3. c. ix.
CIRENCESTER	-	32 Geo. 3. c. lxxvii.
CODSHEATH	-	48 Geo. 3. c. l.
DEAL	-	26 Geo. 3. c. xviii.
DERBY	-	6 Geo. 3. c. xx.
DONCASTER	-	4 Geo. 3. c. xl.
DOVOR	-	24 Geo. 3. c. viii.
ECCLESALL	-	48 Geo. 3. c. ciii.

ELLOE	-	-	47 Geo. 3. c. xxxvii.
ELY, ISLE OF	-	-	18 Geo. 3. c. xxxvi.
EXETER	-	-	13 Geo. 3. c. xxvii.
FAVERSHAM	-	-	25 Geo. 3. c. vii.
FOLKESTONE	-	-	26 Geo. 3. c. xcvi.
GLOUCESTER	-	-	1 Will. & Mary, c. xviii.
GRAVESEND	-	-	47 Geo. 3. Sess. 2. c. xl.
GRIMSBY, GREAT	-	-	46 Geo. 3. c. xxxvii.
HAGNABY	-	-	18 Geo. 3. c. xxxiv.
HALESOWEN	-	-	47 Geo. 3. c. xxxvi.
IPSWICH	-	-	47 Geo. 3. Sess. 2. c. lxxix.
KIDDERMINSTER	-	-	12 Geo. 3. c. lxvi.
KING'S LYNN	-	-	10 Geo. 3. c. xx.
KINGSTON-UPON-HULL	-	-	48 Geo. 3. c. cix.
KIRKBY IN KENDAL	-	-	4 Geo. 3. c. xli.
LINCOLN	-	-	24 Geo. 2. c. xvi.
LIVERPOOL	-	-	6 & 7 Will. 4. c. cxxxv.
MANCHESTER	-	-	48 Geo. 3. c. xliii.
MARGATE	-	-	47 Geo. 3. Sess. 2. c. vii.
MIDDLESEX	-	-	23 Geo. 2. c. xxxiii.
NEWCASTLE-UPON-TYNE	-	-	1 Will. & Mary, c. xvii.
NORWICH	-	-	12 & 13 Will. 3. c. vii.
OLD SWINFORD	-	-	17 Geo. 3. c. xix.
PONTEFRACHT HONOR	-	-	2 & 3 Vict. c. lxxv.
POULTON	-	-	10 Geo. 3. c. xxi.
ROCHESTER	-	-	48 Geo. 3. c. li.
SAINT ALBANS	-	-	25 Geo. 2. c. xxxviii.
SAINT BRIAVELS	-	-	5 & 6 Vict. c. lxxxiii.
SANDWICH	-	-	47 Geo. 3. c. xxxv.
SHEFFIELD	-	-	48 Geo. 3. c. ciii.
SHREWSBURY	-	-	23 Geo. 3. c. lxxxiii.
SOUTHWARK	and	EAST	} 4 Geo. 4. c. cxxiii.
BRIXTON	-		
STOCKPORT	-	-	46 Geo. 3. c. cxiv.
TOWER HAMLETS	-	-	2 Will. 4. c. lxxv.
WESTBURY	-	-	48 Geo. 3. c. lxxxviii.
WESTMINSTER	-	-	24 Geo. 2. c. xlii.
WIGHT, ISLE OF	-	-	46 Geo. 3. c. lxvi.
WOLVERHAMPTON	-	-	48 Geo. 3. c. cx.
WRAGGON	-	-	19 Geo. 3. c. xliii.
YARMOUTH, GREAT	-	-	31 Geo. 2. c. xxiv.

SCHEDULE (B.)

ACTS for the more easy and speedy RECOVERY of SMALL DEBTS within the Towns, Parishes, and Places under written, and other Parishes and Places adjacent thereto; (that is to say,)

ABERFORD	-	-	{ 2 & 3 Vict. c. lxxxvi.
			{ 3 Vict. c. xxxiii.
ASHBY-DE-LA-ZOUCH	-	-	1 Vict. c. xv.
BARNLEY	-	-	1 & 2 Vict. c. xc.

BELPER	-	-	-	2 & 3 Vict. c. xeviii.
BLACKBURN	-	-	-	4 & 5 Vict. c. lxxvii.
BLACKHEATH	-	-	-	6 & 7 Will. 4. c. cxx.
			-	1 & 2 Vict. c. lxxxix.
BOLTON	-	-	-	3 Vict. c. xviii.
BRIGHTON	-	-	-	3 Vict. c. x.
BURNLEY	-	-	-	4 & 5 Vict. c. lxxxiii.
BURY	-	-	-	2 & 3 Vict. c. ci.
CHESTERFIELD	-	-	-	2 & 3 Vict. c. civ.
CREDITON	-	-	-	8 & 9 Vict. c. lxxix.
EAST RETFORD	-	-	-	4 & 5 Vict. c. lxxxvii.
ECKINGTON	-	-	-	2 & 3 Vict. c. ciii.
EXETER	-	-	-	4 & 5 Vict. c. lxxiii.
GAINSBURGH	-	-	-	4 & 5 Vict. c. lxxxvi.
GLOSSOP	-	-	-	2 & 3 Vict. c. lxxxviii.
GRANTHAM	-	-	-	2 & 3 Vict. c. lxxxix.
HALIFAX	-	-	-	2 & 3 Vict. c. evi.
HATFIELD	-	-	-	4 & 5 Vict. c. lxxiv.
HINCKLEY	-	-	-	7 Will. 4. c. viii.
HYDE	-	-	-	3 & 4 Will. 4. c. cxix.
KINGSNORTON	-	-	-	4 & 5 Vict. c. lxxv.
LAUNCESTON	-	-	-	4 & 5 Vict. c. lxxvi.
LEICESTER	-	-	-	6 & 7 Will. 4. c. cxxiii.
			-	7 Will. 4. c. vii.
LOUGHBOROUGH	-	-	-	7 Will. 4. c. ix.
NEWARK	-	-	-	4 & 5 Vict. c. lxxix.
NEW SARUM	-	-	-	4 & 5 Vict. c. lxxxiv.
NEW SLEAFORD	-	-	-	4 & 5 Vict. c. lxxxv.
NEWTON ABBOTT	-	-	-	3 Vict. c. xxv.
NOTTINGHAM	-	-	-	2 & 3 Vict. c. cv.
OAKHAM	-	-	-	1 Vict. c. xxxvi.
PRESTBURY DIVISION	of			
the Hundred of MACCLES-				6 Will. 4. c. xiii.
FIELD				
PRESTWICH-CUM-OLDHAM	-	-	-	2 & 3 Vict. c. c.
ROBOROUGH	-	-	-	7 Will. 4. c. lxii.
ROCHDALE	-	-	-	2 & 3 Vict. c. xc.
ROTHERHAM	-	-	-	2 & 3 Vict. c. lxxxvii.
SAINT HELEN'S	-	-	-	4 & 5 Vict. c. lxxxii.
STAFFORDSHIRE POTTERIES	-	-	-	4 & 5 Vict. c. lxxxi.
TAVISTOCK	-	-	-	3 Vict. c. lxxviii.
TOTNES	-	-	-	4 & 5 Vict. c. lxxx.
WARRINGTON	-	-	-	2 & 3 Vict. c. xci.
WESTMINSTER	-	-	-	6 & 7 Will. 4. c. cxxxvii.
WIGAN	-	-	-	4 & 5 Vict. c. lxxviii.
WIRKSWORTH	-	-	-	2 & 3 Vict. c. cii.

SCHEDULE (C.)

Town.	Officer of the Court.	Person to whom the next Appointment is to belong.
ASHTON-UNDER-LYNE	Clerk of the Court to be holden at Ashton.	Lord of the Manor of Ashton-under-Lyne.
BIRMINGHAM	High Bailiff of the Court to be holden at Birmingham.	Lord of the Manor of Birmingham.
CIRENCESTER	Clerk of the Court to be holden at Cirencester.	Lord of the Manor and Seven Hundreds of Cirencester.
KIDDERMINSTER	Clerk of the Court to be holden at Kidderminster.	Lord of the Manor of the Borough of Kidderminster.
STOURBRIDGE	Clerk of the Court to be holden at Stourbridge.	Lord of the Manor of Old Swinford or Amblecoat, to whom, on the Day before the passing of this Act, the next Turn belongs to appoint the Clerk or Beadle of the Court of Requests for the Parish of Old Swinford.
ST. ALBAN'S	High Bailiff of the Court to be holden at Watford.	Lord of the Hundred of Cashio.
SHEFFIELD	Judge of the Court to be holden at Sheffield.	Lord of the Manor of Sheffield.
	Clerk of the Court to be holden at Sheffield.	Lord of the Manor of Ecclesall.
STOCKPORT	Clerk of the Court to be holden at Stockport.	Lord of the Manor and Barony of Stockport.

SCHEDULE (D.)

	AMOUNT OF DEMAND.					
	Not exceeding 20s.	Exceeding 20s. and not exceeding 40s.	Exceeding 40s. and not exceeding 65s.	Exceeding 65s. and not exceeding £10.	Exceeding £10.	
					Founded on Contract.	Founded on Tort.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
JUDGE'S FEES.						
Every Summons - - -	0 3	0 6	1 0	2 0	3 0	3 0
Every Hearing without a Jury -	1 0	1 6	2 6	7 6	10 0	15 0
Every Hearing or Trial with a Jury -	2 0	3 0	5 0	10 0	15 0	20 0
Every Order or Judgment or Application for an Order - -	0 3	0 6	1 0	2 0	3 0	3 0
CLERK'S FEES.						
Entering every Plaintiff and issuing the Summons thereon - -	0 3	0 6	1 0	2 0	3 0	3 6
Every Subpoena, when required -	0 3	0 6	0 9	1 0	1 6	1 6
Every Hearing, Trial, or Nonsuit without a Jury - - -	0 4	0 6	1 0	1 6	2 0	3 6
Adjournment of any Cause - -	0 3	0 4	0 6	1 0	2 0	2 0
Entering and giving Notice of Special Defence - - -	0 3	0 6	1 0	1 6	2 0	2 0
Swearing every Witness for Plaintiff or Defendant - -	0 2	0 2	0 3	0 4	0 6	1 0
Entering and drawing up every Judgment and Order, and Copy thereof - - -	0 3	0 6	1 0	1 6	2 6	3 0
Payment of Money in or out of Court, whether or not by Instalments at different Times, including Notice thereof, and taking Receipt - - -	0 2	0 4	0 6	—	—	—
Paying Money into Court, and entering same in Books, and Notice thereof, or of Sum in full Satisfaction having been paid into Court, each Instalment or Payment -	—	—	—	0 6	0 8	1 0
Payment of Money out of Court, and taking Receipt, exclusive of Stamp -	—	—	—	0 9	1 0	1 6
Every Search in the Books - -	0 2	0 2	0 4	0 6	1 0	1 0
Issuing every Warrant, Attachment, or Execution - - -	0 6	0 6	1 0	1 6	2 6	3 0
Supersedeas of Execution, or Certificate of Payment, or Withdrawal of Cause - - -	0 3	0 6	0 6	1 0	1 6	2 0
Warrant of Commitment for an Insult or Misbehaviour in Court -	1 0	1 0	1 0	1 0	1 0	1 0
Entering and giving Notice of Jury being required - - -	0 6	0 9	1 0	1 6	2 0	2 6
Issuing Summons for Jury - -	0 6	0 9	1 0	1 6	2 0	2 6
Swearing Jury - - -	0 6	0 8	0 10	1 0	1 6	1 6
Every Hearing, Trial, or Nonsuit with a Jury - - -	1 0	1 6	2 0	3 0	5 0	7 6
Taking Recognizance or Security for Costs - - -	—	—	—	2 0	2 6	3 0
Inquiring into Sufficiency of Sureties proposed, and taking Bond on Removal of Plaintiff, or Grant of new Trial, or other Occasion -	2 6	2 6	2 6	2 6	2 6	2 6
Taxing Costs - - -	—	—	—	1 0	2 0	3 0

N.B.—Where the Plaintiff recovers less than his Claim so as to reduce the Scale of Costs, the Plaintiff to pay the Difference.

	Not exceeding 20s.	Exceeding 20s. and not exceeding 40s.	Exceeding 40s. and not exceeding £5.	Exceeding £5. and not exceeding £10.	Exceeding £10.	
					Founded on Contract.	Founded on Tort.
HIGH BAILIFFS FEES.						
Calling every Cause - - -	s. d. 0 2	s. d. 0 3	s. d. 0 4	s. d. 0 6	s. d. 1 0	s. d. 1 6
Affidavit of Service of Summons out of the Jurisdiction - -	0 2	0 3	0 6	1 0	1 6	2 0
Serving every Summons, Order, or Subpœna within One Mile of Court House - - -	0 3	0 4	0 6	0 10	1 0	1 6
If above 1 Mile, then extra for every other Mile - - -	0 2	0 2	0 3	0 4	0 4	—
Execution of every Warrant, Precept, or Attachment against the Goods or Body within One Mile of the Court House - -	1 6	2 6	3 6	4 0	5 0	7 0
If above 1 Mile, then extra for every other Mile - - -	0 3	0 3	0 4	0 6	0 6	0 6
If Two Officers be necessary in the Judgment of the Court, then extra, within One Mile of the Court House - - -	1 0	1 6	2 0	2 0	2 6	3 0
If above 1 Mile, then extra for every other Mile - - -	0 3	0 3	0 4	0 6	0 6	0 6
Keeping Possession of Goods till Sale, per Day, not exceeding 5 Days - - -	1 0	1 6	2 0	2 0	2 6	3 0
Carrying every Delinquent to Prison, including all Expences and Assistants, per Mile - - -	1 0	1 0	1 0	1 0	1 0	1 0
Issuing Warrant to Clerk of another Court - - -	1 0	1 6	2 0	2 6	3 0	3 6

N.B.—The several Fees payable on Proceedings in Replevin to be regulated on the same Scale by the Amount distrained for, and on Proceedings for the Recovery of Tenements by the yearly Rent or Value of the Tenement sought to be recovered.

C A P. XCVI.

An Act for the more speedy Removal of certain Nuisances, and to enable the Privy Council to make Regulations for the Prevention of contagious and epidemic Diseases until the Thirty-first Day of *August* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament. [28th *August* 1846.]

WHEREAS it is highly expedient for the Purpose of preserving the Health of divers of Her Majesty's Subjects that better Provision should be made for the Removal of certain Nuisances likely to promote or increase Disease: Be it therefore 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, That it shall be lawful for any Town Council or other like Body having Jurisdiction within any Corporate Town, Borough, City, or Place, or any Trustees or Commissioners

Certain public Officers, on Receipt of the Certificate of

Two Medical Men, may complain of the Existence of Nuisances.

9 G. 4. c. 82.

The Justices to whom the Complaint is made required to summon Parties complained against.

The Order or a Copy to be served or affixed to the Premises.

If the Order be not obeyed, the Parties complaining may enter on the Premises and remove the Nuisance.

or other like Officers acting under the Provisions of any Act of Parliament for the Drainage, Paving, or Cleansing, or managing or directing the Police, in any Town, Borough, City, or Place, or for any of the above Purposes, or for Commissioners acting under the Provisions of an Act passed in the Ninth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to make Provision for lighting, cleansing, and watching Cities, Towns Corporate, and Market Towns in Ireland, in certain Cases*, or in case there shall be no such Town Council or other like Body, or no such Trustees or Commissioners having Jurisdiction or acting as aforesaid, in any Town, Borough, City, or Place, then it shall be lawful for the Guardians of the Poor, upon receiving a Certificate in Writing in the Form contained in Schedule (A.) to this Act annexed, or to the like Effect, signed by Two duly qualified Medical Practitioners, of the filthy and unwholesome Condition of any Dwelling House or other Building, or of the Accumulation of any offensive or noxious Matter, Refuse, Dung, or Offal, or of the Existence of any foul or offensive Drain, Privy, or Cesspool, to lay a Complaint before any Two Justices of the Peace; and such Justices, upon the Production of such Certificate as aforesaid, shall forthwith summon, in the Form contained in Schedule (B.) to this Act annexed, or to the like Effect, the Owner or Occupier of the Premises described in such Certificate to appear before them or some other Justices to answer the Matters of Complaint alleged in such Certificate, and if such Owner or Occupier shall not appear at the Time and Place named in such Summons, or having appeared shall not show sufficient Cause to the contrary, or if there is no Owner or Occupier, or if it appears that no Owner or Occupier can be found, and upon Proof that a Copy of the said Summons was left on the Premises in the Summons mentioned, then in either of the Cases aforesaid such Justices, upon Proof to their Satisfaction of the Existence of the Nuisance in the said Certificate described, shall forthwith make an Order in Writing under their Hands and Seals in the Form contained in Schedule (C.) to this Act annexed, or to the like Effect, for the cleansing, whitewashing, or purifying of any such Dwelling House or other Building, or for the Removal or Abatement of the Nuisance in the said Certificate described, within the Period and in the Manner in the said Order to be prescribed (such Period not being more than Two clear Days, of which *Sunday* shall not be one, after Notice of the making of the said Order has been given in pursuance of the Provisions of this Act); and such Order, or a true Copy of the same, shall be forthwith served upon the Owner or Occupier respectively of the Premises or Place mentioned in such Order, or if there be no such Owner or Occupier, or if such Owner or Occupier cannot be served; then such Order or a true Copy thereof shall be forthwith affixed upon some Part of such Premises or Place as aforesaid; and if the Dwelling House or other Building in the said Order mentioned shall not be cleansed, whitewashed, or purified, or if the Nuisance in the said Order described shall not be removed or abated, within the Period and in the Manner in the said Order mentioned, it shall be lawful for the Persons who made the Complaint, and who shall be authorized by the said Justices so to do, by themselves, their

their Servants, and others, to enter any Dwelling House or other Building or Place in the said Order mentioned, to cleanse, white-wash, or purify such Dwelling House or other Building, or to remove or abate the Nuisance in the said Order described; and if any Person shall wilfully obstruct any Person acting under the Authority and in pursuance of any Order made under the Provisions of this Act he shall be liable to a Penalty not exceeding Ten Pounds nor less than Two Pounds for every such Offence.

II. And be it enacted, That it shall be lawful for the Persons who shall have made such Complaint as aforesaid to take Proceedings to recover, from the Owner or Occupier of any Dwelling House or other Building or Place in any such Order as aforesaid mentioned, the Costs and Expences incurred by them in obtaining such Order or in removing or abating any Nuisance, and otherwise carrying such Order into effect; and any Two Justices, upon the Application of such Persons so complaining, shall summon such Owner or Occupier to appear before them at a Time and Place to be named in such Summons; and upon the Appearance of such Owner or Occupier, or in his Absence upon Proof of due Service of the Summons, such Justices, upon Proof that such Costs and Expences as aforesaid have been incurred by the said Persons so complaining, shall (unless they shall think fit to excuse the Party so charged on the Ground of Poverty or other special Circumstances) order such Owner or Occupier to pay the Amount thereof to the said Persons so complaining, together with the Costs attending such Summons and Hearing; and if the same shall not be paid by the Parties liable to pay the same within Seven Days after Demand, the Amount may be recovered by Distress of the Goods of the Parties liable as aforesaid; and the Justices by whom the same shall have been ordered to be paid, or any Two other Justices, on Application, shall issue their Warrant accordingly.

III. And be it enacted, That it shall be lawful for the Magistrates and Councillors or other like Body having Jurisdiction within any Burgh, Town, City, or Place in *Scotland*, or any Trustees or Commissioners acting under the Provisions of any Act of Parliament for the Drainage, Paving, or Cleansing, or managing or directing the Police, in any Burgh, Town, City, or Place in *Scotland*, or for any of the above Purposes, or in case there shall be no such Magistrates or Councillors or other like Body, or no such Trustees or Commissioners having Jurisdiction or acting as aforesaid, in any Burgh, Town, City, or Place, then it shall be lawful for the Parochial Board for the Management of the Poor in *Scotland* established under the Provisions of an Act of Parliament passed in the Session held in the Eighth and Ninth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in Scotland*, upon receiving a Certificate in Writing in the Form aforesaid, or to the like Effect, signed by Two duly qualified Medical Practitioners, of the filthy and unwholesome Condition of any Dwelling House or other Building, or of the Accumulation of any offensive or noxious Matter, Refuse, Dung, or Offal, or of the Existence of any foul or offensive Drain, Privy, or Cesspool, to lay a Complaint in

Costs and Expences incurred by the Parties complaining may be recovered from the Owner or Occupier of the Premises on which the Nuisance existed.

Certain Public Officers in *Scotland*, on Receipt of the Certificate of Two Medical Men, may complain of the Existence of Nuisances in *Scotland*.

8 & 9 Vict. c. 83.

The Sheriff or Justices to whom the Complaint is made required to order the Attendance of the Parties complained against.

Writing before the Sheriff or any Two Justices of the Peace; and such Sheriff or Justices, upon the Production of such Certificate as aforesaid, shall forthwith order the Owner or Occupier of the Premises described in such Certificate to appear at a Time and Place to be named in such Order, to answer the Matters of Complaint alleged in such Certificate, and every such Order shall be served upon the Owner or Occupier of the Premises described in such Certificate, either in Person or by leaving or affixing a Copy of the same at or upon the Premises, and either upon Appearance or failing to appear of such Owner or Occupier, or if there be no Owner or Occupier, or if it appear that no Owner or Occupier can be found, then in either of such Cases it shall be lawful for the Sheriff or Justices to proceed to the hearing of the Complaint, and upon Proof to their Satisfaction of the Existence of the Nuisance in the Certificate described, either by the Confession of the Party so complained against, or upon Proof by legal Evidence, and without any written Pleadings or Record of Evidence, they shall forthwith make an Order in Writing in the Form aforesaid or to the like Effect, under his or their Hands or Seals, requiring such Owner or Occupier to cleanse, whitewash, or purify any such Dwelling House or other Building, or to remove or abate the Nuisance in the Certificate described, within the Period and in the Manner in the said Order to be prescribed (such Period being not more than Two clear Days, of which *Sunday* shall not be One, after Notice of the making of the said Order has been given in pursuance of the Provisions of this Act); and such Order, or a true Copy of the same, shall be forthwith served upon the Owner or Occupier respectively of the Premises or Place mentioned in such Order, or if there be no such Owner or Occupier, or if such Owner or Occupier cannot be served, then such Order, or a true Copy thereof, shall be forthwith affixed upon some Part of such Premises or Place as aforesaid; and if the Dwelling House or other Building in the said Order mentioned shall not be cleansed, whitewashed, or purified, or if the Nuisance in the said Order described shall not be removed or abated, within the Period and in the Manner in the said Order mentioned, it shall be lawful for the Persons who made the Complaint, and who shall be authorized by the said Sheriff or Justices so to do, by themselves, their Servants and others, to enter any Dwelling House or other Building or Place in the said Order mentioned, to cleanse, whitewash, or purify such Dwelling House or other Building, or to remove or abate the Nuisance, in the said Order described; and if any Person shall wilfully obstruct any Person acting under the Authority and in pursuance of any Order made under the Provisions of this Act, he shall be liable to a Penalty not exceeding Ten Pounds nor less than Two Pounds for every such Offence.

The Order or a Copy thereof to be served or affixed to the Premises.

If the Order be not obeyed the Parties complaining may enter on the Premises and remove the Nuisance.

Costs and Expences incurred by the Parties complaining may be recovered from the Owner or Occupier of the Premises on

IV. And be it enacted, That it shall be lawful for the Persons who shall have made such Complaint as aforesaid to take Proceedings to recover from the Owner or Occupier of any Dwelling House or other Building or Place in any such Order as aforesaid mentioned the Costs and Expences incurred by them in obtaining such Order, or in removing or abating any Nuisance, and otherwise carrying such Order into effect; and any Sheriff or Two Justices,

Justices, upon the Application of such Persons so complaining, shall issue an Order requiring such Owner or Occupier to appear before him or them at a Time and Place to be named in such Order, and upon the Appearance of such Owner or Occupier, or in his Absence upon Proof of due Service of the Order, such Sheriff or Justices, upon Proof that such Costs and Expences as aforesaid have been incurred by the said Persons so complaining, shall (unless he or they shall think fit to excuse the Party so charged, on the Ground of Poverty or other special Circumstances,) order such Owner or Occupier to pay the Amount thereof to the said Persons so complaining, together with the Costs attending such Order and Hearing, and if the same shall not be paid by the Parties liable to pay the same within Seven Days after Demand, the Amount may be recovered by Poinding and Sale of the Goods of the Parties liable as aforesaid, and the Sheriff or Justices by whom the same shall have been ordered to be paid, or any Two other Justices, on Application, shall issue their Warrant accordingly.

which the Nuisance existed.

V. 'And whereas Cases may occur where Cities, Towns, or Places may be threatened with or affected by formidable contagious or epidemic Diseases, and it may be impossible to establish Rules for the Prevention thereof by the Authority of Parliament with sufficient Promptitude to meet the Exigency of each Case, and it is therefore expedient to enable the Lords of Her Majesty's most Honourable Privy Council to issue Orders in *England* and *Scotland*, and the Lord Lieutenant and Privy Council of *Ireland* to issue Orders in *Ireland*, from Time to Time for that Purpose;' be it therefore enacted, That if any City, Town, Burgh, or Place shall hereafter be threatened with or affected by such formidable contagious or epidemic Diseases, it shall be lawful in *England* and *Scotland* for the Lords and others of Her Majesty's most Honourable Privy Council, or any Three or more of them, (of whom the Lord President of the Council or One of Her Majesty's Principal Secretaries of State for the Time being shall always be One,) or in *Ireland* for the Lord Lieutenant and Privy Council of *Ireland*, by any Order or Orders to be by them from Time to Time made, to establish, and again from Time to Time by any such Order or Orders to revoke, renew, alter, and vary, all such Rules and Regulations, or to substitute any such new Rules and Regulations, as to them may appear necessary or expedient for the Prevention, as far as may be possible, of any such contagious or epidemic Diseases, or for the Relief of any Persons suffering under or likely to be affected by any such Diseases, and for the safe and speedy Interment of any Person who may die of any such Diseases.

Privy Council, &c. in England and Ireland, empowered to issue Orders at any Time to prevent the spreading of contagious or epidemic Diseases.

VI. And be it enacted, That every such Order as aforesaid relating to *England* or *Scotland* shall be certified under the Hand of One of the Clerks in ordinary of Her Majesty's Privy Council in *England*, and every such Order relating to *Ireland* shall be certified under the Hand of one of the Clerks of the Privy Council thereof, and that the Publication of any such Order for *England* or *Scotland* in the *London Gazette*, or for *Ireland* in the *Dublin Gazette*, shall for all Intents and Purposes be taken, admitted, and received in all Courts, and by and before all

Orders to be certified by Clerks of the Privy Council, and when published, received as Evidence.

Judges, Justices, Magistrates, Sheriffs, and others, as good and sufficient Evidence of the making and of the Date and Contents of any such Order.

Penalty for
Violation of
Orders.

VII. And be it enacted, That any Person who shall or may violate or wilfully and knowingly infringe the Provisions of any such Order, or who shall or may refuse or wilfully neglect or omit to act in obedience to or in conformity with any such Order, or who shall resist, oppose, or obstruct the lawful Execution thereof, shall for every such Offence incur and become liable to a Penalty not exceeding Five Pounds nor less than One Pound, to be recovered in the Manner herein-after mentioned.

Proceedings in
case of Inform-
ation, &c. in
England or
Ireland.

VIII. And be it enacted, That any Penalty imposed by this Act for any Offence committed in *England or Ireland* may be recovered by any Person who may sue for the same before any Two Justices, and it shall be lawful for any Two Justices, in all Cases where any Information shall be laid before them on Oath of any Offence against the Provisions of this Act, and they are hereby required to issue their Summons to any Person whom they may have reason to suppose capable of giving any material Evidence on the hearing of such Information, requiring every such Person to appear and give Evidence at a Time and Place to be specified in such Summons; and if any Person so summoned shall not appear before such Justices at the Time and Place so specified in the said Summons, or shall not offer any reasonable Excuse for such Default to the Satisfaction of the said Justices, or appearing shall not submit to be examined as a Witness, then and in every such Case it shall be lawful for the said Justices and they are hereby authorized (Proof on Oath, in the Case of any Person not appearing to such Summons, having been first made before such Justices of the due Service of such Summons on such Person by delivering the same to him or by leaving the same at his usual Place of Abode), by Warrant under the Hands and Seals of such Justices, to commit any such Person so making default as aforesaid to some Gaol or House of Correction within the Jurisdiction of the said Justices for any Time not exceeding Fourteen Days, or until such Person shall submit to be examined and give Evidence.

Justices em-
powered to levy
Penalties by
Distress, &c.

IX. And be it enacted, That all Justices in *England or Ireland* shall and are hereby empowered, on the Conviction of any Person before them for any such Offence as aforesaid, in default of Payment of any such Penalty as aforesaid, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Offender by Warrant under the Hands and Seals of such Justices, together with the reasonable Costs of such Distress and Sale; and in case it shall appear to the Satisfaction of such Justices, either by the Confession of the Offender or by the Oath of One or more credible Witness or Witnesses, that such Offender hath not Goods and Chattels within the Jurisdiction of such Justices sufficient whereon to levy any such Costs and Charges, such Justices may, without issuing any Warrant of Distress, commit such Offender to any such Gaol or House of Correction as aforesaid for any Time not exceeding Fourteen Days, unless such Penalty, Costs, and Charges be sooner paid, in such Manner as if a Warrant of Distress had issued, and a Return of *nulla bona* made thereon, in which

In case Offender
hath not Goods,
&c. Justices may
commit.

which Case also it shall be lawful for such Justices to commit any such Offender for such Term of Fourteen Days, or for any shorter Period, to any such Prison as aforesaid.

X. And be it enacted, That with regard to the Proceedings for the Recovery of Penalties in *Scotland*, any such Penalties imposed by this Act may be recovered by the Procurator Fiscal of the Court, or any Person or Persons who shall sue for the same, before any Sheriff or Two Justices of the Peace; and it shall be lawful for the Sheriff or Justices before whom any Complaint for the Recovery of any Penalties may be brought to proceed in a summary Way, and to grant Warrant for bringing the Parties complained upon immediately before them, and, on Proof on Oath by One or more credible Witnesses or other legal Evidence, forthwith to determine and give Judgment in such Complaint, without any written Pleadings or Record of Evidence, and to grant Warrant for the Recovery of all Penalties and Expences decerned for, failing Payment within Eight Days after Conviction, by Poining and Imprisonment for a Period at the Discretion of the Sheriff or Justices not exceeding Fourteen Days.

Recovery of Penalties in Scotland.

Sheriff or Justices empowered to determine Complaints.

XI. And be it enacted, That all Penalties imposed by the Authority of this Act shall be applied in or towards the Relief of the Poor of the Parish or Place in which any Offence as aforesaid may have been committed.

Application of Penalties.

XII. And be it enacted, That every Order which may be so made as aforesaid by the Lords of Her Majesty's Privy Council, or by any Three or more of them, or by the Lord Lieutenant and Privy Council of *Ireland*, shall be forthwith laid before both Houses of Parliament, if Parliament shall be then sitting, and that such Orders as shall be so made when Parliament shall not be sitting shall be laid before both Houses of Parliament within Fourteen Days next after the Commencement of the first Session which shall ensue upon the Date of any such Order.

Orders of Council to be laid before Parliament.

XIII. And be it enacted, That all and every Expence which may be reasonably and properly incurred in carrying into effect any of the Provisions of this Act relating to the cleansing of Houses, or to the Removal of Nuisances, and not recovered from Owners or Occupiers under the Provisions herein-before contained, or to any Proceedings had or taken in pursuance of any Order issued under the Authority of this Act for Prevention of any formidable contagious or epidemic Diseases, shall be retained or defrayed out of the Rates or Monies raised or contributed for the Relief of the Poor of the Parish or Extra-parochial Place maintaining its own Poor in which the same shall be so incurred, and in other Extra-parochial Places out of the Poor's Rate of the Parish nearest adjoining; and it shall be lawful for any Two Justices and they are hereby required to order and direct, from Time to Time as Occasion may require, the Treasurer of the Guardians, or other Officer of the Union or Parish, or the Overseer of the Parish in which any such Expence shall have been so incurred as aforesaid, to pay such Sums as may be expressed in such Order out of any Monies which may come into his Hands by virtue of his Office; and in case any such Treasurer, other Officer, or Overseer on whom any such Order shall be made shall neglect or refuse to pay the said Money so named in such Order for the

Justices may order Payment of Monies expended for the Purposes of this Act.

Space of Twenty Days, it shall be lawful to recover the same by Distress and Sale of his or their Goods and Chattels, together with the Costs thereof, by Warrant under the Hand and Seal of any Two Justices authorized to make such Order for Payment.

Definition of the Word "Owner."

XIV. And be it enacted, That for the Purposes of this Act, and in order to prevent any Dispute touching the Word "Owner," the Person receiving the Rents of any Property from the Occupier thereof, on his own Account, or as Trustee or Agent for any other Person, shall be deemed the Owner of the same for all such Purposes.

Act not to extend to certain Places.

XV. Provided always, and be it enacted, That nothing in this Act contained shall extend or apply to any Place in which a Medical Officer of Health and an Inspector of Nuisances has been or may hereafter be appointed under any local Act passed in the present Session of Parliament.

Proceedings not to be quashed for Want of Form.

XVI. And be it enacted, That no Order or any other Proceeding or Thing done or transacted relative to the Execution of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts.

Interpretation of Act.

XVII. And be it enacted, That in this Act the following Words and Expressions shall have the Meaning hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) the Words "Justice or Justices" shall mean Justice or Justices of the Peace respectively acting for the County, City, Borough, Liberty, Cinque Port, or Place where the Matter requiring the Cognizance of any such Justice or Justices respectively shall arise, and who shall not be interested in the Matter; and the Word "Sheriff" shall mean the Sheriff of any County or Place in *Scotland* where the Matter requiring the Cognizance of any such Sheriff shall arise, and who shall not be interested in the Matter; the Words "Guardians of the Poor" shall mean the Guardians, Directors, Wardens, Governors, or other like Officers having the Management of the Poor for any Union, Parish, Township, Hamlet, or Place where the Matter requiring the Cognizance of any such Officers as aforesaid respectively may arise, and the Overseers of every Parish, Township, Hamlet, or Place in which Relief to the Poor shall not be administered by Guardians; and Words and Expressions importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number, and Words importing the Masculine Gender shall include Females.

Continuance of Act.

XVIII. And be it enacted, That this Act shall continue in force until the Thirty-first Day of *August* One thousand eight hundred and forty-seven, and from thence until the End of the then next Session of Parliament.

Act may be amended, &c.

XIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

The SCHEDULES to which this Act refers.

SCHEDULE (A.) s. 1.

Certificate of Medical Practitioners.

To the Town Council, &c., or to the Guardians of the Poor of the
Union or Parish [as the Case may be].

We, the undersigned *A.B.* and *C.D.*, Two duly qualified Medical Practitioners, residing at [insert Name of the Parish], having viewed the Dwelling House occupied by one *X.Y.* [or a certain Piece of Land near the King's Head Public House, or certain Premises occupied by one *Y.Z.*, as the Case may be, describing the Premises], situate in Street in the Parish of in the County of do hereby certify, That the said Dwelling House is in a filthy or unwholesome State, [or that there is an Accumulation of offensive or noxious Matter, Refuse, Dung, and Offal on the said Piece of Land, or that there is a foul and offensive Drain, Privy, or Cesspool on the said Premises occupied by *Y.Z.*, situate, &c., as the Case may be,] and that the same is likely to be prejudicial to the Health of the Occupiers, or of the Persons whose Habitations are in the Neighbourhood of the above-mentioned Premises. Witness our Hands this Day of One thousand eight hundred

(Signed) *A.B.*
C.D.

Members of the Royal College of Surgeons
[as the Case may be].

SCHEDULE (B.) § 1.

Summons of Justices.

To the Constable of and all other Persons
whom this may concern.

County of } WHEREAS Complaint hath been this Day made
[or Borough, &c. of } before us, *B.C.* and *E.F.*, Esquires, Two of
] to wit. } Her Majesty's Justices of the Peace acting in
and for the said County of [or Borough, &c.] by
the Town Council of [or Guardians of the Poor, as
the Case may be,] setting forth that a certain Dwelling House
occupied by one *X.Y.*, situate in [describing the
Premises] is in a filthy and unwholesome State [or that there is
an Accumulation of offensive or noxious Matter, Dung, Refuse,
and Offal on a certain Piece of Land situate in
[describing the Premises], or that there is a foul and offensive
Drain, Privy, or Cesspool in certain Premises occupied by one
X.Y. situate in [describing the Premises], [and the
Certificate in Writing under the Hands of *A.B.* and *C.D.*, Two
duly qualified Medical Practitioners, certifying that the same is
likely to be prejudicial to the Health of the Occupiers, or of the
Persons whose Habitations are in the Neighbourhood thereof,
having been also produced before us at the Time of making the
said

said Complaint; these are therefore to command you forthwith to summon the said *X.Y.* the Occupier [*or Y.Z.*, the Owner of the said Premises, *as the Case may be,*] to appear before Two of Her Majesty's Justices of the Peace at _____ on the _____ Day of _____ next, at the Hour of _____ o'Clock, to answer the Matter of the said Complaint.

Given under our Hands and Seals the _____ Day of

A.D. One thousand eight hundred and

B.C. (L.S.)
E.F. (L.S.)

SCHEDULE (C.) § 1.

Order of Justices.

To *X.Y.* [Owner *or* Occupier, *if any such there be,*] and to the Town Council, &c., *or* to the Guardians of the Poor of the _____ Union or Parish [*as the Case may be,*], and to their Servants, and to all other Persons whom this Order may concern.

County of _____ } WHEREAS on the _____ Day of
[*or Borough, &c.* of _____] to wit. } last Complaint was made before *B.C.* and
_____ } *E.F.*, Two of Her Majesty's Justices of the
Peace acting in and for the County of _____ [*or Borough,*
&c. of _____ *as the Case may be,*] by the Town Council,
&c., [*or* by the Guardians of the Poor of the
Union, *as the Case may be,*] that the Dwelling House occupied by
the said *X.Y.*, situate in _____ Street in the Parish
of _____ in the said County of _____ [*describing*
the Premises] was in a filthy and unwholesome State [*or* that
there was an Accumulation of offensive or noxious Matter,
Refuse, Dung, and Offal on a certain Piece of Land near the
King's Head Inn, situate, &c., *or* that there was a foul and offensive
Drain, Privy, or Cesspool in certain Premises occupied by
one *Y.Z.*, situate, &c., *as the Case may be,*] and the Certificate
in Writing under the Hands of *A.B.* and *C.D.* of
being Two duly qualified Medical Practitioners, addressed to the
Town Council, &c., [*or* to the Guardians of the Poor of
the _____ Union, *as the Case may be,*] certifying that
the same was likely to be prejudicial to the Health of the Occu-
piers, or of the Persons whose Habitations are in the Neighbour-
hood thereof, having been produced before the said Justices at the
Time of the making of the said Complaint: And whereas the said
X.Y., the Owner [*or* Occupier] of the said Dwelling House [*or* of
the said Piece of Land, *or* of the said Premises] herein-before
described, has this Day appeared before us, *B.C.* and *E.F.*, Two
of Her Majesty's Justices of the Peace acting in and for the
said County [*or* Borough, &c.], in pursuance of a Summons duly
served upon him in that Behalf, to answer the Matter of the said
Complaint. [*Or, if the Summons has not been served,* And
whereas it has been proved on Oath before us, *B.C.* and *E.F.*,
Two of Her Majesty's Justices of the Peace acting, &c., that the
said *X.Y.*, the Owner [*or* Occupier] of the said Premises in the
said Certificate mentioned, could not be found, and that a true

Copy of a Summons requiring the said X.Y. to appear this Day before us to answer the said Complaint was left on the said Premises.] Now we, the said Justices, having heard the said Complaint, and examined the Fact and all proper Witnesses upon Oath, and the Existence of the Nuisance in the said Certificate described having been proved on Oath to our Satisfaction, do hereby, in pursuance of the Statute in that Case made and provided, order the said X.Y., the Owner [or Occupier, *as the Case may be,*] of the said Dwelling House [or of the said Piece of Land, or of the said Premises occupied by Y.Z.], within

Hours from the Service of this our Order, or a true Copy thereof, on the said X.Y., or if Service cannot be forthwith effected upon him then within

Hours from the Period when this our Order, or a true Copy thereof, shall have been affixed upon some Part of the said Premises, to whitewash, cleanse, and purify the said Dwelling House, [or to remove or abate the said Accumulation of offensive or noxious Matter, Refuse, Dung, and Offal from the said unoccupied Piece of Land, or to cleanse the said foul and offensive Drain, Privy, or Cesspool,] and if Default shall be made by the said X.Y. in obeying this our Order, then we, the said Justices, authorize and require, order and direct you, the said [Town Council, &c., or Guardians of the Poor], to enter upon the said Premises, and to cleanse, whitewash, and purify the said Dwelling House, [or to remove or abate the said Accumulation of offensive or noxious Matter, Refuse, Dung, and Offal from the said Piece of Land, or to cleanse the said foul and offensive Drain, Privy, or Cesspool].

And for your so doing this shall be your sufficient Warrant and Authority.

Given under our Hands and Seals this Day
of One thousand eight hundred and

B.C. (L.S.)

E.F. (L.S.)

C A P. XCVII.

An Act to provide for removing the Charge of the Constabulary Force in *Ireland* from the Counties, and for enlarging the Reserve Force; and to make further Provision for the Regulation and Disposition of the said Constabulary Force. [28th August 1846.]

‘ **W**HEREAS an Act was passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate the Laws relating to the Constabulary Force in Ireland*; and another Act was passed in the same Session, amending the said first-mentioned Act; and by the said Acts Provision is made for establishing and regulating the Constabulary Force in *Ireland*; and it is by the said first-recited Act, amongst other things, enacted, that it shall and may be lawful to and for the Lord High Treasurer, or the Commissioners of His Majesty’s Treasury, or any Three or more of them, for the Time being, to order that any such Sum or Sums as he or they shall think proper

6 & 7 W. 4. c. 13.
6 & 7 W. 4. c. 36.
Sect. 25.

Sect. 36.

' proper shall from Time to Time be advanced and paid out of the
 ' Produce of the Consolidated Fund of the United Kingdom of
 ' *Great Britain and Ireland*, arising in *Ireland*, for the Payment
 ' of the several Salaries and Remunerations and Allowances, and
 ' the Purchase of Arms, Accoutrements, Horses, Bridles, Saddles,
 ' Appointments, Houses, Outhouses, Furniture, and Accommoda-
 ' tions, payable under or proper for the Use of the Constabulary
 ' Force to be appointed under the said Act, and also for all Rents
 ' and Taxes payable for and in respect of such Houses, Outhouses,
 ' and for repairing all such Houses and Outhouses from Time to
 ' Time, and for the Forage of such Horses, and for the Expence
 ' of the Magistrates, Inspectors, Chief or other Constables, or Sub-
 ' Constables, when they shall respectively be absent on Duty from
 ' their Residences under the Authority of this Act, and for all
 ' other necessary and reasonable Costs, Charges, and Expences
 ' incurred or to be incurred in the Execution of this Act; and that
 ' One Moiety of all Monies so advanced out of the Produce of the
 ' Consolidated Fund for all or any the Purposes of the said Act
 ' (except so much of the said Advances as shall be for the Salaries
 ' and Expences of the Inspector General, his Deputies and Clerks,
 ' and of all Magistrates to be appointed as aforesaid, and of the
 ' Receiver for the said Constabulary Force, and of the Paymasters
 ' in the several Counties,) shall be raised by Grand Jury Present-
 ' ment off each County, County of a City, or County of a Town to
 ' which the same shall be declared by the Lord Lieutenant or
 ' other Chief Governor or Governors of *Ireland* to relate, and
 ' in or for which such Expences shall be or shall have been
 ' incurred; and that the Inspector General to be appointed under
 ' the said Act shall, with the Assistance of the Receiver, in
 ' sufficient Time before each Assizes and Presenting Term, ascer-
 ' tain the Amount of the Monies chargeable under the Provisions
 ' of the said Act on each County, County of a City, of a Town,
 ' or any Part of any County, and shall make out a Certificate
 ' thereof under his Hand specifying the Force or Service in respect
 ' whereof such Charge may have been incurred, and transmit the
 ' same, when approved and certified by the Chief or Under Secre-
 ' tary of the said Lord Lieutenant or other Chief Governor or
 ' Governors, to the Secretary of the Grand Jury for such County,
 ' County of a City, and County of a Town, One Week before said
 ' Assizes and Presenting Term, who shall lay the same before
 ' the Grand Jury; and thereupon it shall be lawful for such
 ' Grand Jury and they are thereby required to make a Present-
 ' ment for the Amount stated in such Certificate or in any pre-
 ' vious Certificate, the Amount whereof shall not have been already
 ' presented, to be raised from off the County at large, County of
 ' a City, or County of a Town, or City and County respectively,
 ' in the same Manner as any Presentment for Constables may by
 ' Law be now raised therefrom, and that it shall not be lawful
 ' for the Court at any Assizes or Presenting Term to fiat any Pre-
 ' sentment for raising any other Money until such Presentment
 ' for such Expences be first made and allowed; and whenever the
 ' Amount stated in such Certificate shall be levied, the same shall
 ' be paid to such Bank or Person, and in such Manner, as the
 ' Lords of the Treasury, or the Commissioners of the Treasury,

Sect. 37.

' or any Three or more of them, shall from Time to Time think fit
 ' to direct and appoint; and thereupon, but not before, as to all
 ' Sums mentioned in such Certificate as aforesaid, such County
 ' shall be deemed to be discharged: And whereas by an Act
 ' passed in the Session holden in the Second and Third Years of
 ' the Reign of Her present Majesty, intituled *An Act for the*
 ' *better Regulation of the Constabulary Force in Ireland*, it is,
 ' amongst other things, enacted, that in addition to the Chief and
 ' other Constables and Sub-Constables whom the Lord Lieutenant
 ' or other Chief Governor or Governors of *Ireland* may be autho-
 ' rized to appoint under the said recited Acts in and for the sever-
 ' al Counties, Counties of Cities, and Counties of Towns, and in
 ' and for the several Baronies, Half Baronies, and other Divisions
 ' of Baronies in Counties at large throughout *Ireland*, it shall
 ' and may be lawful for such Lord Lieutenant or other Chief
 ' Governor or Governors to appoint Two Chief Constables (to be
 ' styled Sub-Inspectors as therein-after mentioned), Four Head
 ' Constables, and any Number not exceeding in the whole Two
 ' hundred Constables and Sub-Constables, who shall constitute a
 ' Reserve Force to be kept in a Depôt to be for that Purpose pro-
 ' vided in or near the City of *Dublin*, and employed as Occasion
 ' may require in aid of and in conjunction with the said Con-
 ' stabulary Force established in and for the said several Counties
 ' and Places throughout *Ireland*; and that all and every the Pro-
 ' visions of the said recited Acts, and that Act, with respect to
 ' the Qualification, Appointment, Dismissal, Resignation, Pay,
 ' Superannuation Allowances, Deductions for and Contributions
 ' to the Police Superannuation Fund, and to the Police Reward
 ' Fund, Duties, Liabilities, Disabilities, Forfeitures, and Penalties
 ' of or attaching upon the Officers and Men of the said Consta-
 ' bulary Force respectively, shall apply and extend to the Officers
 ' and Men forming Part of the said Reserve Force, except so far
 ' as such Provisions may be altered by that Act, or other Provi-
 ' sions made in lieu thereof; and that the said Reserve Force
 ' shall be subject to the like Regulations, Direction, and Control
 ' as the said Constabulary Force, except that such Reserve Force
 ' shall not be attached to any particular County or Place, save
 ' temporarily by virtue of such Order as is therein-after men-
 ' tioned; and that it shall and may be lawful for the Inspector
 ' General of the said Constabulary Force, subject to the Direction
 ' and Control of the said Lord Lieutenant or other Chief Governor
 ' or Governors, from Time to Time as may be expedient, to order
 ' and direct that the whole or any Portion of the said Reserve
 ' Force, or the whole or any Portion of the said Constabulary
 ' Force, from Time to Time placed in the said Depôt as therein-
 ' before mentioned, shall go and repair to such Place or Places
 ' in any County or Counties, County of a City or of a Town, or
 ' Town and Liberties, in *Ireland*, as shall be mentioned in such
 ' Order, and shall remain there for such Length of Time, or
 ' remove to or remain at any other Place or Places in the same
 ' or any other County, City, or Town for such Time or Times,
 ' and shall return to the said Depôt in or near *Dublin* at such
 ' Time or Times respectively, as shall be mentioned in or di-
 ' rected by such Order, or by any other Order or Orders which
 ' may

2 & 3 Vict. c. 75.
sect. 1.

Sect. 3.

Sect. 6.

Sect. 7.

' may from Time to Time be made by such Inspector General,
 ' subject to the like Direction and Control; and that the Officers
 ' and Men constituting such Reserve Force, or belonging to the
 ' said Constabulary Force, when so removed, shall have the same
 ' Rights, Powers, and Authorities, and be subject to the same
 ' Rules, Regulations, and Orders, and be in all respects in the
 ' same Situation in the County or other Districts or Places to
 ' which they shall be so removed, as if they had been appointed
 ' to and formed Part of the Constabulary Force established in and
 ' for such County or Place; and that it shall be lawful to and for
 ' the Commissioners of Her Majesty's Treasury, or any Three or
 ' more of them, to order that all such Sum or Sums of Money as
 ' they shall think necessary shall from Time to Time be advanced
 ' and paid out of the Produce of the Consolidated Fund of the
 ' United Kingdom of *Great Britain* and *Ireland*, arising in *Ire-*
 ' *land*, for the Payment of the Officers and Men composing the
 ' said Reserved Force to be established under that Act, and for
 ' the Salaries of the Paymaster and Surgeon to be attached to
 ' the said Depôt as therein-before provided, and for the Purchase
 ' of Arms, Accoutrements, Horses, Bridles, Saddles, and all other
 ' Appointments proper for the Use of the said Reserved Force,
 ' and also for the Purchase or Rent and Repairs of a proper
 ' House or Barrack to be provided for such Depôt, and for the
 ' Forage of Horses, and for the Furniture and all other Accom-
 ' modations necessary to the said Depôt, and for all other Costs
 ' and Charges to be incurred in the Execution of that Act; and
 ' that One Moiety of all Monies so advanced out of the Consoli-
 ' dated Fund for the Payment of the Officers and Men composing
 ' the said Reserved Force, and of all other Costs and Expences
 ' (save as therein-after mentioned) to be incurred in respect of
 ' such Officers and Men during such Time as they shall remain
 ' in any County, County of a City, or County of a Town to which
 ' they may be removed by virtue of any such Order of the said
 ' Inspector General as aforesaid, shall be defrayed by such County,
 ' County of a City, or County of a Town, and shall be raised
 ' by Grand Jury Presentment off such County, County of a City,
 ' or County of a Town, together with and in addition to the Monies
 ' to be raised off such County, County of a City or Town, under
 ' the said recited Acts on account of the Constabulary Force
 ' established therein, and the Inspector General of the said Con-
 ' stabulary Force shall have regard thereto in making out the
 ' Certificate, which he is by the said Acts directed to prepare, for
 ' the Purpose of ascertaining the Monies chargeable upon each
 ' County, County of a City or Town, or Part of a County, under
 ' the said recited Acts, and shall include such Monies in such
 ' Certificate: And whereas it is expedient that the respective
 ' Counties of *Ireland* should be relieved, save as herein-after men-
 ' tioned, from all and every Part of the Charges and Expences
 ' of the said Constabulary Force and Reserve Force, and that
 ' the whole Charge of the same, save as herein-after provided,
 ' should be placed upon and borne by the Consolidated Fund of
 ' the United Kingdom, and also that an Addition should be made
 ' to the said Reserve Force as herein-after mentioned: 'Be it
 ' therefore enacted by the Queen's most Excellent Majesty, by and
 ' with

Sect. 8.

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 from and after the passing of this Act so much of the said recited Acts, or any of them, or of any other Act or Acts, as provides that One Moiety of the Monies advanced out of the Consolidated Fund for the Payment of any of the Costs and Expences of the said Constabulary Force or the said Reserve Force, or of any Part thereof, shall be defrayed by any County, County of a City, or County of a Town, Barony, Half Barony, or Place in *Ireland*, or by Presentment of any Grand Jury in *Ireland*, or as provides that any Part of the Costs, Charges, or Expences of the said Constabulary Force or the said Reserve Force shall be borne or paid by or raised or levied from any such County, County of a City, County of a Town, Barony, Half Barony, or Place, save and except as herein-after mentioned, shall be and the same is hereby repealed, save and except as to any Matter or Thing heretofore done, or any Sum or Sums of Money heretofore become due and payable, and now remaining in arrear and unpaid.

So much of recited Acts as provides that any Part of the Expence of the Constabulary or Reserve Force shall be paid by any County, &c. or by Grand Jury Presentment, repealed, save as herein mentioned.

II. And be it enacted, That from and after the Tenth Day of *October* next all Monies duly payable, and all necessary and reasonable Costs, Charges, and Expences for and in respect of the said Constabulary Force and the said Reserve Force respectively, under the Provisions of the said recited Acts or any of them, or any Act amending the same, or of this Act, and also for or in respect of the Addition to the said Reserved Force herein-after provided, shall, save as herein-after mentioned, be charged upon and paid from Time to Time out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*; and it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to order that all such Sum or Sums of Money as they shall think necessary for the Purposes aforesaid shall from Time to Time be advanced and paid out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

The whole Cost of the Constabulary Force and the Reserve Force, save as herein mentioned, shall be paid out of the Consolidated Fund.

III. And whereas by the said first-recited Act it is amongst other things enacted, that it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by the Advice of the Privy Council of *Ireland*, to declare by Proclamation that any County, County of a City, or County of a Town in *Ireland*, or any Barony or Baronies, Half Barony or Half Baronies, in any County at large, or any District of less Extent than any Barony or Half Barony to be therein specified, is or are in a State of Disturbance, and requires or require an additional Establishment of Police, and thereupon it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to appoint such and so many Chief Constables, Constables, and Sub-Constables as he or they shall think proper, not exceeding One such Chief Constable, Two Head Constables, and Fifty such Constables or Sub-Constables for any One Barony or Half Barony, or for any County of a City or County of a Town or District of less Extent than any Barony or Half Barony, which

Power to Lord Lieutenant to appoint any Number of additional Constables (not exceeding Four Head Constables and One hundred Constables, &c. for a Barony, &c.) for any Part of *Ireland* declared by Proclamation to be in a disturbed State.

‘ may have been so declared to be in a State of Disturbance :
 ‘ And whereas it is expedient that in any such Case as last afore-
 ‘ said the said Restriction as to the Number of such Chief and
 ‘ other Constables so to be appointed should be removed ;’ be it
 therefore enacted, That in any such Case as in the said recited
 Provision mentioned it shall be lawful for the Lord Lieutenant or
 other Chief Governor or Governors of *Ireland* to appoint for or
 in any Barony or Half Barony, or for or in any County of a
 City or County of a Town or District of less Extent than any
 Barony or Half Barony, which may have been so declared to be
 in a State of Disturbance, and also (if he or they shall so think
 fit) for or in any Barony or Half Barony, or County of a City or
 County of a Town, or District of less Extent than any Barony or
 Half Barony adjoining to a Barony or Half Barony, or County of
 a City or County of a Town, or District, which may have been
 so declared to be in a State of Disturbance, such and so many
 additional Sub-Inspectors, Head Constables, Constables, and Sub-
 Constables, exceeding the Numbers aforesaid, as he or they shall
 think proper, not exceeding Four such Head Constables, and One
 hundred such Constables or Sub-Constables for each such Barony,
 Half Barony, County of a City, County of a Town, or District of
 lesser Extent than any Barony or Half Barony : Provided always,
 that whenever it shall appear to the Lord Lieutenant or other
 Chief Governor or Governors of *Ireland* acting under the Advice
 of the Privy Council of *Ireland* that any such Barony, Half Ba-
 rony, County of a City or Town, or lesser District, has ceased to
 be in a State of Disturbance, and that it shall be declared by the
 Lord Lieutenant or other Chief Governor or Governors of *Ireland*,
 by Proclamation made with the Advice of the Privy Council of
Ireland, that such Barony or Half Barony, County of a City or
 Town, or lesser District has ceased to be in a State of Disturb-
 ance, then from and after One Month from the Publication of
 such Proclamation in the *Dublin Gazette*, the additional Con-
 stabulary Force so appointed for such Barony, Half Barony,
 County of a City or Town, or lesser District, shall be discon-
 tinued, and shall cease to be a Charge on such Barony, Half
 Barony, County of a City or Town, or lesser District, or on the
 Consolidated Fund.

When Barony,
 &c. is declared
 by Proclamation
 to cease to be in
 a disturbed
 State, the addi-
 tional Consta-
 bulary Force
 shall be discon-
 tinued.

Lord Lieute-
 nant empowered
 to increase the
 Reserve Consta-
 bulary Force.

IV. ‘ And whereas it is expedient that the said Reserve Con-
 ‘ stabulary Force provided and appointed under the said recited
 ‘ Act of the Second and Third Years of the Reign of Her pre-
 ‘ sent Majesty should be increased in Number ;’ be it therefore
 enacted, That in addition to the Number of Sub-Inspectors, Head
 Constables, Constables, and Sub-Constables which by the said last-
 recited Act the said Lord Lieutenant or other Chief Governor or
 Governors is or are empowered to appoint as and for a Reserve
 Force, it shall be lawful for the said Lord Lieutenant or other
 Chief Governor or Governors to appoint Two additional Sub-
 Inspectors, Four additional Head Constables, and any Number
 not exceeding Two hundred additional Constables and Sub-Con-
 stables, who shall constitute and shall be deemed to be a Part
 of the said Reserve Force, and shall be subject to all and every
 the Provisions and Regulations applicable to the said Reserve
 Force

Force under the said Act of the Second and Third Years of the Reign of Her present Majesty, or any Act amending the same, save so far as such Provisions may be altered by this Act.

V. Provided always, and be it enacted, That in any Case in which, under the Provisions of the said first-recited Act, Seven or more Magistrates of any County at large at any General or Special Sessions held as therein mentioned, in manner therein set forth, have since the First Day of *January* One thousand eight hundred and forty-six, certified or shall hereafter certify to the said Lord Lieutenant or other Chief Governor or Governors that the Number of Chief or other Constables, or Sub-Constables appointed for any such County is inadequate to the due Execution of the Law within the same, and the said Lord Lieutenant or other Chief Governor or Governors shall by reason thereof appoint or shall have appointed a further Number of Sub-Inspectors, Head Constables, Constables, or Sub-Constables, in or for such County as so certified to be necessary, or in any Case in which any Part of the Reserve Force aforesaid shall have been or shall be removed to or employed in any County, County of a City, or County of a Town, Barony, Half Barony, or District by virtue of any such Order of the Inspector General as aforesaid, or in case the Number of the Constabulary Force in or for any Barony, Half Barony, County of a City, County of a Town, or District of less Extent than any Barony or Half Barony shall be increased by the Lord Lieutenant or other Chief Governor or Governors stationing or appointing therein or therefor additional Sub-Inspectors, Head Constables, Constables, or Sub-Constables as aforesaid, or otherwise, then and in any of such Cases nothing in this Act shall extend or be construed to extend to relieve any such County, County of a City, or County of a Town, Barony, Half Barony, or District, from the Payment of One Moiety of the Costs and Expences of such further or augmented Number of the Constabulary Force or of such Reserve Force as aforesaid, but in either or any of such Cases such Moiety shall be payable and shall be raised in like Manner as a Moiety of the Expences of such further Number of the Constabulary Force, or as any such Part of the Reserve Force, while remaining in any County, County of a City, or County of a Town to which they may be removed by virtue of such Order as herein-before recited, is now payable, or may now be raised under the said recited Acts respectively, or either of them.

VI. And be it enacted, That from and after the passing of this Act the Officers heretofore, under the Provisions of the said Act of the Second and Third Years of Her present Majesty's Reign, styled "Provincial Inspectors" shall henceforth be styled "Assistant Inspectors General."

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Nothing herein contained to relieve Counties from the Moiety of the Cost of a further Constabulary Force applied for by Magistrates, or of the Reserve Force, when employed therein, or of an increased Constabulary Force stationed there by the Lord Lieutenant.

"Provincial Inspectors" to be styled "Assistant Inspectors General."

Act may be amended, &c.

C A P. XCVIII.

An Act to amend the Law for regulating the Hours of receiving and delivering Goods and Chattels as Pawns in Pawnbrokers Shops. [28th August 1846.]

‘ WHEREAS it is expedient that Amendment should be made in the Hours within which the Business of a Pawnbroker may be lawfully carried on : And whereas by an Act of Parliament made in the Thirty-ninth and Fortieth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better regulating the Business of Pawnbrokers*, it is enacted, that no Pawnbroker should receive or take in any Goods by way of Pawn before Eight of the Clock in the Forenoon or after Eight of the Clock in the Evening between *Michaelmas Day* and *Lady Day* following, or before Seven of the Clock in the Forenoon or after Nine of the Clock in the Evening during the Remainder of the Year, excepting only until Eleven on *Saturdays*, and the Evenings preceding *Good Friday*, *Christmas Day*, and every Fast Day : Be it therefore 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, That from and after the Twenty-ninth Day of *September* next after the passing of this Act no Pawnbroker shall receive or take in, or permit or suffer to be received or taken in, any Goods or Chattels by way of Pawn, Pledge, or in Exchange, before Eight of the Clock in the Forenoon or after Seven of the Clock in the Evening between the Twenty-ninth Day of *September* and the Twenty-fifth Day of *March* following, or before Seven of the Clock in the Forenoon or after Eight of the Clock in the Evening during the Remainder of the Year, excepting only until Eleven of the Clock on the Evenings of *Saturday* throughout the Year, and the Evenings next preceding *Good Friday* and *Christmas Day*, and every Fast or Thanksgiving Day appointed by Her Majesty ; and in case any Pawnbroker offend against the Provisions of this Act, every such Pawnbroker shall, for every such Offence, on Conviction thereof upon the Oath of any One or more credible Witness or Witnesses, before any One or more of Her Majesty’s Justices of the Peace having Jurisdiction over the Place where such Offence shall have been or shall be committed, forfeit and pay not less than Twenty Shillings nor exceeding Five Pounds, as such Justice or Justices shall adjudge ; and every such Penalty shall and may be levied, together with the Costs attending the Information, Summons, and Conviction, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same respectively, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices before whom such Offender or Offenders, Person or Persons, shall or may have been convicted ; and every such Penalty shall be applied and disposed of in like Manner as Forfeitures incurred for any Offence against the last-recited Act.

39 & 40 G. 3.
c. 99.

Hours between which Pawnbrokers are allowed to receive or take in Pledges.

Penalty on Pawnbrokers offending against this Act.

Penalty and Costs may be levied by Distress.

C A P. XCIX.

An Act for consolidating and amending the Laws relating to Wreck and Salvage. [28th August 1846.]

‘ WHEREAS divers Acts have been passed through a long Series of Years for preserving Ships and Goods stranded or cast on shore, as well as for preventing Frauds and Depredations on Ship-owners and others, and for the Adjustment of Salvage : And whereas it is expedient to consolidate and amend the same : Be it therefore 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, That this Act shall come into operation on the passing thereof as to the Appointment of the Officers hereby authorized, and the posting of their Names, and as to the other Parts thereof on the First Day of October One thousand eight hundred and forty-six.

Commence-
ment of the Act.

II. And be it enacted, That the several Acts herein-after mentioned and referred to shall be repealed ; (that is to say,) an Act passed in the Twelfth Year of the Reign of Her Majesty Queen Anne, intituled *An Act for the preserving all such Ships and Goods thereof which shall happen to be forced on shore or stranded upon the Coasts of this Kingdom or any other of Her Majesty’s Dominions* ; and also an Act passed in the Fourth Year of the Reign of His Majesty King George the First, intituled *An Act for enforcing and making perpetual an Act of the Twelfth Year of Her late Majesty, intituled ‘ An Act for the preserving all such Ships and Goods thereof which shall happen to be forced on shore or stranded upon the Coasts of this Kingdom or any other of Her Majesty’s Dominions ;’ and for inflicting the Punishment of Death on such as shall wilfully burn or destroy Ships* ; and also an Act passed in the Twenty-sixth Year of the Reign of His Majesty King George the Second, intituled *An Act for enforcing the Laws against Persons who shall steal or detain shipwrecked Goods, and for the Relief of Persons suffering Losses thereby* ; and also an Act passed in the Forty-ninth Year of the Reign of His Majesty King George the Third, intituled *An Act for preventing Frauds and Depredations committed on Merchants, Ship-owners, and Underwriters, by Boatmen and others ; and also for remedying certain Defects relative to the Adjustment of Salvage in England under an Act made in the Twelfth Year of Queen Anne* ; and also an Act passed in the Fifty-third Year of the Reign of His Majesty King George the Third, intituled *An Act to continue for Seven Years Two Acts, passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for preventing Frauds by Boatmen and others, and adjusting Salvage, and for extending and amending the Laws relating to Wreck and Salvage* ; and also an Act passed in the Fifty-third Year of the Reign of His Majesty King George the Third, intituled *An Act to amend an Act made in the last Session of Parliament, intituled ‘ An Act for the more effectual Regulation of Pilots and of the Pilotage of Ships and Vessels on the Coast of England,’ and for the Regulation of Boatmen employed in supplying Vessels with Pilots licensed under the said Act, so far as relates to the Coast of Kent within*

Recited Acts
repealed, viz.

12 Ann., st. 2
c. 18.

4 G. 1. c. 12.

26 G. 2. c. 19.

49 G. 3. c. 122.

53 G. 3. c. 87.

53 G. 3. c. 140.

1 & 2 G. 4. c. 75. *within the Limits of the Cinque Ports; and also an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His Majesty King George the Fourth, intituled An Act to continue and amend certain Acts for preventing Frauds and Depredations committed on Merchants, Shipowners, and Underwriters, by Boatmen and others; and also for remedying certain Defects relative to the Adjustment of Salvage in England, under an Act made in the Twelfth Year of Queen Anne; and also so much of an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty Queen Victoria, intituled An Act to improve the Practice and extend the Jurisdiction of the High Court of Admiralty of England, as relates to Awards made by Justices and others in Salvage Cases, and Appeals therefrom; and also so much of an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of Her present Majesty Queen Victoria, intituled An Act for the general Regulation of the Customs, as relates to Persons being in possession of Goods Derelict, Jetsam, Flotsam, or Wreck, and to the Disposal of such Goods; and also an Act passed in the Parliament of Ireland in the Fourth Year of the Reign of His Majesty King George the First, intituled An Act for the preserving all such Ships and Goods thereof which shall happen to be forced on shore or stranded upon the Coasts of this Kingdom; and also so much of an Act passed in the Parliament of Ireland in the Eleventh Year of the Reign of His Majesty King George the Second, intituled An Act for enforcing and making perpetual an Act, intituled 'An Act for the preserving of all such Ships and Goods thereof which shall happen to be forced on shore or stranded upon the Coasts of this Kingdom;' and also for inflicting the Punishment of Death on all such as shall wilfully burn, sink, or destroy Ships, as makes the said last-mentioned Act of the Fourth Year of the Reign of His Majesty King George the First perpetual; and also so much of an Act passed in the Parliament of Ireland in the Seventeenth Year of the Reign of His Majesty King George the Second, intituled An Act for the Amendment of the Law in relation to Forgery, and the Salvage of Ships and Goods stranded, as relates to Salvage and Proceedings relating thereto; and also an Act passed in the Session of the Parliament of Ireland holden in the Twenty-third and Twenty-fourth Years of the Reign of His Majesty King George the Third, intituled An Act for the Amendment of the Law in relation to the Salvage of Ships and Goods stranded, or in danger of perishing at Sea; and the said several Acts and Parts of Acts herein-before mentioned and set forth are hereby accordingly repealed, except so far as the said Acts or any of them, or any thing therein contained, repeal any former Act or Acts, or any Parts thereof; and all and every which said Act or Acts, or the Parts thereof so repealed, shall remain and continue repealed to all Intents and Purposes whatsoever: Provided always, that all Offences which shall have been committed and all Penalties and Forfeitures which shall have been incurred previously to the First Day of October One thousand eight hundred and forty-six shall and may be punishable and recoverable respectively under the above-mentioned Acts or any of them as if the same had not been repealed.*

III. And be it enacted, That, for the Purpose of carrying the Provisions of this Act into effect, the Receiver General of Droits of Admiralty may from Time to Time appoint Persons to act under him, to be styled "Receivers of Droits of Admiralty;" and in the Construction of this Act the Word "Receivers" shall mean Receivers of Droits of Admiralty; and such Receivers shall hold their Offices during the Pleasure of the Receiver General and the Pleasure of the Commissioners of Admiralty; and the said Receivers shall be entitled to the Fees herein-after mentioned, together with a further Remuneration, to be defrayed out of the Proceeds of Sales of Droits made by them, at the Rate of Five Pounds for every Hundred Pounds, after abating the Charges and Expences incurred by them; and the said Receiver General shall send a List containing the Names of such Receivers, with their respective Addresses, to the Collectors of Her Majesty's Customs at the different Ports of *England* and *Wales* and *Ireland*, and also to the Secretary of the Committee for managing the Affairs of *Lloyd's* in the City of *London*; and the said Collectors and Secretary respectively shall cause the said List to be affixed in a conspicuous Place in the Custom Houses in the said Ports and at *Lloyd's* aforesaid respectively: Provided always, that all the Provisions contained in this Act having reference to the said Receivers, whether as to their Style, Office, Powers, Duties, Remuneration, or otherwise, or as to the posting of their Names, shall in all respects be applicable to those Persons who shall at the Time of the passing of this Act have been appointed Agents to the said Receiver General of Droits of Admiralty, in as full and ample a Manner as if the said Agents had been appointed Receivers under this Act; and all Appointments in Writing of Agents or Receivers by the Receiver General of Droits of Admiralty, heretofore or which may be hereafter made, are hereby declared to be exempt from Stamp Duty.

IV. And be it enacted, That every Lord or Lady of any Manor, or Patentee or Grantee of the Crown, or other Person or Body Corporate who may be entitled to or claim to be entitled to Wreck of the Sea or to any Goods found Jetsam, Flotsam, Lagan, or Derelict, shall deliver, or send by the General Post or otherwise, a Notice in Writing, setting forth such Claim, to such One of the Receivers respectively whose Residence shall be within or nearest to the said Manor or other District in which such Claim is made; and that no such Lord or Lady of any Manor aforesaid, Patentee or Grantee of the Crown, nor any other Person or Body Corporate, shall be considered as possessing such Title, or be able to enforce the same at Law or in Equity, until such Notice shall have been so given as aforesaid: Provided always, that where Two or more Notices shall be given claiming the same Rights the Party who shall adduce to the Receiver Evidence of his having enjoyed such Rights, or if both Parties shall adduce Evidence thereof, then the Party who shall appear to the Receiver to have been last in the Enjoyment of such Rights, shall be considered as the Party entitled, until such conflicting Claims shall have been finally determined at Law or in Equity; and unless such Evidence shall be adduced by One of the said Parties, such Receivers, being in possession of such Wreck of the Sea, or Goods Jetsam, Flotsam,

Receivers of Admiralty Droits to be appointed, and their Names and Addresses to be posted at Custom Houses and at Lloyd's.

All Provisions respecting Receivers applicable to the present Agents.

Appointments exempt from Stamp Duty.

Lords of Manors, &c. claiming a Right to Wreck to give Notice to a Receiver.

Lagan, or Derelict, shall not deliver the same, except to the original Owner thereof, until such conflicting Claims shall have been determined as aforesaid.

All Persons finding Wreck, &c. to report and deliver it forthwith to a Receiver or Officer of the Customs.

V. And be it enacted, That all Persons whomsoever who shall find, take up, or be in possession of any Wreck of the Sea, or any Goods Jetsam, Flotsam, Lagan, or Derelict, or any Boat, Vessel, Apparel, Anchor, Cable, Tackle, Stores, or Materials, or any Goods, Merchandize, or other Article whatsoever, which shall have been found floating or sunk at Sea, or elsewhere in any tidal Water, or cast, thrown, or stranded upon the Shore, and whether the same be found above or below High-water Mark, and whether wholly on Land or wholly in the Water, or partly on Land and partly in the Water, or shall find or take possession of any Droit of Admiralty of any Description, whether such Person shall claim to be entitled to such Article or Droit or not, shall forthwith send to the Receiver or to the Collector or Comptroller of Customs at the Port or Place nearest to which such Articles or Droits have been found a Report in Writing of all such Articles or Droits so found, containing an accurate and particular Description of the Marks (if any) thereon, and of the Time and Situation when and where the same were found, and shall also forthwith place such Articles or Droits at the Disposal of the said Receiver or Officer of the Customs; and every Officer of the Customs receiving such Report shall forthwith transmit the same to the nearest Receiver; and every Person who shall keep Possession of or retain, or conceal or secrete, any such Wreck of the Sea, Jetsam, Flotsam, Lagan, Derelict, Boat, Vessel, Apparel, Anchor, Cable, Tackle, Stores, Materials, Goods, Merchandize, or other Article as aforesaid, or shall deface, take out, or obliterate any Name, Mark, or Number thereon, or alter the same in any Manner, or shall keep Possession of or retain, or conceal or dispose of any Droit of Admiralty, or shall not forthwith report and place at the Disposal of such Receiver or Officer of the Customs any such Article or Droit in the Manner aforesaid, shall forfeit all Claim to Salvage, and shall on Conviction forfeit any Sum not exceeding One hundred Pounds, and also forfeit and pay Double the Value of the Articles to the Owner thereof, if claimed, or to Her Majesty, if the same become or be a Droit of Admiralty; which Double Value may be recovered in the same Manner as a Penalty under this Act.

Receivers and Officers of Customs may by Warrant seize Goods not reported or delivered, who shall be entitled to Salvage.

VI. And be it enacted, That it shall be lawful for any Receiver or Officer of the Customs upon Warrant obtained by Application to any Magistrate or Justice of the Peace, who is hereby empowered to grant the same, to search for, seize, and detain any such Article or Droit as shall not have been reported or dealt with in the Manner herein-before directed, either on shore, stranded, or afloat, and for that Purpose to enter any House, Store, or Building, or any Ship, Vessel, or Boat; and every Officer of the Customs so seizing as aforesaid shall forthwith send to the nearest Receiver a Report in Writing of the Articles or Droits so seized, and describing the Marks (if any) thereon; and every Receiver or Officer of the Customs so seizing as aforesaid shall be entitled to Salvage for the said Articles or Droits; and if any such Seizure shall have been made in consequence of any Information given to any

Informer entitled to such

any such Receiver or Officer of the Customs, the Person who shall give such Information shall be entitled to receive such Reward out of the Salvage as the Receiver General of Droits of Admiralty shall think fit to allow: Provided always, that it shall be lawful for any Receiver, as often as the Case may arise when Articles or Droits of Admiralty found within the Jurisdiction of the High Court of Admiralty shall be carried away out of such Jurisdiction, either within the Limits of the Cinque Ports or elsewhere, to seize and carry away the same, and place them in some Warehouse or other Place of Security, to be dealt with in the same Manner as is hereby directed and provided in the Case of Articles which shall have been so reported as aforesaid.

Reward as Receiver General shall allow.

VII. And be it enacted, That every Receiver to whom any such Report shall be sent, or by whom any such Seizure shall be made as aforesaid, shall within Forty-eight Hours send to the principal Officer of the Customs at the nearest Port a Report in Writing containing an accurate Description of the Articles so reported or seized, and the said Receiver shall also forward a Report of the Articles so reported to or seized by him to the Secretary of the Committee of *Lloyd's* aforesaid, and the same shall be placed by the said Secretary in some conspicuous Situation for the Inspection of all Persons choosing to inspect and examine the same; and if the said Secretary shall neglect or refuse so to place such Report or Copy, or any other Report or Copy by this Act so directed to be placed, he shall for every such Neglect or Refusal forfeit and pay the Sum of Five Pounds; and the Receiver shall for every such Report so forwarded to the said Secretary be entitled to receive of and from the Owner of the Articles in respect of which such Report shall have been made, if the same be claimed, or out of the Produce of the Sale thereof, if the same be not claimed, the Sum of Ten Shillings: Provided always, that no Report shall be forwarded by a Receiver to the said Secretary until the Articles for and in respect of which a Report is required shall amount in Value to the Sum of Twenty Pounds at the least.

Receivers to send to principal Officer of Customs at nearest Port a Report of Goods reported or seized, when they amount to 20*l.* in Value; a Copy of the Report to be posted at *Lloyd's*.

VIII. And be it enacted, That as often as it shall happen that any Lord or Lady of any Manor, or Patentee or Grantee of the Crown, or other Person or Body Corporate entitled to or claiming to be entitled to Wreck of the Sea, or to any Goods found Jetsam, Flotsam, or Lagan, shall have given Notice to a Receiver of such Claim as herein-before directed, and that subsequently to such Notice being given any Article shall be reported to or seized by the same or any other Receiver which may appear to such Receiver to have been found within the Limits of the Manor or District in respect of which such Notice of Claim shall have been given, it shall be lawful for such Receiver and he is hereby directed and required, within Twenty-four Hours after receiving such Report or making such Seizure, to send by the General Post or otherwise to the said Lord or Lady of a Manor, or Patentee or Grantee of the Crown, or other Person or Body Corporate having made such Claim as aforesaid, or to his, her, or their Bailiff, Reeve, or other Officer, a Notice in Writing setting forth an Account and Description of the Article so reported or seized, and of the Place and Time when and where the same was found.

Receivers to give Notice to Lords of Manors, &c. of the finding of Wreck claimed by them.

Owners of Wreck may, on making good their Claim within Twelve Months, have it delivered up to them.

IX. And be it enacted, That if the rightful Owner of any Article which has been so reported to or seized by any Receiver as herein-before directed shall make out his Claim to the said Article, to the Satisfaction of the said Receiver, within the Period of Twelve Calendar Months from the Day on which such Article shall have been so reported to or seized by the said Receiver, such Article shall be restored to the said Owner, on Payment of the Duties and necessary Charges attending the Care or Removal of the same, and a reasonable Compensation for Salvage thereof, and also on Payment to the said Receiver of a Sum after the Rate of Five *per Centum* on the Value of the Article, but in no Case, whatever may be the Value of the Articles, shall such Per-centage exceed Fifty Pounds.

Wreck, &c., not being claimed by the Owner within Twelve Months, Lords of Manors, &c. may make good their Claim within One Month following.

X. And be it enacted, That when any such Article as aforesaid shall have been in the Custody of any Receiver in manner aforesaid, and shall not be legally claimed by the Owner thereof within the aforesaid Space of Twelve Calendar Months, and any Lord or Lady of a Manor, or Patentee or Grantee of the Crown, or other Person or Body Corporate, having given due Notice of his or her Claim as herein-before required, or his, her, or their Bailiff, Reeve, or other Officer, shall within the Space of Thirty Days after the Expiration of the said Term of Twelve Calendar Months make it appear to the said Receiver, by the Production of satisfactory Evidence, that such Article was found within the Manor or District in respect of which such Claim is made, it shall be lawful for the Receiver and he is hereby required and enjoined to deliver up such Article to the said Lord or Lady of a Manor, or Patentee or Grantee of the Crown, or other Person or Body Corporate, or his, her, or their Bailiff, Reeve, or other Officer, on Payment of the Duties, and all Charges and Expences attending the Care or Removal of the said Article, together with a reasonable Compensation for Salvage, and also on Payment to the said Receiver of a Sum after the Rate of Five *per Centum* on the Value of the Article, but in no Case, whatever may be the Value of the Articles, shall such Per-centage exceed the Sum of Fifty Pounds: Provided always, that if the Receiver shall determine against the Right of any Person claiming to be the Owner of any such Article as aforesaid, or against the Evidence produced by any Lord or Lady of a Manor, or Patentee or Grantee of the Crown, or other Person or Body Corporate, as to the finding of any such Article as aforesaid, he shall be bound, at the Request of the Party against whom he shall have determined respectively, to signify such Determination in Writing, with the Date thereof and the Reasons for the same.

Wreck, &c. not claimed either by Owner or Lord of the Manor to be sold as Droits of Admiralty.

XI. And be it enacted, That when no Claim to any Article in the Custody of any Receiver or Officer of Customs as aforesaid shall be established, either by the Owner thereof, or by any Lord or Lady of a Manor, or Patentee or Grantee of the Crown, or other such Person or Body Corporate as aforesaid, within the said respective Periods as aforesaid, then the said Article shall be deemed and taken to be Droits of Admiralty, and shall be sold by the said Receiver, without any legal Process whatsoever, and the net Proceeds thereof, after the Payment of Salvage, when the same shall be payable, and of the other Charges, shall be forthwith transmitted

transmitted by him to the said Receiver General: Provided always, that when any Article in the Custody of any Receiver or Officer of Customs as aforesaid shall be of so perishable a Nature, or so much injured or damaged, that the same cannot, in his Opinion, be kept, or if the Value thereof shall not be sufficient to defray the Charge of warehousing, then and in every such Case it shall be lawful for the said Receiver to sell the same before the Expiration of the Periods herein-before mentioned, and the Money raised by such Sale, after defraying the Salvage and other Expences thereof, shall be transmitted by him to the said Receiver General, and remain in the Hands of the said Receiver General, to abide and be subject and liable to the Claims of all Persons, in like Manner as the Article itself would remain and be subject and liable to if remaining unsold: Provided also, that it shall be lawful for any Receiver, and he is hereby authorized, if he in his Discretion think fit, when he shall have in his Custody any Article which shall not appear to him to be of greater Value than Five Pounds, to sell the same before the Expiration of the said Periods, and forthwith pay Salvage to the Party claiming the same, and to transmit the Remainder of the Proceeds of such Sale in the Manner herein-before provided; but in every such last-mentioned Case the Salvor shall not be entitled to more than One Third of the net Produce of such Sale.

Goods deemed perishable or of small Value may be sold immediately.

XII. And be it enacted, That no Vice Admiral or Deputy Vice Admiral of any County, or any Agent of the same, shall as such henceforth receive, take, seize, or in any Manner interfere with any Wreck of the Sea, or any other of the Goods or Articles herein-before mentioned.

Vice Admirals of Counties, &c. not to interfere with Wreck, &c.

XIII. And be it enacted, That as often as it shall happen, upon the Sale of Articles as herein-before directed, that after the Payment of Duties and other necessary Expences there shall not be left a Sum sufficient to defray the Salvage, it shall be lawful for the Receiver, or, if the same shall happen within the Jurisdiction of the Lord Warden of the Cinque Ports, the Deputy Serjeant or other Officer of the said Lord Warden in whose respective Custody the Articles shall have been, to send a Report, stating the Circumstances, the said Receiver to the said Receiver General, and the said Deputy Serjeant or other Officer to the said Lord Warden, as the Case may be; and the Commissioners of Her Majesty's Treasury, on receiving an Application thereupon from the said Receiver General or from the said Lord Warden, as the Case may be, may and they are hereby authorized to allow such Sum to be paid out of Her Majesty's Exchequer by way of Salvage as they shall deem sufficient.

Where Salvage insufficient, Lords of Treasury, on Application by Receiver General or Lord Warden of Cinque Ports, may allow a Sum for Salvage.

XIV. And be it enacted, That when any Ship or Vessel whatsoever shall be in distress, or in danger of being stranded or run on shore, or shall be stranded or run on shore, every Receiver, as well as all Justices of the Peace, and also all Mayors, Bailiffs, and other Officers of Corporations and Port Towns, and all Constables, Headboroughs, Tythingmen, and Officers of the Customs and Excise, shall summon and call together as many Men as shall be thought necessary to the Assistance and Preservation of such Ship or Vessel and its Cargo, or for the saving Human Life, and if there shall be any Ship or Vessel belonging to any of Her Majesty's Subjects,

Receivers, Justices, &c. or Custom House Officers, when any Ship or Vessel shall be in distress, empowered to suramon Men and Ships to assist them.

Subjects, or any Waggons, Carts, and Horses, near the Place where such Ship or Vessel is in distress or danger as aforesaid, the said Receiver and other Officers herein-before mentioned, or any of them, are hereby required and empowered to demand of the superior Officer of such Ship or Vessel Assistance by Boats, or such Hands as can be conveniently spared, and to demand the Use of any Waggons, Carts, and Horses of the Owner or Person having the Charge thereof, for the Service and Preservation of the said Ship or Vessel in distress as aforesaid, and her Cargo, or for the saving of Human Life; and every such superior Officer, Owner, or Person refusing or neglecting to comply immediately with such Demand shall for every such Refusal or Neglect forfeit and pay any Sum not exceeding One hundred Pounds.

Penalty for Refusal.

As to Persons empowered to give Orders in case of a Vessel stranded.

XV. And be it enacted, That for the Prevention of Confusion among Persons assembled to save any Ship or Vessel in distress as aforesaid, or any of the Goods or Effects belonging thereto, all Persons so assembled shall conform, in the first place, to the Orders of the Master or Owner or Officer in charge of the said Ship or Vessel in distress, and in the next place to those of the Receiver, and for Want of their Presence to those of the Officers herein-after mentioned, in the following Subordination, as any of such Officers shall be present; (that is to say,) first the Officers of Customs or Coast Guard, then those of the Excise, then of the Sheriff or his Deputy, then any Justice of the Peace, then any Mayor or Chief Magistrate of any Corporation, then any Coroner, then any Chief Constable, then any Petty Constable or Peace Officer; and any Person whomsoever acting knowingly or wilfully contrary to such Orders shall, on Conviction before One Justice of the Peace, forfeit and pay any Sum not exceeding Fifty Pounds.

Examination on Oath of Ship's Name, Cargo, &c. before Receiver, and a Copy to be sent to Receiver General.

XVI. And be it enacted, That any Receiver, or in his Absence any Justice of the Peace, shall as soon as conveniently may be examine upon Oath (which Oath they are hereby respectively empowered to administer) any Person belonging to any Ship or Vessel which may be or may have been in distress, or others who may be able to give any Account thereof, or of the Cargo or Stores thereof, as to the Name or Description of the said Ship or Vessel, and the Names of the Master, Commander, or chief Officer and Owners thereof, and of the Owner of the said Cargo, and of the Ports or Places from or to which the said Ship or Vessel was bound, and the Occasion of the said Ship's Distress, and of the Services rendered, and as to any other Matter or Circumstance relating to the said Ship or Cargo, or any of the Stores thereof, as the said Receiver or Justice may think fit and necessary; and the said Receiver or Justice shall take the said Examination down in Writing, and shall make Two Copies of the same, the one of which he shall send to the said Receiver General, and the other to the Secretary of the Committee of *Lloyd's* aforesaid, and the said Copy shall be placed by the said Secretary in some conspicuous Situation, in like Manner as herein-before directed with respect to other Reports so to be made to the said Secretary as aforesaid; and for every such Examination by a Receiver he shall be entitled to receive from the Owner of the said Vessel or Cargo, or out of the Produce of the Sale thereof, the Sum of One Pound; and it shall be lawful for the said Receiver, or for any Officer of
the

Receiver entitled to 1l. for every Examination.

the Customs, at the Request in Writing of the said Receiver, to detain such Vessel or Cargo until the said Sum be paid : Provided always, that if any Person belonging to the said Ship or Vessel, or otherwise, shall refuse to be so examined by the said Receiver or Justice as aforesaid, he shall for every such Refusal forfeit and pay any Sum not exceeding Fifty Pounds.

Persons refusing to be examined to forfeit 50*l*.

XVII. And be it enacted, That it shall be lawful for the Receiver at that Part of the Coast where any Ship or Vessel shall be stranded or wrecked, or where any Wreck of the Sea or Goods shall be cast on shore, and also for the Owner or Master of any such Ship or Vessel, and for the Owners of any such Goods or of any Part thereof, and for any Officer of the Customs, Coast Guard, or Excise, and other Officer, and for all Persons whomsoever employed or acting in aid of or in the assisting of any such Receiver, Officer, Master, or Owner as aforesaid, in the saving or recovering any such Ship or Vessel, or the Cargo, Stores, Tackle, or other Article belonging to the same, or the preserving the Lives of the Crew or Persons belonging thereto, or of any Wreck as aforesaid, to pass and repass, with their Horses, Carts, Carriages, or Servants, doing as little Damage as possible, over any Lands, Pier, Jetty, Wharf, or Landing Place near to the Part of the Sea Coast where such Vessel shall be so wrecked or stranded, or on which such Wreck shall be cast, without Interruption or Obstruction by the Owner or Occupier thereof, for the Purpose of saving, recovering, and preserving any such Ship or Vessel, or Goods or Stores, or any Boat, Cables, Timbers, Spars, Masts, Cordage, or other Tackle or Article belonging to any Ship or Vessel, or for saving or otherwise assisting in preserving the Lives of any Persons, or for the taking possession of any Wreck or Goods or other Article cast on shore, or found on shore or found near thereto, provided there shall be no Road by which the Parties may pass and repass with as much Convenience and Expedition as over such Lands, Pier, Jetty, Wharf, or Landing Place, and also to place any Planks, Timber, or any Part of the Wreck, or any Goods or Stores or other Article removed or saved from any such Ship or Vessel, or any other Wreck or Goods or other Article as aforesaid, upon any such Land, Pier, Jetty, Wharf, or Landing Place, for a reasonable Time until they can be removed to some Warehouse or safe Place of Deposit, doing as little Damage as possible, and making Compensation to the Occupier of such Land, Pier, Jetty, Wharf, or Landing Place for any Damage done by all or any the Means aforesaid, which Compensation shall be a Charge upon the Wreck, Goods, or other Article in respect whereof the Damage may be done, in like Manner as Salvage; and in case the Parties cannot agree as to the Amount thereof, then the same shall be ascertained and settled in any of the Manners and within such Times as the Amount of Salvage is herein directed to be ascertained and settled.

Carriages allowed to pass over the Lands near the Coast for the Preservation of Wreck, &c.

Compensation to Land Occupiers to be settled in the same Manner as Salvage.

XVIII. And be it enacted, That if any Owner or Occupier of any Land or Premises over which any Person is authorized by this Act to pass and repass for any of the Purposes herein-before mentioned shall interrupt, impede, or hinder any such Person from passing over his Land or Premises, with or without Horses,

Penalty on Land Occupiers refusing to allow Carriages, &c. to pass over their Lands.

Carts,

Carts, Carriages, or Servants, for the Purposes herein-before mentioned or any of them, by locking his Gates, or refusing upon Request to open the same, or otherwise, or shall obstruct or hinder the placing any such Plank, Timber, Part of a Wreck, Goods, Stores, or other Article upon his Land, Pier, Jetty, Wharf, or Landing Place, or shall prevent their remaining there for a reasonable Time until the same can be removed to some Warehouse or safe Place of public Deposit, such Owner or Occupier shall for every such Offence forfeit and pay any Sum not exceeding One hundred Pounds.

Reasonable
Salvage to be
allowed to Per-
sons saving
Ships or Goods.

XIX. And be it enacted, That every Person (except Receivers under this Act) who shall act or be employed in any way whatsoever in the saving or preserving of any Ship or Vessel in distress, or of any Part of the Cargo thereof, or of the Life of any Person on board the same, or of any Wreck of the Sea, or of any Goods Jetsam, Flotsam, Lagan, or Derelict, or of any Anchors, Cables, Tackle, Stores, or Materials which may have belonged to any Ship or Vessel, whether the said Ship or Vessel shall have been in distress or otherwise, and whether such Person shall have so acted at the Request of or on Application by any Person in Authority, or by the Master or Owner of any Ship or Vessel, or otherwise, shall, within Fourteen Days after the Service so performed, or within Fourteen Days after the Owner or any other Person shall have established his Claim to any such Article as aforesaid, be paid a reasonable Reward or Compensation by way of Salvage for such Service, by the Commander, Master, or other superior Officer, Mariners, or Owner of the said Ship or Vessel, or their Agent, or by the Merchant whose Ship, Vessel, or Cargo shall be so saved as aforesaid, or by the Owner of the other Articles herein-before mentioned, or other Person claiming the same; and in default thereof the said Ship or Vessel, or any Part of the Cargo remaining on board thereof, so saved as aforesaid, shall remain in the Custody of the High Court of Admiralty, and the said Goods or other Article (and also, until Warrant issued from the High Court of Admiralty, the said Ship, Vessel, or Cargo,) shall remain in the Custody of the Receiver or Officer of the Customs until the Person so acting or employed in the Preservation of such Ship or Vessel, Goods or other Article as aforesaid, shall have been reasonably compensated for his said Assistance and Trouble, or reasonable Security given for that Purpose to the Satisfaction of the said Receiver or Officer of the Customs, or High Court of Admiralty: Provided always, that every Receiver who shall act or be employed in the saving or preserving of any Ship or Vessel in distress which shall not become a Droit of Admiralty shall be entitled to receive from the Owner thereof the Sum of Two Pounds for the first Day, and the further Sum of One Pound for every subsequent Day on which he shall be employed in the said Service, if the said Ship or Vessel, together with the Cargo thereof, shall be of or above the Value of Six hundred Pounds, and the said Receiver shall be entitled to a Moiety of such respective Sums if the said Ship and Cargo shall be under the Value of Six hundred Pounds; and the said Ship or Vessel shall be so detained as aforesaid until such Sums shall have been paid to the said Receiver.

Proviso.

XX. And be it enacted, That it shall be lawful for the said Receiver General to make Rules, and vary and alter the same, from Time to Time, as he may think proper, for regulating the Rate of Salvage to be paid by the Receivers when any Ship, Vessel, Boat, Apparel, Anchor, Cable, Tackle, Stores, Materials, Goods, Merchandize, or other Article whatsoever shall not be proved to belong to any Owner or other Person, and shall be sold as Droits of Admiralty in manner herein-before directed.

Receiver General may make Rules for regulating Salvage, in certain Cases.

XXI. And be it enacted, That if any Person shall have rendered any Service (except ordinary Pilotage) in the saving or preserving of any Ship or Vessel in distress, or of the Cargo thereof, or of the Life of any Person on board the same, or of any Wreck of the Sea, Goods or other Article herein-before mentioned, which shall not become Droits of Admiralty, and the said Person, and the Master or Owner of such Ship or Vessel, or his Agent, or the Owner of such Article, or his Agent, cannot agree upon the Amount of Salvage or Compensation to be paid in respect of such Service, then such Person shall deliver to such Master, Owner, or Agent a Statement in Writing, without Prejudice to either Party, of the Amount of Salvage or Compensation claimed for such Services, and (unless such Salvage shall have been already paid by any Receiver under the Powers herein-before contained, or the Claim thereto shall exceed the Sum of Two hundred Pounds,) the Matter or Difference may be determined by any Two Justices of the Peace residing at or near to the Place where such Service has been rendered, within Forty-eight Hours after such Difference shall be referred to them for their Determination thereof, and if they cannot agree respecting the same then it shall be lawful for them to nominate any Third Person conversant in maritime Affairs, at their Option, who shall ascertain the Amount of Salvage to be paid within Forty-eight Hours after he shall be so nominated as aforesaid; and the said Justices and such Third Person so nominated as aforesaid shall have full Power and Authority, whenever they see Occasion, to examine the Parties or their Witnesses upon Oath, which Oath they or any One of them are and is hereby authorized to administer; and it shall be lawful for the Person so to be nominated by the said Justices, who shall decide on the Amount of Salvage to be paid as aforesaid, to demand and receive of and from the Owner of the Ship or Vessel aforesaid, or of the Article so saved as aforesaid, or of the Salvors or their respective Agents, a Sum of Money not exceeding Two Pounds Two Shillings; and such Owner or his Agent, or such Salvors, at the Discretion of the said Justices or Person appointed by them as aforesaid, are hereby required to pay the same to the Person so nominated as aforesaid immediately after he shall have made his Award or Decision, and such Sum of Two Pounds Two Shillings, and such Amount of Salvage, may be recovered as any Penalty imposed by this Act: Provided always, that when the Salvage Claim shall exceed the Sum of Two hundred Pounds, then and in every such Case the said Matter or Difference shall, in the event of no such Agreement being made as aforesaid, either by Reference to Arbitration or otherwise, be determined exclusively by the High Court of Admiralty.

If Owners and Salvors disagree respecting Salvage, Two Justices, or a Person nominated by them, may determine the same.

Admiralty may appoint Salvage Commissioners to determine Differences where they think fit, and appoint Secretary, &c.

Commissioners empowered to examine on Oath.

Parties dissatisfied may appeal to High Court of Admiralty, and Goods to be restored to Owners, on giving Bail.

XXII. And be it enacted, That it shall be lawful for the Commissioners of Admiralty to nominate and appoint, in such Ports or Towns and for such Districts as in their Discretion they may think fit, Three or more proper Persons for each Port, Town, or District respectively, to be called Commissioners of Salvage, who, or any Three or more of them, shall have Power to adjust and determine any Difference respecting Salvage in the same Manner and in such Cases as the Justices herein-before in that respect mentioned, and also to nominate and appoint a proper Person to act as Secretary or Registrar to the said Commissioners, and which Secretary or Registrar shall enter in a Book kept for that Purpose all the Proceedings of such Commissioners, and also a Copy of the Awards which they shall have from Time to Time made; and the said Commissioners of Salvage, or any Three or more of them, shall have the Powers of examining on Oath, and all other the same Power and Authorities as are herein-before given to the said Justices, and to the Person to be by them nominated as aforesaid; and such Commissioners of Salvage, or any Three or more of them, who shall decide in any such Case as aforesaid, and their Secretary or Registrar, may and they are hereby authorized to demand of and from the Owner of any Ship or Vessel or of any Article against whom any Person may make any Claim or Demand for Service rendered on preserving the same, and such Owner or Salvors is and are hereby required to pay, such Fee or Reward for deciding on every such Claim as shall be regulated and appointed in that Behalf by the Commissioners of the Treasury; and the said Commissioners of Salvage, or any Three or more of them, shall have the Power to commit for Contempt.

XXIII. And be it enacted, That in case any Person so claiming to be entitled to Salvage or Compensation for Services rendered as aforesaid, or the Person against whom such Claim is made, or his Agent, shall be dissatisfied with such Award and Decision of the said Justices or Person so to be nominated by them as aforesaid, or of the said Commissioners of Salvage, it shall be lawful for either of them respectively, within Ten Days after such Award shall have been made, but not afterwards, to notify to such Justices, or to the said Commissioners of Salvage, as the Case may be, his Desire of obtaining the Judgment of the High Court of Admiralty respecting the said Salvage or Compensation, and thereupon such Person shall forthwith proceed by taking out a Monition within Thirty Days from the Date of such Award; but in such Case the Receiver or Officer of the Customs in whose Custody the Ship, Vessel, Goods, or other Article in respect of which such Claim of Salvage has been made shall have been detained as aforesaid is hereby required and empowered to release such Ship or Vessel, and to deliver to the Owner or Proprietor, or his Agent, such Goods or other Article, upon the said Owner or Proprietor or his Agent giving good and sufficient Bail in Double the Amount of the Sum awarded for Salvage or Compensation, or if no Sum shall have been so awarded, then to such Amount as the said Receiver shall deem sufficient, and which Bail the said Receiver is hereby authorized to take and certify according to the Form contained in the Schedule

dule (A.) hereunto annexed, and transmit the same without Delay to the said Receiver General, together with a true Certificate in Writing of the gross Value of the Article respecting which Salvage shall be claimed, and also a Copy of such Proceedings and Award, on unstamped Paper, certified under the Hand of the said Receiver taking such Bail as aforesaid, and the same shall be admitted by the said Court of Admiralty as Evidence in the Cause; and the said Receiver shall for every such Certificate be entitled to receive from the Owner of such Ship or Vessel, Goods or other Article, or his Agents, or from the Proceeds of the Sale thereof, the Sum of One Pound One Shilling.

XXIV. Provided always, and it is hereby enacted, That after any such Award has been made, either by the said Justices or Person nominated by them, or by the said Commissioners of Salvage as aforesaid, and the Owner of such Ship or Vessel, Goods or other Article, in respect of which such Award of Salvage is made, or his Agent, shall refuse or neglect either to pay the same, or to give Notice of such Appeal, or to take out such Monition as aforesaid, it shall be lawful for the Receiver, at or nearest to the Place where such Award has been made, and he is hereby required, within Twenty Days after the making of the said Award, and on Production of the same, to sell the Property contained in such Ship or Vessel, or the said Goods or other Articles, as the Case may be, or such and so many of the same as in his Opinion will be sufficient to defray the Salvage, and the Costs and Charges relating thereto, paying the Surplus, if any, to the Owner or Owners thereof: Provided also, that in all Cases which shall be decided by any Justices of the Peace, or their Nominee, or by the said Commissioners of Salvage, the High Court of Admiralty shall only have Jurisdiction as a Court of Appeal, in accordance with the Provisions of this Act, or for the Purpose of enforcing Payment of the Sum awarded.

XXV. And be it enacted, That whenever any Sum to be paid for any such Services as aforesaid, either voluntarily or in consequence of any Agreement, or of any Arbitration, or of any Award made by any such Justices or by the said Commissioners of Salvage as aforesaid, or, within the Jurisdiction of the Cinque Ports, by any Commissioners, shall be distributable between Two or more Persons, such Sum shall be paid to such Person as shall be appointed by the Justices or Commissioners in and by their Award, or by the Arbitrator making any Award, or under any Agreement which may have been made, or in default of any such Appointment, then to the Master or Owner of the Boat, Ship, or Vessel having rendered the Services, or his Agent, or to some Person nominated in Writing by or on behalf of the Majority of the Persons among whom such Sum is distributable; and every Person to whom any such Sum shall be paid shall, within Three Days after the same shall have been paid, or as soon after as may be, proceed to make Allotment thereof among the several Persons interested in the Distribution thereof, and to give Notice in the Form contained in the Schedule (B.) to this Act annexed to each Person of the whole Sum so paid, and of the Share thereof allotted to him; and within Thirty Days after the Sum shall have been so paid, or within Twenty-eight Days after such

Receiver, where Award by Commissioners of Salvage has been made, empowered to sell Ship or Goods, &c. in case of Refusal of Owner to comply with Terms of Award, or of Neglect to appeal.

Commissioners or Justices to appoint, to whom Salvage to be paid for Distribution between Two or more Persons.

Duties of Distributor.

In case of Delay or Injustice, aggrieved Notice

Parties to apply to Justices or Commissioners, or to High Court of Admiralty.

Notice shall have been given, and not afterwards, it shall be lawful for any Person claiming a Share of the said Sum who shall think himself aggrieved, either by no Allotment having been made, or by no Notice thereof having been given to him within Ten Days after the Sum shall have been so paid, or by the Insufficiency of the Share allotted to him, or otherwise, to apply, if the Share so allotted, or, if no Share shall be so allotted, then if the Share claimed by him shall be under Twenty Pounds, to the Justices or Commissioners who may have determined such Salvage Case, or within whose Jurisdiction such Salvage Case may have occurred, who shall have full Power to adjudge the due Distribution of the Sum so paid as aforesaid, and the Shares of the different Parties entitled thereto, which Shares may then be recovered from the Person to whom such Sum shall have been so paid, in like Manner as is hereby provided for the Recovery of any Penalty under this Act; and if the Share which shall be so allotted, or, if no Share has been allotted, which shall be so claimed by the Person so thinking himself aggrieved as aforesaid, shall amount to Twenty Pounds, then it shall be lawful for such Person, within the said Term of Thirty Days or the said Term of Twenty-eight Days (but not afterwards), to apply to the Judge of the High Court of Admiralty, or his Surrogate, for a Motion against the Person to whom the said Sum has been so paid as aforesaid, to bring the said Sum or any Part thereof which shall appear not to have been duly distributed, into the Registry of the said Court, and appear, and abide the Judgment of the said Court concerning the Distribution thereof; and the Judge of the said Court, or his Surrogate, shall, on due Cause shown, issue such Motion, and the said Court shall have Jurisdiction to enforce the same, and to adjudge the due Distribution of such Sum accordingly; and in the Case of an Award the Person by whom such Award shall have been made shall, upon Motion, send in without Delay to the said Court a Copy of the Proceedings before him, and of the Award, on unstamped Paper, witnessed under his Hand, and the same shall be admitted by the Court as Evidence in the Cause; and the Amount so awarded, or such Part as shall appear not to have been duly distributed, shall be paid to the Parties suing out such Motion, or distributed according to the Judgment of the said Court.

After Sum awarded for Salvage Services shall have been paid, Persons feeling aggrieved by Insufficiency of Share precluded from enforcing Claim against Ship, &c. to which Services were rendered.

XXVI. And be it enacted, That whenever it shall appear that any Sum which has been awarded or voluntarily agreed to be paid for Salvage Services shall have been duly paid by the Master or Owner of any Ship, Vessel, or Goods to which such Service shall have been so rendered, or his Agent, to the Appointee of the Justices or Commissioners or of the Arbitrator making any Award, or under any Agreement, or in default of such Appointment to the Master or Owner of the Boat, Ship, or Vessel having rendered such Services, or to the Person nominated as aforesaid, as the Case may be, then and in every such Case any Person claiming any Share in such Sum who may think himself aggrieved by the Insufficiency of the Share allotted to him, or otherwise, shall be precluded from enforcing such Claim against the Ship, Vessel, or Goods to which such Services shall have been rendered, or the Owner thereof: Provided always, that any Party who shall

claim to be entitled to any Sum which shall remain undistributed in the Hands of any Person to whom the same may have been paid may, within Twelve Months after such Payment, have the same Remedies for the Recovery of such Sum from the Person to whom the same shall have been paid as are herein-before provided respecting the Recovery of Shares in any Sum paid for Salvage Services after Adjudication of the Distribution thereof.

XXVII. And be it enacted, That when any Sum shall be paid for any such Salvage as aforesaid, either voluntarily or in consequence of any Award having been made in manner aforesaid, or Security given for the Payment thereof, and it shall appear that any Ship or Vessel, Goods or other Article, in respect of the saving of which such Sum shall have been so paid or such Security given, shall be detained in the Custody of any Officer of the Customs or of the High Court of Admiralty (as the Case may be) as aforesaid, it shall not be lawful for the said Officer or the said Court to permit such Ship or Vessel to depart, or to give up such Goods or other Article, until the Production of a Writing signed by the Persons to whom such Salvage shall be payable, or some or one of them, which shall contain a Description of such Ship or Vessel, or Goods or other Article, together with an Account of the Sums that have been so paid, or of the Security given for the same; and the said Officer or the Court (as the Case may be) shall send a Copy of such Writing to the nearest Receiver, who shall transmit the same, or a Copy thereof, to the said Receiver General.

Account of Sums received for Salvage to be sent to Receiver, and by him to Receiver General.

XXVIII. And be it enacted, That if any Person shall wilfully cut away, cast adrift, remove, alter, deface, sink, or destroy, or shall do or commit any Act with Intent and Design to cut away, cast adrift, remove, alter, deface, sink, or destroy, or in any other Way injure or conceal any Boat, Buoy, Buoy Rope, or Mark, such Person so offending shall, on being convicted of any such Offence, be deemed and adjudged to be guilty of Felony, and shall be liable to be transported for any Term not exceeding Seven Years, or imprisoned for any Number of Years not exceeding Three, with or without hard Labour, at the Discretion of the Court in which such Conviction shall have taken place.

Persons cutting away or defacing Buoy Ropes deemed guilty of Felony.

XXIX. And be it enacted, That if any Person shall knowingly or wilfully, and with Intent to defraud the true Owner thereof, or any Person interested therein, purchase or receive any Boat, Anchor, Cable, Goods, or Merchandize which may have been taken up, weighed, swept for, or taken possession of, if the Provisions herein-before contained with regard to such Articles shall not have been previously complied with, such Person shall on Conviction thereof be deemed guilty of receiving stolen Goods, knowing the same to be stolen, and shall be punished accordingly.

Persons fraudulently purchasing Anchors, &c. to be considered Receivers of stolen Goods.

XXX. And be it enacted, That in case the Master, Mate, Crew, or Passenger of any Ship or Vessel shall find or take in tow or on board of such Ship or Vessel, any Vessel, Boat, Anchor, Cable, or any Goods, Merchandize, or other Article, or shall receive any Vessel, Boat, Anchor, Cable, or any Goods, Merchandize, or other Article, from any other Person who may have found the same, knowing the same to have been so found, the Master, Mate, or other Person having the Command of such Ship or Vessel shall,

Masters of Ships finding Vessels, Anchors, &c. to make Entry in Log Book, and report to Receiver General, and on their Return or Arrival to deliver

the Articles to the nearest Receiver.

Articles to be reported by Receiver, and if not claimed to be sold.

Penalty on Defaulters, 100*l*.

Persons selling Vessels, &c. in Foreign Countries guilty of Felony.

Penalty on Dealers in Marine Stores not having their Names on their Storehouses, or cutting up Cables without a Permit from a Receiver.

on the Return or Arrival of such Vessel to any Port in the United Kingdom, place the said Article at the Disposal of the Receiver in or nearest to such Port at which he shall first arrive, and within Twenty-four Hours of his Arrival, with a Report in Writing containing an accurate Description of the said Articles, and the Marks, if any thereon, and the Time when, and the Bearings and Distances and other minute Descriptions of the Place where the same were found or taken on board; and such Receiver is hereby required to transmit such Report to the Secretary of the Committee of *Lloyd's* aforesaid, to be placed by him for Inspection, in like Manner as herein-before provided with respect to Copies of other Reports; and if the said Article shall not be claimed by the Owner thereof, or his Agent, within Twelve Calendar Months after such Report shall be transmitted to the said Secretary, the same shall be sold and disposed of by the said Receiver, and the Proceeds of such Sale remain and be dealt with in the Manner herein-before directed with respect to other unclaimed Articles; and if the Master of such Ship or Vessel, or such other Person, shall not report or place at the Disposal of the said Receiver, such Vessel, Boat, Anchor, Cable, Goods, Merchandize, or other Article, according to the Provisions of this Act, he shall for every such Offence forfeit all Claim to Salvage, and on being thereof convicted before any Justice of the Peace forfeit and pay One hundred Pounds, and shall also forfeit and pay Double the Value of any such Article to the Owner thereof, if claimed, or to Her Majesty, if the same become Droits of Admiralty, which Double Value may be recovered in the same Manner as a Penalty under this Act.

XXXI. And be it enacted, That every Person who shall convey, take, or tow to any Foreign Port or Place any Vessel, Boat, Anchor, Chain, Cable, or other Article which may have been so found, weighed, swept for, received, or taken as aforesaid, and there sell or otherwise dispose of the same, shall be guilty of Felony, and shall be transported for any Term not exceeding Seven Years.

XXXII. And be it enacted, That all Persons who shall trade or deal in buying and selling Anchors, Cables, Sails, or old Junk, old Iron, or Marine Stores of any Kind or Description, shall have their Names, with the Words "Dealer in Marine Stores," painted distinctly in Letters of not less than Six Inches in Length upon the Front of all their Storehouses, Warehouses, and other Places of Deposit for such Goods, and in default of their so doing they shall, on Conviction before any Justice of the Peace or Magistrate of any Jurisdiction where such Storehouse, Warehouse, or Depot shall be, forfeit and pay a Sum not exceeding Twenty Pounds; and it shall not be lawful for such Dealers or Traders to cut up any Cable, or any Part of a Cable exceeding Five Fathoms in Length, or uncant, untwine, or unlay the same into Junk or Paper Stuff, on any Pretence whatsoever, without first obtaining a Permit from a Justice of the Peace, or the Receiver residing nearest to the Residence of such Dealer, which Permit shall not be granted unless a Declaration shall have been made before a Justice of the Peace that the Cable or other Articles so intended to be cut up had been *bonâ fide* purchased, and without Fraud,

by

by the Party so intending to cut up the same, and without any Knowledge or Suspicion on his Part that the same had been dishonestly come by, and in which Declaration shall also be specified the peculiar Quality and Description of such Cable or other Article, and the Name of the Seller thereof; which Declaration shall be recited and set forth at length upon the Permit thereupon granted, on pain of forfeiting for the First Offence any Sum not exceeding Twenty Pounds, and for the Second or further Offence any Sum not exceeding Fifty Pounds.

XXXIII. And be it enacted, That it shall not be lawful for any Dealer in Marine Stores, or any Person employed by him, to purchase Anchors, Cables, Sails, or old Junk or Iron, or Marine Stores of any Kind or Description whatsoever, of or from any Person who shall not have attained the Age of Fourteen Years, on pain of forfeiting for the First Offence any Sum not exceeding Five Pounds, and for the Second or further Offence any Sum not exceeding Twenty Pounds.

Penalty on Dealers in Marine Stores purchasing Anchors, &c. from Persons under 14.

XXXIV. And be it enacted, That for the more effectual Prevention of such Frauds all Dealers in such Marine Stores as aforesaid shall keep a Book or Books fairly written, in which Entries shall be from Time to Time regularly made of all such old Marine Stores as shall be by them from Time to Time bought or otherwise obtained, containing a true Account and Description of the Times when the same were so respectively bought or otherwise obtained by them, and of the Names and Places of Abode of the respective Sellers thereof, or of the Parties from whom the same shall have been obtained; and before any Person who shall obtain such Permit as herein-before mentioned for the cutting up of any such Cable or other Article shall proceed to cut up the same by virtue thereof, there shall be published, by the Space of One Week at least before the cutting up of the same, One or more Advertisements in some public Newspaper printed nearest to the Storehouse, Warehouse, or Depôt where the Article shall be deposited, notifying that such Party had obtained such Permit for the Purpose of cutting up such Cable or other Article, and of such Kind and Quality as therein described, and also specifying the Place where such Articles are deposited; whereupon it shall be lawful for every Person who may have just Cause to suspect that such Articles are his Property, and shall have verified upon Oath the Fact of such Suspicion before any Justice of the Peace or Magistrate residing near the said Storehouse, Warehouse, or Depôt, by Warrant for that Purpose thereupon granted, to require of and from such Dealer who shall have so advertised as aforesaid the Production and Examination of the Book of Entries hereby required to be kept, and to inspect and examine the Cables and other Articles described in such Permit; and in case any such Dealer, when so required as aforesaid, shall neglect or refuse to produce such Book of Entries, or shall neglect to keep any such Book of Entries, or shall refuse to permit such Inspection or Examination as aforesaid, or shall, after obtaining such Permit for the cutting up of any such Cable or other Article, or before cutting up the same, neglect to publish such Advertisement as aforesaid, he shall for every such First Offence forfeit and pay any Sum not exceeding Twenty Pounds, and for every

Dealers to keep an Account of old Stores bought, to advertise before cutting up Cordage, and to allow an Inspection of their Books.

Penalty for Neglect or Refusal.

such Second or further Offence any Sum not exceeding Fifty Pounds.

Manufacturers
to place Marks
on Anchors and
Kedge Anchors.

XXXV. And be it enacted, That every Manufacturer of Anchors and Kedge Anchors shall place his Name or Initials, together with a progressive Number, and also the Weight of every Anchor, in legible Characters upon the Crown and also upon the Shank under the Stock of each Anchor respectively which he shall manufacture; and in case any such Manufacturer shall neglect to place such Name, Number, or Weight in the Manner herein-before directed and required, he shall for every such Neglect forfeit and pay any Sum not exceeding Five Pounds.

Penalty for
Neglect.

Recovery of
Penalties.

XXXVI. And be it enacted, That any Penalty imposed by this Act may be recovered by Information or Action of Debt in any of Her Majesty's Courts, or by Information or Complaint before any Justice of the Peace or Magistrate of any Jurisdiction residing near the Place in which the Offence has been committed for which such Penalty is sought to be recovered, or where the Offender may at any Time happen to be, and (except where the contrary is so expressed) one Half of the said Penalties shall go to the Informer, and the other Half to the Receiver General of Droits of Admiralty, to be applied by him in like Manner as the Proceeds arising from such Droits, any thing in an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*, or in any other Act of Parliament, to the contrary notwithstanding; and in case any of the said Penalties, on Conviction by any Justice of the Peace or Magistrate, shall not be paid, with the Charges incident to the Conviction, immediately upon such Conviction, the same shall and may (except in the Case herein-after mentioned) be levied, by Warrant under the Hand and Seal of such Justice or Magistrate, upon the Goods and Chattels of any such Offender; and in case no sufficient Distress shall be found then every such Offender shall and may be committed by any Justice or Magistrate as aforesaid to Gaol, with or without hard Labour, in case of any First Offence for any Period not exceeding Six Calendar Months, and in case of any Second or further Offence for any Period not exceeding Twelve Calendar Months, unless the said Penalty and the Charges shall be sooner paid; and for the more easy and speedy Conviction of such Offenders, every such Justice or Magistrate before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up according to the following Form; (*videlicet*.)

5 & 6 W. 4. c. 76.

Form of Con-
viction.

‘ **B**E it remembered, That on the _____ Day of _____
‘ in the Year of our Lord _____ A. B. is convicted
‘ before me [or us,] One [or Two, as the Case may be] of Her
‘ Majesty's Justices of the Peace for the [here specify the Offence,
‘ and the Time and Place when and where committed, as the Case
‘ may be], contrary to an Act passed in the _____ Year
‘ of the Reign of Queen Victoria, intituled [here insert the Title
‘ of this Act]. Given under my Hand and Seal [or our Hands
‘ and Seals], the Year and Day first above written.’

And no Certiorari or other Writ or Process for the Removal of any such Conviction, or any Proceedings thereon, into any of Her
Her

Her Majesty's Courts of Record at *Westminster* or elsewhere shall be allowed or granted.

XXXVII. And be it enacted, That it shall be lawful for any Person so convicted by any Justice of the Peace or Magistrate before mentioned of any Offence against this Act, within Three Calendar Months next after such Conviction to appeal to the Justices of the Peace assembled at the General Quarter Sessions holden for the County, City, or Place where the Matter of Appeal shall arise, first giving Ten Days Notice of such Appeal to such Justice of the Peace or Magistrate, and of the Matter thereof, and entering into a Recognizance before some Justice of the Peace for such County, City, or Place, with Two sufficient Sureties, conditioned to try such Appeal, and for abiding the Determination of the Court therein; and such Justices at the General Quarter Sessions shall, upon due Proof of such Notice having been given and Recognizances entered into, hear and determine the Matter of such Appeal, and may either confirm or quash and annul the said Conviction, and award such Costs to either Party, as to them shall seem just and reasonable; and the Decision of the said Justices therein shall be final, binding, and conclusive; and no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form only, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of Her Majesty's Courts at *Westminster* or elsewhere; any Law or Statute to the contrary in anywise notwithstanding.

Persons convicted may appeal to Quarter Sessions, giving Notice of the same.

XXXVIII. And be it enacted, That all Felonies, Misdemeanors, and other Offences against this Act, except in the Case of summary Convictions, may be laid to be committed and may be tried in any City, County, or Place where any such Article, Matter, or Thing in relation to which such Offence shall have been committed shall have been found in the Possession of the Person committing the Offence, or the Offender may at any Time happen to be.

Offences to be tried in the County where committed, or where Offender resides.

XXXIX. And be it enacted, That it shall be lawful to and for the Commissioners of Customs and Excise, and they are hereby required, to permit all Goods, Wares, and Merchandize saved from any Vessel stranded or wrecked on its homeward Voyage to be forwarded to the Port of its original Destination, and also to permit Goods, Wares, and Merchandize saved from any Vessel stranded or wrecked on their respective outward Voyage to be returned to the Port at which the same were shipped; but such Commissioners are to take Security for the due Protection of the Revenue in respect of such Goods, Wares, and Merchandize.

Goods saved from Vessels wrecked to be forwarded to the Ports of their original Destination.

XL. And be it enacted, That the High Court of Admiralty shall have Jurisdiction to decide, in manner herein-before mentioned, upon all Claims and Demands whatsoever in the Nature of Salvage for Services performed, except in Cases of Goods herein-before directed to be sold as Droits of Admiralty, whether in the Case of Ships or Vessels, or of any Goods or Articles found either at Sea or cast upon the Shore, and whether such Services shall have been performed upon the High Seas or within the Body of any County, any thing in any Act contained to the contrary notwithstanding.

High Court of Admiralty may decide in all Salvage Cases, whether on Sea or Land.

In case of Damage done by a Foreign Vessel, a Judge may order its Arrest, unless Owner undertake to appear in an Action.

XLI. And be it enacted, That in every Case in which any Damage shall be done by any Foreign Ship or Vessel to any Ship or Vessel, Barge, Boat, or other Craft belonging to Her Majesty, or any of Her Subjects, whether abroad or otherwise, or to any Buoy or Beacon in any Harbour, Port, River, or Creek, or within Three Miles of the Coast of the United Kingdom, and it shall appear on a summary Application made to any Judge of any of Her Majesty's Courts of Record at *Westminster* or elsewhere, or to the Judge of the High Court of Admiralty respectively, that such Damage or Loss has probably been sustained or arisen by the Misconduct or Negligence of the Master or Mariners of such Foreign Ship or Vessel, then and in every such Case it shall be lawful for any such Judge to cause such Foreign Ship or Vessel, being in any Harbour, Port, River, or Creek, or other Place within Three Miles of the Coast of the United Kingdom, to be arrested and detained until the Master or Owner or Consignee of such Ship or Vessel shall undertake to appear and be Defendant in any Action which may be brought for such Loss or Damage, and give such sufficient Security, by Bail or otherwise, for all Costs and Damages, if recovered, as shall be directed and ordered by such Judge, if it shall upon the Trial of such Action or Suit appear that such Loss or Damage shall have arisen from such Negligence or Misconduct as aforesaid; and in such Action or Suit the Person giving Security shall be made Defendant, and shall be stated to be the Owner of the Foreign Ship or Vessel doing such Damage; and it shall not be necessary in any such Action or Suit to give any other Evidence of the Liability of such Person to such Suit or Action than the Production of the Order of the Judge made in relation to such Security as aforesaid; and any Collector or Comptroller of the Customs shall, upon Notice served upon him of the Fact of such Application having been made as aforesaid, have Power and is hereby required to detain such Ship or Vessel until the Result of such Application shall be made known.

Serjeants and Deputy Serjeants of the Cinque Ports to have the same Powers and liable to the same Duties as Receivers.

XLII. And be it enacted, That within the Jurisdiction of the Cinque Ports every Serjeant of the Lord Warden of the Cinque Ports and his Deputy shall have the same Power and Authority, and be liable to the same Duties and Services, as are hereinbefore enacted with respect to the said Receivers of Droits of Admiralty, and all Provisions in this Act contained relating to such Receivers shall, within the Jurisdiction aforesaid, extend and apply to the said Serjeants and their Deputies in as full and ample a Manner as if the same were now again in that Behalf set forth and repeated; save and except that the Reports hereinbefore directed to be sent by the said Receivers to the said Receiver General shall, within the Jurisdiction of the Cinque Ports, be sent by the said Serjeants or Deputy Serjeants to the said Lord Warden; and every Fee or other Gratuity to be paid to the said Serjeants or Deputy Serjeants shall be regulated according to the Judgment of the said Lord Warden for the Time being.

Reservation of Rights of the Lord Warden and of the Cinque Ports.

XLIII. Provided always, and be it enacted, That nothing whatsoever in this Act contained shall extend or be construed to extend so as in any Manner to affect, impeach, alter, abridge, or interfere with the Rights, Privileges, Authority, or Jurisdiction of the said Lord Warden, or of the said Cinque Ports, Two ancient

Towns and Members thereof, or in any Manner to affect, repeal, or interfere with the Provisions of an Act passed in the First and Second Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act to continue and amend certain Acts for preventing the various Frauds and Depredations committed on Merchant Shipowners by Boatmen and others within the Jurisdiction of the Cinque Ports; and also for remedying certain Defects relative to the Adjustment of Salvage under a Statute made in the Twelfth Year of the Reign of Her late Majesty Queen Anne.*

Act not to interfere with the
1 & 2 G. 4. c. 76.

XLIV. And be it enacted, That if any Ship or Vessel which may be in distress, wrecked, or stranded, or run on shore or any Part of the Cargo thereof, shall be plundered, damaged, or destroyed, wholly or in part, near to or on any of the Coasts of *England, Wales, or Ireland*, or in any of the Harbours, Havens, Rivers, Creeks, or Bays thereof, by any Persons riotously and tumultuously assembled together, whether on shore or afloat, in every such Case the Inhabitants of the Hundred, Wapentake, Ward, Barony, Half Barony, or other District in the Nature of a Hundred, by whatever Name it shall be denominated, in which or nearest to which the said Offence shall be committed, shall be liable to yield full Compensation to the Owner of such Ship or Vessel, or of the Cargo or any Part of the Cargo thereof, in the same Manner in *England* and *Wales* as is provided in Cases of the Destruction of Churches and other Buildings by a riotous Assemblage by an Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in England relative to Remedies against the Hundred*; and all the Clauses and Provisions contained in the said last-mentioned Act shall be held to apply to all such Cases of plundering, damaging, or destroying any such Ship or Vessel or the Cargo thereof, by any such riotous Assemblage as aforesaid, as fully and effectually and to all Intents and Purposes as if the said several Clauses and Provisions had been particularly repeated and re-enacted in the Body of this Act; and in *Ireland* Compensation shall be recovered, and presented, apploited, levied, and paid over to the said Owner, in like Manner and by like Proceedings as are provided for the Recovery of Satisfaction and Amends for the malicious Demolition of or Injury to Churches, Chapels, and other Buildings used for Religious Worship according to the Usage of the United Church of *England* and *Ireland*, by an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws relating to the Temporalities of the Church in Ireland*, or by any Act amending the same.

In case of Vessels wrecked being plundered by a tumultuous Assemblage, the Hundred to be liable for Damages.

7 & 8 G. 4. c. 31.

3 & 4 W. 4. c. 37.

XLV. And be it enacted, That every Person who shall wrongfully carry away or remove any Part of any Ship or Vessel which shall be in distress or wrecked, stranded, or cast on shore, or any Goods, Merchandize or Article of any Kind belonging to such Ship or Vessel, or (unless the same Person shall be a Receiver or other Officer or Justice, herein-before authorized to give Orders in

Penalty on Persons wrongfully carrying off Wreck, or boarding Ships without Leave, or hindering the saving of Ships or Goods.

in Cases of Wreck as aforesaid,) shall enter or endeavour to enter on board of any such Ship or Vessel as aforesaid, without the Consent or Leave of the Master, Commander, or other superior Officer thereof, or of a Receiver or other Officer so authorized to give Orders in Cases of Wreck, or shall molest or impede any Person employed in the saving of such Ship or Vessel or Goods as aforesaid, or shall endeavour to impede or hinder the saving of any Ship or Vessel or Goods as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Fifty Pounds; and where any such Person shall have been detained, or taken before any Justice of the Peace, for any such Offence, it shall be lawful for such Justice of the Peace to proceed summarily on the Case without any Information, and to convict such Person of such Offence, and in default of Payment of such Penalty to commit such Person to any of Her Majesty's Gaols for any Time not exceeding Six Months with or without hard Labour; and it shall be lawful for the said Master, Commander, or superior Officer of the said Ship or Vessel so in distress as aforesaid, or the said Receiver or other Officer herein-before authorized to give Order in Cases of Wreck, respectively to repel by Force any such Person as shall, without such Leave or Consent as aforesaid, press on board such Ship or Vessel: Provided always, that nothing herein contained shall be construed to repeal or in anywise affect or alter any Provision contained in an Act passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth and First Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to amend the Laws relating to Robbery and stealing from the Person*.

Masters of Ships may repel unauthorized Persons boarding them.

Nothing herein may repeal or affect 7 W. 4. & 1 Vict. c. 87. s. 8.

Nothing herein to alter or repeal the recited Acts following:
6 G. 4. c. 125.

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

6 & 7 Vict. c. 79.

35 G. 3. (1.)

XLVI. Provided always, and be it enacted, That nothing in this Act contained shall be construed to alter or repeal any of the Clauses or Provisions contained in an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the Amendment of the Law respecting Pilots and Pilotage; and also for the better Preservation of floating Lights, Buoys, and Beacons*; nor any of the Clauses or Provisions contained in an Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in England relative to Larceny and other Offences connected therewith*; nor any of the Clauses or Provisions contained in an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in Ireland relative to Larceny and other Offences connected therewith*; nor any of the Clauses or Provisions contained in an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to carry into effect a Convention between Her Majesty and the King of the French concerning the Fisheries in the Seas between the British Islands and France*; nor any of the Clauses or Provisions contained in an Act passed in the Parliament of Ireland in the Thirty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for repairing and preserving the Walls of the River Anna Liffey in the City of Dublin; and for amending an Act passed in the Twenty-sixth Year*

Year of His Majesty's Reign, intituled 'An Act for promoting the Trade of Dublin by rendering its Port more commodious.'

XLVII. Provided also, and be it enacted and declared, That neither this Act nor any thing herein contained shall in anywise extend or be construed to extend to deprive or in any way prejudice the Rights of Her Majesty, Her Heirs or Successors, nor to the taking away, abridging, or impeaching in any Manner whatever the Jurisdiction of the High Court of Admiralty, or the Jurisdiction of the Admiralty Court of the Cinque Ports, Two ancient Towns and their Members, but it shall and may be lawful for the said Courts respectively, and the Judges thereof for the Time being, to have, use, exercise, and enjoy Jurisdiction over all such Matters, Rights, and Offences, as they have heretofore used, exercised, and enjoyed, as fully and effectually to all Intents and Purposes whatever as if this Act had not been made, any thing herein contained to the contrary thereof in anywise notwithstanding.

Reservation of Rights of the Crown, of the High Court of Admiralty, and Admiralty of the Cinque Ports.

XLVIII. Provided also, and be it enacted and declared, That nothing herein contained shall extend or be construed to extend to the taking away, abridging, hindering, prejudicing, or impeaching of any Grant, Liberties, Franchises, and Privileges heretofore granted to and vested in the Corporation of the *Trinity House of Deptford Strond*, or in that of the *Trinity House of Kingston-upon-Hull*, or in the Commissioners acting under the Provisions of any Act of Parliament relating to the Adjustment of the Salvage for Anchors, Cables, and other Ships Materials found in the River *Humber*, or in the Master, Wardens, and Brethren of the *Trinity House of Newcastle-upon-Tyne* respectively, but that the said Corporations and the said Commissioners, and the said Masters, Wardens, and Brethren, shall hold and enjoy the same, as fully and effectually, and to all Intents and Purposes as they might have done in case this Act had never been made, any thing herein contained to the contrary notwithstanding.

Reservation of Rights of the Trinity Houses of Deptford Strond, Hull, Newcastle, and of the Humber Commissioners.

XLIX. And be it enacted and declared, That nothing in this Act shall extend or be construed to extend to prejudice or take away any Right, Property, Authority, or Jurisdiction of the Mayor of the City of *London*, or of the Mayor and Commonalty and Citizens of the City of *London*, to, in, and upon the Rivers *Thames* and *Medway* respectively.

Reservation of Rights of the City of London.

L. And be it enacted, That this Act shall extend to all Parts of the United Kingdom except *Scotland*.

Act not to extend to Scotland.

LI. And for the Interpretation of this Act, be it enacted, That the following Terms and Expressions, so far as they are not repugnant to the Context of this Act, shall be construed as follows; (that is to say,) the Expression "Commissioners of the Treasury" shall mean "the Lord High Treasurer for the Time being, or the Commissioners of Her Majesty's Treasury for the Time being, or any Three or more of them;" and the Expression "Commissioners of Admiralty" shall mean "the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or the Commissioners for executing the Office of such Lord High Admiral, or Two or more of them;" and the Expression "High Court of Admiralty" shall mean the High Court of Admiralty of *England*, or the High Court of Admiralty of *Ireland*, according

Interpretation of Act.

according as the Case may arise within the Jurisdiction of one or the other of the said Courts; and the Singular Number shall mean and apply to the Plural as well as the Singular Number; and the Masculine Gender shall mean and apply to the Feminine Gender as well as the Masculine Gender.

Act may be amended, &c.

LII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

On the Lord of

Day of before, &c., at

in the Year of our in the County

[Ship's Names.]

A.B. [here insert the Names of the Salvors], against the said Ship whereof was Master, her Tackle, Apparel, and Furniture, and the Goods, Wares, and Merchandize on board the same, and also against the said Master, and the Owners of the said Ship and Cargo, [or, as the Case may be, against certain Goods and Merchandize lately laden on board the said Ship, whereof was Master, and also against the said Master and the Owners (or, if the Owners alone appear by themselves or their Agents, then leave out the Master's Names) of the said Goods and Merchandizes, or (as the Case may be) against certain Goods and Merchandizes, and the Owners of the said Goods and Merchandizes,] in a Case of Salvage.

[Master's Names.]

On which Day appear personally W.X. of and Y.Z. of who produced themselves as Sureties for the said the Master, and for the Owners of the said Ship and Cargo, [or, as the Case may be,] for the said Master and Owners, [or, as the Case may be,] for the said Owners of the said Goods and Merchandizes, and submitting themselves to the Jurisdiction of the High Court of Admiralty of England, [or the High Court of Admiralty of Ireland, or the Court of Admiralty for the Cinque Ports, as the Case may be,] bound themselves, their Heirs, Executors, and Administrators, for the said Master and Owners of the said Ship and Cargo, [or, as the Case may be,] for the said Master and Owners, or for the Owners of the said Goods and Merchandizes, in the Sum of Pounds of lawful Money of Great Britain, unto the said A.B., &c., to answer the Salvage and Expences of the said Ship and Cargo, [or, as the Case may be,] on the said Goods and Merchandizes, as shall hereafter be deemed by the said Court, according to the Tenor of the Act in that Behalf made and provided; and unless they shall so do they hereby consent that Execution shall issue forth against them, their

Heirs, Executors, and Administrators,
Goods and Chattels, wheresoever the
same shall be found, to the Value of
the Sum above mentioned.

This Bail was duly taken, acknowledged, and
received at the Time and Place above
written, before me, the undersigned Re-
ceiver of Droits of Admiralty; and I do
hereby further certify, that I do believe and
consider the Persons above mentioned suffi-
cient Security for the Sum of
Pounds.

W. X.
Y. Z.

SCHEDULE (B.)

To *A.B.* of

In the Matter of the Vessel of
whereof *C.D.* was Master, [*or* Goods salv'd at .]

Take notice, That the whole Sum paid over to me, to be distributed for
Salvage Services rendered to the above-mentioned Vessel [*or* Goods] on the
Day of 184 , is £ . That the Sum allotted
to you is £

E.F.
Distributor.

Dated this Day of 184 .

C A P. C.

An Act for the Regulation of Steam Navigation, and for
requiring Sea-going Vessels to carry Boats.

[28th August 1846.]

WHEREAS it is expedient to make further Provision for
regulating the Construction of Sea-going Steam Vessels,
and for preventing the Occurrence of Accidents (so far as may
be possible) in Steam Navigation, and for requiring Sea-going
Vessels to carry Boats: Be it therefore 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, That
this Act shall come into operation for the Purposes mentioned
herein on the First Day of *January* One thousand eight hundred
and forty-seven, except where any other Period of Commencement
is herein particularly directed.

Commence-
ment of Act.

II. And be it enacted, That all Steam Vessels built of Iron of
One hundred Tons Burden or upwards, the Building of which
shall have been commenced after the passing of this Act, shall be
divided by transverse Water-tight Partitions, so that the fore
Part of the Vessel shall be separated from the Engine Room by
One of such Partitions, and so that the after Part of such Vessel
shall be separated from the Engine Room by another of such
Partitions.

Iron Steamers
of 100 Tons
and upwards to
be divided by
Water-tight
Partitions.

III. And be it enacted, That from and after the said First Day
of *January* One thousand eight hundred and forty-seven no Vessel,
the

Sea-going Ves-
sels to be pro-
vided with the

Number of Boats and of the Dimensions herein mentioned.

the Tonnage of which shall be One hundred Tons or upwards, shall proceed to Sea from any Port whatsoever unless it shall be provided with Boats duly supplied with all Requisites for their Use, and not being fewer in Number nor less in their Dimensions than the Number and Dimensions set opposite to the Limits of Dimension in the following Table; provided that the said Limits of Dimension be not considered applicable to Vessels engaged in the Whale Fishery:—

TABLE.

Tonnage of Vessel.	Number of Boats.	Long Boat, Launch, or Pinnace.		Other Boats.						
		Length.	Breadth.	Length.	Breadth.	Length.	Breadth.	Length.	Breadth.	
		Feet.	Ft. In.	Feet.	Ft. In.	Feet.	Ft. In.	Feet.	Ft. In.	
850 and upwards	4	26	8 0	24	7 0	22	6 6	16	5 6	
650 to 850	-	4	24	7 0	22	6 6	18	5 6	16	5 6
350 to 650	-	3	20	6 6	18	5 6	-	-	14	5 0
200 to 350 inclusive	}	2	18	6 0	-	-	-	-	14	5 0
100 to 200		-	2	-	-	16	5 6	and a Punt or small Boat.		

and that no Vessel carrying more than Ten Passengers shall proceed to Sea on any Voyage unless, in addition to the Boats hereinbefore required, it shall also be provided with a Boat fitted up as a Life Boat, with all Requisites for its Use, together with Two Life Buoys.

Steam Vessels, in addition, to have such other Boats as the Admiralty may direct.

IV. And be it enacted, That every Steamer the building of which shall be commenced after the passing of this Act, and which shall proceed to Sea with Passengers, shall, in addition to the Boats specified in the foregoing Table, and in lieu of a Boat fitted up as a Life Boat, be provided either with such Boats as are usually called Paddle Box Boats, or with such other Boats as may be directed in lieu thereof by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral for the Time being.

No Steamer to go to Sea without a Hose.

V. And be it enacted, That no Steam Vessel of One hundred Tons Burden or upwards shall proceed to Sea unless it shall be provided with a Hose for the Purpose of extinguishing Fire capable of being connected with the Engines of the Vessel.

Mode of ascertaining Tonnage.

VI. And be it enacted, That for the Purposes of this Act the Tonnage of Vessels shall be ascertained according to the Rules of Admeasurement prescribed by any Act of Parliament for the Time being in force regulating the Admeasurement of the Tonnage and Burden of the Merchant Ships of the United Kingdom.

Penalties on Masters, &c. neglecting to

VII. And be it enacted, That if any such Steam Vessel as aforesaid proceed to Sea without being provided with such Hose as aforesaid, or being an Iron Steam Vessel without being so divided

as aforesaid, or if any Steam or other Vessel of One hundred Tons Burden or upwards proceed to Sea without being so provided with Boats as aforesaid, or if any of such Boats be lost or rendered useless in the course of the Voyage through the wilful Fault or Negligence of the Owner or Master, or if in case of any of such Boats being accidentally lost or injured in the course of the Voyage the Master or other Person having charge of the Vessel wilfully neglect to replace or repair the same on the first convenient Opportunity, then and in every Case where the Owner shall appear to be in fault he shall forfeit a Sum not exceeding One hundred Pounds, and in every Case where the Master or other Person having charge of the Vessel shall appear to be in fault he shall forfeit a Sum not exceeding Fifty Pounds.

provide Boats,
Hose, &c.

VIII. And be it enacted, That it shall not be lawful for any Officer of Customs to clear out any such Steam Vessel as aforesaid for any Voyage to Parts beyond the Seas without being provided with such Hose as aforesaid, or being an Iron Steam Vessel without being so divided as aforesaid, nor to clear out any Steam or other Vessel of One hundred Tons Burden or upwards for any Voyage to Parts beyond the Seas unless the same be provided with such Boats as herein-before are required.

Officers of Customs not to clear out Vessels not complying with Provisions.

IX. And be it enacted, That every Steam Vessel when meeting or passing any other Steam Vessel shall pass as far as may be safe on the Port Side of such other Vessel; and every Steam Vessel navigating any River or narrow Channel shall keep as far as is practicable to that Side of the Fairway or Mid-channel of such River or Channel which lies on the Starboard Side of such Vessel, due regard being had to the Tide and to the Position of each Vessel in such Tide; and the Master or other Person having the Charge of any such Steam Vessel, and neglecting to observe these Regulations, or either of them, shall for each and every Instance of Neglect forfeit and pay a Sum not exceeding Fifty Pounds.

Penalty on Masters, &c. not observing the Regulations herein contained as to passing and re-passing other Vessels.

X. And be it enacted, That the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, may from Time to Time make Regulations requiring the Exhibition of such Lights by Steam Vessels in such Manner, within such Places, except the River *Thames* above *Yantlett Creek*, and under such Circumstances as the said Lord High Admiral or the said Commissioners may think fit, and may from Time to Time make any other Regulations revoking or altering any previous Regulations.

Power to the Admiralty to make Regulations respecting the Exhibition of Lights.

XI. And be it enacted, That the said Lord High Admiral or the said Commissioners shall cause such Regulations as soon as conveniently may be after the same shall have been made, to be published in Four successive *London Gazettes*, and the same shall be deemed to be in force from the Date of the last of such Publications until the same shall have been altered or revoked, and such Alteration or Revocation shall have been Twice published in like Manner as aforesaid.

Such Regulations to be published in the Gazette.

XII. And be it enacted, That the Master or other Person having the Charge of any Steam Vessel which shall be in any River or narrow Channel in *Great Britain* or *Ireland*, or the adjacent Islands, or upon the Sea within Twenty Miles of any Part

Vessels, &c. within Twenty Miles of the Coast to exhibit Lights at Night.

of

of the Coast of *Great Britain* or *Ireland*, shall, whether under Weigh or at Anchor, between Sunset and Sunrise exhibit such Lights within such Places, in such Manner, and under such Circumstances as by the said Regulations herein-before authorized to be made by the said Lord High Admiral or by the said Commissioners shall be required, and in default thereof shall forfeit and pay a Sum not exceeding Twenty Pounds for every Night in which such Default shall be made; and the Owner of any Steam Vessel in which such Light shall not be exhibited as aforesaid shall not be entitled to recover any Recompence or Damage whatsoever which may be sustained by such Vessel in consequence of any other Vessel running foul thereof during the Night.

Penalty.

Steam Vessels not exhibiting Lights not entitled to Compensation.

Penalty on Masters, &c. neglecting to observe the Regulations as to passing of Steamers or exhibiting Lights.

Before 30th of April and 31st Oct. in every Year Owners to transmit Declarations to the Board of Trade.

Board of Trade to register Declarations, and grant Certificates of the same.

XIII. And be it enacted, That if any Damage to any Person or Property shall be sustained in consequence of the Nonobservance as respects any Steam Vessel of the Rules contained in the Two Enactments relative to the passing of Steam Vessels and to the exhibiting of Lights herein-before contained, the same shall in all Courts of Justice be deemed in the Absence of Proof to the contrary to have been occasioned by the wilful Default of the Master or other Person having the Charge of such Steam Vessel, and such Master or other Person shall be subject in all Proceedings, whether civil or criminal, to the legal Consequences of such wilful Default.

XIV. And be it enacted, That on or before the Thirtieth Day of *April* and the Thirty-first Day of *October* in every Year the Owners of every Steam Vessel shall transmit to the Lords of the Committee of Privy Council for Trade the Two following Declarations in Writing; (that is to say,)

First, A Declaration of the Sufficiency and good Condition of the Hull of such Steamer under the Hand of a Shipwright Surveyor, to be approved by the Lords of the said Committee;

Second, A Declaration of the Sufficiency and good Condition of the Machinery of such Steam Vessel under the Hand of an Engineer, to be approved in like Manner by the Lords of the said Committee; such Declarations bearing Date of some Day in the said Months of *April* or *October* respectively:

And the Lords of the said Committee shall register such Declarations, and shall transmit to the Owners of such Steam Vessels respectively Certificates under the Hand of One of the Secretaries or Assistant Secretaries of the said Committee of the Registry of such Declarations: Provided always, that if the Owners of any such Vessel shall certify to the Lords of the said Committee that such Vessel has been, during the whole of such Month of *April* or of *October* respectively and still is in Foreign Parts, so that it is impossible to obtain the Declarations herein-before required, bearing Date as is herein-before prescribed, and shall at the same Time transmit to the Lords of the said Committee the Declarations herein-before required, bearing Date of a Day not being more than Seven Days before such Vessel last sailed or departed from any Part of the United Kingdom, then and in every such Case the Lords of the said Committee shall register such Declarations, and shall transmit to the Owners of such last-mentioned Steam Vessels respectively Certificates of the Registry of such Declarations: Provided nevertheless, that this Enactment shall not extend

extend or apply to any Steam Vessels so employed as herein-after mentioned during the Continuance of such Employment, (that is to say,) whilst employed in the Royal Mail Service, or the Conveyance of the Royal Public Mails or Despatches under Contract with and under the Superintendence of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral.

XV. ' And whereas it may happen that by reason of a Steam Vessel or the Machinery thereof being under Repair during either of the said Months of *April* or *October* it may be impracticable to make such Declarations as are herein-before required in either of the said Months ;' be it enacted, That in such Case it shall be lawful for the Owners of such Steam Vessels at any Time to make a Representation to that Effect to the Lords of the Committee of Privy Council for Trade, and to transmit therewith such Declarations as are herein-before required, and it shall be lawful thereupon for the said Lords, if they shall be satisfied of the Truth of such Representation, to register such Declarations notwithstanding they shall not bear Date in either of the Months of *April* or *October* ; and the said Lords shall transmit to the Owners of such Steam Vessels Certificates of the Registry thereof in manner herein-before provided, and such Certificates shall have the like Force and Effect and be used for all the same Purposes and in the same Manner as if the said Certificates referred to Declarations made in either of the said Months of *April* or *October*.

Certificate may be granted though Declaration not made in April or October.

XVI. And be it enacted, That from and after the First Day of *June* One thousand eight hundred and forty-seven it shall not be lawful for any Steam Vessel, except as is lastly herein-before excepted, to proceed to Sea, unless the Owner thereof shall have duly transmitted to the Lords of the Committee of Privy Council for Trade such Declarations, and shall have received from the Lords of the said Committee such Certificates of the Registry thereof as herein-before is mentioned ; and that it shall not be lawful for any Officer of Her Majesty's Customs to clear out any Steam Vessel carrying Passengers for any Voyage to Parts beyond the Seas, unless upon the Production of the Certificate of the Registry of the Declarations which shall most recently have been made in respect of such Steam Vessel, and unless such Declarations shall have been so made within Six Calendar Months of the Application for Clearance.

Officers of Customs not to clear out Vessels except upon Production of Certificate of Registry.

XVII. And be it enacted, That if any Steam Vessel proceed to Sea with Passengers, the Owner whereof has not duly transmitted to the Lords of the said Committee such Declarations, and received from the Lords of the said Committee such Certificates of the Registry of such Declarations as herein-before is mentioned, the Owner of such Steam Vessel shall forfeit a Sum not exceeding One hundred Pounds.

Penalty on Owners of Vessels for not transmitting Declarations.

XVIII. And be it enacted, That any Person who shall knowingly or wilfully make or assist in making a false or fraudulent Declaration or Certificate, or who shall knowingly or wilfully forge, counterfeit, or fraudulently alter, or shall aid and assist in forging, counterfeiting, or fraudulently altering, or who shall attempt to forge, counterfeit, or fraudulently alter, any Declaration or Certificate provided for by this Act, or any Words or Figures in any such

Persons guilty of forging Certificate or Declaration guilty of a Misdemeanor.

Declaration or Certificate, or the Signature to any such Declaration or Certificate, he shall be deemed to be guilty of a Misdemeanor.

Accidents and Damages to Steamers to be reported to the Board of Trade.

XIX. And be it enacted, That whenever any Steam Vessel shall have sustained or caused any serious Accident occasioning Loss of Life or Property, or received any material Damage affecting her Seaworthiness, either in her Hull or her Engine, by grounding or by Collision with any other Vessel, or by any other Means, the Master or other Person having the Charge of such Vessel shall, as soon as conveniently may be, transmit through the Post Office, by Letter addressed to the Lords of the Committee of Privy Council for Trade, and signed by such Master or other Person, a Report of such Accident or Damage, and the probable Occasion thereof, stating therein the Name of the Vessel, the Port to which she belongs, and the Place where she is, in order that the Lords of the said Committee may, if they think fit, investigate the Matter; and should the Owner or Owners of any Steam Vessel, from her Nonappearance or otherwise, have reason to apprehend that such Steam Vessel is wholly lost, he or they shall, as soon as conveniently may be, in like Manner send Notice thereof to the Lords of the said Committee; and every Owner, Master, or such other Person as aforesaid who shall neglect to send such Notice as hereby is required within a reasonable Time after any such Accident shall have happened, shall for every such Offence forfeit and pay a Sum not exceeding Fifty Pounds.

If Owner, &c. apprehend Loss of Steamer, Notice to be sent to Board of Trade. Penalty for Neglect.

In Cases of Accident Board of Trade may appoint Inspectors to report.

XX. And be it enacted, That whenever any Steam Vessel shall have sustained or caused any serious Accident occasioning Loss of Life or Property, or received any material Damage affecting her Seaworthiness, either in her Hull or her Engine, by grounding or by Collision with any other Vessel, or by any other Means, it shall be lawful for the Lords of the said Committee to appoint any proper Person or Persons as Inspector or Inspectors to inquire into and to report upon such Accident; and it shall be lawful for every Person so authorized at all reasonable Times, upon producing his Authority, if required, to go on board and inspect any such Steam Vessel and the Machinery thereof, and every Part thereof respectively, not detaining or delaying the Vessel from proceeding on her Voyage, and to make such Inquiries as to the Nature, Circumstances, and Causes of such Accident as he or they may think fit.

Inspectors may call for the Production of Evidence.

XXI. And be it enacted, That the said Inspectors or any of them shall be and they are hereby empowered, by Summons under their or his Hands or Hand, to require the Attendance of all such Persons as they or he shall think fit to call before them or him upon any Question or Matter connected with or relating to the Execution of any of the Powers and Duties vested by this Act in the said Inspectors, and also to make Inquiries and to require Answers or Returns thereto in relation to any such Matters, and for the Purpose aforesaid to administer Oaths, and to examine all Persons upon Oath, and to require and enforce the Production upon Oath of all Log Books, Accounts, Agreements, or other Papers or Writings in anywise relating to every such Matter as aforesaid, or, in lieu of requiring or administering an Oath, that the said Inspector or Inspectors may, if he or they think fit, require every such Person to make and subscribe a Declaration of the

Truth of the Matters respecting which he shall be or shall have been examined or interrogated: Provided always, that no such Person shall be required in obedience to any such Summons to travel more than Ten Miles from his actual Abode at the Time of receiving such Summons unless Tender shall be made to him of such reasonable Expences in respect of his Attendance to give Evidence, and his Journeys to and from the Place where he shall be required to attend for that Purpose, as would be allowed to any Witness attending on Subpœna to give Evidence before any of Her Majesty's Courts at *Westminster*, and in case of any Dispute as to the Amount of such Expences the same shall be referred by the Inspectors to One of the Masters of Her Majesty's Court of Queen's Bench, who is hereby required to ascertain and certify the proper Amount of such Expences on a Request made to him for that Purpose under the Hand or Hands of the said Inspector or Inspectors.

Proviso as to
Expences of
Witnesses.

XXII. And be it enacted, That if any Person shall wilfully obstruct or impede such Inspector or Inspectors, or any of them, in the Execution of their Duty, whether on board any Ship or Vessel or elsewhere, every Person so offending, and all others aiding or assisting therein, shall and may be seized and detained by such Inspector or Inspectors, or any Person or Persons whom he or they may call to his or their Assistance, until such Offender or Offenders can be conveniently taken before some Justice of the Peace having Jurisdiction in the County or Place wherein such Offence shall be committed, and when convicted before such Justice as aforesaid (who is hereby authorized and required upon Complaint to him upon Oath to take cognizance thereof and to act summarily in the Premises) shall in the Discretion of such Justice forfeit any Sum not exceeding Five Pounds, and in default of Payment thereof shall and may be imprisoned for any Term not exceeding Two Calendar Months unless the Amount of the Penalty shall have been sooner discharged.

Penalty for
obstructing
Inspectors in
the Execution
of their Duty.

XXIII. And be it enacted, That every Penalty or Forfeiture imposed by this Act may be recovered by summary Proceeding before Two Justices, and upon the exhibiting of any Information in Writing before any Justice such Justice shall issue a Summons requiring the Party complained against to appear before Two Justices having Jurisdiction at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person or by leaving the same with some Inmate at his usual Place of Abode, or on board any Ship or Vessel to which such Person shall belong; and upon the Appearance of the Party complained against, or in his Absence after Proof of the due Service of such Summons, it shall be lawful for any Two Justices having Jurisdiction to proceed to the hearing of the Complaint, and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for such Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay such Penalty as may seem fit, and not greater than the Penalty or Forfeiture specified in this Act, as well as such Costs attending the Conviction as such Justices shall think fit.

Penalties to be
summarily re-
covered before
Two Justices.

Offences on the High Seas deemed to have been committed at the Place into which the Offender is brought, or in which he is found.

XXIV. And be it enacted, That in case any Offence shall be committed upon the High Seas against this Act, or any Penalty or Forfeiture shall be incurred on the High Seas for any Breach of this Act, such Offence shall for the Purpose of Prosecution be deemed and taken to have been committed, and such Penalty or Forfeiture to have been incurred, at the Place on Land in the United Kingdom into which the Person committing such Offence, or incurring such Penalty or Forfeiture, shall be taken, brought, or carried, or in which such Person shall be found; and in case such Place or Land is situated within any City, Borough, Liberty, Division, Franchise, or Town Corporate, as well any Justice of the Peace for such City, Borough, Liberty, Division, Franchise, or Town Corporate, as any Justice of the Peace of the County within which such City, Borough, Liberty, Division, Franchise, or Town Corporate is situated, shall have Jurisdiction to hear and determine all Cases of Offences against this Act so committed on the High Seas, and to convict the Offender or Offenders in the Penalties or Forfeitures prescribed by this Act, any Charter or Act of Parliament to the contrary notwithstanding: Provided always, that where any Offence shall be committed, or any Penalty or Forfeiture incurred, in any Place upon the Water not being within any County of the United Kingdom, or where any Doubt exists as to the same being within any County, such Offence shall for the Purposes of this Act be deemed and taken to be an Offence committed on the High Seas: Provided also, that it shall and may be lawful for any Justice of the Peace whatsoever, on the exhibiting before him any Information in Writing for any Offence against this Act so committed or taken to have been committed on the High Seas as aforesaid, to issue a Summons, and such Justice of the Peace is hereby required to issue a Summons, for the Appearance of the Party against whom such Information in Writing shall have been exhibited; and such Summons directed to such Party being served as herein-before is ordered shall be deemed to have been sufficiently served.

Penalties to be levied by Distress.

XXV. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture, and of such Costs, as aforesaid, be not paid, the Amount of such Penalty and Costs shall be levied by Distress, and such Justices, or either of them, or any other Justice having Jurisdiction as aforesaid, shall issue their or his Warrant of Distress accordingly.

In default of Distress Justices may commit the Offender to Prison.

XXVI. And be it enacted, That it shall be lawful for any such Justice to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture, and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Justice, for his Appearance before him on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if before issuing such Warrant of Distress it shall appear to the Justice, by the Admission of the Offender or otherwise, that no sufficient Distress can be had within the Jurisdiction of such Justice whereon to levy such Penalty or Forfeiture, and Costs, he may, if he thinks fit, refrain from issuing such Warrant of Distress;

tres; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justice, then such Justice shall by Warrant cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture, and Costs, be sooner paid and satisfied.

XXVII. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Distress how to be levied.

XXVIII. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him; but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Distress not unlawful for Want of Form.

XXIX. And be it enacted, That all Penalties and Forfeitures recovered under this Act shall be applied as follows; one Half thereof shall be paid to the Person who shall sue or proceed for the same, and the other Half to Her Majesty's Use, and shall be paid to the Sheriff of the County, City, or Town where the same shall have been imposed, and shall have been duly accounted for by him; and that all Convictions before Justices, and all Fines, Forfeitures, or Penalties imposed in consequence of such Convictions, shall be returned to the Court of Quarter Sessions under the Provisions of an Act passed in the Third Year of His late Majesty King George the Fourth, intituled *An Act for the more speedy Return and levying of Fines, Penalties, and Forfeitures, and Recognizances estreated.*

Application of Penalties.

3 G. 4. c. 46.

XXX. And be it enacted, That no Indictment shall be preferred for any Offence against this Act unless under the Direction of the Lords of the Committee of Privy Council for Trade, or of the Commissioners of Her Majesty's Customs; and no Suit or Proceeding shall be commenced for the Recovery of any Penalty or Forfeiture for any such Offence unless in the Name of Her Majesty's Attorney General for *England or Ireland*, or in the Name of the Lord Advocate of *Scotland*, or in the Name of some public Officer under the Direction of the Lords of the said Committee or of the said Commissioners respectively.

Indictments to be preferred by Direction of the Board of Trade or Commissioners of Customs.

XXXI. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence made cognizable before a Justice unless the Complaint respecting such Offence shall have been made before such Justice within Six Months next after the Commission of such Offence.

Penalties to be sued for within Six Months.

Penalty on Witnesses making default.

XXXII. And be it enacted, That it shall be lawful for any Justice to summon any Person to appear before him as a Witness in any Matter in which such Justice shall have Jurisdiction under the Provisions of this Act at a Time and Place mentioned in such Summons, and to administer to him an Oath to testify the Truth in such Matter; and if any Person so summoned shall without reasonable Excuse refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined on Oath or to give Evidence before such Justice, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Proceedings not to be quashed for Want of Form nor removed by Certiorari.

XXXIII. And be it enacted, That no Warrant of Commitment consequent upon any summary Conviction under this Act shall be held void by reason of any Defect in such Warrant, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same, nor shall any Conviction, Order, or other Proceeding in pursuance of this Act be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts.

Parties aggrieved may appeal to Quarter Sessions on giving Security.

XXXIV. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justice with respect to any Penalty or Forfeiture under the Provisions of this Act, he may appeal to the General Quarter Sessions for the County or Place in which the Cause of Appeal shall have arisen; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, nor unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, nor unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Court to make such Order as they think reasonable.

XXXV. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable, and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

Not to extend to Ships of War, &c.

XXXVI. And be it enacted, That nothing in this Act contained shall extend to any of Her Majesty's Ships of War, nor to any Vessel not being a *British*-registered Vessel.

Nothing in this Act to be construed to alter, &c. 5 & 6 Vict. 1842.

XXXVII. And be it enacted, That nothing in this Act contained shall be construed as repealing or altering any of the Provisions of an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled

intituled *An Act for regulating the Carriage of Passengers in Merchant Vessels.*

XXXVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

C A P. CI.

An Act to authorize the Advance of Public Money to a limited Amount, to promote the Improvement of Land in *Great Britain and Ireland* by Works of Drainage.

[28th August 1846.]

WHEREAS the Productiveness and Value of much of the Land in *Great Britain and Ireland* are capable of being greatly increased by Drainage, and the Extension of the Operation of Drainage is calculated to promote the Employment and Effectiveness of agricultural Labour, and tends also to prevent Disease, and to improve the general Health of the Community : And whereas it is expedient to facilitate Works of Drainage by Advances of Public Money to a limited Amount on the Security of the Land to be improved : And whereas an Act was passed in the last Session of Parliament, intituled *An Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands, and the Division of intermixed Lands ; to provide Remedies for defective or incomplete Executions, and for the Non-execution of the Powers of general and local Inclosure Acts ; and to provide for the Revival of such Powers in certain Cases :* And whereas an Act was passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *William the Fourth*, intituled *An Act for the Extension and Promotion of Public Works in Ireland*, and several Acts have since been passed for amending the same : And whereas a certain other Act was passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to promote Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland :* 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, That it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, upon the Application of the Commissioners for the Execution of this Act, to issue and advance, or cause to be issued and advanced, for the Loans to be made under the Provisions of this Act, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, such Sum or Sums of Money as may be required for such Loans, not exceeding in the whole the Sum of Two million Pounds for *Great Britain* and One million Pounds for *Ireland* ; or, in case the said Commissioners of the Treasury shall so think fit, it shall be lawful for them to direct the Comptroller General of Her Majesty's Exchequer at *Westminster* for the Time being to make out and issue

8&9 Vict. c. 118.

1 & 2 W. 4. c. 33.

5 & 6 Vict. c. 89.

Treasury may make Advances, not exceeding 2,000,000*l.* for *Great Britain*, and 1,000,000*l.* for *Ireland*, out of the Consolidated Fund.

S s 4 Exchequer

Exchequer Bills to such an Amount, not exceeding the said Sums of Two million Pounds for *Great Britain* and One million Pounds for *Ireland*, as they shall think fit to direct for the Purpose aforesaid; but provided that the whole Amount of such Advances out of the Consolidated Fund and by Exchequer Bills shall not together exceed the said Sums of Two million Pounds for *Great Britain* and One million Pounds for *Ireland*.

Exchequer Bills issued under this Act to be in the Form prescribed by 48 G.S. c. 1., 4 & 5 W.4. c. 15., and 5 & 6 Vict. c. 66.

II. And be it enacted, That such Exchequer Bills as may be directed to be made out and issued under this Act shall be in the same Form and Order, and according to the same or like Rules and Directions, (except wherein otherwise provided for,) as in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying of Exchequer Bills*, and an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act to regulate the Office of the Receipt of His Majesty's Exchequer at Westminster*, and an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for further regulating the Preparation and Issue of Exchequer Bills*, are prescribed.

Powers of 48 G.S. c. 1., 4 & 5 W.4. c. 15., and 5 & 6 Vict. c. 66. extended this Act.

III. And be it enacted, That all the Clauses, Provisoes, Powers, Authorities, Regulations, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Acts of the Forty-eighth Year of King *George* the Third, the Fourth and Fifth Years of King *William* the Fourth, and the Fifth and Sixth Years of Her present Majesty, shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses and Provisoes had been particularly repeated and re-enacted in this Act.

Exchequer Bills to bear Interest.

IV. And be it enacted, That the Exchequer Bills to be made out in pursuance of this Act shall bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Money contained therein.

Periods at which Exchequer Bills shall be payable.

V. And be it enacted, That all Exchequer Bills which shall be made out and issued in pursuance of this Act shall be dated on the Day of the Issue thereof, and made payable at such Periods as shall be fixed by the Commissioners of the Treasury.

Exchequer Bills to be current to all Receivers, &c., and at the Bank.

VI. And be it enacted, That all the Exchequer Bills to be made out in pursuance of this Act, or so many of them as shall from Time to Time remain undischarged and uncanceled after the respective Days on which they shall become due and payable, shall after that Time pass and be current to all Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, due or payable to Her Majesty, Her Heirs or Successors, and also at the Bank of *England* to the Account of Her Majesty's Exchequer, from the said Receivers or Collectors, or from any Person, Body Politic or Corporate whatsoever, making any Payment there to Her Majesty, Her Heirs or Successors, upon any Account whatever.

Payment of Exchequer Bills, &c.

VII. And be it enacted, That it shall be lawful for the Commissioners of the Treasury to order and direct the Payment out of the Consolidated Fund of the United Kingdom of *Great Britain* and

and *Ireland* of all Exchequer Bills issued under the Authority of this Act.

VIII. And be it enacted, That no Advance under this Act for or on account of any Work, or in compliance with any Application, shall be made until the same shall have been first submitted to and sanctioned by the Commissioners of the Treasury.

IX. And be it enacted, That the Inclosure Commissioners for *England* and *Wales* shall be the Commissioners for the Execution of this Act in *Great Britain*; and it shall be lawful for the said Inclosure Commissioners to employ in the Execution of this Act in *Great Britain* the Assistant Commissioners, Secretary, Clerks, Messengers, and Officers who have been or may be appointed by the said Commissioners under the said Act of the last Session of Parliament; and the said Inclosure Commissioners may, with such Consent as provided by the said Act of the last Session of Parliament in respect of Appointments under such Act, from Time to Time appoint a sufficient Number of Persons to be Assistant Commissioners and Surveyors respectively for the Purposes of this Act, and may from Time to Time remove any such Assistant Commissioners and Surveyors for *Great Britain*; and the Allowances and travelling and other Expences of such Assistant Commissioners and Surveyors shall be regulated and paid in like Manner as provided by the said Act of the last Session of Parliament in respect of Allowances and Expences to Assistant Commissioners under the same Act, and such Allowances shall not exceed the Allowances payable to the last-mentioned Assistant Commissioners.

X. And be it enacted, That the Commissioners for the Execution of this Act in *Ireland* shall be the Commissioners for the said Act of the First and Second Years of His late Majesty King *William* the Fourth, and of the said Act of the Fifth and Sixth Years of the Reign of Her present Majesty, and of the several Acts amending the same respectively, and shall for the Purposes of this Act be called the Commissioners of Public Works and Drainage in *Ireland*, and such Commissioners shall have full Power and Authority, with such Direction and Approbation of the Commissioners of the Treasury as are in and by the said last-mentioned Acts required, to appoint such and so many Civil Engineers, Surveyors, Clerks, and other Officers as may be necessary for the Purpose of carrying this Act into execution, in such and the same Manner as the Commissioners appointed by the said Acts respectively may now appoint the same.

XI. And be it enacted, That as regards Lands in *Great Britain* all the Provisions of the said Act of the last Session of Parliament concerning or auxiliary to the Proceedings and Inquiries of the said Inclosure Commissioners under the Authority of such Act, and the Authentication of Instruments, shall extend and be applicable to their Proceedings, and the Authentication of Instruments under this Act, in the same Manner as if the Powers hereby vested in the said Inclosure Commissioners were Powers vested in them by the said Act, except as herein otherwise provided: Provided always, that the said Inclosure Commissioners shall not, for the Purposes of this Act, be authorized, by Summons or otherwise, to compel the Attendance of any Witness.

Works to be sanctioned by Treasury.

Inclosure Commissioners to execute this Act in *Great Britain*, who may appoint, &c. Assistant Commissioners, &c.

Allowances and Expences to be regulated as provided by 8 & 9 Vict. c. 118.

Commissioners of Public Works to have Power to appoint Officers for the Execution of this Act in *Ireland*.

Certain Provisions of 8 & 9 Vict. c. 118. to extend to Proceedings, &c. under this Act, &c.

Not to compel Attendance of Witnesses.

XII. And

Provisions of certain Acts as to Drainage of Lands, &c. in Ireland extended to this Act.

XII. And be it enacted, That as regards Lands in *Ireland* all the Provisions of the said Act of the First and Second Years of the Reign of His said late Majesty King *William* the Fourth, and of the several Acts amending the same, and of the said Act of the Fifth and Sixth Years of Her Majesty, and of the several Acts amending the same, and all the Powers and Authorities conferred by such Acts or any of them, in so far as such Acts relate to the Drainage or Improvement of Lands, and as the Provisions thereof may be applicable for the Purposes of this Act, shall extend and be applied to the Proceedings of the Commissioners of Public Works and Drainage in *Ireland* under this Act, as fully and in the same Manner as if the said Provisions and Powers were here repeated, except as herein otherwise provided for.

Assistant Commissioners, &c. may take Declarations, &c.

XIII. And be it enacted, That every Assistant Commissioner and Surveyor in *Great Britain*, and every Commissioner, Engineer, and Surveyor in *Ireland*, acting by the Authority of and in the Execution of this Act, may receive Declarations, and examine upon Declaration, in any Part of *Great Britain* or *Ireland* respectively, all such Persons as shall voluntarily attend before him in the Matter of any Inquiry or Proceeding under the Authority of this Act.

Landowners desirous of obtaining Advances may make Application to Commissioners, stating Particulars.

XIV. And be it enacted, That any Owner of Land who may propose to improve the same by Works of Drainage, and may be desirous of obtaining an Advance by way of Loan under the Provisions of this Act, for defraying the Expence of such Works, may as regards Lands in *Great Britain* make Application to the said Inclosure Commissioners, and as regards Lands in *Ireland* to the said Commissioners of Public Works and Drainage Commissioners in *Ireland*, for such Advance; and such Application shall contain such Particulars of the Land proposed to be drained, the proposed Manner of effecting the Drainage thereof, the estimated Expence of effecting the same, and the estimated Increase of the Value to be produced by such Drainage, as may enable the Commissioners to judge of the Expediency of investigating or further proceeding upon such Application; and every such Application shall specify the Estate or Interest of the Applicant in the Land to which such Application shall relate, and shall state whether the Advance applied for is intended to cover the whole or what Portion of the Expence of the Works.

Commissioners may require Security for Payment of Expences of Investigation, &c.

XV. And be it enacted, That the Commissioners may require Security, by Bond or otherwise, to be given in such Form as they may think fit, by the Owner of Land making the Application, for the Payment to the Commissioners of such Sum as the Commissioners shall, as herein-after mentioned, order to be paid in respect of the Investigation of such Application, and (if they shall issue a Provisional Certificate) of the Expences of inspecting and ascertaining the due Execution of the Works; and, unless the Commissioners shall otherwise direct, such Payment shall be made by the Person making the Application, and shall not be a Charge on the Land to which such Application may relate; and the Commissioners may require such Expences to be repaid before they shall issue a Certificate under the Provisions herein-after contained.

XVI. And

XVI. And be it enacted, That the Commissioners, if they shall think fit (having regard to the Statements contained in such Application, and to the Amount of the Balance which may from Time to Time remain disposable for Loans under this Act,) to entertain such Application, shall cause the Land, and the Plan, Estimate, and Specification of the proposed Drainage, to be inspected and examined by an Assistant Commissioner or Surveyor or Engineer, as the Case may be, who shall report his Opinion thereon, and on the Statements contained in the Application; and if he shall be of opinion that the proposed Drainage will effect an Improvement in the annual Value of the Land which will exceed the annual Amount which can be charged thereon under this Act in respect of the Advance applied for, and that the Drainage is proposed, under the Plan and Specification, to be effected in a substantial and durable Manner, he shall annex to his Report the Plan, Estimate, and Specification, or Duplicate thereof; and the Commissioners may make such other Inquiries in relation to any such Application as they may think fit.

Inspection of Land, &c. to be made by an Assistant Commissioner or Surveyor, &c., who shall report his Opinion upon the same.

XVII. And be it enacted, That if the Commissioners shall think that an Advance in respect of the whole or of a proportional Part of the Cost of such Works would be expedient, they may apply to the Commissioners of the Treasury for their Sanction for them to issue to the Owner of Land by whom such Application shall have been made, or in case his Interest shall have determined, to the Owner of such Land for the Time being, a Provisional Certificate; and such Provisional Certificate shall declare, that upon its being shown to the Satisfaction of the Commissioners that the proposed Works have been executed according to the Plan and Specification annexed to the Report of the Commissioner, Assistant Commissioner, Surveyor, or Engineer respectively, in a substantial and durable Manner, the Commissioners will certify to the Commissioners of the Treasury their Opinion that an Advance should be issued to an Amount not exceeding the Amount of the whole, or of such proportional Part as in such Provisional Certificate shall be expressed, of the Expences which shall have been actually incurred in such Drainage, but limited not to exceed a certain Sum in such Provisional Certificate to be expressed; and in case it shall appear to the Commissioners, upon the Report of the Commissioner, Assistant Commissioner, Surveyor, or Engineer, or otherwise, safe and expedient so to do, the Commissioners may, by such Provisional Certificate, and with the Sanction of the Commissioners of the Treasury, declare that so often as such Part as in such Provisional Certificate may be expressed of such proposed Works shall be shown to them to have been so executed they will certify as aforesaid that an Advance on account should be made in respect of the Part so executed, no such Advance on account to exceed in Amount Two Third Parts of the Sum then actually expended: Provided always, that in case the Commissioners, upon the Investigation of such Application, shall be of opinion that the Amount and Permanence of the Improvement which will be effected by the proposed Drainage in the annual Value of the Land will be such that all or a Part of the Expences of the Investigation of the Application, and of the Expences of inspecting and ascertaining the due Execution of the

If Commissioners think an Advance expedient, they may issue a Provisional Certificate, with the Sanction of the Treasury.

Part of Expences of Investigation may be charged upon the Land, if Commissioners think fit.

Works

Works, should be a Charge on the Land to which the Application shall relate, the Commissioners may, with such Sanction as aforesaid, by the Provisional Certificate direct that all or such Part as in such Provisional Certificate may be expressed of the Expences of such Investigation, and of inspecting and ascertaining the due Execution of the Works, may be included in the Expences in respect of which such Loan, and the Advances on account thereof, shall be made.

Provisional Certificate not to be issued till Notice of Application has been given by Advertisement.

XVIII. And be it enacted, That the Commissioners shall not issue any such Provisional Certificate as aforesaid until Notice shall have been given of the Application for the Advance to which such Provisional Certificate shall relate, by Advertisement to be published in Two successive Weeks in some Newspaper circulating in the County or District in which such Land may be situated, and also in the *London, Edinburgh, or Dublin Gazette*, accordingly as the said Lands shall be situate in *England, Scotland, or Ireland*, and Two Calendar Months shall have elapsed from the Publication of the last of such Advertisements; and in case any Person having any Estate in or Charge upon the Land to which such Application shall relate shall within such Two Calendar Months signify in Writing to the Commissioners his Dissent from such Application, and state to the Commissioners the Nature of his Estate in or Charge upon the Land, the Commissioners shall certify such Dissent to the Owner of the Land by whom such Application shall have been made, and shall not issue such Provisional Certificate unless or until such Dissent shall have been withdrawn, or an Order shall have been made by the High Court of Chancery in *England*, or the High Court of Chancery, or Court of Exchequer at the Equity Side thereof, in *Ireland*, or the Court of Session in *Scotland*, as the Case may be, in manner herein-after provided, authorizing the Applicant to procure an Advance under this Act to the Amount and for the Purpose in his Application mentioned.

Consent of Patron and Ordinary to be had in case of Glebe Land.

XIX. And be it enacted, That when the Land to which the Application for an Advance under this Act shall relate shall be Land held in right of any Church, Chapel, or other Ecclesiastical Benefice in *England and Ireland*, the Commissioners shall not proceed thereon unless the Bishop of the Diocese and the Patron of such Benefice shall have consented in Writing to such Application.

In case of Dissent Landowners in England and Ireland may apply to the Courts of Chancery in England and Ireland, and to the Court of Exchequer in Ireland.

XX. And be it enacted, That in case any Owner of Land in *England or Ireland* shall be desirous of proceeding to procure an Advance under this Act, after such Dissent from such Application shall have been so as aforesaid signified to the Commissioners, he shall be at liberty, as regards Land in *England*, to apply to the High Court of Chancery in *England*, by Petition to the Lord Chancellor or Master of the Rolls, and as regards Land in *Ireland* to the High Court of Chancery, or Court of Exchequer at the Equity Side thereof, in *Ireland*, by Petition to the Lord Chancellor or Master of the Rolls or Lord Chief Baron of the Exchequer, praying that he may be authorized to procure an Advance under this Act to the Amount and for the Purpose in his Application mentioned, and thereupon it shall be lawful for the Court, without requiring the Attendance of any Counsel or Solicitor, to refer

refer it to One of the Masters of the said Courts of Chancery, or the Chief Remembrancer of the said Court of Exchequer, to make all necessary and proper Inquiries, and consider all such Evidence as shall be produced before him, and thereupon to report whether in his Opinion it will be beneficial to all Persons interested in the Land to which such Application shall relate that such Advance should be procured; and the Person who shall have so dissented as aforesaid shall be served with due Notice of such Order being made, and shall be at liberty to attend the Proceedings; and the Report to be made pursuant to such Order shall be filed in the proper Office of the Court by which such Order shall be made; and if no Petition shall be presented to the said Court within Fourteen Days after the filing thereof, praying that such Report may not be confirmed, or that the same may be reviewed, it shall be lawful for the said Court, upon the Presentation of a Petition for that Purpose, and without the Attendance of any Counsel or Solicitor, to make an Order to confirm the said Report absolutely, and also (in case the said Master or Chief Remembrancer shall have reported that in his Opinion it will be beneficial to all Persons interested in the Land that such Advance as aforesaid should be procured) to authorize the Applicant to procure an Advance under this Act to the Amount and for the Purpose in his Application mentioned; and in case any such special Petition as aforesaid shall be presented within the Time aforesaid, praying that the said Report may not be confirmed, or that the same may be reviewed, it shall be lawful for the said Court either to make such Order as aforesaid, or to refuse to confirm the same, or to refer it back to the Master or Chief Remembrancer to review his Report; and the said Court may, if in its Opinion the Case shall require the same, receive further Evidence previous to making any Order upon such Petition; and for the Purpose of regulating and simplifying the aforesaid Proceedings upon such Applications to the said Courts respectively, and the rendering the same inexpensive, it shall be lawful for the Lord High Chancellor of *Great Britain*, with the Assistance of the Master of the Rolls of *England*, and for the Lord High Chancellor of *Ireland*, with the Assistance of the Master of the Rolls of *Ireland*, and for the Lord Chief Baron of the Court of Exchequer in *Dublin*, respectively, from Time to Time to make such Orders and Provisions as they may think proper relative to such Proceedings in their respective Courts.

XXI. And be it enacted, That in case any Owner of Land in *Scotland* shall be desirous of proceeding with an Application for an Advance under this Act, after such Dissent as aforesaid from such Application shall have been signified to the Commissioners, he shall be at liberty to apply to the Court of Session by a summary Petition, praying that he may be authorized to proceed with such Application; and it shall be lawful for the Court of Session, in its Discretion, if it shall appear that the Works in respect of which such Advance may be sought will be beneficial to all Persons interested in the Land, to authorize such Application to be proceeded with accordingly; and it shall be lawful for the Court of Session in *Scotland* to make such Orders or Regulations for regulating or simplifying the Proceedings upon such

Landowners in
Scotland may
make Application to the Court
of Session.

such last-mentioned Petition, and the Inquiries which may be had thereon, as such Court may think proper.

Copy of every Petition under this Act to be served upon Person dissenting Fourteen Days previous to hearing.

XXII. And be it enacted, That a Copy of every Petition under this Act shall be served Fourteen Days at least before the hearing thereof upon the Person who shall have signified his Dissent from the Application to the Commissioners to which such Petition shall relate, or if such Person shall be out of the United Kingdom of *Great Britain* and *Ireland*, then upon such Person as the Court to which the Petition shall be preferred shall appoint for that Purpose; and the said Court of Chancery in *England*, and the said Court of Chancery and Court of Exchequer in *Ireland*, and the said Court of Session respectively, may order all or any of the Costs of or relating to such Petitions, and the Proceedings thereon, to be paid by the Petitioner, or by the Person who shall have signified such Dissent as aforesaid, if his Dissent shall appear to the said Courts respectively vexatious or improper, or to be paid as the said Courts respectively shall think fit.

Order of Courts unnecessary, except where Dissent shall have been signified after Advertisement.

XXIII. Provided always, and be it enacted, That it shall not in any Case be necessary for any Owner of Land within the Definitions of this Act to obtain or apply for an Order of the said High Courts of Chancery or Exchequer respectively, or of the Court of Session, (as the Case may be,) for Authority to make or proceed with an Application for an Advance under this Act in case such Notice by Advertisement shall have been given as aforesaid, and no such Dissent as herein-before mentioned shall have been signified within the Time and in manner aforesaid, or such Dissent shall have been withdrawn.

Saving Rights of Guardians, &c.

XXIV. And be it enacted, That all Husbands, Guardians, Committees, Tutors and Curators, for and on behalf of married Women, Infants, Minors, Lunatics, Idiots, or fatuous or furious Persons, and all Feoffees and Trustees, Judicial Factors, Executors, and Administrators, shall respectively have the same Rights and Powers of making Applications and signifying Dissents under this Act as such married Women, Infants, Minors, Lunatics, Idiots, or fatuous or furious Persons respectively would have had if free from Disability, or as such Feoffees or Trustees, Judicial Factors, Executors, or Administrators respectively would have had if the Estates, Charges, or Interests (of which they shall be such Feoffees or Trustees or Judicial Factors, or which shall be vested in them as such Executors or Administrators,) had been vested in them in their own Right; but no such Guardian, Committee, Tutor, Curator, Feoffee, Trustee, Judicial Factor, Executor, or Administrator shall be in anywise concerned or obliged to signify a Dissent to an Application under this Act, or be in anywise responsible for the Consequences of such Application, or of the Charge made in pursuance thereof.

Commissioners may cause Works to be inspected by an Assistant Commissioner or Surveyor, &c.

XXV. And be it enacted, That the Commissioners shall, as they see Occasion, cause the Works to which such Provisional Certificate shall relate to be inspected by a Commissioner, Assistant Commissioner, Surveyor, or Engineer, to ascertain the due Execution of such Works; and such Commissioner, Assistant Commissioner, Surveyor, or Engineer respectively may require the Production of such Vouchers, Bills of Account, or other Documents as may enable him to ascertain such due Execution, and

and the Amount of the Expence which shall have been actually incurred in the Execution of such Works.

XXVI. And be it enacted, That the Governor and Company of the Bank of *England* shall cause a separate Account to be opened in their Books with the Inclosure Commissioners, and with the Receiver General of Stamps and Taxes, under the Title of "Drainage Advances and Repayments Accounts."

Separate Account to be kept by the Bank of England;

XXVII. And be it enacted, That the Governor and Company of the Bank of *Ireland* shall cause a separate Account to be opened in their Books with the Commissioners of Public Works and Drainage in *Ireland*, and with the Paymaster of Civil Services in *Ireland*, under the Title of "Drainage Advances and Repayments Accounts."

and by the Bank of Ireland.

XXVIII. And be it enacted, That when the Commissioners shall be satisfied by the Report of a Commissioner, Assistant Commissioner, Surveyor, or Engineer respectively, or otherwise, that the Works referred to in any such Provisional Certificate have been executed according to the Terms and Conditions of such Provisional Certificate, or that such Part thereof as, under the Terms of such Provisional Certificate, would authorize an Advance on account, has been so executed, and shall be satisfied by such Report or otherwise that such Expence has been actually incurred as will justify the Advance according to the Terms of the Provisional Certificate, the Commissioners shall forward Certificates in duplicate under their Seal, and accompanied with their Recommendation, to the Commissioners of the Treasury, for an Advance under this Act; and such Certificate shall specify the Land in respect of which such Advance is to be made, and shall certify that such Sum as therein mentioned should be issued to the Person therein named in respect of the Drainage of such Land; and the Commissioners of the Treasury, upon the Receipt of such Certificate in duplicate from the Commissioners, shall authorize One of their Secretaries to notify their Approval upon One of the Certificates, and transmit the same to the Comptroller of Her Majesty's Exchequer, with their Directions for his giving the necessary Issue to the Commissioners (whether by a Credit on the growing Produce of the Consolidated Fund or by Exchequer Bills) to enable them to make the proposed Advance; and the said

Commissioners, when satisfied of the Execution of the Works, may forward Certificate to the Treasury for an Advance under this Act.

Comptroller General is hereby authorized, upon the Receipt of such Certificate and Directions, to cause the same to be recorded in the Books of his Office, and either give a Credit on the Exchequer Funds at the Banks of *England* or *Ireland*, as the Case may be, to the Commissioners, or to issue to them, or cause to be placed to their Account at the Banks of *England* or *Ireland*, Exchequer Bills for the Amount specified in the Certificate, and Directions from the Treasury given thereupon; and the said Commissioners respectively shall upon such Exchequer Credits, or the Produce of the Sale of such Exchequer Bills, give Warrants or Orders under their Seal to the Governor and Company of the Banks of *England* or *Ireland*, as the Case may be, to pay from the "Drainage Advances and Repayment Account" to the respective Parties named in such Warrants or Orders the Sums specified therein and previously recommended for such Advance by the Commissioners to the Commissioners of the Treasury.

Comptroller General, upon Receipt of Certificate, &c., may issue Exchequer Bills accordingly.

Commissioners to deliver Duplicate of Certificate to the Owner of the Land.

XXIX. Provided always, and be it enacted, That in the Case of Advances proposed to be made under this Act in respect of Lands in *Scotland*, the said Commissioners, before forwarding to the Commissioners of the Treasury the said Certificates in duplicate, shall deliver One of the said Duplicates to the Owner of the said Lands or Party applying for such Advance, and the said Owner or Party shall thereafter cause the said Certificate to be duly registered in the General or Particular Register of Sasines, and shall thereafter return the same to the said Commissioners, with an Endorsement thereon by the Keeper of the said Register, which the said Keeper is hereby authorized and required to grant, certifying that the same has been duly registered; and the said Certificate so registered and endorsed, with its Duplicate, shall then be transmitted as aforesaid by the said Commissioners to the Commissioners of the Treasury.

In Ireland, the Report and the Certificate shall specify the Denomination, &c. of the Lands.

XXX. Provided always, and be it enacted, That as regards Lands in *Ireland*, upon any Application made under this Act for any such Advance as aforesaid, the Assistant Commissioner, Surveyor, or Engineer who shall report thereon shall in such Report specify as well the Denomination or Denominations of the Lands in respect of which such Advance is to be made as also the Barony and County in which such Lands are situate.

As regards Lands in Ireland, a Memorial of the Certificate shall be registered in the Register Office in Dublin.

XXXI. Provided also, and be it enacted, That in the Case of Advances proposed to be made under this Act as regards Lands in *Ireland*, the Commissioners, before forwarding to the Commissioners of Her Majesty's Treasury the said Duplicate Certificates, shall deliver One of the said Duplicates to the Owner of the Lands, or Party applying for such Advance, or his Agent, and the said Owner or Party shall cause a Memorial on Parchment, containing a true Copy or a true Statement of the material Contents of such Duplicate Certificate, signed with the Name of such Owner or Party, to be brought to the Office of the Register of Deeds in *Dublin*, together with such Duplicate Certificate; and the Registrar of Deeds, or his Deputy, shall cause such Memorial to be compared with such Duplicate Certificate; and upon Proof of the Signature of such Owner or Party as aforesaid, and of the Seal of the Commissioners on such Duplicate, by Affidavit to be taken by such Officer or Person as is empowered to take Affidavits in Cases of Registration of Deeds, such Memorial shall, without further Proof or Affidavit, be filed, entered, registered, and indexed in such Register Office in like Manner, so far as the Nature of the Case will admit, as a Memorial of a Deed may be filed, entered, registered, and indexed in the said Register Office, upon Payment of such Fee or Fees as would be duly payable in the Case of a Memorial of a Deed, and with and subject to like Powers to all Persons interested to make such Searches, and to take such Abstracts, and to inspect any such original Memorial, and to obtain Searches in respect of the same, and upon Payment of such Fees respectively, as in the Case of any Deeds registered in the said Office; and the proper Officer at the said Register Office, at the Time of entering such Memorial, shall on such Duplicate Certificate endorse a Certificate under his Hand, and therein mention the Day on which such Memorial is so entered and registered, expressing also in what Book, Page, and Number the same is entered,

entered, which Certificate shall be taken and allowed as Evidence of such Registry in all Courts whatsoever; and the said Duplicate Certificate so endorsed shall be transmitted by the Registrar of Deeds, or his Deputy, to the Commissioners, and the same, together with the other Duplicate Certificate, shall be transmitted as aforesaid by the Commissioners to the Commissioners of Her Majesty's Treasury, and be by them dealt with as aforesaid.

XXXII. And be it enacted, That it shall be lawful for the Commissioners for the Execution of this Act, by the Authority and under the Direction of the Commissioners of the Treasury, to sell such Exchequer Bills as may be issued for their respective Accounts at the Bank of *England* or at the Bank of *Ireland*, and to cause the Produce thereof to be placed to the Drainage Advances and Repayment Account at such Bank.

Commissioners may sell Exchequer Bills, and place them to the Account at the Bank.

XXXIII. And be it enacted, That the Inclosure Commissioners shall notify under their Seal to the Commissioners of Stamps and Taxes the Particulars contained in every Warrant or Order given by them for Advances, with the Date of the Payment of the same by the Bank of *England*; and the Commissioners of Stamps and Taxes are hereby required, upon receiving such Notification, to cause a Record thereof to be forthwith made in Books of Accounts in their Office, to be kept upon the Principle of Double Entry, debiting therein the Land in respect of which the Advance shall be made with the Amount of the same, and crediting it by the Rent-charge received from Time to Time by their Officers in respect of such Advance.

Accounts of Advances to be kept.

XXXIV. And be it enacted, That upon the Issue as aforesaid of any Advance by virtue of a Certificate under this Act the Land mentioned in such Certificate shall be charged with the Payment to Her Majesty in respect of such Advance of a Rent-charge after the Rate of Six Pounds Ten Shillings Rent for every One hundred Pounds of such Advance, and so in proportion for any lesser Amount, and to be payable for the Term of Twenty-two Years, to be computed from the Sixth Day of *April* or Tenth Day of *October* which shall next happen after the Issue of such Advance, such Rent-charge to be paid by equal half-yearly Payments on the Sixth Day of *April* and the Tenth Day of *October* in every Year, the first of such Payments to be made on the second of such Days which shall happen next after the Issue of such Advance in respect of which the Rent-charge shall be charged.

A Rent-charge of *6l. 10s.* for Twenty-two Years to be charged for every 100*l.* advanced by Exchequer Bills or Money.

XXXV. And be it enacted, That every Rent-charge which shall become charged on Land by virtue of this Act shall, where the same shall be charged on Land in *England*, be recoverable by the Commissioners of Stamps and Taxes for the Time being by the same Means and in the like Manner in all respects as a Rent-charge in lieu of Tithes if charged on the same Land under the Act of the Seventh Year of King *William* the Fourth, intituled *An Act for the Commutation of Tithes in England and Wales*, would be recoverable, and as if such Rent-charge under this Act were a Rent-charge in lieu of Tithe made payable to Her Majesty under the said Act of the Seventh Year of King *William* the Fourth; and that any Rent-charge which shall become charged on Land in *Ireland* by virtue of this Act shall be recoverable in the Name of Her Majesty by the same Means and in the same

Rent-charge in England, how recoverable.

6 & 7 W. 4. c. 71.

Rent-charge in Ireland, how recoverable.

1 & 2 Vict.
c. 109.

Rent-charge in
Scotland, how
recoverable.

Advances under
this Act not to
be deemed a
Contravention
of Conditions of
Entail.

Rent-charge
not to preclude
Trustees from
investing Money
in the Purchase
or Mortgage of
Land charged.

Tenants for
Life, &c. to
keep down
Rent-charges.

Manner, and with the like Remedies for the Recovery thereof, in all respects as a Rent-charge in lieu of Tithe charged on the same Lands is now recoverable under and by virtue of an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to abolish Compositions for Tithes in Ireland, and to substitute Rent-charges in lieu thereof*, and the several Acts passed for amending the same; and such Rent-charges in *England* and *Ireland* respectively shall be subsequent in order of Charge to any Rent-charge payable in lieu of Tithe, and to any Quit Rent or Chief Rent incident to Tenure, but shall have Priority to all other Charges on the same Land; and every Rent-charge which shall become charged on Land by virtue of this Act shall, where the same shall be charged on Land in *Scotland*, be recoverable by the same Means and in the like Manner in all respects as any Feu Duty or Rent or annual Rent, or other Payment payable to Her Majesty out of the same Lands, would be recoverable, but shall be subsequent in order of Charge to any Feu Duty, but shall have Preference over all other Charges on the same Land: Provided always, that if no legal Proceedings shall have been adopted for the Recovery of any such Rent-charge within Three Years after the same shall have become payable, such Preference shall not have place in regard to such Rent-charge.

XXXVI. And be it enacted, That no Proprietor of an entailed Estate in *Scotland* shall be held to have contravened the Conditions of the Entail by reason of having availed himself of the Provisions of this Act; and no Rent-charge imposed or created on any entailed Lands in *Scotland* under the Authority of this Act shall be made use of as a Ground for adjudging, selling, or evicting such Lands, or any Part thereof, contrary to the Provisions and Conditions of the Entail, but every such Rent-charge shall be a good and effectual Charge upon and against such entailed Lands to every other Effects, and upon and against the Rents and Profits thereof.

XXXVII. And be it enacted, That the Rent-charge by virtue of this Act to be charged on any Land shall not be deemed such an Incumbrance as shall preclude a Trustee of Money held in trust to be invested in the Purchase of Land, or to be invested on Mortgage, from investing the same in a Purchase of or upon a Mortgage of such Land so charged, unless the Terms of such Trust shall expressly provide that the Land to be so purchased or taken in Mortgage shall not be subject to any Rent-charge under the Provisions of this Act.

XXXVIII. And be it enacted, That every Owner of Land on whose Application a Rent-charge shall have become charged under this Act, and every succeeding Heir of Entail, Tenant for Life, or Life-renter, or other Person having a limited Interest in the Land charged, shall, as between such Person and the Persons in remainder or reversion, be bound to pay the half-yearly Payments of such Rent-charge which shall become payable during the Continuance of his Interest, and, in case he shall be in the actual Occupation of or entitled to an apportioned Part of the Rents and Profits of such Land up to the Time of the Termination of his Interest, shall also be bound to pay an apportioned Part of

the half-yearly Payment of such Rent-charge which shall become due next after the Termination of his Interest proportioned to the Time which shall have elapsed between the Day of the previous half-yearly Payment and the Day of such Termination.

XXXIX. And be it enacted, That so long as any Land shall continue charged with any such Rent-charge the Person for the Time being bound to pay the half-yearly Payments of such Rent-charge shall be bound to uphold the Drains on account of which the Lands shall have been charged therewith, and to keep clear and open the Outfalls of all such Drains, and shall once in every Year certify to the Commissioners for the Execution of this Act the State of such Drains and Outfalls, and in default of so keeping and upholding the said Drains and Outfalls shall be liable to an Action on the Case in the Nature of an Action of Waste for the Damage thereby occasioned, at the Suit of the Person then entitled to the next Estate in remainder or reversion in the said Lands rendering him liable to the Payment of the said Rent-charge on the Determination of the Estate in possession.

Drains and Outfalls to be maintained.

XL. And be it enacted, That if any Tenant or Occupier at a Rent in *Great Britain* shall join in the Application for an Advance under this Act, or shall by Writing under his Hand signify to the Commissioners, or to any Assistant Commissioner, Engineer, or Surveyor, his Consent or Agreement to become charged with the Rent-charge, or an apportioned Part thereof, as herein-after mentioned, in respect of the Advance to be made upon such Application, such Tenant or Occupier shall during his Tenancy be liable to pay such Rent-charge, or an apportioned Part thereof, as herein-after mentioned; and in case the Application shall be made for an Advance in respect of the Drainage as well of other Land as of the Land included in such Tenancy, the Commissioners may, upon such Concurrence, Consent, or Agreement of the Tenant or Occupier, by their Provisional or any other Certificate, or by a separate Order of Apportionment, declare what Portion of the whole Rent-charge payable in respect of such Advance shall be payable by such Tenant or Occupier during his Tenancy in respect of the probable Improvement of the Land included in such Tenancy; but, except as aforesaid, every Tenant or Occupier who shall pay such Rent-charge shall be entitled to deduct the Amount thereof from the Rent payable by him to the Owner of the Land, and shall be allowed the same in account with such Owner; or in case, as regards Lands in *Ireland*, there shall be any Landlord or Landlords having an Estate or Estates, Interest or Interests, intermediate between such Tenant or Occupier and the Owner of the Land, as herein-after defined, then such Tenant or Occupier shall be entitled to deduct the Amount so paid by him from the Rent payable by him to his next intermediate Landlord; and such Landlord, in case he shall not have joined as aforesaid in such Application, and shall not have signified as aforesaid his Consent or Agreement to become charged with the Rent-charge as aforesaid, may deduct the Amount so deducted from him from his next immediate Landlord, if any, and so on a similar Deduction or successive Deductions shall be made until the Amount so paid shall be deducted from the Owner of the Land, or from some Land-

Tenant may deduct Rent-charge, except where he may have agreed to pay the same.

lord who shall have so joined in such Application, or shall have so signified such Consent or Agreement as aforesaid.

Proportion of Rent-charge payable by Tenant or Occupier concurring in an Application for an Advance in Ireland to be settled by Commissioners, if the Tenant or Occupier shall so desire.

XLI. Provided always, and be it enacted, That if any Tenant or Occupier at a Rent in *Ireland* shall join in the Application for an Advance under this Act, or shall, by Writing under his Hand, signify to the Commissioners, or to any Engineer, Surveyor, or other Officer acting under their Authority, his Consent or Agreement to become charged with Rent-charge in respect of the Advance to be made upon such Application, it shall be lawful for such Tenant or Occupier in such Application, or by such Writing as aforesaid, or by some other Writing under his Hand, to signify to the Commissioners, or to such Engineer, Surveyor, or other Person acting under such Authority as aforesaid, his Desire that the Lands of which he shall be such Tenant or Occupier shall be chargeable with such Share only of said Rent-charge as shall be proportionate to the Improvement of the Lands of which he shall be so Tenant or Occupier to be affected by the Works for which such Advance shall be applied for, such Share to be determined by the Commissioners in the Manner provided by this Act; and in every such Case the Commissioners shall in their Certificate, of which Duplicates shall be so given as aforesaid, determine the Share and Proportion of such Rent-charge to be chargeable upon the Lands of such Tenant or Occupier, having regard to the Term, Estate, or Interest of such Tenant or Occupier therein, and all the Circumstances of the Case, and thereupon such Share only of said Rent-charge shall be charged upon such Lands accordingly: Provided always, that before such Certificate shall be perfected by the Commissioners a Draft thereof shall be made, and a Copy of such Draft shall be deposited with the Clerk of the Peace for the County in which such Lands of such Tenant or Occupier shall be situated, which Copy the Clerk of the Peace of said County shall be authorized and required to receive, and any Person shall have Liberty to inspect and take a Copy of the same on Payment of Sixpence; and a Copy of such Draft shall also be delivered to such Tenant or Occupier, or left at his Place of Abode, if known, and if not at the principal Dwelling House upon such Lands, with a Notice requiring the Tenant or Occupier of such Lands, in case he shall object to such Draft, to lodge Objections to the same at such Place within the Barony in which such Lands shall be situate, and before such Time as shall be specified in such Notice, not being less than Three Weeks from the Delivery or Service of the same; and the Commissioners shall also state in such Notice that they, or One of them, will proceed to hear any Objections which may be lodged, and to settle the Certificate, at such Time and Place, in or near such Barony, as shall be specified in such Notice, such Time not to be sooner than One Calendar Month from the Delivery or Service of such Notice; and the Commissioners, or One of them, shall attend at such Time and Place as they or he shall so appoint, and shall examine into the Truth of any Objection which shall be so lodged to the Draft of the Certificate, and shall hear all such proper Evidence as may be offered to them or him in respect thereof, as they or he shall think fit, and may adjourn such Attendance from Time to Time, and shall settle and sign such

such Draft Certificate; and the Certificate of which such Duplicate shall be so given as aforesaid shall be conformable in every respect to such Draft, and the same when sealed and delivered or transmitted in duplicate as aforesaid, shall be final and conclusive as to all the previous Proceedings in reference to such Lands, and such Tenant or Occupier thereof, and as to the Share of said Rent-charge to be charged upon the Lands of such Tenant or Occupier: Provided always, that nothing herein contained shall prevent the said Rent-charge from being apportioned in manner herein-after mentioned, in case such Tenant or Occupier shall not so signify such Desire as aforesaid, or so far as such Apportionment as herein-after mentioned shall not affect the Term, Estate, or Interest of such Tenant or Occupier.

XLII. And be it enacted, That the Rent-charges which shall become charged on Lands in *Great Britain* under this Act shall be collected by the Officers appointed for the Receipt of the Land and Assessed Taxes for the several Districts in which such Lands shall be situated, under such Rules and Directions as the Commissioners of Stamps and Taxes shall from Time to Time make or give in that Behalf; and the Monies payable in respect of such Rent-charges shall be deemed Monies under the Care and Management of the Commissioners of Stamps and Taxes, and the said Commissioners shall make such Allowances in respect of the Collection or Receipt thereof as the Commissioners of the Treasury shall direct; and all the Monies so collected shall be in every Case notified by the Officer receiving the same to the Commissioners of Stamps and Taxes, and remitted to their Receiver General, who shall keep a separate Account thereof, and shall, after Payment thereof of such Sums as may be authorized by the Commissioners of the Treasury for defraying the Expences attending the Execution of this Act, pay over the Balance on the said separate Accounts from Time to Time, on the usual Days of Payment of the Revenue of Stamps and Taxes, to the Account of the Bank of *England* to be opened under the Authority of this Act for Drainage Advances and Repayments; and such Monies when so paid by the said Receiver General shall be transferred by the Governor and Company of the Bank of *England* to the Account kept by the said Governor and Company with Her Majesty's Exchequer as Repayments for Drainage Advances, to be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* on the Books of the Comptroller General of Her Majesty's Exchequer.

Rent-charges to be collected by Collectors of Land and Assessed Taxes in *Great Britain*.

XLIII. And be it enacted, That the Rent-charges which shall become chargeable on Lands in *Ireland* under this Act shall be collected, by the several Collectors of Excise in *Ireland* for the several Districts wherein such Lands shall be situated, in the same Manner as Quit and Crown Rents are now received by such Collectors; and the Monies payable to such Collectors shall be by them paid into the Bank of *Ireland* to the Credit of the Paymaster of Civil Services.

Rent-charges to be collected by Collectors of Excise in *Ireland*.

XLIV. And be it enacted, That if it shall be represented to the Commissioners that the Land charged with any Rent-charge under this Act is occupied in separate Farms, or shall have become the Property of separate Owners, or that the Owner thereof is entitled

Rent-charges may be apportioned.

thereto under separate Titles, or for distinct and separate Interests, or is desirous to sell or dispose of a Part or Parts of such Land, or that for any other Reason it will be desirable that such Rent-charge shall be apportioned, it shall be lawful for the Commissioners, with the Consent of the Owner or Owners of the Land charged with such Rent-charge, by Order under the Seal of the Commissioners to apportion such Rent-charge so that a separate and distinct Rent-charge may become charged on each separate Farm, or on the Land of each Owner, or on the Land held under each separate Title, or for each distinct and separate Interest, or on the Part or each Part which the Owner is desirous to sell or dispose of, and the Part intended to be retained by him, or on other separate Parts of the said Lands, but so that no Rent-charge charged under such Apportionment shall be less than Twenty Shillings; and the Commissioners shall transmit every such Order of Apportionment to the Commissioners of Stamps and Taxes or to the said Collector of Excise respectively, as the Case may be, who shall cause the Rent-charges charged by such Apportionment to be collected, instead of the original Rent-charge charged on the Land to which such Apportionment shall relate, and as if the same were separate Rent-charges originally charged under this Act.

Landowners
may redeem
Rent-charges.

XLV. And be it enacted, That, subject to such Regulations as herein-after mentioned, any Owner of Land charged with such Rent-charge shall be at liberty, at any Time before the Expiration of Twenty Years after the Commencement thereof, to redeem such Rent-charge or any Part thereof, not being less than Ten Pounds annual Charge, on Payment to the Commissioners of Stamps and Taxes in respect of Lands in *Great Britain*, or to the Paymaster of Civil Services in respect of Lands in *Ireland*, of the Arrear (if any) thereof, and of such Sum as shall be equal to the aggregate Amount of the half-yearly Payments not then accrued due, after deducting or allowing Discount after the Rate of Three Pounds Ten Shillings *per Centum per Annum* in respect of such several future Payments; and the Commissioners shall issue and deliver to such Owner a Certificate of such Redemption; and all Monies to be received by the said Commissioners shall be paid over by them to their Receiver General, and be applied by him in the Manner herein-before provided with respect to Monies to be received by him for Rent charges; and the Commissioners of the Treasury shall cause Tables to be framed, showing the Rate at which the said Rent-charges may be so redeemed in the several Years during which the same are made redeemable, and may make Regulations limiting the Times of the Year in which they may be redeemed.

Treasury to
cause Tables of
Rates of Redem-
ption to be
framed.

Commissioners
may make
Order for the
Repayment of
the Expences of
Investigation,
&c.

XLVI. And be it enacted, That it shall be lawful for the Commissioners, having regard to the Time, Labour, and Expences of the Commissioner, Assistant Commissioner, Surveyor, or Engineer, or other Persons (if any) employed or paid by the Commissioners in or about the Investigation of any Application for an Advance, and (where they shall have issued a Provisional Certificate) the Inspection and Ascertainment of the due Execution of any Works in respect of which an Advance shall have been applied for or made under this Act, by any Order under their Seal, to order and
declare

declare that a Sum, in such Order to be mentioned, be paid to the Commissioners in respect of such Time, Labour, and Expences as aforesaid, by the Owner of Land by whom the Application shall have been made, his Heirs, Executors, or Administrators, at such Time and in such Manner as in such Order shall be expressed, and such Sum shall be a Debt payable to the Commissioners; and all Monies received by the Commissioners in respect of such Expences shall be paid by them into Her Majesty's Exchequer, and shall be carried to and form Part of the Consolidated Fund: Provided always, that where the Commissioners shall have directed that all or a Part of the Expences of the Investigation of the Application, and of inspecting and ascertaining the due Execution of the Works, might be included in the Expences in respect of which such Loan, and the Advances on account thereof, shall be made, the Commissioners may retain such Sum as last aforesaid, or such Part thereof as in their Certificate expressed, out of the Money to be advanced by them to the Owner of the Land under the Authority of this Act.

XLVII. And be it enacted, That no Bond or other Security given to the Commissioners under this Act, and no Certificate or other Instrument made under this Act, shall be chargeable with any Stamp Duty.

Bonds, &c.
under this Act
exempt from
Stamp Duty.

XLVIII. And be it enacted, That the Inclosure Commissioners and the Receiver General of Stamps and Taxes shall cause to be made up for Examination and Audit an annual Document, certified by them respectively, of the Amount of Credits on the Exchequer Funds, or of Exchequer Bills placed to their Account at the Bank of *England*, the Sum issued therefrom upon Warrants for Advance for Loans, and the Repayments on account of such Loans, to the Thirty-first Day of *March* in each Year, and shall deliver the same to the Commissioners for auditing the Public Accounts, such Accounts to be deemed Public Accounts, and to be inquired into and audited and to be within all the Provisions of all Acts passed for auditing the Public Accounts of *Great Britain*.

Annual Ac-
count to be
made up.

XLIX. And be it enacted, That for the Purposes of this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Context repugnant to such Construction; (that is to say,) the Words "Lord Chancellor" shall mean also "Lord Keeper" and "Commissioners of the Great Seal;" the Words "Commissioners of the Treasury" shall mean the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being; the Words "the Commissioners" shall, as regards Lands in *Great Britain* mean the Inclosure Commissioners for *England* and *Wales*, and as regards Lands in *Ireland*, the said Commissioners of Public Works and Drainage in *Ireland*; the Words "Owner of Land" shall, as to Land in *England* and *Wales*, mean such Person as, under the said Act of the Seventh Year of King *William* the Fourth, for the Commutation of Tithes in *England* and *Wales*, would be deemed the Owner of such Land for the Purposes of the same Act; the

Interpretation
of Act.

1 & 2 Vict.
c. 109. a. 8.

Words "Owner of Lands" shall, as to Lands in *Ireland*, mean such Person as under the said Act passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to abolish Compositions for Tithes in Ireland, and to substitute Rent-charges in lieu thereof*, shall have the first Estate of Inheritance or other Estate or Interest equivalent to a perpetual Estate or Interest thereon; the Words "Owner of Land" shall, as to Land in *Scotland*, mean or include every Fiar, Life-renter, Heir of Entail, Husband of a married Woman seised in her own Right, Tutor, Curator, and other Guardian for any Infant, Minor, Lunatic, or Idiot, fatuous or furious Person, and every Trustee who respectively shall be in the actual Possession of the Land, or in receipt of the Rents payable on the Tacks, Leases, or Tenancies of the Tenants in the actual Possession thereof; and the Words "Court of Session" shall mean the Court of Session in *Scotland* in either Division thereof in Time of Session, or the Lord Ordinary officiating on the Bills in Time of Vacation, as the Case may be; the Word "Person" shall mean and include any Body Corporate, Aggregate, or Sole, as well as an Individual; any Word importing the Singular Number only shall mean and include several Persons or Parties as well as one Person or Party, and several Things as well as one Thing respectively, and the converse; and any Word importing the Masculine Gender only shall mean and include a Female as well as a Male.

Act may be
amended, &c

L. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

C A P. CII.

An Act to amend the Laws relating to the Customs.

[28th August 1846.]

‘ WHEREAS several Acts were passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, for consolidating the Laws of Customs: And whereas certain Alterations and Amendments of the said Acts are now required:’ Be it therefore 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, That from and after the passing of this Act the same shall come into and be and continue in full Force and Operation for the Purposes mentioned therein, except where any other Commencement is herein-after particularly directed.

Commencement
of Act.

Regulation.

8 & 9 Vict. c. 86.
Tobacco from
Porto Rico,
Trinidad, &c.
to be imported
in Packages of
80 lbs.

II. ‘ And whereas by one of the said Acts, intituled *An Act for the general Regulation of the Customs*, certain Restrictions are enacted upon the Importation of Tobacco into the United Kingdom: And whereas it is expedient to alter and amend the said Restrictions as is herein-after mentioned;’ be it therefore enacted, That from and after the passing of this Act it shall be lawful to import into the United Kingdom, into any of the Ports named in the Table of Prohibitions and Restrictions Inwards in the said Act contained, as Ports into which Tobacco may be imported, or into any Port which may have been or hereafter may be appointed

for such Purpose by the Commissioners of Her Majesty's Treasury, any Tobacco the Produce of the Island of *Porto Rico*, and any Tobacco the Produce of *Trinidad*, or of *Mexico* or of *South America*, or of the Islands of *Saint Domingo* or *Cuba*, or any Tobacco which can and shall be legally imported from *Malta* for Home Consumption, in Packages, each containing at least Eighty Pounds net Weight of such Tobacco.

III. 'And whereas it was intended by the said Table of Prohibitions and Restrictions Inwards to prohibit the Importation of Negrohead Tobacco the Produce of and imported from the United States of *America*, unless in Packages each containing at least One hundred and fifty Pounds net Weight of such Tobacco, but the Word "unless" has been accidentally omitted in the said Table, whereby the said Restriction upon the Importation of Negrohead Tobacco has been rendered obscure;' be it enacted and declared, That Negrohead Tobacco the Produce of and imported from the United States of *America* shall be prohibited to be imported into the United Kingdom, unless in Packages each containing at least One hundred and fifty Pounds net Weight of such Tobacco; and that the said Restriction in the said Table contained shall not be construed to prevent the Importation of such Tobacco in Packages of that Size, provided such Importation be in other respects effected in a legal Manner.

IV. 'And whereas in the said Table of Prohibitions and Restrictions Inwards certain Restrictions are imposed upon the Importation of Spirits into the United Kingdom: And whereas it is expedient to alter and amend the said Restrictions so far as the same relate to the Importation of Geneva;' be it therefore enacted, That it shall be lawful to import into the United Kingdom any Geneva in Glass Bottles containing not more than Three Pints in each of such Bottles, such Geneva being really Part of the Cargo of the Ship in which the same is imported, and included in the Manifest or other Papers enumerating or descriptive of the Cargo thereof.

V. And be it enacted and declared, That all Goods subject to Restrictions as to Package upon the Importation thereof into the United Kingdom shall be subject to the same Restrictions when such Goods are brought into the United Kingdom for Exportation in the Ship in which they are so brought, and that all Goods so brought contrary to such Restrictions whether reported for Exportation in the same Ship or not, shall be forfeited.

VI. And be it enacted, That if any Goods which may have been imported into the United Kingdom, from Foreign Parts, or which shall hereafter be so imported, shall be removed from any Vessel, Quay, Wharf, or other Place previous to the Examination thereof by the proper Officer of the Customs, except by an Order of or with an Authority in Writing from such Officer, and for such Purpose as shall be therein mentioned or expressed, and in due Conformity therewith, every Person who shall assist or be otherwise concerned in such Removal, or who shall knowingly harbour, keep, or conceal, or shall knowingly permit or suffer to be harboured, kept, or concealed, any such Goods, or to whose Hands and Possession any such Goods shall knowingly come, shall forfeit either the Treble Value thereof or the Penalty of One hundred

Regulation.

Correction of an Error in the Restrictions on the Importation of Negrohead Tobacco.

Geneva may be imported in Glass Bottles containing not more than Three Pints or 12 Gills.

Goods subject to Restrictions subject to same Restrictions where brought for Exportation in same Ship.

If Goods removed prior to Examination, Penalty upon Parties concerned in the Removal.

Pounds,

Regulation.

Pounds, at the Election of the Commissioners of Her Majesty's Customs.

Prohibition of Foreign Manufactures bearing British Marks, and of Clocks, &c. repealed.

VII. And be it enacted, That so much of the said last-mentioned Act as prohibits the Importation of Articles of Foreign Manufacture bearing any Names, Brands, or Marks purporting to be the Names, Brands, or Marks of Manufacturers resident in the United Kingdom, and of Packages of such Articles, and of Clocks and Watches of any Metal, shall be and the same is hereby repealed.

Foreign Manufactures bearing British Marks prohibited to be imported.

VIII. And be it enacted, That any Articles of Foreign Manufacture, and any Packages of such Articles, imported into the United Kingdom or into the *British Possessions* abroad, bearing any Names, Brands, or Marks purporting to be the Names, Brands, or Marks of Manufacturers resident in the United Kingdom, shall be forfeited, and that such Articles and Packages of Articles shall not be warehoused for Exportation.

Foreign Clocks and Watches not having the Maker's Name forfeited.

IX. And be it enacted, That Foreign Clocks and Watches of any Metal impressed with any Mark or Stamp appearing to be or to represent any legal *British Assay* Mark or Stamp, or purporting by any Mark or Appearance to be of the Manufacture of the United Kingdom, or not having the Name and Place of Abode of some Foreign Maker abroad visible and permanently marked or engraved on the Frame, and also on the Face, or not being in a complete State, with all the Parts properly fixed in the Case, imported into the United Kingdom, shall be forfeited.

Masters of Vessels arriving from any Place whatever to report the general Denomination of Packages containing Cambrics and certain other Articles.

X. And be it enacted, That so much of the said Act as enacts that the Master of every Ship arriving from any Foreign Place in *Europe* at any Port in the United Kingdom shall report the general Denomination of the Contents of every Package containing Cambrics or Lawns, Leather Gloves, Manufactures of Silk, Tobacco, Cigars, or Snuff, shall, from and after the First Day of *March* One thousand eight hundred and forty-seven, be extended to Ships arriving from any Place whatever at any Port in the United Kingdom, and that all such last-mentioned Goods not so reported according to the best of the Knowledge of such Master shall be forfeited; and that the Master of every such Ship failing to make such Report shall forfeit the Sum of One hundred Pounds.

Account of Foreign Goods formerly charged with Duty, intended for Shipment, to be delivered to the Searcher, together with a Declaration.

XI. And be it enacted, That upon the Clearance for Shipment of any Foreign Goods which were formerly charged with Duty according to the Value thereof, but upon which Goods the Duties have been repealed, an Account, containing an accurate Specification of the Quantity, Quality, and Value of such Goods, together with a Declaration to the Truth of the same, signed by the Exporter or his known Agent, shall be delivered to the Searcher by the Person clearing such Goods; and if such Declaration be false the Person signing the same shall forfeit the Sum of Twenty Pounds; and that it shall be lawful for the Searcher to call for the Invoice, Bills of Parcels, and such other Documents relating to the Goods as he may think necessary for ascertaining the true Value of the same: Provided always, that if such Exporter or Agent shall make and subscribe a Declaration before the Collector or Controller that the Value of the Goods cannot be ascertained in Time for the Shipment of the same, and such Declaration shall be delivered to the Searcher at the Time of Clearance, a further

Penalty on false Declaration.

If Exporter, &c. shall make a Declaration that Value cannot be ascer-

Time

Time of Three Months shall be allowed for the Delivery of such separate Shipping Bill, on Failure whereof such Exporter or Agent shall forfeit the Sum of Twenty Pounds.

XII. 'And whereas by the said Act a Drawback of the whole of the Duties of Customs is allowed for Wine intended for the Consumption of certain Officers of Her Majesty's Navy therein mentioned, on board such of Her Majesty's Ships in actual Service as they shall serve in, not exceeding the Quantities of Wine in any One Year for the Use of such Officers as are therein respectively mentioned: And whereas it is expedient to extend the same to certain other Officers of Her Majesty's Navy;' be it therefore enacted, That there shall be allowed to every Master, Surgeon, and Purser of Her Majesty's Ships in actual Service the same Quantity of Wine, Duty-free, as is now by Law allowed to every Lieutenant and other Commanding Officer, or to every Marine Officer.

XIII. 'And whereas by the said Act for the general Regulation of the Customs it is enacted, that it shall be lawful for Her Majesty, by Her Commission out of the Court of Exchequer, from Time to Time to appoint any Port, Haven, or Creek in the United Kingdom or in the *Isle of Man*, and to set out the Limits thereof, and to appoint the proper Limits within the same, to be legal Quays for the lading and unlading of Goods, and to declare that any Place which had been set out as a legal Quay by such Authority shall be no longer a legal Quay, and to appoint any new Place within any Port to be a legal Quay for the lading and unlading of Goods; and by the same Act it is provided, that all Ports, Havens, and Creeks, and the respective Limits thereof, and all legal Quays, appointed and set out, and existing as such, at the Commencement of the said Act, under any Law till then in force, shall continue to be such Ports, Havens, Creeks, Limits, and legal Quays respectively as if the same had been appointed and set out under the Authority of the said Act: And whereas it is expedient to alter the Mode of appointing Ports and Sub-Ports within the United Kingdom and of the *Isle of Man*, and of Places within the same, to be legal Quays, and of annulling or altering the same;' be it therefore enacted, That from and after the passing of this Act so much of the said last-recited Act shall be and the same is hereby repealed.

XIV. And be it enacted, That from and after the passing of this Act it shall and may be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, by their Warrant in Writing under the Hands of any Three or more of them, to appoint any Port or Sub-Port in the United Kingdom, or in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, and to declare the Limits of any such Port or Sub-Port, and to appoint proper Places within the same to be legal Quays, for the lading and unlading of Goods, and to declare the Bounds and Extent of any such Quays.

XV. And be it enacted, That it shall and may be lawful for the said Commissioners, by Warrant as aforesaid, to annul the Limits of any Port, Sub-Port, Haven, or Creek, or legal Quay, already set out and appointed, or hereafter to be set out and appointed,

tained, Time to be allowed.

Further Allowances of Wine Duty-free to Masters, &c. of Her Majesty's Ships in actual Service.

So much of recited Act 8 & 9 Vict. c. 86. as relates to legal Quays repealed.

Treasury may by Warrant appoint Ports and Quays, and declare the Limits and Bounds thereof.

Power to annul the Limits of Ports and Quays, and alter the Names, &c.

Regulation.

appointed, and to declare the same to be no longer a Port, Sub-Port, Haven, or Creek, or legal Quay, or to alter or vary the Names, Bounds, and Limits of any such Port, Sub-Port, Haven, Creek, or Quay.

Appointment of any Port, &c. to be published in the Gazette.

XVI. And be it enacted, That every Appointment of any Port, Sub-Port, Haven, or Creek, or Place to be a lawful Quay within the same, and every Declaration of the Extent, Bounds, and Limits thereof, and every Annulment or Alteration of any such Port, Sub-Port, Haven, Creek, or Quay, shall be published in the *London Gazette* as to such Ports, Sub-Ports, Havens, Creeks, and Quays as shall be so appointed, annulled, or altered in *Great Britain*, or in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, and in the *Dublin Gazette* as to such Ports, Sub Ports, Havens, Creeks, and Quays as shall be so appointed, annulled, or altered in *Ireland*.

Ports, Havens, &c. existing at the passing of this Act to remain in force until altered, &c.

XVII. Provided always, and be it enacted, That all Ports, Havens, and Creeks, and the respective Limits thereof, and all legal Quays, appointed and set out and existing as such at the Time of the passing of this Act, shall be and continue to be such Ports, Havens, Creeks, and Quays until annulled, varied, or altered by Warrant as aforesaid, under the Powers of this Act; and where any Port, Haven, Creek, or Quay, or the Limits thereof, shall have been annulled or altered, the same shall continue to be annulled and altered until otherwise varied or altered under or by virtue of this Act.

Act to be registered in Courts of Guernsey and Jersey.

XVIII. And be it enacted, That this Act shall be registered in the Royal Courts of the Islands of *Guernsey* and *Jersey* respectively, and that the said Royal Courts respectively shall have full Power and Authority and are hereby required to register the same.

Importation of obscene Articles prohibited.

XIX. And be it enacted, That if any indecent or obscene Prints, Paintings, Books, Cards, Lithographic or other Engravings, or any other indecent or obscene Articles, shall be imported into the United Kingdom, the same shall be forfeited, and shall and may be seized by any Officer of Her Majesty's Customs, and destroyed as the Commissioners of Her Majesty's Customs shall direct.

Smuggling.

Clerks and Officers of Customs to prosecute Matters before Justices relating to Customs as if admitted and enrolled Attornies.

XX. ' And whereas it would be found greatly conducive to the ' public Service if certain Clerks and Officers in Her Majesty's ' Customs were allowed to conduct Proceedings before any Justices or Justice against any Persons or Person who may have or ' who may hereafter commit any Offence against this or any other ' Act passed or to be passed relating to the Customs; ' be it therefore enacted, That from and after the passing of this Act it shall be lawful to and for any Clerk or Officer of the Customs, under the Orders or Directions of the Commissioners of Her Majesty's Customs, to prosecute, defend, or conduct any Proceeding, Matter, or Thing before any Justices or Justice in any Matter relating to the Customs, to be heard or determined by or before such Justices or Justice, in the same Manner as if such Clerk or Officer had been and were a duly admitted and enrolled Attorney, Solicitor, Advocate, or Writer to the Signet of Her Majesty's Courts of Record in the United Kingdom, any Enactment in force at the Time of the passing of this Act to the contrary notwithstanding.

XXI. And

Duties.

ances granted by the said last-recited Act shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be paid and allowed by them upon the Exportation of Bastard or Refined Sugar made in the United Kingdom from Sugar upon which the Duties imposed by the said Act shall have been paid, but not otherwise.

Act may be amended, &c.

XXVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

TABLE of DUTIES referred to in the foregoing Act.

	£	s.	d.
Flowers, artificial, not made of Silk, for every 100 <i>l.</i>			
Value - - - - -	25	0	0
Liquorice Juice and Liquorice Paste, the Cwt. -	1	0	0
— of and from a British Possession, the Cwt. -	0	10	0
Nutmegs, the lb. - - - - -	0	2	6
— Wild, in the Shell, the lb. - - - - -	0	0	3
Spirits or Strong Waters, for every Gallon of such Spirits or Strong Waters of any Strength not exceeding the Strength of Proof by Sykes' Hydro- meter, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon; viz.			
— Spirits or Strong Waters the Produce of any British Possession in America, not being sweetened Spirits, or Spirits mixed with any Article so that the Degree of Strength thereof cannot be exactly ascertained by such Hydro- meter, the Gallon - - - - -	0	8	10
— Rum the Produce of any British Posses- sion within the Limits of the East India Com- pany's Charter, not being sweetened Spirits, or Spirits so mixed as aforesaid, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled, the Gallon -	0	8	10
— Rum Shrub, however sweetened, the Produce of and imported from such Posses- sions, in regard to which the Conditions of the Act 4 Vict. c. 8. had or shall have been fulfilled, or the Produce of and imported from any British Possession in America, the Gallon - - - - -	0	8	10
Platting, viz., Willow Squares, for every 100 <i>l.</i> of the Value thereof - - - - -	10	0	0

C A P. CIII.

An Act to make further Provision for the Government of the
New Zealand Islands. [28th August 1846.]

3 & 4 Vict. c. 62. ' **W**HEREAS by an Act of Parliament made in the Fourth
' Year of Her Majesty's Reign, intituled *An Act to con-*
' *tinue until the Thirty-first Day of December One thousand eight*
' *hundred and forty-one, and to the End of the then next Session*
' of

' of Parliament, and to extend, the Provisions of an Act to provide for the Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof, and for other Purposes relating thereto, it is amongst other things enacted, that it shall be lawful for Her Majesty, by Letters Patent, to be from Time to Time issued under the Great Seal of the United Kingdom, to erect into a separate Colony or Colonies any Islands which now are or which hereafter may be comprised within and be Dependencies of the said Colony of *New South Wales*: And whereas, in pursuance and exercise of the Powers in Her Majesty vested in and by the said recited Act of Parliament, Her Majesty did, by certain Letters Patent under the Great Seal of the United Kingdom, bearing Date at *Westminster* the Sixteenth Day of *November* in the Fourth Year of Her Majesty's Reign, erect into a separate Colony the Islands of *New Zealand*, theretofore comprised within or Dependencies of the said Colony of *New South Wales*, with all other Islands lying between Thirty-four Degrees Thirty Minutes North to the Forty-seventh Degree Ten Minutes South Latitude, and between the One hundred and sixty-sixth Degree Five Minutes to the One hundred and seventy-ninth Degree of East Longitude, reckoning from the Meridian of *Greenwich*, and the said Islands of *New Zealand* were thereby erected into a separate Colony accordingly: And whereas, in further pursuance of the said recited Act, Her Majesty did, by the said recited Letters Patent, authorize the Governor for the Time being of the said Colony of *New Zealand* and certain other Persons to be a Legislative Council for the said Colony, and did require and enjoin that the said Legislative Council should, in pursuance of the said Act of Parliament, make and ordain all such Laws and Ordinances as might be required for the Peace, Order, and good Government of the said Colony: And whereas it is expedient to make further Provision for the Government of the Islands of *New Zealand*; be it therefore and it is hereby 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, That the said recited Act of the Fourth Year of Her Majesty's Reign, and all Charters, Letters Patent, Instructions, and Orders in Council made and issued in pursuance thereof, shall be and the same are hereby repealed, abrogated, and annulled, so far and only so far as the same or any of them are repugnant to or would interfere with or prevent the Operation of this present Act, or may be repugnant to or would interfere with or prevent the Operation of any Letters Patent, Charters, Orders in Council, or Royal Instructions which may at any Time hereafter be issued under the Authority or in pursuance of this Act: Provided nevertheless, that all Laws and Ordinances made and Acts done under and in pursuance of the said recited Act, Charters, Letters Patent, Instructions, Orders in Council, or any of them, shall hereafter be as lawful, valid, and effectual as though this present Act had not been made, save only so far as any such Laws, Ordinances, or Acts may be repugnant to, or would

Recited Act
 and Letters
 Patent repealed
 so far as repug-
 nant to this
 Act.

would interfere with, or would prevent the Operation of this present Act.

Her Majesty may by Letters Patent establish Municipal Corporations in the Islands of New Zealand.

II. And be it enacted, That it shall be lawful for Her Majesty, in and by any Letters Patent hereafter to be issued under the Great Seal of the United Kingdom, from Time to Time to constitute and establish within any District or Districts of the Islands of *New Zealand* One or more Municipal Corporation or Corporations, and to grant to any such Corporations all or any of the Powers which, in pursuance of the Statutes in that Behalf made and provided, it is competent to Her Majesty to grant to the Inhabitants of any Town or Borough in *England* and *Wales* incorporated in virtue of such Statutes, or any of them, and to qualify and restrict the Exercise of any such Powers in such and the same Manner as by the Statutes aforesaid, or any of them, Her Majesty may qualify or restrict the Exercise of any such Powers as aforesaid in *England*.

Her Majesty may by Letters Patent divide the Islands into Provinces, and establish separate Assemblies.

III. And be it enacted, That it shall be lawful for Her Majesty, in and by any Letters Patent hereafter to be issued under the Great Seal of the United Kingdom, from Time to Time to divide the said Islands of *New Zealand* into Two or more separate Provinces, and to constitute and establish within the same Two or more separate Assemblies; (that is to say,) One such Assembly in and for each of such separate Provinces, and that each of the said Assemblies shall consist of and be holden by a Governor, a Legislative Council, and a House of Representatives.

Legislative Councils to be appointed by Her Majesty; House of Representatives to be elected by Corporations.

IV. And be it enacted, That each of the said Legislative Councils, when such Legislative Councils shall be constituted, shall consist of such Persons as Her Majesty shall for that Purpose appoint; and that the Members of each of the said Houses of Representatives shall be elected by the respective Mayors, Aldermen, and Common Councils of the several Municipal Corporations aforesaid, situate within the Limits of the Government for which each of the said Houses of Representatives respectively shall be so elected, and that such Elections shall take place in such Manner and Form and under such Regulations as shall for that Purpose be prescribed in any such Letters Patent as aforesaid.

Assemblies may make Laws, &c. for the Government of the Province for which they are constituted.

V. And be it enacted, That it shall be competent for any such Assembly so to be constituted and established within the Islands of *New Zealand*, and they are hereby authorized and empowered (save as herein-after is excepted), to make and enact Laws, Statutes, and Ordinances for the Peace, Order, and good Government of such Parts of the said Islands as shall be within the Limits of any separate Province for which any such Assembly shall be so constituted and established as aforesaid, such Laws not being repugnant to the Laws of the United Kingdom aforesaid, or to the Laws of the General Assembly herein-after mentioned.

Her Majesty may by Letters Patent establish a General Assembly for the Islands.

VI. And be it enacted, That it shall be lawful for Her Majesty, in and by any such Letters Patent as aforesaid, to constitute and establish a General Assembly in and for the Islands of *New Zealand*, to be called the General Assembly of *New Zealand*, which said General Assembly shall consist of and be holden by the Governor in Chief of the said Islands, and a Legislative Council, and

and a House of Representatives; and that the said Legislative Council shall consist of such Persons as Her Majesty shall for that Purpose appoint; and that the said House of Representatives shall consist of Members of the respective Houses of Representatives of the several Provinces into which the said Islands may in manner aforesaid be divided, which Members so to serve in the said General Assembly shall be elected, nominated, and appointed by such Persons, and in such Manner and Form, and upon and subject to such Rules and Conditions, as Her Majesty by any such Letters Patent as aforesaid shall direct.

VII. And be it enacted, That it shall be competent to the said General Assembly of the *New Zealand* Islands, and they are hereby authorized and empowered, to make and enact such Laws, Statutes, and Ordinances as may be required for all or any of the Purposes after mentioned; (that is to say,) first, for the Regulation of all Duties of Customs to be imposed on the Importation or Exportation of any Goods at any Port or Place in the *New Zealand* Islands; and secondly, for the Establishment of a General Supreme Court, to be a Court of original Jurisdiction or of Appeal from any of the Superior Courts of any such separate Provinces as aforesaid; and thirdly, for determining the Extent of the Jurisdiction and the Course and Manner of Proceeding of such General Supreme Court; and fourthly, for regulating the current Coin of the said Islands, or the Issue therein of any Bills, Notes, or other Paper Currency; and fifthly, for determining the Weights and Measures to be used therein; and sixthly, for regulating the Post Offices within and the Carriage of Letters between different Parts of the said Islands; and seventhly, for establishing general Laws of Bankruptcy and Insolvency to be in force throughout the same; and eighthly, for the Erection and Maintenance of Beacons and Lighthouses on the Coasts of the said Islands; and ninthly, for the Imposition of any Dues or other Charges on Shipping at any Port or Harbour within the same.

VIII. And be it enacted, That the Laws so to be enacted as aforesaid, for any of the Purposes aforesaid, by the said General Assembly of the *New Zealand* Islands, shall control and supersede therein any Laws, Statutes, or Ordinances in anywise repugnant thereto which may be enacted by the Assemblies of any such separate Provinces as aforesaid; and that if any Questions shall arise regarding the Limits of the Authority and Jurisdiction of the said General Assembly of the *New Zealand* Islands, and the Authority and Jurisdiction of the said other Assemblies, all Courts, Officers of Justice, and others shall conform and give Effect to the Decision of the said General Assembly of the *New Zealand* Islands on any such Question, until the Decisions thereon of Her Majesty in Council shall have been made known and promulgated within the said Islands, by which Decision any such Questions as aforesaid shall thenceforward be determined within the same.

IX. 'And whereas the immediate or early Establishment of any Assembly within certain Parts of the Island of *New Ulster* may be inexpedient, by reason of the unsettled State of the native Inhabitants thereof;' be it therefore enacted, That it shall

General Assembly may make certain Laws for the Regulation of the Islands.

Laws of General Assembly to supersede those enacted by separate Provinces.

If Questions arise as to the Power, &c. of General Assembly, Her Majesty to determine same.

Until 31st Dec. 1854 the Charter, &c. of 16th Nov. 1841

relating to New Ulster to remain in force.

be lawful for Her Majesty, by any such Letters Patent as aforesaid, to maintain in force within such Parts of the said Island of *New Ulster* as to Her Majesty shall seem meet, until any Period not later than the Thirty-first Day of *December* One thousand eight hundred and fifty-four, the said Charter or Letters Patent of the Sixteenth Day of *November* in the Fourth Year of Her Majesty's Reign, and the Legislature constituted under the said Letters Patent; and so long as such last-mentioned Legislature shall be so maintained the said General Assembly of the *New Zealand* Islands shall be composed in the Manner and shall exercise the Powers herein-before mentioned, save only that such and so many Members of the Legislature of such Parts as aforesaid of the said Island of *New Ulster* as Her Majesty shall for that Purpose be pleased to appoint shall, in virtue of such an Appointment, be Members of the House of Representatives of the said General Assembly of the *New Zealand* Islands: Provided always, that the Number of Members so appointed shall never constitute a Majority of the said House of Representatives of the said General Assembly of the *New Zealand* Islands.

Laws of aboriginal or native Inhabitants to be maintained, where not repugnant to Principles of Humanity.

X. 'And whereas it may be expedient that the Laws, Customs, and Usages of the aboriginal or native Inhabitants of *New Zealand*, so far as they are not repugnant to the general Principles of Humanity, should for the present be maintained for the Government of themselves in all their Relations to and Dealings with each other, and that particular Districts should be set apart within which such Laws, Customs, or Usages should be so observed; be it enacted, That it shall be lawful for Her Majesty, by any such Letters Patent as aforesaid, to make Provision for the Purposes aforesaid; any Repugnancy of any such native Laws, Customs, or Usages to the Law of *England*, or to any Law, Statute, or Usage in force in the said Islands of *New Zealand*, or in any Part thereof, in anywise notwithstanding.

Her Majesty by Letters Patent to make and prescribe Rules and Regulations for Municipal Districts.

XI. And be it enacted, That it shall be lawful for Her Majesty, by any such Letters Patent as aforesaid, to make and prescribe all such Rules as to Her Majesty shall seem fit for determining the Extent and Boundaries of the Districts to be comprised within any such Municipal Corporations as aforesaid, and for regulating the Choice and Election of the various Officers of any such Corporations, and of the Members of the governing Bodies thereof, and for ascertaining the Qualifications of the Members of any such Municipal Corporations or Assemblies or General Assembly as aforesaid, and for determining the Length of Time for which every such Assembly or General Assembly shall be holden from the Time of the Election of the Members of the said Houses of Representatives, and how and by what Authority the same shall be dissolved or prorogued, and for prescribing the Oaths to be taken or the Affirmation to be made by the Members of the said Corporations, Assemblies, or General Assembly, or any of them, before entering on the Discharge of the Duties of their respective Offices, and for prescribing the Course of Proceeding to be followed in the said respective Assemblies and in the said General Assembly in regard to the Enactment of Laws, Statutes, and Ordinances therein, and for determining in what Cases the Governor in Chief for the Time being of the Islands of *New Zealand*,

or

or the Governor for the Time being of any other such separate Provinces as aforesaid, shall, in the Name and on the Behalf of Her Majesty, assent to any such Laws, Statutes, or Ordinances, or reserve the Signification of Her Majesty's Pleasure thereon, together with all such Rules as shall be necessary for determining the Effect of the Disallowance by Her Majesty of any such Law, Statute, or Ordinance, although not so reserved as aforesaid, together with all such other Rules, not being repugnant to this present Act, as it may seem to Her Majesty necessary to make and establish for carrying into full Effect the Purposes and Objects thereof.

XII. And be it enacted, That it shall be lawful for Her Majesty, by any such Letters Patent as aforesaid, to appropriate and set apart, from and out of the Revenues of any such separate Provinces as aforesaid, by way of Civil List, for the Maintenance of the Administration of Justice, and the principal Officers of the Civil Government, or of such separate Provinces as aforesaid, such Sums of Money as shall not exceed Six thousand Pounds by the Year in any one of the said separate Governments: Provided always, that if by any Law, Statute, or Ordinance hereafter to be enacted in and by any such Assembly as aforesaid, and assented to by Her Majesty, Provision shall be made for settling on Her Majesty a Civil List in substitution for the before-mentioned Civil List, then and in that Case so much of this Act as relates to the before-mentioned Civil List shall cease to be of any Force and Effect within the Province in and for which any such Law, Statute, or Ordinance shall so have been enacted.

Her Majesty may appropriate and set apart out of the Revenues of any separate Province a Sum of Money for the Maintenance of the Civil Government.

XIII. And be it enacted, That it shall be lawful for Her Majesty, by such Letters Patent as aforesaid, to prohibit the Grant or Appropriation of any public Money by either of the said Assemblies, or by the said General Assembly, in any Case in which such Grant or Appropriation shall not first have been recommended by Her Majesty or on Her Majesty's Behalf, with a view to or in aid of some specific public Service to be performed within the said Provinces respectively, or within the said Islands of *New Zealand* collectively.

Grants of Money made by the Assemblies, not having been first recommended by Her Majesty, prohibited.

XIV. 'And whereas it may be convenient that some of the Powers hereby vested in Her Majesty should by Her Majesty be executed, not by means of such Letters Patent as aforesaid, but by Instructions under Her Majesty's Signet and Sign Manual approved in Her Privy Council, and accompanying or referred to in such Letters Patent: And whereas it may also be convenient that the Exercise of some of the Powers aforesaid, should by Her Majesty be delegated to the Governor in Chief of the *New Zealand* Islands for the Time being, or to the respective Governors of the said respective Provinces for the Time being, and that it should be competent to Her Majesty from Time to Time to amend, and for that Purpose to add to, or if necessary to repeal, any such Letters Patent or Instructions as aforesaid;' be it therefore enacted, That it shall be lawful for Her Majesty to execute any of the Powers hereby vested in Her Majesty, not by means of such Letters Patent as aforesaid, but by such Instructions as aforesaid; and that it shall be lawful for Her Majesty, by any such Letters Patent or Instructions, to dele-

Certain Powers vested in Her Majesty may be delegated to Governors of the *New Zealand* Islands.

gate to such Governor in Chief, or to such respective Governors as aforesaid, the Exercise of such of the Powers aforesaid as it may seem meet to Her Majesty so to delegate, and to prescribe the Manner and Form in which, and the Conditions subject to which, such delegated Authority shall so be exercised; and that it shall also be lawful for Her Majesty from Time to Time to amend, and for that Purpose to add to, or if necessary to repeal, any such Letters Patent or Instructions as aforesaid.

Letters Patent issued under this Act to be published in the London Gazette, and laid before Parliament.

XV. Provided always, and be it enacted, That all Letters Patent and Instructions which may be issued by Her Majesty in pursuance of this present Act shall be published in the *London Gazette*, and shall be laid before both Houses of Parliament within One Calendar Month from the Day of the Date thereof, if Parliament shall then be in Session, and if not then within One Calendar Month next after the Commencement of the then next ensuing Session of Parliament; provided also, that no such Letters Patent or Instructions as aforesaid, which may be issued at any Time subsequently to the Thirty-first Day of *December* One thousand eight hundred and forty-seven, shall be of any Force or Effect until the Lapse of Six Calendar Months next after the same shall have been so laid before Parliament, in so far as the Object of the same may be to amend, add to, or repeal any other Letters Patent or Instructions which may theretofore have been issued in pursuance hereof for the Purposes aforesaid, or for any of them.

Who are to be deemed Governor in Chief and Governor of a Province.

XVI. And be it enacted, That for the Purpose of this present Act the Officer for the Time being administering, in virtue of Her Majesty's Commission for that Purpose, the general Government of the Islands of *New Zealand* shall be considered as the Governor in Chief of *New Zealand*; and that the Officer for the Time being administering, in virtue of Her Majesty's Commissions for that Purpose, the respective Governments of any such separate Province as aforesaid shall be considered as the Governor of such Province.

Act may be amended, &c.

XVII. And be it enacted, That this Act may be amended or repealed in this present Session of Parliament.

C A P. CIV.

An Act to amend an Act for regulating the Sale of Waste Land belonging to the Crown in the *Australian Colonies*, and to make further Provision for the Management thereof. [28th August 1846.]

‘ WHEREAS it is expedient to make further Regulations
 ‘ respecting the Occupation of the Waste Lands belonging
 ‘ to the Crown in the Colonies of *New South Wales*, *South
 ‘ Australia*, and *Western Australia*, and for that Purpose to
 ‘ repeal so much of an Act passed in the Session of Parliament
 ‘ holden in the Fifth and Sixth Year of Her Majesty's Reign,
 ‘ intitled *An Act for regulating the Sale of Waste Lands belong-
 ‘ ing to the Crown in the Australian Colonies*, as would prevent
 ‘ such Regulations from taking effect:’ Be it therefore enacted
 by the Queen's most Excellent Majesty, by and with the Advice
 and

and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for Her Majesty to demise for any Term of Years not exceeding Fourteen, to any Person or Persons, any Waste Lands of the Crown in the Colonies of *New South Wales, South Australia, and Western Australia*, or to grant to any Person or Persons a Licence for the Occupation for any Term of Years not exceeding Fourteen of any such Waste Lands, and to reserve upon such Demise or Licence any such Rent or pecuniary or other Service, and to insert therein such Conditions and Clauses of Forfeiture, as shall in manner herein-after mentioned be prescribed and authorized, any thing in the said recited Act to the contrary in anywise notwithstanding: Provided always, that every such Demise or Licence shall be made or granted subject to the Rules and Regulations herein-after provided for.

Her Majesty may demise for a Term of Years, or grant Licences for Occupation of Waste Lands in New South Wales, &c.

II. And be it enacted, That the Rent or pecuniary Service so reserved on any such Demise or Licence as aforesaid shall be applicable to such and the same Purposes only, and shall be applied in such and the same Manner, as the Sums produced by the Sale of Lands effected under the Authority and in pursuance of the said recited Act.

Appropriation of Proceeds.

III. 'And whereas it may be necessary that effectual Provision should be made for protecting such Waste Lands as aforesaid from being occupied without Authority, and also for dispossessing any Person in the Occupation of any such Waste Lands as aforesaid, in case of the Forfeiture of any such Demise or Licence, or in case of the Breach or Nonperformance of the Conditions thereof, or in case of the holding over by any such Persons or Person after the Expiration of any such Demise or Licence, or after the End of the Term for which the same may have been granted or made;' be it enacted, That on Information in Writing for that Purpose preferred by the Governor for the Time being of any such Colony as aforesaid, or by any Person authorized by any such Governor on that Behalf, to any Justice of the Peace acting in and for any of the Colonies aforesaid, or in and for any County or other District thereof, setting forth that any Person or Persons is or are in the unlawful Occupation of any of the Waste Lands of the Crown in any such Colony, or is or are in the Occupation of any such Lands in virtue or under colour of any such Demise or Licence as aforesaid, although such Demise or Licence had been forfeited, or although the Conditions thereof had been broken or unfulfilled, or although such Demise or Licence had expired, or although the Term for which the same had been granted or made had come to an end, it shall be the Duty of such Justice to issue his Summons for the Appearance before any Two Justices of the Peace, at a Place and a Time therein to be specified, of the Person or Persons against whom any such Complaint shall be so made, and at the Time and Place so to be specified such Two Justices (on the Appearance of the Person or Persons charged, or on due Proof of the Service on him, her, or them, or at his, her, or their usual Place of Abode, of any such Summons,) shall proceed to hear and inquire of the Truth of the Matter and Things which may be alleged in any such Information, and on being satisfied of the Truth thereof, either by the Admis-

Justices may dispossess Persons unlawfully occupying Waste Lands.

sion of the Person or Persons charged, or on other good and sufficient Evidence, the said Justices shall issue under their Hand a Warrant addressed to the Sheriff or Deputy Sheriff, or Commissioner, or other Officer of the Colony or District acting for or on behalf of Her Majesty, commanding and requiring him forthwith to dispossess and remove any such Person or Persons from any such Waste Lands of the Crown as aforesaid, and to take possession of the same for and on behalf of Her Majesty; and it shall be the Duty of any such Sheriff, Deputy Sheriff, Commissioner, or other such Officer as aforesaid, to carry such Warrant forthwith into execution according to the Tenor and Exigency thereof: Provided always, that nothing herein-before contained shall extend to any Person having occupied Waste Lands within the Boundary of Location without Interruption for the Space of Twenty Years next before the passing of this Act.

Not to extend to Occupiers of a certain Time.

Penalties for the unauthorized Occupation and Use of Crown Lands.

IV. And be it enacted, That from and after the Day when this Act shall come into effect in the Manner herein-after mentioned any Person, unless claiming under a Sale or Demise from Her Majesty, or from some Person acting in the Name and on behalf of Her Majesty, who shall be found occupying any Waste Lands of the Crown in any of the Colonies aforesaid, either by residing or by erecting any Hut or Building thereon, or by clearing, enclosing, or cultivating any Part thereof, or who shall depasture any Cattle thereon, and who shall not previously have obtained a Licence from the said Governor for the Occupation of such Lands, or who shall occupy or depasture as aforesaid after such Licence shall have been determined by Forfeiture or otherwise, shall be liable on Conviction thereof to the Penalties following; that is to say, for the First Offence a Sum not exceeding Ten Pounds, for the Second Offence a Sum not exceeding Twenty Pounds nor less than Ten Pounds, and for the Third or any subsequent Offence a Sum not exceeding Fifty Pounds nor less than Twenty Pounds: Provided always, that no Information shall be laid or brought for any Second or subsequent Offence until the Expiration of Fourteen clear Days from the Date of the previous Conviction.

Mode of recovering Penalties.

V. And be it enacted, That the Penalties herein-before imposed shall be recovered in a summary Way before any One or more Justice or Justices of the Peace, upon the Information or Complaint on Oath of the Governor for the Time being of any such Colony as aforesaid, or of any Person authorized by any such Governor on that Behalf.

Her Majesty in Council may make Rules and Regulations respecting the Occupation of Waste Lands, or preventing Abuses incident thereto.

VI. 'And whereas it may be expedient that various Rules and Regulations should be made respecting the more effectually making Demises or Licences for the Term aforesaid of any such Waste Lands as aforesaid, and respecting the Reservation on such Demises or Licences of any such Rents or other pecuniary Services, and respecting the Insertion therein of such Conditions and Clauses of Forfeiture as aforesaid, and respecting the Division of the said Colonies into Districts, within which alone such Demises or Licences may be made to take effect, and respecting the Renewal of any such Demises or Licences, and respecting the conflicting Claims of different Persons to obtain any such Demise or Licence, and respecting any Right of Pre-emption

‘ Pre-emption which it may be proper to give to the Holders of
 ‘ any such Demise or Licence, and respecting the Forfeiture of
 ‘ any such Demises or Licences on the Conviction of any Holders
 ‘ thereof of certain Offences in any such Colony, and respecting
 ‘ any other Matters and Things which may be requisite, either for
 ‘ carrying into more complete Effect the Occupation in manner
 ‘ aforesaid of such Waste Lands as aforesaid, or for preventing
 ‘ the Abuses incident thereto;’ be it enacted, That it shall be
 lawful for Her Majesty, by any Order or Orders in Council,
 to make and establish all such Rules and Regulations as to Her
 Majesty shall seem meet for the Purposes aforesaid, or for any
 of them, and any such Rules and Regulations again to repeal,
 renew, alter, and amend, and that all such Orders in Council
 shall have the Force and Effect of Law in the Colonies afore-
 said: Provided always, that nothing herein contained shall be
 construed to authorize the Sale of any Waste Lands in the said
 Colonies otherwise than in conformity with the Provisions of
 the said Act, except to Persons who shall be in actual Occupa-
 tion thereof under such Demise or Licence as aforesaid, or to
 authorize the Sale of any such Lands for a lower Price than the
 minimum Price at that Time established therein by the Authority
 of the said recited Act: Provided also, that all such Orders in
 Council shall be laid before Parliament within One Month from
 the Day of the Date thereof respectively, if Parliament shall then
 be in Session, or if not, then within One Month next after the
 Commencement of the then next ensuing Session of Parliament,
 and that no such Order, repealing, renewing, altering, or amend-
 ing any such former Order, shall be of any Force or Effect till,
 the Lapse of Six Months next after such repealing, renewing,
 altering, or amending Order shall have been so laid before Parliam-
 ent; and that all such Orders in Council shall be published
 forthwith in the *London Gazette*.

VII. And for the Protection of Persons acting in execution of
 this Act, be it enacted, That all Actions or other Proceedings for
 any thing done under this Act shall be commenced within Six
 Calendar Months after the Matter complained of was committed,
 and not otherwise; and Notice in Writing of such Action, and
 the Cause thereof, shall be given to the Defendant One Calendar
 Month at least before the Commencement of the Action; and
 in every such Action the Defendant may plead the General
 Issue, and give this Act and the special Matter in Evidence, at
 any Trial to be had thereupon; and no Plaintiff shall recover in
 any such Action if Tender of sufficient Amends shall have been
 made before such Action was brought, or if a sufficient Sum of
 Money shall have been paid into Court after such Action brought,
 by or on behalf of the Defendant, together with Costs incurred up
 to that Time; and if a Verdict shall pass for the Defendant, or the
 Plaintiff become nonsuited, or discontinue such Action after Issue
 joined, or if, upon Demurrer or otherwise, Judgment shall be
 given against the Plaintiff, the Defendant shall recover his full
 Costs as between Attorney and Client, and have the like Remedy
 for the same as any Defendant hath by Law in other Cases; and
 although a Verdict shall be given for the Plaintiff in such Action,

Protection of
 Persons acting
 in execution of
 the Act.

such Plaintiff shall not have Costs against the Defendant unless the Judge before whom the Trial shall be shall certify his Approbation of the Action and of the Verdict obtained thereupon.

Proceedings not to be quashed or removed by Certiorari.

VIII. And be it enacted, That no Order, Judgment, or other Proceeding made touching or concerning the Matters aforesaid, or touching and concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or any Writ or Process whatsoever, into any Superior Court of Jurisdiction in any such Colony.

Definition of the Words "Governor," and "Waste Lands."

IX. And be it enacted, That the Word "Governor," as employed in this Act, is intended to describe the Officer for the Time being administering the Government of any of the Colonies aforesaid; and the Words "Waste Lands of the Crown," as employed in this Act, are intended to describe any Lands in the said Colonies whether within or without the Limits allotted to Settlers for Location, and which now are or hereafter shall be vested in Her Majesty, Her Heirs and Successors, and which have not been already granted or lawfully contracted to be granted by Her Majesty, Her Heirs and Successors, to any other Person or Persons in Fee Simple, and which have not been dedicated or set apart for some public Use.

Her Majesty may by Order in Council delegate certain Powers to the Governor.

X. And be it enacted, That it shall and may be lawful for Her Majesty by any such Order in Council as aforesaid, to delegate to the Governor of any of the Colonies aforesaid (on such Conditions as Her Majesty shall see fit to impose) all or any of the Powers hereby vested in Her Majesty, save only so far as respects the Powers so to be exercised by Her Majesty as aforesaid by and with the Advice of Her Privy Council.

Recited Act not to apply to Land situate in New Zealand.

XI. And be it enacted, That from and after the passing of this Act the said recited Act shall not apply to Land situate in the Colony of *New Zealand*: Provided nevertheless, that nothing herein contained shall extend to invalidate any Act done in the said Colony in pursuance of the said recited Act before or within One Month after the passing of this Act shall have been made known by Proclamation by the Governor of the said Colony to the Inhabitants thereof.

Recited Act repealed.

XII. And be it enacted, That the said recited Act, so far as it is repugnant to this present Act, or would prevent the Execution thereof, shall be and the same is hereby repealed.

Commencement of Act.

XIII. And be it enacted, That this Act shall take effect and have the Force of Law in each of the said Colonies of *New South Wales*, *Southern Australia*, and *Western Australia* from and after a Day to be specified by the Governor of each of such Colonies in some Proclamation to be issued by him for that Purpose.

C A P. CV.

An Act for constituting Commissioners of Railways.

[28th August 1846.]

WHEREAS by an Act passed in the Fourth Year of the
 Reign of Her Majesty, intituled *An Act for regulating* 3 & 4 Vict. c. 97.
Railways; and by another Act passed in the Sixth Year of
 the Reign of Her Majesty, intituled *An Act for the better Regu-* 5 & 6 Vict. c. 55.
lation of Railways, and for the Conveyance of Troops; and by
 another Act passed in the Eighth Year of the Reign of Her
 Majesty, intituled *An Act to attach certain Conditions to the* 7 & 8 Vict. c. 85.
Construction of future Railways authorized or to be authorized
by any Act of the present or succeeding Sessions of Parliament;
and for other Purposes relating to Railways; and by Two other 8 & 9 Vict.
 Acts passed in the last Session of Parliament, for consolida- cc. 20. 33.
 ting in One Act certain Provisions usually inserted in Acts
 authorizing the making of Railways, respectively, and by sun-
 dry Local Acts of Parliament, certain Powers with respect to
 Railways are vested in the Lords of the Committee of Her
 Majesty's most Honourable Privy Council for Trade and Foreign
 Plantations; but it is expedient that a separate Department be
 constituted for these Purposes, and for other Purposes relating
 to Railways: Be it enacted by the Queen's most Excellent
 Majesty, by and with the Advice and Consent of the Lords Spi-
 ritual and Temporal, and Commons, in this present Parliament
 assembled, and by the Authority of the same, That it shall be
 lawful for Her Majesty, by Warrant under the Royal Sign Manual,
 to appoint any Number, not more than Five Persons, to be Com-
 missioners of Railways, and from Time to Time, at Her Pleasure,
 to remove all or any of the said Commissioners, and to appoint
 others in their Stead, and to appoint One of the said Commis-
 sioners to be their President; and any Two of the said Commis-
 sioners shall be competent to act in the Execution of the Powers vested
 in them by this Act; and upon any Vacancy in the Number of
 the said Commissioners, it shall be lawful for the surviving or
 continuing Commissioners, not being less than Two, to act, and
 their Acts shall be as valid as if no such Vacancy had occurred;
 and every such Appointment or new Appointment, and also the
 Day on which the said Commissioners shall begin to act in execu-
 tion of this Act, shall be published in the *London Gazette*.

Her Majesty empowered to appoint Commissioners of Railways, One of whom to be President, and from Time to Time to remove them.

II. And be it enacted, That from and after the Day which shall
 be so specified in the *London Gazette* as the Day on which the
 said Commissioners shall begin to act in execution of this Act,
 all the Powers, Rights, and Authority now vested in or exercised
 by the Lords of the Committee of Her Majesty's Privy Council for
 Trade and Foreign Plantations by virtue of the recited Acts, or
 by any other Act of Parliament, or otherwise howsoever, with
 respect to any Railway or intended Railway, shall be transferred
 to and vested in and exercised by the Commissioners of Railways,
 as fully as if they had been named in the said several Acts of
 Parliament instead of the Lords of the said Committee; and all
 Provisions of the said Acts shall be deemed to apply to the said
 Commissioners instead of the Lords of the said Committee; and all

Power of Board of Trade transferred to Commissioners.

all

all Proceedings now pending before the Lords of the said Committee, or carried on under their Authority, shall be continued and carried on by and before the said Commissioners, who shall have and exercise the same Powers, Rights, and Authority in respect of all such Proceedings as if they had been originally commenced before the said Commissioners.

An Office to be provided, under the Direction of the Treasury.

III. And be it enacted, That an Office shall be provided in *London* or *Westminster*, under the Directions of the Commissioners of Her Majesty's Treasury, for the Use of the Commissioners appointed under this Act, at or to which all Notices and other Documents shall be given or sent which are now by Law required to be given or sent at or to the Office of the Lords of the said Committee.

Documents sealed by Commissioners to be Evidence.

IV. And be it enacted, That the Commissioners of Railways shall cause a Seal to be made for the Purposes of their Commission, and all Orders and other Documents proceeding from the said Commissioners, and purporting to be sealed or stamped with the Seal of the said Commissioners, and signed by Two or more of the said Commissioners, shall be received as Evidence of the same respectively in all Courts and before all Justices and others, without any further Proof thereof.

Commissioners to appoint a Secretary, Officers, &c.

V. And be it enacted, That the said Commissioners may appoint and at their Pleasure remove a Secretary and so many other Officers and Servants as to them, subject to the Approval of the Commissioners of Her Majesty's Treasury, shall appear necessary for carrying on the Business of the said Commission.

Payment of Salaries to Commissioners, Officers, and Servants.

VI. And be it enacted, That the President and Two other Commissioners, and the Secretary, Officers, and Servants of the said Commissioners, shall be paid by such Salaries as shall be from Time to Time appointed by the Commissioners of Her Majesty's Treasury, not exceeding the Sum of Two thousand Pounds in the Case of the President, and the Sum of One thousand five hundred Pounds in the Case of either of the Two other paid Commissioners, and in the Case of the Secretary and other Officers and Servants of the said Commission such fit Salaries as shall be from Time to Time appointed, with due Reference to their several Stations and the Duties they will have to perform.

President not disqualified to sit in Parliament.

VII. And be it enacted, That the Office of the said President shall not be deemed such an Office as shall render him incapable of being elected or of sitting or voting as a Member of the Commons House of Parliament, or as shall avoid his Election if returned, or render him liable to any Penalty for sitting or voting in Parliament.

Unpaid Commissioners not disqualified to sit in Parliament.

VIII. And be it declared and enacted, That the Office of any other of the said Commissioners who shall not be entitled to receive a Salary by reason of his Appointment to such Office, shall not be deemed such an Office as shall render him incapable of being elected or of sitting or voting as a Member of the Commons House of Parliament, or as shall avoid his Election if returned, or render him liable to any Penalty for so sitting or voting; and if any such unpaid Commissioner shall be a Member of the House of Commons at the Time of his Appointment, his Acceptance of such Appointment shall not avoid his Election or vacate his Seat in Parliament; and for the Purpose of distinguishing which

Commissioners are qualified to sit in Parliament under this Act, the Warrant appointing any such Commissioner shall specify that he will not be entitled, by virtue of such Appointment, to receive any Salary or Remuneration whatsoever.

IX. ' And whereas in some Cases Railway Companies have exceeded the Powers given to them under the Acts constituting them, or have otherwise acted contrary to the Provisions of the said Acts, or of the general Acts for regulating Railways; be it enacted, That it shall be the Duty of the said Commissioners to prevent any such unlawful Proceedings, by the Exercise of any Powers now vested in the Lords of the said Committee.

Commissioners to exercise Powers now vested in the Board of Trade.

X. And be it enacted, That it shall be the Duty of the said Commissioners to examine and report to Her Majesty and both Houses of Parliament upon any Subject relating to any Railway, or proposed Railway, which shall be specially referred to them for their Opinion by Her Majesty, or by either House of Parliament; and in the Case of any Application to Parliament for any Act for making or maintaining any Railway, it shall be their Duty, if so directed by Her Majesty or by the Authority of either House of Parliament, to inquire and report, on local Inspection or otherwise,—

Commissioners to report to Her Majesty and both Houses of Parliament upon any Case specially referred to them.

Firstly, Whether there are any Lines or Schemes competing with the proposed Railway :

Secondly, Whether by such Bill it is proposed to take Powers for uniting with such Railway, or proposed Railway, any other Railway or Canal, or to purchase or lease any Railway, Canal, Dock, Road, or other public Work, Undertaking, or Easement :

Thirdly, Whether by such Bill it is proposed to constitute any Branch Railway, or any other Work in connexion with the proposed Railway :

Fourthly, Whether any Plans, Maps, and Sections of any such proposed Railway which, pursuant to any Order of either House of Parliament, shall have been deposited in their Office, are correct, and if not, in what Particulars and how far they are incorrect, and whether or not, in the Opinion of the Commissioners, such Errors as they shall find are material to the Object for which such Plans and Sections are required.

XI. And be it enacted, That for the Purposes aforesaid the said Commissioners shall be empowered, by themselves, or by such Inspectors as they shall appoint for that Purpose, to inspect and survey any proposed Line of Railway, and for the Purposes of any such Survey they and their Inspectors shall have all the Powers which under an Act passed in the Fifth Year of the Reign of Her Majesty, intituled *An Act to authorize and facilitate the Completion of a Survey of Great Britain, Berwick-upon-Tweed, and the Isle of Man*, any Officers or Persons appointed by or acting under the Orders of the Master General and Board of Ordnance have for the Purpose of making and carrying on any Survey authorized by the last-recited Act; and all the Provisions of the last-recited Act in anywise relating to any such Survey shall be deemed to apply, so far as they are applicable, to any Survey which may be directed by the said Commissioners under this

Commissioners empowered to inspect and survey proposed Railways.

4 & 5 Vict. c.30.

this Act, provided that all Allowances and Payments made under this Act of the same Kind as those which by the last-recited Act are to be paid out of the Aids granted by Parliament to Her Majesty on account of the Board of Ordnance, and also all other Expences incurred by the Commissioners in making such Survey and Inspection, shall be paid by the Provisional Committee or Directors or other Persons who shall be the Promoters of the said intended Railway; and in case of Nonpayment of the same in any Case, the Amount of such Allowances, Payments, and Expences shall be deemed a Specialty Debt due to Her Majesty from such Committee Men, Directors, and other Persons, and each of them severally, and shall be sued for and recovered accordingly.

Act may be amended, &c.

XII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

C A P. CVI.

An Act for making preliminary Inquiries in certain Cases of Application for Local Acts. [28th August 1846.]

‘ **W**HEREAS it is expedient that Facilities should be given for procuring more complete and trustworthy Information previous to Inquiries before either House of Parliament on Applications in certain Cases for Local Acts:’ Be it therefore 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, That in any Case where it is intended to make an Application to Parliament for an Act for the Establishment of any Waterworks, or for draining, paving, cleansing, lighting, or otherwise improving any Town, District, or Place, or for making, maintaining, or altering any Burial Ground or Cemetery, or for continuing, altering, or enlarging any of the Powers or Provisions contained in any Act or Acts relating to any of the Purposes aforesaid, a Notice in Writing of such Intention to apply to Parliament in the next ensuing Session for an Act for any of the above Objects shall on or before the last Day of *November*, or in case such Day shall fall on a *Sunday* then on the Day preceding, in each Year, be sent or delivered to the Office of the Commissioners of Her Majesty’s Woods, Forests, Land Revenues, Works, and Buildings; and such Notice shall be signed by the Promoters of such intended Work, or by some Person duly authorized on their Behalf, and shall be accompanied by a Statement in duplicate of the intended Objects and Provisions of the proposed Act, and with such Plans, Sections, Books of Reference, or other Documents, if any, as are required by the Standing Orders of either House of Parliament to be deposited at any public Office.

Notice to be given to the Commissioners of Woods, &c. of Intention to apply for an Act of Parliament.

Commissioners of Woods, &c. to appoint Officer to make preliminary Inquiry, and to report

II. And be it enacted, That in any Case where such Notice as aforesaid shall have been given to the said Commissioners it shall be lawful for the said Commissioners, on being satisfied with the Security for Payment of the Expences, as herein-after provided, within One Calendar Month from the Time of their receiving such Notice, to appoint, by Writing under their Hands

or the Hands of any Two of them, One or more Person or Persons of competent Skill to be a surveying Officer for that Purpose, who shall proceed to such Town, District, or Place, and make such local Examination and Survey of the District which such proposed Act will effect, and of the Neighbourhood thereof, and such Inquiries relative to the Extent of the Provisions of the proposed Act, and investigate such other Matters relating thereto as the said Commissioners shall order ; and after such Examination the said Commissioners shall report thereupon to both Houses of Parliament on or before the First Day of *March* in each Year.

thereupon to Parliament.

III. And be it enacted, That such surveying Officer shall give Fourteen Days public Notice of the Time and Place when and where he will attend within such Town, District, or Place for the Purpose of making such Examination, by Advertisement in the public Papers usually circulated in the Town, District, or Place, or by affixing such Notice on the public Buildings or Places where public Notices are usually affixed, or in such other Manner as shall appear to him sufficient to make his Appointment generally known in such Town, District, or Place.

Notice of Inquiry to be given by surveying Officer.

IV. And be it enacted, That such surveying Officer shall be empowered to summon before him the Promoters of such intended Work, or any Person on their Behalf, or any Person or Persons whose Name or Names shall be signed to any Notice of an intended Application to Parliament sent or delivered to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings under the Provisions of this Act, and to require them to produce Copies of all such Surveys, Plans, Sections, Estimates, and other Documents relating to such intended Application as are ordered to be deposited at any public Office in compliance with any Standing Orders of either House of Parliament ; and such surveying Officer may require any Overseer or other Person having the Custody of any Map or Survey made in pursuance of the Provisions of any Act of Parliament, or of any Book containing any Rate made for the Relief of the Poor in any Parish, or for any Purpose or Place wholly or in part within any District over which such Examination shall extend, to produce such Map, Survey, or Book, and to allow the same to be inspected by such surveying Officer ; and such surveying Officer shall have Power to administer an Oath to such Overseers or other Persons, and to the Promoters, and to any other Persons examined on their Behalf, and to any Persons who may present themselves before such surveying Officer for Examination by him ; and all such Persons so examined shall be required to answer upon Oath all such Questions as may be put to them by such surveying Officer touching any Matter upon which such surveying Officer may deem it necessary to examine such Persons, in pursuance of the Duties imposed upon him under the Authority of this Act ; and any such Person, being duly summoned by such surveying Officer, who shall wilfully neglect or refuse to attend such Summons, or to produce such Plans, Sections, Maps, Books, or other Documents as he may be required to produce under the Provisions hereinbefore contained, or to answer upon Oath such Questions as may be put to him by such surveying Officer under the Powers

Power to summon certain Persons, and to examine upon Oath.

herein

herein contained, shall be liable to forfeit and pay a Penalty not exceeding Five Pounds.

Penalty may be recovered before Justices.

V. And be it enacted, That such Penalty may be recovered before any Two or more Justices having Jurisdiction within such Town, District, or Place; and on Conviction of the Offender, and in default of Payment of any such Penalty, such Justices shall be empowered and required to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under their Hands and Seals; and such Penalty shall be paid to the Overseers of the Parish or Township within which such Conviction shall take place, in aid of the Rate for the Relief of the Poor.

Expences of Inquiry to be paid by the Promoters.

VI. And be it enacted, That all the Costs, Charges, and Expences attending the said local Examination and Survey, together with such Sums as the said Commissioners shall fix for the Remuneration of the said surveying Officer, shall be paid by the Promoters of the said intended Application, and the Amount of such Expences shall in all Cases be ascertained by the said surveying Officer; and it shall be lawful for the said Commissioners, previous to the Appointment of any such surveying Officer, to make an Examination under the Provisions herein-before contained to require the said Promoters to deposit any Sum of Money, or to give such other Security for the Payment of the said Costs, Charges, and Expences, as to the said Commissioners shall seem fit; and the Certificate of the said surveying Officer, certifying the Amount of Expences so incurred in such local Examination, shall be taken as Proof in all Proceedings at Law and in Equity of the Amount of the Costs incurred in such Examination: Provided always, that it shall not be lawful for any such surveying Officer to include in such Certificate any Charge for the Attendance of any Persons who may voluntarily present themselves before such surveying Officer for Examination by him under the Provisions herein-before contained.

Certificate of surveying Officer.

Notices to be given to the Admiralty where Applications relate to Ports or navigable Rivers.

VII. And be it enacted, That where it is intended to make Application to Parliament for an Act relating to any Port or Harbour, or to any Tidal Water, or to any navigable River, or in any Manner directly or indirectly affecting the same, Notice thereof shall be given to the Lord High Admiral or to the Lords Commissioners for executing the Office of Lord High Admiral in the Manner herein-before directed for giving Notice of the Intention to make Application to Parliament for the other Acts above specified to the Office of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and in all respects whatsoever the Lord High Admiral or the said Lords Commissioners shall make a similar Inquiry and Report, and shall perform all the same Duties, and have all the same Powers, with respect to the Inquiry into such intended Acts whereof Notice is to be given to him or them, as is herein-before enacted in regard to the Office of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, with respect to the Acts whereof Notice is to be given to such Office, as amply to all Intents and Purposes as if all the Provisions herein-before enacted in regard to the Proceedings of such Office with respect to such Acts had been repeated Word for Word

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in regard to the Lord High Admiral or Lords Commissioners aforesaid, and to the Acts whereof Notice is required to be given to him or them.

VIII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there is something in the Subject or Context repugnant to such Construction ; (that is to say,)

Interpretation
of Act.

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be
amended, &c.

C A P. CVII.

An Act to facilitate the Employment of the labouring Poor for a limited Period in the distressed Districts in *Ireland*.

[28th August 1846.]

‘ **W**HEREAS by reason of an apprehended Failure of a Portion of the Potato Crop of the present Season in *Ireland* it is expedient to make Provision for facilitating and encouraging the Employment of the Poor in Districts where Distress may prevail: Be it therefore 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, That whenever, on Representation of the Existence of Distress in any District, it may seem expedient to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* that an Extraordinary Presentment Sessions for any Barony, Half Barony, County of a City, or County of a Town in *Ireland*, the County of the City of *Dublin* excepted, should assemble and make Presentments for the Execution of public Works in such District, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, from Time to Time, by a Notice to be published in the *Dublin Gazette* and also in One or more Newspapers circulating in the respective District, and of which Notice Copies shall be posted in the usual Places for posting public Grand Jury Notices in such District, to direct and require that an Extraordinary Presentment Sessions for such Barony, Half Barony, County of a City, or County of a Town, as the Case may be, shall meet and assemble at such Place or Places in such District, for the Purposes of this Act, on such Day or Days and Hours as shall be specified in such Notice, not being sooner than Ten nor later than Fifteen Days after the Publication of such Notice in the *Gazette* as aforesaid; and it shall and may be lawful for every Justice of the Peace for the County, County of a City, or County of a Town respectively, not being a Stipendiary Magistrate, to attend, and such Justices respectively, and the Cess-payers associated with them respectively, as herein-after mentioned, are hereby required to assemble and to hold such Extraordinary Presentment Sessions respectively, for the Purposes of this Act,

On Representation of Existence of Distress in any District, Lord Lieutenant may require an Extraordinary Presentment Sessions to be assembled, for the Presentment of Works under this Act.

Justices to hold Sessions for the Purposes of this Act at the Times and Places appointed.

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in such Place or Places and at such Time or Times as shall have been so appointed.

How Sessions are to be constituted.

6&7W.4.c.116.

II. And be it enacted, That the Justices or Justice present at every such Extraordinary Presentment Sessions, together with the Number of the Cess-payers appointed by the Grand Jury at the then preceding Assizes of the County, County of a City, or County of a Town in which such Sessions shall be held, to be associated with the Justices at the Ordinary Presentment Sessions to be holden next after such Assizes, for the Purposes of an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of public Money by Grand Juries in Ireland*, for the Barony, Half Barony, or the County of a City, or County of a Town, as the Case may be, for which such Extraordinary Presentment Sessions shall be holden, shall constitute such Extraordinary Presentment Sessions; and the Provisions contained in the said recited Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth, relative to the Selection of a Chairman, and of the Cess-payers to be associated with the Justices or Justice at Presentment Sessions, and to the casting Voice of such Chairman, shall, so far as the same are applicable, extend to such Extraordinary Presentment Sessions under this Act, and the Secretary of the Grand Jury and the County Surveyor or Surveyors shall attend thereat, and also an Officer or Person appointed by the Commissioners of Public Works in *Ireland*, if the said Lord Lieutenant or other Chief Governor or Governors shall so think fit to direct.

Extraordinary Presentment Sessions may make Presentments for public Works.

III. And be it enacted, That any such Extraordinary Presentment Sessions are hereby authorized and required to make Presentments for public Works within the District for which such Sessions shall be held, specifying in all such Presentments the maximum Amount which shall be raised for the Execution of any such Work; and the said Extraordinary Presentment Sessions shall sit from Day to Day until all the Business which may come before them of the Nature hereby described be despatched, or may adjourn for any Period not exceeding Three Days; and every such Presentment so made by such Sessions shall be as valid and effectual for the Purposes of this Act as if the same had been duly presented by the Grand Jury, and filed by the Court at any Assizes or Presenting Term.

A Schedule of Works presented shall be signed by the Chairman, and transmitted to the Lord Lieutenant for his Sanction, and the Approval of the Treasury.

IV. And be it enacted, That the Chairman at such Sessions shall cause to be made out, and shall sign with his Name, a Schedule of all Works which shall have been duly approved and presented at such Sessions respectively, and the Sums presented for the same, and shall deposit such Schedule with the Secretary of the Grand Jury of such County, County of a City, or County of a Town, who within Three Days shall transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* a Copy, signed by himself, of such Schedule of Works so presented at such Presentment Sessions; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to cause the same to be reported upon by the Commissioners of Public Works, and to be afterwards transmitted

transmitted to the Commissioners of Her Majesty's Treasury, for their Sanction and Approval.

V. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury from Time to Time to authorize the Commissioners of Public Works in *Ireland* to execute the said Works so presented and specified in any such Schedule of Works, or such of the said Works, or such Part of them, as the said Commissioners of the Treasury shall think fit, at and for an Amount not exceeding the Amount so presented for each such Work respectively, or proportionate Part of it; and it shall be lawful for the said Commissioners of Public Works in *Ireland*, with the Approval of the Commissioners of Her Majesty's Treasury, to advance out of any Monies applicable to Loans at the Disposal of the said Commissioners of Public Works under the Provisions of the Act of the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Act for carrying on Public Works in Ireland*, or any Act or Acts to amend the same, the several and respective Sums of Money so presented for each and every such Work, or proportionate Part of it, so authorized to be by them executed, to be by the said Commissioners of Public Works applied and expended respectively to and for and in the Execution of the said several and respective Works so to be executed by them, and to be accounted for to the said Commissioners of the Treasury, or for the said Commissioners of Her Majesty's Treasury to direct, if they shall so think fit, the Advance of the said several and respective Sums out of the Produce of the Consolidated Fund.

VI. And be it enacted, That the said Commissioners of Public Works shall, upon the Receipt of any such Warrant of the said Commissioners of the Treasury, cause the Execution or Construction of any such respective Works therein authorized to be proceeded with, subject nevertheless to such Directions as they may from Time to Time receive from the said Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and shall for such Purpose have and use all such Powers and Authorities as they are by any of the Acts now in force for the Extension and Promotion of Public Works in *Ireland* invested with for the Construction of any Road or Bridge or other Work for the Construction whereof a Grant shall have been sanctioned by the said Commissioners of the Treasury, and also all Rights, Powers, Authorities, and Privileges of any County Surveyor or Contractor acting under and by virtue of the said Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of public Money by Grand Juries in Ireland*.

VII. And be it enacted, That the several County Surveyors in *Ireland*, and their Assistants, do and shall, from and after the passing of this Act, in addition to all their other Duties, obey, perform, and execute, either alone or conjointly with or subject to the Direction of any other Person or Persons to be appointed for that Purpose by the said Commissioners of Public Works, all such Orders and Directions as the Commissioners of Public Works shall from Time to Time issue and transmit to them or any of them

Treasury may make Advances for such Works to the Board of Works, and authorize the Board of Works to execute them, and render an Account to the Treasury.

6 & 7 Vict. c. 44.

Board of Works shall proceed to execute such Works as are authorized to be proceeded with, subject to Approval of the Lord Lieutenant.

6 & 7 W. 4. c. 116.

County Surveyors to assist in such Works, as directed by the Lord Lieutenant or Commissioners of Public Works.

respecting the planning, laying out, superintending, or overseeing any such Work or Works within their respective Counties, as shall be specified in and by such Orders or Directions; and all and every the Powers and Authorities or Provisions given or contained in the Acts for consolidating and amending the Laws relating to the Presentment of public Money by Grand Juries in *Ireland*, with reference to the Execution of Works thereunder, shall, as far as the same are applicable, extend and apply to the executing of such Works as aforesaid by the County Surveyor or his Assistants; and any such County Surveyor or Surveyors or Assistants (in addition to his or their usual Salary) shall, in consideration of such Employment for the Purposes of this Act, receive such further Remuneration as the said Lord Lieutenant or other Chief Governor or Governors shall deem fit and sufficient.

Advances from the Treasury to be repaid by compulsory Presentment by half-yearly Instalments.

VIII. And be it enacted, That the Monies from Time to Time to be advanced, pursuant to the Provisions of this Act, by the Commissioners of Her Majesty's Treasury, for the Execution of any Works under this Act, in any County, County of a City, or County of a Town, shall be repaid by Grand Jury Presentments, by half-yearly Instalments, not less than Four and not exceeding Twenty in Number, as the Commissioners of Her Majesty's Treasury shall direct, with Interest at the Rate of Three Pounds Ten Shillings *per Centum per Annum*; and the Commissioners of Public Works shall from Time to Time certify to the Secretary of the Grand Jury of each such County, County of a City, or County of a Town in which respectively such Works shall have been executed the Amount of the Instalment or Instalments so to be repaid; and each such Secretary of the Grand Jury shall lay such Certificate before the Grand Jury of such County, County of a City, or County of a Town, at the next Assizes or Presenting Term after he shall receive the same; and it shall be lawful for every such Grand Jury, and they are hereby required, to present the Sum mentioned in every such Certificate relating to such County, County of a City, or County of a Town to be raised and levied in the Manner herein-after mentioned off the respective Baronies or Half Baronies, County of a City, or County of a Town in respect whereof the Works for which any such Monies shall be so advanced by the said Commissioners shall have been presented; and the Treasurer of such County, County of a City, or County of a Town shall pay the Sum so presented by the Grand Jury, when and as by him received, into the Bank of *Ireland*, to the Credit of the Paymaster of Civil Services, on account of Loans under this Act, or in such other Manner as the said Commissioners of the Treasury shall direct; provided always, that such Treasurer shall issue a separate Warrant for the Levy of the Sum mentioned in any such Certificate; and if the Grand Jury of any County, County of a City, or County of a Town shall fail to present the Sum, or any Part thereof, contained in any such Certificate, relating to such County, County of a City, or County of a Town, the Treasurer of such County, County of a City, or County of a Town shall and he is hereby required to insert such Sum, or such omitted Part thereof, in such separate Warrant for raising such Monies as if such Sum had been duly presented by such Grand Jury to be raised in manner herein-after mentioned off the respective

In case the Grand Jury fail to present, Treasurer may insert such Sum in the Warrant, which shall be levied as if it had been presented.

spective Baronies or Half Baronies properly chargeable therewith as aforesaid, or County of a City, or County of a Town, (as the Case may be,) and the same shall be raised and levied off such Barony or Half Barony, County of a City, or County of a Town, (as the Case may be,) accordingly, as if the same had been so presented; and the said Treasurer shall pay over the Amount, when by him received, as herein-before provided in the Case of such Money being presented by the Grand Jury.

IX. And be it enacted, That any Sum of Money so to be raised and levied off any Barony, Half Barony, County of a City, or County of a Town, under the Provisions of this Act, shall be charged upon and apportioned, raised, and levied upon and from the Occupiers of and other Persons rateable in respect of Lands and Hereditaments within such Barony, Half Barony, County of a City, or County of a Town respectively, and rated under the then last preceding Rate or Rates made or from Time to Time made in respect of the same under the Provisions of an Act of the First and Second Years of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, and any Act amending the same, and shall be payable by the respective Rate-payers who under the said last preceding Rate or Rates shall have paid or contributed or been liable to pay or contribute Rate in respect of Property in such Barony, Half Barony, County of a City, or County of a Town, according to the several Valuations and Proportions according to which respectively such last preceding Rate or Rates shall have been so made, charged upon, and payable by the Rate-payers in respect of such Lands or Hereditaments respectively; and any such Sum of Money shall be apportioned, assessed, and levied by the respective High Constable or Collector of Grand Jury Cess for such Barony, Half Barony, or Place, as a Poundage Assessment, equally upon the net annual Value of the several Lands and Hereditaments within such Barony, Half Barony, County of a City, or County of a Town respectively, rated as aforesaid, as such net annual Value shall have been stated in such last preceding Rate or Valuation as aforesaid; and on Receipt of the respective County Treasurer's Warrant as aforesaid such High Constable or Collector is hereby authorized and required to levy the Money therein mentioned, and to give to the Parties paying the same Receipts, which shall not be subject to Stamp Duty; and such Money shall and may be collected and levied, sued for, and recovered by such and the same Ways and Means as any Grand Jury Cess, or the Money apportioned on the several Persons liable to pay any Grand Jury Cess, may be collected and levied, and with like Powers, Authorities, and Privileges to any such Collector as in case of the levying of any Grand Jury Cess.

X. And be it enacted, That the Condition of every Bond of a Collector of Grand Jury Cess, to be hereafter given or executed by way of Security for duly collecting and paying public Money, shall contain a Condition for his duly collecting and paying to the Treasurer of the County, County of a City, or County of a Town in which such Collector shall act, on or before the First Day of the next Assizes, all such Money as he shall be authorized to levy under this Act; and such Bond shall be exempt from Stamp Duty, and shall be subject to all Provisions now applicable

Such Sums to be assessed and levied like the Poor Rate, according to 1 & 2 Vict. c. 56. &c.

Condition of Bond to be entered into by Collectors of Grand Jury Cess.

to any Bond to be given or executed by any Collector of Grand Jury Cess.

Copies of Rate may be taken for Purposes of this Act.

XI. And be it enacted, That for the Purpose of ascertaining the rateable Property, and the Rate-payers, within any such Barony, Half Barony, County of a City, or County of a Town as aforesaid, it shall and may be lawful for the respective Collector of Grand Jury Cess to apply to the Guardians of the Union or respective Unions within which such respective Lands shall be situate; and such respective Guardians are hereby required to permit and suffer such Collector, or any Person authorized by him, in Writing and under his Hand, to take a Copy or Copies of so much of any such last preceding Rate or Rates or Valuation as aforesaid as relates to any of such respective Lands or Hereditaments within any such District; and in case any Person or Persons having the Custody of any such Rate or Rates, or Valuation, refuse to permit or shall not permit such Collector, or Person so authorized by him, to take such Copy or Copies thereof or Extracts therefrom respectively as aforesaid, the Person or Persons refusing or not permitting such Copy or Extract to be made shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Proportion of Assessment to be deducted from Rent.

XII. And be it enacted, That when any Person occupying such Lands or Hereditaments within any such District shall be liable to pay a Rent in respect of the same, he may deduct from such Rent, for each Pound of the Rent which he shall be liable so to pay, One Half of the Sum which he shall have paid as such Assessment in respect of each Pound of the net annual Value (whether such Rent shall be greater or less than such net annual Value), and so in proportion for any less Sum than a Pound.

Where more than One Rent is paid.

XIII. And be it enacted, That where any Person receiving Rent in respect of any such rateable Property within such District shall also pay a Rent in respect of the same, he shall be entitled to deduct from the Rent so paid by him a Sum bearing such a Proportion to the Amount of such Assessment deducted from the Rent received by him as the Rent paid by him bears to the Rent received by him: Provided always, that every Lessor assessed instead of any Occupier of rateable Property shall be entitled to deduct from any Rent paid by him in respect of such Property a Sum bearing such a Proportion to One Half of the Assessment on such Property as the Rent paid by him bears to the net annual Value of such Property.

Receipts to be accepted by Persons entitled to Rents, in lieu of Sums authorized to be deducted.

XIV. And be it enacted, That in all Cases the Receipt for any such Sum of Money so to be levied as aforesaid shall be accepted by every Person entitled to receive Rent in respect of the same Property, in lieu of such a Sum of Money, and in full consideration of such Portion of Rent, as the Person tendering such Receipt is hereby entitled to deduct from such Rent by reason of his Payment of the Sum for which such Receipt shall be given: Provided always, that no such Deduction shall be held to prejudice the Right of any Landlord to recover the Possession of any Hereditaments by Ejectment for Nonpayment of the Rent thereof, in any Case where the remaining Portion of the Rent shall be unpaid.

Expences of Secretary of

XV. And be it enacted, That the Grand Jury of any County, County of a City, or County of a Town in which any such Extraordinary

ordinary Presentment Sessions shall be held as aforesaid shall, without Application to the Presentment Sessions, present, to be levied off the County at large, County of a City, or County of a Town, to be paid to any such Secretary of the Grand Jury of the same, such Sums of Money as shall be actually expended or incurred by him for Expences out of Pocket in or in respect of Attendance at any such Extraordinary Presentment Sessions, and shall likewise present, to be paid to any such Collector as aforesaid, such Remuneration for the Collection of such Assessment as is payable in the Case of the Collection of Grand Jury Cess, and such further Sum as he may have reasonably incurred for the Expence of obtaining Copies of any such Rate or Valuation, and also a reasonable Remuneration for making such Applotment as aforesaid.

Grand Jury in attending Sessions, and Remuneration to Collector, to be presented by Grand Jury.

XVI. And be it enacted, That the said Commissioners of Public Works shall and may and they are hereby empowered, themselves, their Agents, Surveyors, Workmen, and all other Persons by them employed and authorized, at all such Times as to the said Commissioners may seem fit and convenient, to enter into and upon any Lands or Grounds whatsoever which it may be deemed proper or necessary to survey for the Purpose of making any Road or other Work under the Provisions of this Act; and that the said Commissioners shall have Power and Authority to take and acquire all such Ground as may be necessary for making the said Roads or other Works, such Satisfaction to be rendered therefor to the Proprietor or Proprietors, Occupier or Occupiers, as may be determined in manner herein-after mentioned.

Board of Works empowered to take Lands, &c. rendering Satisfaction in manner herein mentioned.

XVII. And be it enacted, That when any public Work shall be presented or executed under the Provisions of this Act it shall be lawful for any Occupier or Owner of any Ground taken and occupied for the Purpose of such Work to demand and obtain from the Officer of the said Commissioners of Public Works, or the County Surveyor, as the Case may be, by whom such Work shall have been or shall be executed, a Certificate under his Hand, which such Officer or Surveyor is hereby required to give, stating the Quantity of Ground belonging to such Occupier or Owner which shall have been so taken and occupied for the Purpose of such Work, and an Estimate of the average annual Value of such Ground, the Tenure of such Occupier or Owner thereof, and an Estimate of the total Damage sustained by him or either of them by the taking and occupying of such Ground for the Purpose of such Work; and upon giving or tendering such Certificate it shall be lawful for such Officer or Surveyor as aforesaid to proceed in the Execution of such Work, without the Interruption of any Person; and it shall be lawful for any such Owner or Occupier, or either or each of them, at the Assizes next following the giving of the said Certificate, or at the next subsequent Assizes, upon giving Ten Days Notice previously to such Assizes respectively, to the Secretary of the Grand Jury, of the Amount of Damages intended to be claimed, to have a Traverse for Damages entered in the Crown Book in respect of such Damage sustained by him; and thereupon such Traverse shall be tried in like Manner, and like Proceedings shall be had, and like Presentment made in respect of the same, and subject to like Provisions as far as the

When any Ground shall be taken for Works under this Act, Owners, &c. of Land taken to obtain from the Board of Works or County Surveyor a Certificate of the Value, &c. of the same, upon Production of which Grand Jury to present a Sum of Money for Damage sustained.

same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of public Monies by Grand Juries in *Ireland*: Provided always, that whenever the Sum mentioned in the said Certificate shall not exceed the Sum of Ten Pounds, it shall and may be lawful for the Person and Persons to whom such Certificate shall be given, either to make Application to the Grand Jury at the Assizes next following the giving of such Certificate, or the next subsequent Assizes, for the Amount of Damages specified in such Certificate, not exceeding the Extent aforesaid; and thereupon it shall be lawful for the Grand Jury to present, without previous Application to Presentment Sessions, such Sum or Sums of Money, not exceeding the Amount aforesaid, for the Use of such Owner or Occupier, or each of them, as the Case may be, in respect of the Damage sustained by him or them, as they, upon Inspection of such Certificate, shall deem reasonable, to be raised off the Barony or Half Barony in which such Ground shall be situated, and to such Presentment no Traverse shall be allowed or received; but in case such Owner or Occupier shall not think fit to make such Application to the Grand Jury, it shall be lawful for him, at the Assizes next following the giving of the said Certificate, or at the next subsequent Assizes, upon giving Ten Days Notice previously to such Assizes to the Secretary of the Grand Jury of the Amount of Damages intended to be claimed, to have a Traverse for Damages entered in the Crown Book in respect of such Damage sustained by him; and thereupon such Traverse shall be tried in like Manner, and like Proceedings shall be had, and like Presentment made in respect of the same, and subject to the like Provisions as far as the same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of public Monies by Grand Juries in *Ireland*.

In case Owner, &c. shall not make Application to Grand Jury, he may apply to the Assizes, and traverse for Damages.

Lord Lieutenant may, in certain Cases, constitute Districts less than Baronies or Half Baronies, with the same Powers as to Baronial and Half Baronial Presentments.

XVIII. ' And whereas from the large Size of Baronies and Half Baronies in Parts of *Ireland* it may in some Cases be expedient that Presentment Sessions as aforesaid should be held for less Districts than a Barony or Half Barony; be it enacted, That the Lord Lieutenant or Chief Governor or Governors of *Ireland* for the Time being, by and with the Advice of the Privy Council of *Ireland*, may, if he or they shall think fit, constitute any Number of Parishes in any Barony or Half Barony into a District for the Purposes of this Act, and may direct a Presentment Sessions to be held in and for any such District so to be constituted; and the Justices of the Peace resident in such District so constituted, and Five Cess-payers to be chosen by Ballot out of the Twenty Cess-payers resident within such District who shall be rated to the highest Amount to the County Cess, shall constitute such Sessions; and all the Powers to be exercised for any Barony or Half Barony by the Baronial or Half Baronial Presentment Sessions under this Act shall be exercised by such Sessions so constituted as aforesaid within any such District, and all the Powers, Clauses, and Provisions of this Act in respect of any Baronial or Half Baronial Presentment Sessions shall be extended and applied to such Sessions so held in and for any such District constituted as aforesaid, so far as the same may be applicable, in respect to all Applications

Applications for Works to be executed within such District, in the Manner provided for by this Act, and for the Execution of such Works, and for a Payment of the Sums to be advanced for the Execution thereof, in the same Manner as if such Sessions were held for a Barony or Half Barony under this Act.

XIX. And be it enacted, That in the Construction of this Act, as regards the County of *Dublin*, the Word "Treasurer" shall include the "Finance Committee;" and the Word "Assizes" shall include the "Presenting Term;" and the Expressions "Collectors" and Collector of Grand Jury Cess shall include the High Constable.

Interpretation of Act.

XX. And be it enacted, That no Presentment Sessions shall be holden, nor shall any such Work as aforesaid be commenced, under the Provisions of this Act, after the Fifteenth Day of *August* One thousand eight hundred and forty-seven.

No Presentment Sessions to be held after 15th Aug. 1847.

XXI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

C A P. CVIII.

An Act to provide additional Funds for Loans and Grants for Public Works in *Ireland*. [28th *August* 1846.]

WHEREAS an Act was passed in the First Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts for the Extension and Promotion of Public Works in Ireland*, and by the said Act the Commissioners of Public Works in *Ireland* acting in execution of the said Act, and the other Acts therein referred to, are authorized to make Advances by way of Grant and Loan respectively for the Purposes and to the Amount in the said Act mentioned and limited: And whereas another Act was passed in the present Session of Parliament, intituled *An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in Ireland*, and by the said Act it is enacted, that it shall be lawful for the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, to make additional Advances by way of Grant to an Amount not exceeding in the whole the Sum of Fifty thousand Pounds, for the Purposes and subject to the Provisions of the said Act, and the several Acts therein mentioned and referred to: And whereas in consequence of the urgent Demand for the Employment of the Poor, arising from the Failure of the Potato Crop in *Ireland*, the said Sum of Fifty thousand Pounds by way of Grant, and an equal Sum by way of Loan, were found insufficient for the Purposes of the said Act, and the Works applied for under the said last-recited Act have been estimated at a Sum of Four hundred and fifty thousand Pounds, and the said Commissioners of Her Majesty's Treasury have sanctioned and undertaken the Advances necessary for the Execution of such Works to the Amount of a Sum not exceeding Four hundred and fifty thousand Pounds in the whole, for the Purposes of the said Acts; that is to say, one Moiety thereof, *videlicet*, a Sum not exceeding Two hundred and twenty-five thousand

7 W. 4. & 1 Vict. c. 21.

9 & 10 Vict. c. 1.

‘ thousand Pounds, in the way of Grant, and the other Moiety, ‘ *videlicet*, a Sum not exceeding Two hundred and twenty-five ‘ thousand Pounds, in the way of Loan :’ Be it therefore 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, That it shall and may be lawful for the said Commissioners of Her Majesty’s Treasury, or any Three or more of them, to cause to be issued, from Time to Time as they may find necessary, out of the growing Produce of the Consolidated Fund of *Great Britain and Ireland*, in addition to the said Sum of Fifty thousand Pounds by the said Act of the present Session authorized, any further Sum or Sums of Money, not exceeding in the whole the Sum of One hundred and seventy-five thousand Pounds, to make up and meet the said Sum not exceeding Two hundred and twenty-five thousand Pounds, being the said Moiety in the way of Grant for the several Purposes mentioned in the said Act of the present Session, and the several Acts therein recited, or any of them.

Treasury may advance an additional Sum of 175,000*l.* in the way of Grant ;

and 225,000*l.* by way of Loan.

II. And be it enacted, That the other Moiety of the said Sum not exceeding Four hundred and fifty thousand Pounds, being a Sum not exceeding Two hundred and twenty-five thousand Pounds, shall be supplied by way of Loan in like Manner as other Loans by the said Commissioners of Public Works, out of the Funds applicable for the Purposes of Loans under the said recited Acts, and the other Acts now in force or to be passed during the present Session of Parliament, for the Extension and Promotion of Public Works in *Ireland*, or any of them.

One Moiety to be repaid by Grand Jury Presentment.

III. And be it enacted, That a Moiety of the Monies heretofore advanced, or so to be from Time to Time advanced under the said Two first-recited Acts therein referred to, and this Act, or any of them, for the Promotion of any Public Work in any County, County of a City, or County of a Town, shall be repaid by Grand Jury Presentment at such Time and in such Manner as the said Commissioners of Her Majesty’s Treasury shall appoint and direct ; and the Commissioners of Public Works shall, from Time to Time as they may be directed by the Commissioners of the Treasury, certify to the Secretary of the Grand Jury of each such County, County of a City, or County of a Town, the Money so to be repaid, and each such Secretary shall lay such Certificate before the Grand Jury of such County, County of a City, or County of a Town at the next Assizes after he shall receive the same ; and it shall be lawful for such Grand Jury and they are hereby required to present the Sum mentioned in every such Certificate to be raised either off the County at large, or off the Barony or Half Barony or other Division in which the Work to which such Certificate may relate shall have been executed, as they may think fit ; and the Treasurer of such County shall pay the Sum so presented, when and as by him received, into the Bank of *Ireland*, to the Credit of the Paymaster of Civil Services “on account of Repayment of Loans for Public Works,” to be by such Paymaster carried to the same Account as other Monies received in Payment of Loans for Public Works : Provided always, that if the Grand Jury of any County, County of a City, or County of a Town shall fail to present the Sum mentioned in any such Certificate, the

If the Grand Jury fail to present, the

Treasurer

Treasurer of such County, County of a City, or County of a Town shall and he is hereby required to insert such Sum in his Warrant for raising the Monies presented at the same Assizes as if such Sum had been presented by such Grand Jury to be raised off the County at large, County of the City, or County of the Town, and the same shall be raised and levied off such County at large, County of the City, or County of the Town accordingly as if the same had been so presented; and the said Treasurer shall pay over the Amount, when by him received, as herein-before provided in the Case of such Money being presented.

IV. And be it enacted, That when any public Road or other Work shall have been or shall or may hereafter be made, altered, or improved, under the Provisions of the said recited Acts of the First and Ninth Years of the Reign of Her present Majesty, intituled respectively as aforesaid, it shall be lawful for any Occupier or Owner of the Ground taken and occupied or required for the Purpose of making, altering, or improving such Road or other Work, to demand and obtain from the Officer of the said Commissioners of Public Works by whom such Work shall have been or shall be executed a Certificate under his Hand (which such Officer is hereby required to give), stating the Quantity of Ground belonging to such Occupier or Owner taken, occupied, or required for the Purpose of making, altering, or improving any such Road or other Work, and an Estimate of the average annual Value of such Ground, the Tenure of such Occupier or Owner thereof, and an Estimate of the total Damage sustained by him by the making, altering, or improving such Road or executing such other Work; and upon giving or tendering such Certificate it shall be lawful for such Officer as aforesaid to proceed in the Execution of the necessary Works for making, altering, or improving such Road or other Work without the Interruption of any Person; and, any thing in the said Two first-recited Acts, or any of the Acts therein referred to, to the contrary notwithstanding, it shall be lawful for any such Owner or Occupier, giving Ten Days previous Notice to the Secretary of the Grand Jury of the County, County of the City or Town, in which such Ground shall be situate, to make Application to the Grand Jury at the Assizes next following the giving of such Certificate, or the next subsequent Assizes, for the Amount of Damages specified in such Certificate, whereupon it shall be lawful for the Grand Jury of such County, County of a City or Town, to present, without previous Application to Presentment Sessions, such Sum or Sums of Money for the Use of such Owner or Occupier in respect of the Damage sustained by him as they, upon Inspection of such Certificate, shall deem reasonable, to be raised off the Barony or Half Barony in which such Ground shall be situate, and to such Presentment no Traverse shall be allowed or received; but in case such Owner or Occupier shall not think fit to make such Application to the Grand Jury, it shall be lawful for him, at the Assizes next following the giving of the said Certificate, or at the next subsequent Assizes, upon giving Ten Days Notice previously to such Assizes to the Secretary of the Grand Jury of the Amount of Damages intended to be claimed, to have a Traverse for Damages entered in the Crown Book in respect of such Damage sustained by him; and thereupon

Treasurer shall include the Amount in his Warrant.

Owners, &c. of Land taken for the Purposes of the Act to obtain from the Officer of the Commissioners for Public Works a Certificate of the Value, &c. of the same, upon Production of which Grand Jury shall present a Sum of Money for Damage sustained.

In case Owner, &c. shall not make Application to Grand Jury, he may apply to the Assizes, upon giving Notice.

upon

upon such Traverse shall be tried in like Manner, and like Proceedings shall be had, and Presentment made in respect of the same, and subject to like Provisions, as far as the same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of public Monies by Grand Juries in *Ireland*.

The Treasury may direct the Commissioners for Execution of the Act 5 & 6 Vict. c. 9. to transfer 145,000*l.* to the Commissioners of Public Works.

V. ' And whereas the Monies now at the Disposal of the Commissioners of Public Works in *Ireland*, to be advanced by way of Loan, are insufficient for the Purpose of making the Advances by way of Loan herein-before mentioned, and the other Advances which the said Commissioners may be called upon to make under the Provisions of the several Acts now in force for the Promotion of Public Works in *Ireland*;' be it therefore enacted, That out of the Sum not exceeding Three hundred and sixty thousand Pounds *per Annum* which by the Act of the Fifth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund, to a limited Amount, for carrying on Public Works and Fisheries, and Employment of the Poor, and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes*, the Commissioners of Her Majesty's Treasury are authorized to charge on the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, and which they are authorized to direct to be paid to the Account of the Commissioners for the Reduction of the National Debt during the Term of Five Years next ensuing the Fifth Day of *April* One thousand eight hundred and forty-two, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct the Commissioners for carrying into execution the said Act of the Fifth Year of the Reign of Her present Majesty to transfer from their Account with the Commissioners for the Reduction of the National Debt to the Account kept by the last-mentioned Commissioners with the Commissioners of Public Works in *Ireland* a Sum not exceeding One hundred and forty-five thousand Pounds, to be at the Disposal of the said Commissioners of Public Works in *Ireland* for the Purposes of the Loans herein-before mentioned, and the other Loans which the said Commissioners of Public Works may be called upon to make under the Provisions of the Acts now in force for the Extension and Promotion of Public Works in *Ireland*.

Act may be amended, &c.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

C A P. CIX.

An Act to authorize a further Issue of Money in aid of Public Works of acknowledged Utility in poor Districts in *Ireland*.
[28th August 1846.]

1 & 2 W. 4. c. 33. 7 W. 4. & 1 Vict. c. 21. ' WHEREAS by an Act passed in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in Ireland*, and by another Act of the First Year of Her present Majesty, intituled *An Act to amend the* Acts

' *Acts for the Extension and Promotion of Public Works in Ire-*
 ' *land, and by another Act of the First and Second Years of Her*
 ' *present Majesty, intituled An Act to authorize a further Issue* 1 & 2 Vict. c. 88.
 ' *of Exchequer Bills for Public Works and Fisheries, and Em-*
 ' *ployment of the Poor, and to amend the Acts relating thereto,*
 ' *and by another Act of the Sixth and Seventh Years of Her pre-*
 ' *sent Majesty, intituled An Act to amend the Acts for carrying* 6 & 7 Vict. c. 44.
 ' *on Public Works in Ireland, and by another Act of the present*
 ' *Session of Parliament, intituled An Act for the further Amend-* 9 & 10 Vict. c. 1.
 ' *ment of the Acts for the Extension and Promotion of Public*
 ' *Works in Ireland, the Commissioners for the Execution of the*
 ' *first-recited Act were authorized, with the Consent of the Com-*
 ' *missioners of Her Majesty's Treasury, to apply, by way of Grant*
 ' *Sums of Money to a certain Amount limited in the said recited*
 ' *Acts in aid of Public Works in Ireland: And whereas the*
 ' *several Sums specified in the said recited Acts have been applied*
 ' *to the Purposes therein stated: And whereas in certain Districts*
 ' *in Ireland the Population is in a State of Destitution, and such*
 ' *Districts are too poor themselves to bear the whole Expence of*
 ' *Works of acknowledged Utility required for the Improvement*
 ' *of the said Districts; and it is expedient with a view to the*
 ' *internal Improvement of those Districts, and the Employment*
 ' *of the Labouring Poor therein, that Aid should be afforded in*
 ' *the Execution of such Works by the Grant of Public Money,*
 ' *to be applied solely in aid of Works of acknowledged Utility*
 ' *required in such Districts, and in Cases only in which the Repay-*
 ' *ment of Loans to the Amount of at least a Moiety of the esti-*
 ' *mated Expence of such Works shall have been secured in the*
 ' *Manner described in the said recited Acts, and in which such*
 ' *Contributions shall have been made as the Commissioners of*
 ' *Her Majesty's Treasury shall think fit to require from the*
 ' *Individuals principally interested in the Works:'* Be it therefore
 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 Author-
 ity of the same, That it shall and may be lawful for the Com-
 missioners of Public Works in *Ireland* acting in the Execution
 of the said recited Acts, under the like Provisions and Regula-
 tions as are therein contained, to make such additional Issues
 by way of Grant as they may be authorized to make by the
 Commissioners of Her Majesty's Treasury to an Amount not
 exceeding in the whole the Sum of Fifty thousand Pounds, and
 for the Commissioners of Her Majesty's Treasury, or any Three
 or more of them, to cause to be issued from Time to Time, as they
 may find necessary, out of the Consolidated Fund of the United
 Kingdom of *Great Britain and Ireland*, or by the Issue of Exche-
 quer Bills, in addition to the several Sums specified in the above-
 recited Acts, any Sum or Sums of Money not exceeding in the
 whole the said Sum of Fifty thousand Pounds, to be applied for
 the Purposes of the said Acts and of this Act, as the same are
 limited and described by this Act as aforesaid.

Commissioners
 of Public Works
 in Ireland
 empowered to
 make additional
 Issues by way
 of Grant.

II. And be it enacted, That all and every the Provisions, Regu-
 lations, Powers, Privileges, Advantages, Forfeitures, and Dis-
 abilities contained or expressed in the said recited Acts, or any
 Act

Extending
 Provisions of
 former Acts to
 Issues made
 under this Act.

Act amending the same, in respect of the Grants authorized to be made thereunder, shall be applied and extended, so far as the same are applicable, to the Grants to be made under Authority of this Act, as fully and effectually to all Intents and Purposes as if the same were herein repeated and re-enacted.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

C A P. CX.

An Act to amend the Law relating to the Valuation of rateable Property in *Ireland*. [28th August 1846.]

‘ **W**HEREAS it is expedient to amend the Laws now in force for the Valuation of Lands and Tenements in the several Baronies, Parishes, and other Divisions of Counties in *Ireland*:’ Be it therefore 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, That so much of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the several Acts for the uniform Valuation of Lands and Tenements in Ireland; and to incorporate certain detached Portions of Counties and Baronies with those Counties and Baronies respectively whereunto the same may adjoin or wherein the same are locally situate*, as relates to the Valuation of any County, County of a City, or County of a Town, which shall hereafter be valued under the Provisions of this Act, and to the Apportionment of County or Grand Jury Cess therein, shall be repealed, save so far as the same repeals any other Act or Acts, or Part thereof; provided that the said Act shall continue in full Force in regard to all other Counties, Counties of Cities, and Counties of Towns, until such Time as a Revaluation of the same respectively shall take place as herein-after mentioned under the Provisions of this Act, and for the Purposes of such Revaluation, and from thenceforth the Provisions of this Act shall extend and apply to and be enforced in such last-mentioned Counties, Counties of Cities, and Counties of Towns respectively.

So much of 6 & 7 W. 4. c. 84. as relates to Valuation of Counties hereafter to be valued, and Apportionment of Cess therein, repealed; but recited Act to be in force as to Valuation of other Counties until Revaluation takes place under this Act.

Counties, &c. herein named to be valued under this Act.

II. And be it enacted, That from and after the passing of this Act the Provisions of this Act shall and may be applied in the following Counties and Counties of Cities; (that is to say,) the Counties of *Dublin*, *Tipperary*, *Waterford*, *Limerick*, *Cork*, and *Kerry*, and the Counties of the Cities of *Waterford*, *Limerick*, *Cork*, and *Kilkenny*.

Persons heretofore appointed to discharge Duties till otherwise directed.

III. And be it enacted, That the Commissioner of Valuation and other Persons heretofore appointed or acting under the said recited Acts, or any of them, in any County, shall, and he and they are hereby authorized and required, notwithstanding the passing of this Act, to continue to discharge and execute their several Duties and Offices, for the Purpose of carrying this Act into execution, without any further or other Appointment thereto, until the Lord Lieutenant of *Ireland* shall otherwise direct.

IV. And

IV. And be it enacted, That whenever the Survey of any County or of any Barony of a County shall have been made and completed under the Direction of the Ordnance Officers, a Map or Plan of such Barony shall be transmitted by some such Officer to the Chief Secretary of the said Lord Lieutenant, from Time to Time, when and as any such Survey shall have been or shall be made and completed, or when and as any such Map or Plan shall be required by such Chief Secretary to be transmitted as aforesaid.

Whenever Survey of Barony, &c. is completed, a Map or Plan to be sent to Chief Secretary of the Lord Lieutenant.

V. And be it enacted, That at any Time after the Receipt of any such Map or Plan it shall and may be lawful for the said Lord Lieutenant to nominate and appoint One fit and proper Person to be Commissioner for the several Counties in *Ireland*, to be called the Commissioner of Valuation for such Counties, who shall hold such Office during the Will and Pleasure of the said Lord Lieutenant, and who shall repair to any County, and make a Valuation of the Houses and Lands within every Barony, Parish, or other Division in such County of which any such Map or Plan shall have been made and delivered as aforesaid, and shall proceed in such Valuation at such Times and in such Manner and under such Regulations as such Lord Lieutenant shall order, direct, and appoint; and the said Chief Secretary shall notify or cause to be notified in Writing to the Secretary of the Grand Jury of every such County the Appointment of such Commissioner of Valuation, and such Secretary shall lay such Notification before the Grand Jury of such County at the next ensuing Assizes.

After Receipt of Map or Plan, Lord Lieutenant may appoint a Commissioner to value the Baronies, &c. so surveyed.

Appointment to be notified to Grand Jury.

VI. And be it enacted, That it shall be lawful for the Lord Lieutenant to appoint such and so many Sub-Commissioners, being professional Valuers, as may be recommended to him from Time to Time by the Commissioner of Valuation as fit and proper Persons to fill that Office, and who shall be removable by the Lord Lieutenant; and every such Sub-Commissioner shall, when directed by the Commissioner of Valuation so to do, attend and act in the hearing and determining of Appeals against the Valuation of Tenements, as herein-after is provided; and every such Sub-Commissioner shall have the same Power to enter into or upon any House or Land as any Commissioner of Valuation or Valuator appointed under the Provisions of the said first-named Act, subject to the same Conditions as are therein provided.

Lord Lieutenant may appoint Sub-Commissioners of Valuation, who shall have Power to enter on Lands, &c.

VII. And be it enacted, That it shall be lawful for the Commissioner of Valuation who shall be appointed under this Act to nominate and appoint any Number of Persons conversant and professionally employed in surveying and valuing Land and Houses, or in Cases of Towns in valuing of Houses only, to be Valuers, and to remove all or any such Valuers from Time to Time, and to nominate any other Person or Persons to be a Valuator or Valuers in the Place and Stead of the Person so removed; and previously to the Appointment of any Person to be a Valuator such Commissioner shall in company with such Person perambulate the whole or any Part of a Barony, in order fully to ascertain his Competence for acting as such Valuator.

Commissioner of Valuation shall appoint Valuers.

Previous to Appointment, Commissioner to perambulate the Barony.

VIII. And be it enacted, That it shall be lawful for the said Lord Lieutenant to give such Orders, Instructions, and Direc-
tions

Lord Lieutenant may give Orders as to

Conduct of Commissioners and Valuators.

tions for the Conduct of the said Commissioner or Sub-Commissioners and Valuators respectively, and for the Employment of such Clerks or other Persons, in the Discharge of their several Duties under this Act, as to such Lord Lieutenant shall from Time to Time seem fitting and expedient for the due Execution of this Act.

Tenements to be valued separately, according to the fair letting Value, according to Provisions of 1 & 2 Vict. c. 56.

IX. And be it enacted, That in every Valuation hereafter to be made under the Provisions of this Act the Commissioner of Valuation shall cause to be valued every Tenement which is a rateable Hereditament under the Provisions of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for the more effectual Relief of the Destitute Poor in Ireland*, and shall also cause every such Tenement to be separately valued by the Valuator, and the Valuation thereof shall be made upon an Estimate of the net annual Value, (that is to say,) of the Rent for which, one Year with another, the same might in its actual State be reasonably expected to let from Year to Year, the probable annual average Cost of the Repairs, Insurance, and other Expences, if any, necessary to maintain the Hereditament in its actual State, and all Rates, Taxes, and public Charges, if any, except Tithe Rent-charge, being paid by the Tenant.

Property not rateable under 9 G. 4. c. 82. to be separately valued for municipal Purposes under 6 & 7 Vict. c. 93.

X. And be it enacted, That in valuing the Property situated in any of the Towns liable to the Payment of any Rate or Assessment under the Provisions of an Act passed in the Ninth Year of His late Majesty King *George* the Fourth, intituled *An Act to make Provision for lighting, cleansing, and watching of Cities, Towns Corporate, and Market Towns in Ireland, in certain Cases*, and in valuing the rateable Hereditaments situated in any of the Cities, Towns, or Boroughs liable to the Payment of any Rate or Assessment under the Provisions of an Act passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in Ireland*, or under the Provisions of any private or local Act for cleansing, watching improving, paving, or supplying with Water any such City, Town, or Borough, and which are or shall be by Law exempted from the Rate or not rateable to or which shall not be included in the Rate for the Relief of the Poor of the Union wherein the same may be situate, and in the Case of Dwelling Houses valued together with other Property, the said Commissioner of Valuation shall cause to be made and declared separate Valuations of all or any such Hereditaments, Property, and Dwelling Houses; and every such separate Valuation of Property not rateable as aforesaid shall contain in a separate Column a Statement of the Ground of such Exemption; and the said Commissioner of Valuation shall transmit a Copy of such separate Valuation to the Town Council or Commissioners appointed under any such Act for the City, Town Corporate, or Market Town in which the said Property or Dwelling Houses may be situate; and thereupon the Provisions contained in an Act passed in the Session of Parliament held in the Sixth and Seventh Years of Her present Majesty Queen *Victoria*, intituled *An Act to amend an Act of the Third and Fourth Years of Her present Majesty, for the Regulation of Municipal Corporations in Ireland*, shall be deemed to

6 & 7 Vict. c. 93.

apply to such separate Valuation, in like Manner as if the same had been made under the Provisions of the said last-mentioned Act.

XI. And be it enacted, That on the Application of the Town Council of any City, Town, or Borough in *Ireland* to the Lord Lieutenant, he may, if he shall think fit so to do, direct the Commissioner of Valuation to make a Valuation in Tenements, according to the net annual Value of such City, Town, or Borough, and to transmit a Copy thereof to the Mayor or Town Clerk of such City, Town, or Borough; and from and after the Receipt of such Valuation the several Rates and Taxes to be assessed upon such City, Town, or Borough for the Support of the Poor, or under the before-mentioned Act for the Regulation of Municipal Boroughs in *Ireland*, or under the before-mentioned Act of the Ninth Year of His late Majesty King *George* the Fourth, or under any local Act, or for County Cess, shall be raised off the Persons liable to pay the same according to such Valuation so signed and amended, and no other, unless and until the same shall be revised or revalued under the Provisions of this Act: Provided always, that such Valuation shall not affect the relative Proportion of the County Cess to be borne by such City, Town, or Borough.

XII. And be it enacted, That in valuing the rateable Hereditaments situated in any of the Boroughs named in the Schedules (A.) and (B.) annexed to the Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in Ireland*, or in any other Town to which a Charter of Incorporation may under the said Act be granted, the said Commissioner of Valuation shall cause to be estimated, in addition to the net annual Value of each Tenement, as herein-before directed, the probable annual average Cost of the Landlord's Repairs and Landlord's Insurance.

XIII. And be it enacted, That it shall and may be lawful for any Commissioner appointed or continued under this Act, and for any Valuator or Valuators appointed under this Act, from Time to Time to enter into and upon any Land or House for the Purpose of making or carrying on any Valuation authorized by this Act: Provided always, that in every Case in which it shall be necessary for any such Commissioner or Valuator to enter any House, or any walled Garden or Orchard or Pleasure Ground, and when the Owner or Occupier thereof may oppose or refuse to allow such Entry, such Commissioner or Valuator shall give Three Days Notice to the Owner or Occupier of such House, Garden, Orchard, or Pleasure Ground, requiring to be permitted to enter the same; and at any reasonable Time after the Delivery of such Notice it shall be lawful to make such Entry, such Commissioner and Valuators doing as little Damage as may be in the Execution of the Powers to them granted by this Act, and making reasonable Satisfaction (if required) to the Owners of and other Persons interested in any such Houses, Lands, Gardens, Orchards, or Pleasure Grounds which shall or may be any way hurt or damaged in or by the Execution of any of the Powers of this Act; and this Act shall be sufficient to indemnify such Commissioner and Valuators, and all Persons acting in aid or under the Orders of any of them, in the Execution of this Act.

Lord Lieutenant may, upon Applications from Town Councils, direct a Valuation to be made according to the net annual Value.

Proviso.

Annual average Cost of Landlord's Repairs and Insurances to be ascertained under 3 & 4 Vict. c. 108.

Commissioner and Valuators may enter any Land, Houses, Gardens, &c. in execution of this Act.

XIV. And

Valuators shall enter Valuation of each Parish in a separate Field Book, and transmit the same, when signed, to the Commissioner of Valuation.

XIV. And be it enacted, That the said Valuator shall enter the Particulars of the Valuation of each and every Parish, and of each and every Townland and Tenement within the same, when and as each such Valuation shall be completed, in a separate and distinct Field Book, to be appropriated to each and every such Parish respectively, and to be distinguished and entitled as the Survey and Field Book of each such particular Parish respectively distinguishing the Union and Barony in which such Parish or Townland shall be situate, and the Value of each Tenement within such Parish, and the Name of the immediate Lessor or reputed Lessor and Occupier of every Tenement; and such Valuators shall sign every such Book with their several Names, in their several and respective Handwritings, with the Date of completing such Valuation; and such Valuators shall transmit or deliver every such Field Book of every such Parish, so signed, to the Commissioner of Valuation for the County in which every such Parish shall be situate.

Parts of Unions without Boundary of Counties to be valued.

XV. And be it enacted, That when a Part only of any Union shall be included within the Limits of any of the Counties to be valued under this Act, the Commissioner of Valuation, on the Application of the Poor Law Commissioners, shall make a new Valuation in Tenements, according to the net annual Value of the Portions of such Unions as may extend beyond the Limits of the said Counties respectively: Provided always, that such Valuation shall not affect the relative Proportion of County Cess to be borne by any Barony, Parish, or Townland not included within the Limits of the County to be so valued.

Proviso.

Lists of Tenements, when valued, to be sent to the Clerk of Guardians and to Town Council of any City, &c. interested therein.

XVI. And be it enacted, That when and so soon as the Valuation of all the Parishes within any Barony or County of a City or County of a Town to be valued under this Act, as the Case may be, shall be completed, the Commissioner of Valuation shall prepare and make out a List or Table of the several Tenements contained in each Townland or other Denomination in every such Parish, according to the net annual Value; and the said Commissioner of Valuation shall transmit a sufficient Number of printed Copies of such Lists, in the Form (A.) set forth in the Schedule annexed to this Act, to the Clerk of the Board of Guardians of any Union in which any Townland contained in such Schedule is situated, and to the Town Council of any City, Borough, or Town interested therein; and the said Commissioner of Valuation shall specify at the Foot of the Lists of Tenements in each Parish herein-before directed to be made the Day and Place appointed by him for hearing Appeals against the Valuation of the separate Tenements contained in the said Lists, as is herein-after provided.

Day, &c. for hearing Appeals to be specified at Foot of Lists.

Notice of Places in which Parish Lists may be inspected to be affixed on Church and Chapel Doors, &c.

XVII. And be it enacted, That every Clerk of any Board of Guardians to whom printed Copies of any such Lists shall be transmitted as aforesaid shall forthwith on the Receipt of the said Lists cause to be affixed a Notice on the principal outer Door of the Church and of any One Roman Catholic Chapel and of any One Presbyterian Meeting House within every Parish belonging to the Union in which any Townland contained in such Lists is situate, stating the Time and Place at which the said Lists may be inspected, and shall at all reasonable Hours on every Day, from and

and after the Receipt of the said Lists, for Twenty-eight Days then next ensuing, leave at the Workhouse of the Union, at the Station of each Party of Constabulary, and at such other Place (if any) as may be selected by the Board of Guardians, Copies of the said Lists, to be inspected by any Occupier of Lands or Tenements within the Parish, or any Rate-payer in respect of any rateable Hereditament therein, and shall permit such Occupier or Rate-payer to take Extracts therefrom at all reasonable Times, as aforesaid; and if any such Copy or Copies of the said Lists shall be destroyed or defaced at any Time within Fourteen Days after lodging the same, the Clerk of the Board of Guardians shall transmit a new Copy or Copies of every such List, and so from Time to Time when any such Copy shall be defaced or destroyed.

Copies of such Lists to be renewed when defaced, &c.

XVIII. And be it enacted, That at any Time within Forty Days after the posting of the said Notice as aforesaid any Person aggrieved by the Valuation of any Tenement in the said List contained may send or deliver to the Clerk of the Board of Guardians a Notice in Writing, duly signed by him the said Person aggrieved, of his Intention to appeal against the said Valuation, and the Ground of Appeal shall be stated in such Notice; and the Clerk of the Board of Guardians shall forthwith transmit the said Notices of Appeal to the Commissioner of Valuation; and the said Commissioner of Valuation shall thereupon prepare a Statement of the Notices of Appeal, and the Grounds thereof respectively, in each Parish, and shall transmit the said Statement to the said Clerk, who on Receipt of the said Statement shall lay it before the Board of Guardians at their next Meeting.

Persons aggrieved by Valuation may appeal on giving Notice to Clerk of Guardians, who shall transmit same to Commissioner, &c.

XIX. And be it enacted, That on the Receipt of any such Notice or Notices of Appeal as aforesaid the Commissioner of Valuation may, if he shall think fit, send down a Valuator or Valuators who shall not have been previously employed in making the original Valuation, to examine and value the several Tenements the Valuation whereof has been appealed against, and any other Tenement the Valuation whereof it may be necessary to consider in the hearing of such Appeals, and shall direct Notices to be given to all Persons where Valuations may be altered on such Appeal, including those who have appealed, of the Day and Place appointed by him for hearing such Appeals.

On Receipt of Notices of Appeals Commissioner may cause Tenements to be valued again before hearing.

XX. And be it enacted, That the Commissioner of Valuation shall direct Two Sub-Commissioners to hear and determine the Appeals against the Valuation of the Tenements in each of the Parishes of the said Barony or County of a City or County of a Town, as the Case may be, such Sub-Commissioners not having been previously employed in making or examining such Valuation, and shall furnish them with the Notices of Appeal, or Copies thereof, which may have been transmitted by the Clerk of the Board of Guardians, as herein-before directed; and the said Sub-Commissioners shall meet at the Day and Place appointed for the hearing of such Appeals; and the said Clerk shall attend the said Sub-Commissioners, and produce the List of Tenements in the said Parish; and it shall be lawful for such Sub-Commissioners to adjourn their Meeting from Time to Time and from Place to Place, as they shall see fitting and convenient.

Sub-Commissioners to meet and hear and determine the Appeals.

Field Books to be produced before Sub-Commissioners, who may summon Witnesses;

XXI. And be it enacted, That the Commissioner of Valuation shall cause to be produced before such Sub-Commissioners all the Field Books which shall have been transmitted to such Commissioner from the Valutors of any Parish; and it shall be lawful for such Sub-Commissioners to send their Precept or Precepts, under their Hands and Seals, to any Person or Persons whomsoever, to attend and appear and be examined before such Sub-Commissioners; and all and every Person or Persons who shall be called upon or summoned by any such Precept shall and they and he are and is hereby required and directed to attend such Sub-Commissioners at such Time and Times and Place and Places as shall be appointed; and it shall be lawful for such Sub-Commissioners and they are hereby authorized and empowered to examine any Person or Persons upon Oath, or by way of Affirmation or Declaration, (as the Case may be,) and such Sub-Commissioners or either of them shall and they are hereby authorized and empowered to administer such Oath, or Affirmation or Declaration, to any Person or Persons respectively; and all and every such Persons or Person shall answer upon Oath or Affirmation as aforesaid to all Questions which shall be put to them by such Sub-Commissioners or either of them; and if any Person or Persons shall, upon his, her, or their Examination before such Sub-Commissioners, wilfully and corruptly give false Evidence, every such Person so offending, and being duly thereof convicted, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law in force and effect in *Ireland* Persons guilty of Perjury are subject and liable to.

and examine them on Oath.

Persons giving false Evidence liable to be punished for Perjury.

Sub-Commissioners may alter or amend Valuation, and shall transmit a Statement of the same to Clerk of Guardians.

XXII. And be it enacted, That if upon the hearing of any such Appeal it shall appear to the Sub-Commissioners that there is any just Cause of Complaint against such Valuation or any Part thereof, by reason of the Valuation not having been made on a just and proper Estimate of the net annual Value of any Tenement or Tenements, as is herein-before directed, or on any other account whatsoever, it shall be lawful for such Sub-Commissioners, if they shall see fit, to alter or amend such Valuation; and the said Sub-Commissioners shall make out and sign a Statement of all the Cases in every Parish in which they shall have altered the Value of any Tenement, or otherwise amended the Valuation, or refused to do so, and shall within Six Days transmit the said Statement, so signed, to the Clerk of the Board of Guardians, or other Person by this Act required to act in lieu of such Clerk, who shall forthwith make the same public by all and every the same Ways and Means by which the Lists of Tenements in the Form (A.) to this Act annexed are herein-before required to be made public: Provided always, that in all Cases in which no Clerk shall have been appointed to the Board of Guardians of any Union it shall be lawful for the Poor Law Commissioners to appoint a Person to act in his Stead.

If no Clerk the Poor Law Commissioners to appoint one.

Persons aggrieved may appeal from Sub-Commissioners to Sessions of the Peace.

XXIII. And be it enacted, That if any Person or Persons shall find himself or themselves aggrieved by any Order or Decision of such Sub-Commissioners, it shall be lawful for such Person or Persons to appeal to the next Sessions of the Peace to be held, in the Presence of the Assistant Barrister or Recorder, in and for the County, County of a City, or County of a Town in which such Order

Order or Decision shall have been made, provided One Calendar Month shall intervene between the signing of such Statement and the first Day of the Sessions of such District; or if such Sessions shall be held before the Expiration of One Calendar Month next after the signing of such Statement, then such Appeal shall be made to the next following Sessions.

XXIV. And be it enacted, That the Person or Persons so appealing as aforesaid shall give or cause to be given at least Fourteen Days Notice in Writing of his or their Intention of appealing as aforesaid, and of the Matter and Cause thereof, to the Clerk of the Board of Guardians, who shall forward the same without Delay to the Commissioner of Valuation, as the Respondent in the said Appeal; and if the Cause of Appeal shall be such as to require Alteration to be made in the Valuation of any Tenement for which any other Person or Persons is or are liable to be rated, the Appellant shall give a like Notice to such other Person or Persons; and the Justices and Assistant Barrister for Recorder to whom such Appeal shall be made shall not examine or inquire into any other Cause or Ground of Appeal than such as is stated and specified in the Notice of Appeal; and the Provisions of the said Act passed in the Session of Parliament held in the First and Second Years of Her present Majesty, and of an Act passed in the Second Year of Her said Majesty, intituled *An Act to amend an Act of the First and Second Year of Her present Majesty, for the more effectual Relief of the destitute Poor in Ireland*, and of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her said Majesty, intituled *An Act for the further Amendment of the Act for the more effectual Relief of the destitute Poor in Ireland*, which require certain Recognizances to be entered into by Parties appealing against a Conviction or Poor Rate under the said Acts, and which empower the Justices and Assistant Barrister or Recorder to award Costs to the Party appealing or appealed against, and which relate to the Jurisdiction of the Sessions of the Peace in certain Cases, shall extend to Appeals made to the Sessions of the Peace under this Act: Provided always, that if the Costs of such Appeal shall be awarded against the Commissioner of Valuation or the Sub-Commissioners, such Costs, when paid by such Commissioner or Sub-Commissioners, together with the necessary Costs incurred by such Commissioner or Sub-Commissioners in defending such Appeal, shall be deemed to be and charged as Part of the Expence of the Valuation.

XXV. And be it enacted, That the Justices and the Assistant Barrister or Recorder before whom any Appeal shall be brought are hereby empowered and required to hear and determine the Matter of such Appeal, and to make such Order therein as to them shall seem fit, which Order shall be final and conclusive on all Parties.

XXVI. And be it enacted, That the Guardians of the Poor of the Union shall, out of any Funds under their Control, pay to the Clerk of the Guardians the reasonable Expences which he shall have incurred in the Execution of this Act, as well as a reasonable Remuneration for his Expences when absent from the Workhouse under the Requirements of this Act.

Persons appealing to give Notice to Commissioner of Valuation.

If Cause of Appeal require Valuation to be altered, Appellant to give like Notice, &c.

Provisions of 1 & 2 Vict. c. 56., 2 & 3 Vict. c. 1., and 6 & 7 Vict. c. 92., which require Recognizances to be entered into, &c. extended to this Act.

Proviso as to Costs awarded against Commissioners.

Decision of Justices, &c. to be final.

Board of Guardians to pay Expences of the Clerk, &c.

List of Tenements to be sent to Boards of Guardians, &c. when the Valuation is completed.

Certain Rates to be made only upon Persons liable according to the Valuation.

Proviso.

So much of Acts 1 & 2 Vict., 2 Vict., and 6 & 7 Vict. c. 92. as authorizes Justices, &c. to quash Rate not to apply to any Rate made in conformity with this Act.

Revision of Valuation in certain Cases to take place after the Lapse of One Year.

XXVII. And be it enacted, That so soon as the Valuation of any Union shall have been finally completed in the Manner aforesaid, the said Commissioner of Valuation shall transmit to the Board of Guardians of the Union in which any Townland or Townlands comprised in the said Valuation is or are situate, and to the Town Council of any City, Town, or Borough interested therein, a Copy of the Valuation of the several Tenements in the said Townland or Townlands, in the Form (B.) to this Act annexed, signed by him the said Commissioner of Valuation.

XXVIII. And be it enacted, That every Rate for the Relief of the destitute Poor in every Union which shall be made after Thirty Days from the Time when the Board of Guardians shall have received the Valuation of all the Townlands comprised in the Union, and every Rate made by any Town Council, shall be made upon the Persons liable to pay the same according to the Valuation so signed and transmitted as aforesaid by the Commissioner of Valuation, and upon no other: Provided always, that nothing herein contained shall be construed to prevent the Board of Guardians, or the Town Council, or the Assistant Barrister and Justices, on Appeal, from altering the Name of any Occupier or immediate Lessor in such Valuation, in case of any Change of Abode or Possession or of any Error or Omission of the Name of such Lessor or Occupier.

XXIX. And be it enacted, That so much of the said Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her Majesty Queen *Victoria*, and so much of the said Act passed in the Second Year of Her said Majesty, and so much of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her said Majesty, intituled *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in Ireland*, as may authorize any Justices or Assistant Barrister or Recorder, on Appeal being made to them at Quarter Sessions, to amend, alter, or quash any Rate, on account of the net annual Value assigned therein to any Tenement, shall not extend or apply to any Rate for the Relief of the destitute Poor made and assessed on such Tenement in conformity with the Valuation thereof signed by the Commissioner of Valuation as aforesaid.

XXX. And for the Purpose of the Poor Law Assessment, and to provide for the necessary Alteration and Revision of the said net Tenement Valuation from Time to Time, in the Cases of those Tenements the Limits whereof shall become altered, or whereof the Value shall be changed by any Building being erected thereon, or thrown down or destroyed, as the Case may be, be it enacted, That within Ten Days after the First Day of *February* in each Year after the Completion of any such Valuation every Collector of Poor Rates within the said Union shall lay before the Board of Guardians of the Union for which he is a Collector a List of all the Tenements situate within every Townland in the said Union which is within his District the Value of which Tenements shall require Revision for any of the Reasons aforesaid, and the Clerk of the Union shall prepare from the said Lists a full and complete List of all such Tenements, and shall transmit the same, within Twenty Days from such First Day of *February*, to the

the Commissioner of Valuation, with the Opinion of the said Board of Guardians whether a Revision is necessary on account of such Changes or Alterations; and in Cities, Boroughs, or Towns in which the Provisions of the said Acts of the Ninth Year of the Reign of King *George* the Fourth, and of the Fourth Year of the Reign of Her present Majesty, or either of them, or any local Act empowering Trustees or any other local Body to make local Assessments, shall be in force, the Collector of Poor Rate and the Collector of Borough Rate or Town Rate respectively shall prepare a like List of Alterations of Tenements as aforesaid, and shall deliver the same to the Town Clerk of the Borough or of the Town Council, to be laid before the Town Council, who, if they shall think fit so to do, shall forward the same to the Commissioner of Valuation.

XXXI. And be it enacted, That after the Receipt of the said List, whether from the Clerk of the Board of Guardians or the Clerk of the Town Council, and within such reasonable Time thereafter as shall be convenient and suitable, the said Commissioner of Valuation shall, if he shall think fit, authorize the Board of Guardians or the Town Council, as the Case may be, to appoint a fit and proper Person to revise the Tenements so requiring Revision, or the said Commissioner of Valuation shall himself cause a Revision to be made of the net annual Value of the Tenements in the several Townlands and Parishes of the said County the Limits or Value whereof shall have been altered as aforesaid, whether such Tenements so altered in Limits or Value shall have been included in the said Lists or not, and so soon as the said Revision shall have been made shall make out and prepare a List of the Tenements so revised as aforesaid, and shall sign the same, and shall transmit a List of such Tenements therein as are rateable to the Poor Rates of any Union to the Guardians of the said Union, in the Form (C.) to this Act annexed, and shall also make and transmit to the Town Council or Commissioners appointed under the said Act of the Ninth Year of His late Majesty King *George* the Fourth a separate Valuation of any such Property or Dwelling Houses as he is herein-before required to value separately, and which shall not have been previously so valued by him as herein-before directed, or which having been previously so valued by him shall require further Valuation for either of the Causes aforesaid.

Commissioner of Valuation shall cause a Revision to be made of such Tenements, and transmit Lists of revised Tenements to the Board of Guardians or the Town Council.

XXXII. And be it enacted, That any Person aggrieved by the Valuation of any Tenement contained in the said Lists of revised Tenements shall have the like Power and Right of Appeal to the Sessions of the Peace as is herein-before given to any Person aggrieved by the Valuation of any Tenement contained in the said Lists of Tenements in Form (C.) to this Act annexed, subject to the same Conditions, and to be exercised in the same Manner and to the same Extent, as the said Power and Right of Appeal in the Case last mentioned.

Appeal may be made to Quarter Sessions against revised Valuation of Tenements.

XXXIII. And be it enacted, That in any Rate to be made after Thirty Days from the Receipt of the said finally revised List of Tenements by the Board of Guardians of any Union or Town Council, the Tenements included in the said List shall be rated

Assessment to Poor Rates thereafter to be made accordingly.

according to the Value thereof as set forth in the said List, in place of that specified in such first Lists.

Grand Jury may direct an Applotment to be made according to Valuation contained in List.

XXXIV. And be it enacted, That it shall be lawful for the Grand Jury of any of the Counties valued under this Act to direct from Time to Time, if they shall think fit so to do, that the Applotment of all County Rates for such County, or any Barony within such County, shall be made according to the Valuation contained in the List of Tenements comprehended within each Townland in every such Barony or Parish within such County; and the Grand Jury of such County shall have Power from Time to Time to appoint an Applotter or Applotters to apportion on the Occupiers of the several Tenements contained in any such Townland or Townlands in such County the Amount of County Cess to be borne by every such Tenement according to such Valuation as aforesaid, but nothing herein contained shall authorize the Levy of County Cess on Houses whose annual Value shall not exceed Five Pounds.

Houses exempt under 5L Value.

Grand Jury may direct Applotment to be according to the uniform Valuation.

XXXV. And be it enacted, That it shall be lawful for the Grand Jury of any County in *Ireland*, if they shall so think fit, to direct that the Applotment of all County Rates shall from Time to Time be made upon the several Tenements contained in any Townland of such County in proportion to the Value of each such Tenement, as compared with the gross Amount of the Value of the Townland in which it is situate, as specified in the Valuation Lists prepared as herein-after mentioned by the Commissioner of Valuation, under the Provisions of this Act in that Behalf, or any former Act or Acts for the uniform Valuation of Lands and Tenements in *Ireland*, and by reference to the Maps and Field Books made out under the Direction of the said Commissioner for the Purpose of such uniform Valuation; and in such Case it shall be lawful for such Grand Jury from Time to Time to appoint an Applotter or Applotters to apportion accordingly on each such Tenement the Amount of County Cess to be borne by the same respectively.

Expence of Applotment may be presented by Grand Jury.

XXXVI. And be it enacted, That it shall be lawful for the Grand Jury in such respective Cases and they are hereby authorized to present such Sum as they shall think fair and reasonable to be paid for the due Preparation of the first Applotment to be made according to either of the Valuations aforesaid: Provided always, that for every subsequent Applotment, or Correction of any such Applotment as aforesaid, the Amount to be presented for such subsequent or corrected Applotment shall not exceed One Farthing in the Pound on the gross Amount of the Sum applotted.

If no Applotters appointed by Grand Jury they shall be appointed under 6 & 7 W. 4. c. 116.;

XXXVII. And be it enacted, That if the Grand Jury shall not in either of the Cases aforesaid have appointed an Applotter or Applotters, then the respective Applotter or Applotters shall be appointed under the Provisions of an Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland*, and shall make an Applotment pursuant to the Directions given by the Grand Jury for either of such Modes of Applotment as aforesaid, as the Case may be.

XXXVIII. And

XXXVIII. And be it enacted, That in case no Order or Direction be given as aforesaid by the Grand Jury as to the Manner in which Applotments and Assessments for Grand Jury Cess shall be made as aforesaid, the same shall be applotted and assessed according to the Provisions of the said Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth.

who shall applot according to last-recited Act if no Directions be given.

XXXIX. And be it enacted, That, in addition to the Tenement Valuation according to the net annual Value, an additional Valuation for the Purposes of County Assessment shall be made with reference to the average Prices of the several Articles of agricultural Produce in the said recited Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, and herein-after specified; (that is to say,)

In addition to the Tenement Valuation an additional Valuation to be made for the Purposes of County Assessments, according to the Prices of agricultural Produce.

Wheat at the general average Price of Ten Shillings *per* Hundred Weight of One hundred and twelve Pounds :

Oats at the general average Price of Six Shillings *per* Hundred Weight of One hundred and twelve Pounds :

Barley at the general average Price of Seven Shillings *per* Hundred Weight of One hundred and twelve Pounds :

Potatoes at the general average Price of One Shilling and Seven-pence *per* Hundred Weight of One hundred and twelve Pounds :

Butter at the general average Price of Sixty-nine Shillings *per* Hundred Weight of One hundred and twelve Pounds :

Beef at the general average Price of Thirty-three Shillings *per* Hundred Weight of One hundred and twelve Pounds :

Mutton at the general average Price of Thirty-four Shillings and Sixpence *per* Hundred Weight of One hundred and twelve Pounds :

Pork at the general average Price of Twenty-five Shillings and Sixpence *per* Hundred Weight of One hundred and twelve Pounds.

XL. And be it enacted, That for the Purposes of County Assessment all Houses comprised in the County Valuation hereby directed to be made shall be valued at the Sum or Rent for which each House could be let by the Year, deducting therefrom One Third Part of such Sum or Rent; and no House valued at a less Sum or Rent by the Year than Five Pounds shall be included in the said Valuation.

Valuation of Houses for County Assessment.

XLI. And be it enacted, That for the Purposes of such County Valuation all Outbuildings, Barns, Stables, Warehouses, Yards, and Offices belonging or contiguous to any House and occupied therewith by One and the same Person or by the same Persons, or his or their Servants, as one entire Concern or undivided Tenancy or Holding, shall be valued together with such House, and be deemed and taken to be Parcel thereof.

Outbuildings and Appurtenances to be valued with the House.

XLII. And be it enacted, That for the Purposes of such County Valuation all Flour, Corn, Flax, or other Mills or Buildings erected for manufacturing or other Purposes, together with the Water-power thereof, shall be included in such Valuation, provided that the Water-power of any such Mill or Manufactory be only valued so far as it may be actually used, and that such

All Flour Mills, &c., with their effective Water-power, to be valued.

Valuation shall not extend to or include the Value of any Machinery contained within such Mill or Manufactory.

Commissioner of Valuation shall distinguish all Houses of a public Nature, or used for charitable Purposes, which shall be exempted from Applotment, &c. for County Cess, &c.

XLIII. And be it enacted, That for the Purposes of such County Assessment, in making out the Lists or Tables of Valuation herein-after mentioned, of the several Parishes within each Barony, and of the Townlands or other Sub-Denominations or Divisions of Land within every such Parish, as herein-after specified, the Commissioner of Valuation shall distinguish all Houses, Lands, or Tenements of a public Nature or used for charitable Purposes, and the Value of the same shall be deducted from the gross Amount of the Valuation of the Houses, Lands, and Tenements comprised in each such List or Table; and all such Houses, Lands, or Tenements so distinguished and deducted shall be exempt from Applotment or Assessment for or towards all County Cess Charges and Parish Rates whatsoever, so long as they shall continue to be of a public Nature or used for charitable Purposes; and the Lists, Tables, or Valuations so reduced shall be deemed to be the Lists, Tables, or Valuations whereby all Grand Jury Rates shall be assessed and levied, as herein-after provided.

No Houses to be exempted unless altogether of a public Nature, or used exclusively for charitable Purposes.

XLIV. And be it enacted, That for the Purposes of such County Assessment no Houses, Lands, or Tenements shall be deemed to be of a public Nature or used for charitable Purposes, within the Meaning of this Act, unless such Houses, Lands, or Tenements shall be altogether of a public Nature, or used exclusively for charitable Purposes; provided nevertheless, that the Committee of Appeal and Committee of Revision respectively in each County shall, as herein-after provided, have Power and Authority to consider and determine the Justice and Propriety of all such Exemptions, and to make Order allowing or disallowing the same accordingly.

Grand Juries at Assizes shall appoint Committees of Appeal for each Barony, and a general Committee of Revision for the County.

XLV. And be it enacted, That at the next ensuing Assizes after the Receipt of the Notification of the Appointment of such Commissioner of Valuation (or at any succeeding Assizes, if need be,) the Grand Jury of such County shall nominate and appoint Committees for the several Baronies within every such County respectively, each consisting of not less than Three nor more than Five of such Grand Jurors, or Persons who have served upon Grand Juries, together with any Number of Magistrates, not more than Five, resident within such County, each to be called a Committee of Appeal on Valuations for the Barony or Baronies to be named and appropriated to each Committee; and every such Committee shall sit and meet within the Barony or Baronies for which such Committees shall be appointed, at such Times as shall be required for the Execution of the Purposes of this Act; and such Grand Jury shall also in like Manner nominate and appoint One General Committee, to consist of not less than Seven nor more than Twelve Persons who have served on Grand Juries, or who are Magistrates resident within such Counties, to be called a Committee of Revision of Valuations for the County, and such Committee shall sit and act under the Directions of this Act; and when it shall happen that any such Committee of Appeal or Committee of Revision respectively shall not have assembled, or shall

not

not have received Notice to assemble, at any Time previous to the Assizes next ensuing such their Appointment respectively, the Grand Jury at such next ensuing Assizes shall nominate and appoint a Committee or Committees of Appeal, and a Committee of Revision, as the Case shall require, either by Re-appointment of the former Members or any of them, or by the Appointment of any other Person or Persons to be Members of such Committees respectively; and the Appointment of such Committee shall be made, and Lists thereof respectively shall be delivered, by such Grand Jury, to the Court, before any Presentment for any Road or Bridge shall be filed by the Judge at any such Assizes.

XLVI. And be it enacted, That it shall be lawful for the said Lord Lieutenant, on the Application of any such Commissioners, or when it shall seem expedient to him so to do, to appoint any practising Barrister to be an Assessor to any such Committee, either to assist such Commissioner, or in the Place or instead of such Commissioner; and such Commissioner, or in his Absence such Assessor, shall attend and act as Chairman of such Committee of Appeal or Revision; and such Committee so constituted shall decide on all Questions which shall come before them by a Plurality of Voices; and in case any such Committee shall be equally divided, the Commissioner of Valuation, or in his Absence the Assessor, being Chairman, shall have the casting Vote.

XLVII. And be it enacted, That when the net annual Value of the several Tenements contained in the Valuation Lists of the several Parishes and Townlands in any Barony or County of a City or County of a Town shall have been approved of by the Sub-Commissioners of Valuation, or in case of Appeal shall have been amended by them, or by the Justices and Assistant Barrister, and when such Lists shall have been received by the Commissioner of Valuation, he shall make such proportionate Alterations in such net annual Valuation as may be requisite to reduce such Valuation to the relative Scale of Value deduced from the Table of the average Price of agricultural Produce and of Houses as herein-before mentioned; and the Sum of the Value so reduced within any Townland shall be deemed to be the Value of such Townland for such Grand Jury or County Purposes.

XLVIII. And be it enacted, That the Commissioner of Valuation shall prepare and make out from such Lists of Townlands the Valuation of which shall have been so reduced a complete List or Table, in the Form (D.) to this Act annexed, of such reduced Valuation of the several Parishes within such Barony, and of the Townlands within every such Parish respectively, distinguishing the Number of Acres contained in every Townland within such Parish, and the total Value of the Land and Houses in every such Parish respectively, according to the Survey thereof and of such Valuation thereof; and such Commissioner of Valuation shall transmit printed Copies of such List, in the Form (D.) annexed to this Act, to the High Constable or other Collector of the County Cess or Grand Jury Rate in or for the Barony, and shall at the Foot of such List specify the Day and Place appointed by such Commissioner of Valuation for the meeting of the Committee of Appeal, and which Day shall not be longer than Six Weeks after the Day of the Transmission of such List to such High Constable.

XLIX. And

Lord Lieutenant may appoint Assessors to such Committees.

As to Decisions of Questions by Committees.

On Receipt of Valuation Lists Commissioner of Valuation to reduce the net annual Valuation of Townlands to the relative Scale, &c.

Commissioner shall make out from such Lists a List of the Parishes, Townlands, &c., and transmit it to the High Constable, with Notice of the Day of Appeal.

High Constable shall send Copies to Churchwardens, who shall post them on Church and Chapel Doors, &c.

If Lists destroyed new ones to be posted up.

Churchwardens shall call a Vestry to consider the Lists, and determine on the Necessity or Propriety of appealing against them.

Select Vestry shall consist of Persons having paid 20s. per Annum to County Cess, or being Justices of the Peace, or Freeholders of 20l. or upwards.

Penalty for voting not being qualified.

If Vestry agree to appeal for the Parish or for any Townland,

XLIX. And be it enacted, That every Constable or Collector to whom any such List shall be transmitted as aforesaid shall transmit Copies of each such List to the Churchwardens or Churchwarden of every Parish within such Barony; and every such Churchwarden, within Ten Days after the Receipt of such List, shall post and affix a Copy thereof on the principal outer Door of the Church, and of any One Roman Catholic Chapel and of any One Presbyterian Meeting House within such Parish, there to remain affixed for Two successive *Sundays* after the affixing thereof; and if any such Copy of any such List shall be removed from the Church or other Place where the same shall have been posted or affixed as aforesaid, or shall be destroyed or defaced, at any Time within Fourteen Days after the affixing the same, the Churchwardens or Churchwarden shall post and affix, or cause to be posted and affixed, a new Copy of every such List on the Door of such Church, Chapel, or Meeting House respectively, and so from Time to Time when any such Copy shall be so destroyed or defaced.

L. And be it enacted, That within Ten Days next after the Receipt of the Copy of any such List as aforesaid public Notice shall be given by the Churchwardens or Churchwarden, in the usual Manner of Notices given for holding Vestries in such Parish, that a Select Vestry will be holden in and for such Parish, on some Day to be named in such Notice, not being less than Ten Days nor more than Fourteen Days from the *Sunday* on which any such List shall have been first affixed on the Door of the Church and other Place or Places of Public Worship in such Parish, for the Purpose of taking such List into consideration, and to determine on the Necessity or Propriety of appealing against such List; and such Vestry so assembled shall proceed to take such List into consideration, and may adjourn from Time to Time to any Day not more than Ten Days distant from the first Day of Meeting.

LI. And be it enacted, That no Person shall be admitted or entitled to attend or to vote at any such Select Vestry to be holden for the Purposes last aforesaid, except such Persons as are hereafter described; (that is to say,) such Persons as shall have actually paid and satisfied County Cess Charges or Grand Jury Rates for Lands or Tenements in such Parish to the Amount of Twenty Shillings within Twelve Calendar Months next preceding the Day of holding any such Vestry, and Persons who shall be Justices of the Peace, qualified to act as such within such Parish, and Persons seised respectively of Freehold Estate situate within such Parish of the Value of Twenty Pounds or upwards (not arising from a Rent-charge), and duly registered as such under any Act or Acts in force relating to the Election of Members of Parliament in *Ireland*, and of which Registry such Persons shall produce a Certificate signed by the Clerk of the Peace; and if any Person shall attend or vote, or shall claim or offer to attend or vote, at any such Select Vestry, not being qualified in such Manner as is herein-before stated, every such Person shall for every such Offence forfeit the Sum of Ten Pounds.

LII. And be it enacted, That if on the first Day of the Meeting of such Vestry, or at any adjourned Meeting of such Vestry which shall be held on any Day not more than Ten Days distant from such first Day of Meeting, it shall be determined that an Appeal shall

shall be made against any Valuation contained in such List, in respect of the Valuation of the whole of such Parish, as compared with any other Parish within the Barony, or if it shall appear to such Vestry that the Owners or Occupiers of the greater Portion in Extent and Value of Lands situate in any Townland within the Parish in which such Vestry shall be held shall be desirous of appealing against the Valuation of any such Townland, as compared with that of any other Townland or Townlands within the said Barony, it shall be lawful for such Vestry to direct that such Appeal shall be made by such Vestry on behalf of such Parish, or by certain Persons to be named at such Vestry on behalf of the Owners or Occupiers of Land within any such Townland as aforesaid; and a Memorandum of the Agreement to make such Appeal or some Minute or Entry of the same, and of the Grounds of such Appeal, shall be stated in Writing, and shall be entered in the Books of such Vestry, or in some Book to be kept for that Purpose, and shall be signed by the Chairman of such Vestry and Four other Persons present at such Vestry; and a Copy of the Memorandum of such Agreement, and the Grounds of such Appeal, shall be transmitted by the Chairman of such Vestry, within Two Days after such Meeting, to the Commissioner of Valuation for the County in which such Parish shall be situate, and shall be held to be sufficient Notice on the Part of such Parish or Townland of their Intention to appeal.

LIII. And be it enacted, That it shall and may be lawful for any Select Vestry to appeal against any Valuation contained in any Table or List, or against the Formation of any Table or List prepared under Authority of this Act, on the Ground of any Houses, Lands, or Tenements having been improperly considered as of a public or charitable Nature, and distinguished or deducted from any List or Valuation accordingly, whether such Houses, Lands, or Tenements be situate in the Parish wherein such Vestry may be holden, or in any other Parish of the same Barony; and that such Appeal shall be determined upon, and a Memorandum of the Agreement so to appeal made, and like Notice thereof given, as in case of Appeal on any Ground whereupon it may be lawful to appeal by virtue of the Provisions of this Act.

LIV. And be it enacted, That in any Parish or Place in which there may be no Churchwarden or Churchwardens the High Constable shall transmit Copies of the Valuation List to some Two Landholders resident within such Parish or Division, who shall post the same in like Manner as the Churchwardens of any Parish have been herein-before required to do, and shall summon a Special Vestry to meet for the Consideration of such List, at some convenient Time and Place within such Parish or Place, and notify the Time and Place appointed for the meeting of such Vestry, by Notices to be posted in like Manner as the said Lists are herein-before directed to be posted; and the Special Vestry so summoned shall have all such Power and Authorities in respect of such Lists, and appealing against the same or any Part thereof, and shall be constituted in like Manner, and subject to the same Rules and Regulations, as any Special Vestry summoned by any Churchwardens for the Purposes of this Act.

a Memorandum thereof and of the Grounds of Appeal shall be sent to the Commissioner of Valuation.

Select Vestry may appeal against any Valuation contained in any Table or List, or against the Formation of the same, &c.

Where no Churchwarden High Constable to transmit Copies of Valuation List to Two Landholders, who shall summon a Special Vestry for the Consideration of the same.

LIV. And

Notice to be given by Commissioner to Secretary of Grand Jury, and by Secretary of Grand Jury to Committee of Appeal, of Day and Time appointed for hearing Appeals.

LV. And be it enacted, That the Commissioner of Valuation by whom such List of the Valuations of the several Parishes and Townlands in any Barony of any County shall be transmitted to the High Constable or Collector, as by this Act is required, containing such Notice of the Day and Place appointed by such Commissioner for the hearing Appeals against any Valuation specified in such List, shall, within Seven Days next after the transmitting such List to such High Constable or Collector, give and transmit Notice in Writing to the Secretary of the Grand Jury of such County of the Day and Place so appointed for the hearing of such Appeals; and such Secretary of the Grand Jury shall give Notice of the Day and Place so appointed for the hearing of such Appeals, by Letters addressed to each and every of the Persons who shall have been nominated and appointed by the Grand Jury in pursuance of this Act to be the Committee of Appeal against Valuations in and for such Barony; and such Secretary of the Grand Jury shall also give Notice of such Day and Place of meeting by an Advertisement to be inserted in some public Newspaper usually circulated in such County, in some Publication of such Newspaper Fourteen Days at least before the Day appointed for such Meeting.

Committee of Appeal may hold Meetings, and adjourn from Time to Time.

LVI. And be it enacted, That it shall be lawful for such Committee of Appeal to assemble at the Day and Place appointed, for the hearing of all Appeals of which such Notice shall have been given as aforesaid, and that such Place shall be the usual Place of holding Sessions of the Peace within the Barony, unless some other Place shall be specially appointed in the Notice for the sitting of such Committee of Appeal and for the hearing such Appeals; and it shall be lawful for such Committee of Appeal to adjourn from Time to Time as they shall see fitting and convenient.

Valuation Lists shall be produced before Committee of Appeal, who may summon Witnesses;

LVII. And be it enacted, That the Commissioner of Valuation shall produce or cause to be produced before such Committee of Appeal all or any of the Tenement Valuation Lists which shall have been approved or amended by the aforesaid Sub-Commissioners of Valuation, or by the Justices and Assistant Barrister of the County, in case the same shall be required by such Committee; and it shall be lawful for such Committee of Appeal to send their Precept or Precepts under their Hands and Seals, or the Hands and Seals of any Two of them, or under the Hand and Seal of the Commissioner of Valuation, or in his Absence of the Assessor to be appointed as aforesaid, to any Person or Persons whomsoever, to attend and appear and be examined before such Committee of Appeal; and all and every Person or Persons who shall be called upon or summoned by any such Precept shall and they and he are and is hereby required and directed to attend such Committee of Appeal, at such Time and Times and Place and Places as shall be appointed; and it shall be lawful for such Committee of Appeal, or any Member thereof, and they and he is and are hereby authorized and empowered, to examine any Person or Persons upon Oath (or Affirmation), and such Committee or any Member thereof (Three or more of the Members of such Committee being present) shall and may and are and is hereby authorized and empowered to administer such Oath or Affirmation to any Person or Persons respectively; and all and every such Persons or Person shall

and examine them on Oath.

answer

answer upon Oath or Affirmation as aforesaid to all Questions which shall be put to them by such Committee or any Member thereof; and if any Person or Persons shall, upon his, her, or their Examination before such Committee, wilfully and corruptly give false Evidence, every such Person so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by Law in force and effect in *Ireland* Persons guilty of Perjury are subject and liable to.

Persons giving false Evidence liable to Punishment for Perjury.

LVIII. And be it enacted, That if upon the hearing of such Appeal it shall appear to such Committee of Appeal that there is any just Cause of Complaint against such Valuation or any Part thereof, either by reason of the Disproportion of the Valuation of any Parish or Townland, as compared with the Valuation of any other Parish or Townland, or by reason of the Valuation not having been made with reference to the relative Scale of Value fixed for such Valuation by this Act, it shall be lawful for such Committee of Appeal, if they shall think fit, to alter or amend such Valuation, or, if they shall consider a new Valuation to be necessary, to direct that a new Valuation shall be made of any Parish or Townland or Parishes or Townlands contained in such Valuation, by some Valuator or Valuators, not being the same who were employed or engaged in making the Valuation appealed against; and such Committee shall order that such new Valuation shall be made, and produced before such Committee on a Day to be appointed for that Purpose by the said Committee, to which Day it shall be lawful for such Committee of Appeal to adjourn accordingly; and at such adjourned Meeting of such Committee of Appeal it shall be lawful for the said Committee of Appeal, and they are hereby authorized and required, to compare such new Valuation with the former Valuation of the same Parish or Townland or Parishes or Townlands appearing in the Field Books made on the first Valuation thereof respectively, and to make such Alterations or Amendments in the Amount of such first Valuation, or otherwise to confirm the same in such Manner as to such Committee of Appeal shall appear to be consistent with the Justice of the Case.

Committee of Appeal may direct Revaluation, or amend or confirm the original Valuation.

LIX. And be it enacted, That it shall be lawful for such Committee of Appeal to ascertain and allow the Amount of any Costs incurred by or on behalf of any Parish in the bringing and hearing of any such Appeal; and the Amount of all such Costs, so ascertained and allowed, shall be assessed and apportioned by the Churchwardens or Churchwarden of such Parish, either on the Inhabitants of the whole of such Parish, or on the Inhabitants of any Townland or Townlands within such Parish in respect of which such Appeal shall have been made, and shall be levied on such Inhabitants in like Manner and in such Proportions as any Assessment or Apportionment on any such Inhabitants in respect of any Church Rates or other Parish Charges may be assessed, apportioned, and levied.

Costs by Parishes on Appeal may be ascertained by Committee, and levied as other Parish Rates.

LX. And be it enacted, That in case of Appeal the Decision of such Committee of Appeal shall be conclusive in all Cases where such Decision shall be concurred in and approved of by the Commissioner of Valuation, or in his Absence by the Assessor to be appointed as aforesaid, and sitting as Chairman of such Committee of Appeal: Provided always, that in case it shall happen that such

Decision of Committee of Appeal conclusive, if Commissioner or Assessor assent, otherwise to be subject to the

Commis-

Review of the
Committee of
Revision.

Commissioner of Valuation or Assessor respectively sitting as such Chairman as aforesaid shall disagree from the Decision of such Committee of Appeal, it shall and may be lawful for such Commissioner or Assessor to submit such Decision to the Committee of Revision for such County, at the Time when the Valuation of all the Baronies within the County shall be submitted to the Review of such Committee of Revision in manner herein-after mentioned ; but until the Decision of such Committee of Revision shall have been obtained the Valuation determined on by the Majority of the Committee of Appeal shall be acted on in the same Manner as if such Appeal to the Committee of Revision had not been made by the Commissioner of Valuation or his Assessor.

Committee of
Appeal may
direct a new
Valuation to be
made of certain
Parishes, &c.
although no
Appeal shall
have been
logged in re-
spect thereof.

LXI. And be it enacted, That where an Appeal shall have been made to any Committee of Appeal, under the Provisions of this Act, by or on behalf of any Parish, or the Owners or Occupiers of Land within any Townland of any Parish, against the Valuation or any Part of the Valuation of the same, or of any other Parish or Townland or Townlands within the same Barony, and it shall appear to such Committee of Appeal that just Cause has been shown to warrant such Committee to direct that a new Valuation shall be made of any such Parish or Parishes, Townland or Townlands, in respect of or on behalf whereof such Appeal may have been made, then and in such Case it shall and may be lawful for the said Committee of Appeal, with the Consent of the Commissioner of Valuation for such County or of his Assessor, to direct that a new Valuation shall in like Manner be made of any other Parish or Parishes, Townland or Townlands, within the same Barony, the Valuation whereof shall appear to the said Committee to have been defective or erroneous in the same respects, or to which the same Ground of Appeal may appear justly applicable, although no such Appeal shall have been made in respect of or on behalf of such other Parish or Parishes, Townland or Townlands : Provided always, that, except in such last-mentioned Case, such Valuation shall be conclusive in all Cases where no Appeal shall have been made to such Committee of Appeal against any such Valuation within the Time directed by this Act.

Except in a
certain Case,
Valuation to be
conclusive.

When the Va-
luation of any
Barony has been
made and de-
cided on, a List
of the several
Parishes, and
the Divisions of
Land within
the same, shall
be prepared and
published.

LXII. And be it enacted, That when and as the Valuation of any Barony within a County shall have been made by such Valuers, and transmitted to the Commissioner of Valuation, and decided on by the Committee of Appeal, the said Commissioner of Valuation shall prepare and make out, in the Form of the Schedule (D.) to this Act annexed, a List or Table of the several Parishes within such Barony, and of the several Townlands within each such Parish, distinguishing the Number of Acres contained in every such Parish and Townland, and the Value of the Lands and Houses in each such Parish or Townland respectively, according to the Survey and Valuation thereof so decided upon; and each such List or Table shall be signed by the said Commissioner of Valuation or his Assessor and Three Members of the said Committee of Appeal, and shall be transmitted, so signed, to the Chief Secretary of the said Lord Lieutenant, and a Copy thereof shall be published in some Newspaper circulated in the County to which such Valuation shall relate; and from and after the End of the Assizes next ensuing the Day of such Publication, and until the End of the

During the
Period herein

Assizes

Assizes next ensuing the Day on which the List and Valuation of all the Baronies within the same County, as completed and agreed on by the first or preliminary Committee of Revision appointed under the Provisions of this Act, shall have been published, but no longer, all Grand Jury Rates, and the usual and accustomed Proportion of all County Cess Charges whatsoever imposed or to be imposed on such Barony by Presentments of the Grand Jury or to be raised off such Barony or any Parish and Division thereof, and all Parish Rates imposed or to be imposed or levied off any Parish or Townland of such Barony under the Authority of any Law or Statute, shall be assessed and levied off such Barony, and off every Parish and Townland therein, according to the Proportions specified in such List and Valuation so signed and published as herein-before directed.

LXIII. Provided always, and be it enacted, That the Publication of the List and Valuation of any Barony by Order of the Committee of Appeal, under the Provisions of this Act, shall not alter or affect the relative Proportion of County Cess or Charges which by any Laws or Usage may be or have been borne by such Barony as compared with any other Barony or Baronies.

LXIV. And be it enacted, That when and so soon as the Valuation of all the Parishes within any Barony shall be completed the Commissioner of Valuation shall make out a Copy of the Valuation Lists of each Parish, and shall deliver such Copy of the Valuation Lists, attested by his Signature, to the Treasurer of the County, who shall keep the same in his Office.

LXV. And be it enacted, That when and so soon as the Valuation of all the Baronies within any County shall have been made by such Valuers as aforesaid, and transmitted to the Commissioner of Valuation, and decided on by such Committee of Appeal, the said Commissioner shall prepare and make out a List or Table in the Form contained in Schedule (E.) to this Act annexed, of all the several Baronies within such County, specifying the Number of Acres within each such Barony, according to the Survey made thereof by the Officers of Ordnance, and the total Value of the Lands and Houses in such Barony, according to the Valuation thereof by such Valuers pursuant to the Directions of this Act, and shall transmit a Copy of such List or Table, signed by such Commissioner, and dated on the Day of the Transmission thereof, to the Secretary of the Grand Jury of such County, and shall at the Foot of the Copy of such List specify the Day appointed by such Commissioner of Valuation for the meeting of the Committee of Revision of the said County at the County Court House of the said County, for the Revision of the Valuation of the said Baronies, which Day shall not be sooner than Eight Weeks next after the Date of the Copy of such List signed by such Commissioner; and such Secretary of the Grand Jury shall give Notice of the Day and Place appointed for the Revision of such List, by Letters addressed to each and every of the Persons who shall have been nominated and appointed by the Grand Jury in pursuance of this Act to be the Committee of Revision for such County; and such Secretary of the Grand Jury shall also give Notice of such Day and Place of Meeting of such Committee of Revision, by an Advertisement to be inserted in some public Newspaper usually circulated in such

described, all County Cess, &c. shall be levied according to the Proportions specified in such List.

Publication of List, &c. not to affect relative Proportion borne by Barony.

Commissioner to deliver Copy of Lists to Treasurer of County.

When Valuations of all the Baronies in any County are completed, Commissioner shall send List thereof to Secretary of Grand Jury, who shall summon the Committee of Revision.

Notice to be given of Meeting of Committee of Revision.

such County, in some Publication of such Newspaper Six Weeks at least before the Day appointed for such Meeting.

Committee of Revision may examine Valuations of Baronies in the Lists, and amend the same so as to make them just and proportionate with each other.

LXVI. And be it enacted, That at the Day appointed for the Meeting of such Committee of Revision the Members of such Committee of Revision, together with the Commissioner of Valuation or his Assessor, shall meet together in the Court House of such County, and shall there proceed to inquire and consider and determine whether the several Baronies of the said County have been equally and properly valued, pursuant to the Directions of this Act, with reference to the relative Scale of Value fixed for such Valuation by this Act, and also with reference to the respective Valuations of the several Baronies as compared with each other; and the said Commissioners of Valuation shall produce or cause to be produced before the said Committee of Revision, if they shall require the same, all the Lists containing the Valuation of the several Parishes within the several Baronies of the said County, and such Lists shall and may be consulted, perused, and examined by the said Committee of Revision, or any Member thereof; and if upon such Examination or otherwise it shall appear to such Committee of Revision that any excessive or defective Valuation has been made of any Barony, or that the relative Scale of Value required by this Act has not been adhered to in such Valuation, or on any account whatsoever, it shall be lawful for such Committee of Revision to correct any Errors which may appear to them upon Examination and Inquiry to have been made in such Valuations, so as to make the Valuation of the respective Baronies just and equal and in due Proportion with each other; and it shall be lawful for such Committee of Revision to adjourn from Time to Time as they shall see fitting and convenient.

Committee of Revision may alter Valuation of any Division of a Barony.

LXVII. And be it enacted, That when any such Committee of Revision shall think fit to alter the Amount of the Valuation of any Barony, as compared with any other Barony, it shall and may be lawful for them to alter the Amount of the Valuation of any Parish or Townland of such Barony, in such Manner and to such Extent as the said Committee shall think just with regard to the Reason or Principle on which the gross Amount of the Valuation of such Barony may have been altered by them.

Fractions of a Pound may be rejected from Valuation of Barony, &c.

LXVIII. And be it enacted, That all fractional Parts of a Pound Sterling may be rejected from the total Value of any Barony, Parish, or Townland as stated in any List and Valuation prepared under Authority of the said recited Acts or this Act for the Purpose of computing the Proportions in which the same shall be respectively rated.

When Committee of Revision come to a Decision, the List to be signed, and a Copy published.

LXIX. And be it enacted, That when the Committee of Revision shall have come to a Decision the List of the several Baronies, and the Valuation thereof, as confirmed or amended, shall be signed by the Commissioner of Valuation or by the Assessor, and by Three at least of the Members of the said Committee of Revision appointed by the Grand Jury, and a Copy thereof, according to the Form of the Schedule (F.) to this Act annexed, or in such other Form as shall be approved by the Judge and Grand Jury at any Assize to be holden for such County, shall be published in some public Newspaper circulated in the County to which such List and Valuation so signed shall relate; and

and from and after the End of the Assizes next ensuing the Day on which such List and Valuation so signed shall be published as aforesaid all County Cess and Charges whatsoever, and all Grand Jury Rates imposed or to be imposed on any such County by Presentments of the Grand Jury, or to be raised off such County, or any Barony, Parish, or Townland thereof, and all Parish Rates imposed or to be imposed or levied or to be levied under the Authority of any Act or Acts of Parliament shall be assessed and levied off such County, and off every Barony, Parish, or Townlands therein, according to the Proportions specified in such List and Valuation so published, until and unless the same shall be revised or altered by a Committee of Revision re-assembled as herein-after provided, and no longer.

LXX. And be it enacted, That a Copy of the Schedule agreed upon and signed as aforesaid by the Committee of Revision, according to the Form of the Schedule (F.) to this Act annexed, or in such other Form as shall be approved by the Judge and Grand Jury at any Assizes to be holden for such County, shall be transmitted to the Chief Secretary of the Lord Lieutenant, and he shall cause the same to be published in the *Dublin Gazette* within Thirty-one Days next after he shall have received such Lists, so signed by such Commissioner and Committee, or Three Members hereof; and the several Field Books and other Documents shall be transmitted by the Commissioner of Valuation to the Office of the Chief Secretary to the Lord Lieutenant of *Ireland* in *Dublin Castle*, to be there arranged and kept as may be most for Convenience and Security, and a Copy of such Field Books shall be furnished by such Commissioner of Valuation to the Treasurer of the County.

LXXI. And be it enacted, That from and after the End of the Assizes next ensuing the Day on which such List and Valuation, so signed and settled by the said Committee of Revision as aforesaid, shall be published in the *Dublin Gazette*, all County Cess Charges whatsoever, and all Grand Jury Rates imposed or to be imposed on such County, by Presentments of the Grand Jury, or to be raised off such County or any Barony, Parish, or Townland thereof, shall be levied according to the Proportions specified in such List and Valuation so published, and not otherwise, any Law, Usage, or Custom, or any former Assessment or Valuation, to the contrary in anywise notwithstanding.

LXXII. And for the Purpose of providing for the necessary Revision of the Valuations made under the Provisions of this Act in consequence of Changes that may have taken place in the gross Amount of the Value of the several Townlands, be it enacted, That at or after the Termination of Fourteen Years from the Period of the meeting of the Committee of Revision of any County, or of the Committee of Appeal for any County of a City or County of a Town, with reference to the Valuation under this Act or any former Act or Acts for the uniform Valuation of Lands and Tenements in *Ireland*, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, if he shall think fit so to do, to direct the Commissioner of Valuation to commence a new Valuation of any County, County of a City, or County of a Town in *Ireland*, and shall cause Notice to be given

After the End of the Assizes next ensuing the Publication of the Valuation, all Charges and Rates shall be levied according to that Valuation.

List and Valuation of the Baronies, when finally settled by Committee of Revision, shall be published in the *Dublin Gazette*.

After such Publication all County Cess shall be levied according to the Sums and Proportions in such Valuation.

A new Valuation to be made of every County Fourteen Years after former Valuation, either under this Act or former Acts.

to the Grand Jury of such County, County of a City, or County of a Town, previous to such Direction by Letter from the Chief Secretary of the Lord Lieutenant, addressed to the Secretary of the Grand Jury of such County, County of a City, or County of a Town, and also cause Notice to be given to the Clerk of the Boards of Guardians of the several Unions or Parts of Unions contained within such County, and the said Commissioner shall proceed therein as in the first Valuation of the said County made under the Provisions of this Act, and the Grand Jury of the said County, County of a City, or County of a Town, and all Officers thereof, and every public Officer or other Person duly authorized, shall perform all Acts required to be done by them or him, in the same Manner and within the same Periods as herein-before is provided for the first Valuation of the said County, County of a City, or County of a Town, and shall have the same Powers, Privileges, and Immunities, in the Performance of their respective Duties; and the said new Valuation, when completed, shall have the same Effect and Operation, to all Intents and Purposes as the former Valuation, and shall supersede the same; and that which is hereby enacted in relation to such first Valuation shall apply in due Course, and under the same Circumstances and Conditions, to such new Valuation as aforesaid.

Counties valued under the Provisions of former Acts to be valued again under this Act, if Grand Jury shall apply.

LXXIII. And be it enacted, That on the Application of the Grand Jury of any County which has been valued under the Provisions of any former Acts or Act for the uniform Valuation of Lands and Tenements in *Ireland*, it shall be lawful for the Lord Lieutenant to direct the Commissioner of Valuation to value such County again, in conformity with the Provisions of this Act, and thereupon the Provisions of this Act shall apply to such County in like Manner as to any County herein-before specified which has not been valued by the said Commissioner of Valuation before the passing of this Act.

For Revisions, latest Publication of Ordnance Survey to be used.

LXXIV. And for the Purpose of determining the Contents of Tenements from the Detail afforded by the Ordnance Survey of *Ireland*, be it enacted, That in all Revisions of the Valuation the latest revised Publication of any of the Plans of such Ordnance Survey shall be used by the Valuers employed in that Behalf.

Salary not exceeding Three Guineas a Day, with travelling Expences, to be paid to Commissioner.

LXXV. And be it enacted, That from and after the passing of this Act it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to order and direct that a Salary, not exceeding the Rate of Three Guineas *per* Day, shall be paid to the Commissioner of Valuation appointed under the Authority of the said first-mentioned Act or this Act, during the Time he shall be so employed, together with such Allowance for travelling and other Expences, not to exceed One Guinea *per* Day, as may be ordered and directed by the Lord Lieutenant.

Payment may be made to Assessor.

LXXVI. And be it enacted, That it shall be lawful for the Lord Lieutenant to order and direct such Payment and Allowances as he shall think fit and sufficient to be made to any Assessor who may be appointed to assist the Commissioner of Valuation during the Period such Assessor shall be employed in the Performance of such Duty.

Salary not exceeding Thirty

LXXVII. And be it enacted, That it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors to

order and direct that a Salary shall be paid to each and every Sub-Commissioner who may be appointed under this Act, not exceeding the Rate of One Pound Ten Shillings *per* Day for every Day that such Sub-Commissioner shall be employed on the hearing and determining of Appeals as aforesaid, together with a further Allowance for the actual Expences incurred by him for travelling and Hotel Expences while he shall be so employed as aforesaid.

LXXVIII. And be it enacted, That every Valuator, Surveyor, Measurer, Draftsman, Writing Clerk, or other Person or Persons shall be entitled to receive, for his Trouble, any Sum to be fixed and agreed upon by the Commissioner of Valuation, provided that such Sum shall in no Case exceed the Rate of Twenty Shillings *per* Day for every Day during which such Person shall be employed under the Orders of the Commissioner of Valuation, upon a Certificate signed by such Commissioner, stating that such Person was so employed for the Number of Days stated in such Certificate, and that such Person diligently conducted himself in the Execution of this Act in a Manner satisfactory to such Commissioner.

LXXIX. And be it enacted, That so much of the first-mentioned Act as relates to the advancing and defraying the Salary and Allowance for travelling and other Expences of the Commissioner of Valuation, and the Salaries and Allowances payable to any Person employed in carrying the said Act into execution, shall extend and apply to the defraying and advancing the Salaries and Allowances of the said Commissioner of Valuation and Sub-Commissioners, and of any Valuator, Surveyor, Measurer, Draftsman, Writing Clerk, or other Person employed as aforesaid in carrying the said first-mentioned Act and this Act into execution; and such last-mentioned Salaries, Allowances, and Sums shall be defrayed, advanced, repaid, presented, levied, and provided for in the same Manner, and by the same Ways and Means, and subject to the same Regulations, as the Salary and Allowances payable to the Commissioner of Valuation or such other Person under the Provisions of the said first-mentioned Act.

LXXX. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury to order and direct that any such Sum or Sums of Money as they shall think proper shall be advanced quarterly from the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, for the defraying the Salaries of the said Commissioner of Valuation, and the Allowances which shall be from Time to Time payable to the Persons employed in carrying this Act into execution; and all such Advances shall be made to such Persons, at such Times, in such Manner, and under such Rules and Regulations as shall from Time to Time be ordered and directed by such Lord Lieutenant, and as shall be signified in the usual Manner by the said Commissioners of Her Majesty's Treasury; and it shall be lawful for such Chief Secretary or Under Secretary to certify to the Grand Jury of any and every County within which any such Persons shall be employed the Amount of Money which shall have been paid to the Commissioner of Valuation and to the several Persons employed within such County in the Execution of this Act, out of the Advance authorized by this Act; and thereupon it shall and may be

Shillings a Day, with Expences, to be paid to Sub-Commissioner, &c.

Valuator, Surveyor, &c. to be paid as agreed on by Commissioner, not exceeding Twenty Shillings a Day.

Salaries and Allowances of Commissioner, &c. to be paid as under 6 & 7 W. 4. c. 84.

Treasury may advance Money out of Consolidated Fund for paying the Salaries, &c.

Advances to be made to such Persons and under such Rules as Lord Lieutenant shall direct.

Amount of such Expences to be repaid by Presentment.

lawful for the Grand Jury of any and every such County respectively, and they are hereby authorized and required, to make Presentment of the Amount of such Expences as stated in such Certificate to be raised off the County at large, or the several Baronies therein, or of any Part of a Poor Law Union therein, in such Manner and in such Proportions as the Lord Lieutenant shall direct; and when and so soon as the Sum so to be presented as aforesaid shall be raised and received by the Treasurer of any County, such Treasurer shall pay over the same to such Bank or Person as the Commissioners of the Treasury, or any Three or more of them, shall think fit to direct.

Commissioner to transmit Statements of Progress of Valuation, &c.

LXXXI. And be it enacted, That Ten Days previously to the Commencement of each Assizes the Commissioner of Valuation shall transmit to the Secretary of any Grand Jury of any County which shall be in the Course of Valuation a Statement of the Progress made in such Valuation, together with the Amount of the Expenditure on the same up to the Period when such Return shall be made.

Penalty on High Constable, Churchwarden, Commissioner, &c. neglecting their Duty in Execution of this Act.

LXXXII. And be it enacted, That if any Clerk to any Board of Guardians, High Constable, or other Collector of County Cess or Grand Jury Rates, or any Churchwarden of any Parish, or any Landholder hereby required to act in lieu and stead of a Churchwarden, or any Commissioner of Valuation or any Valuator appointed by such Commissioner, or any Secretary of the Grand Jury, shall omit or neglect or refuse to do any Matter or Thing which such High Constable, or Collector, Churchwarden, Landholder, Commissioner, Valuator, or Clerk of the Peace, are by this Act required and directed to do in the Execution of this Act, in manner required by this Act, every Person so offending shall forfeit a Sum not exceeding Twenty Pounds and not less than Five Pounds, in the Discretion of the Justices before whom such Offender shall be convicted.

Penalties may be recovered before Two Justices of the Peace.

LXXXIII. And be it enacted, That all Penalties and Forfeitures inflicted or imposed by this Act may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any Two Justices of the Peace for the County or Place in which such Penalty shall be incurred, upon Complaint to them for that Purpose exhibited, and shall afterwards be levied, as well as the Costs of such Proceedings, in case of Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justices; and such Justices are hereby authorized and required to summon before them any Witness or Witnesses, and to examine such Witness or Witnesses upon Oath (or Affirmation) of and concerning such Offences, Matters, or Thing, and to hear and determine the same; and the Overplus (if any) of the Money so levied or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be returned, upon Demand, to the Owner or Owners of the Goods or Chattels so seized or distrained; and in case such Penalties or Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justices to order the Offender or Offenders so convicted to be detained and kept in safe Custody

tody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justices, for his or their Appearance before such Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any One of such Justices, or any other Justice of the Peace for such County or Place as aforesaid, and such Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Gaol of such County or Place, there to remain, without Bail or Mainprize, for any Term not exceeding Two Calendar Months, unless such Penalties or Forfeitures respectively, and all reasonable Charges, shall be sooner paid and satisfied; and one Moiety of such Penalties or Forfeitures, when so levied, shall be paid to the Person who shall sue or prosecute for the same, and the other Moiety shall be paid and applied to the Use of the Poor of the Parish in which such Offence shall be committed, in such Manner as such Justices shall direct and appoint.

Application of Penalties.

LXXXIV. And for the more easy and speedy Conviction of the Offenders against this Act, be it enacted, That the Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words (as the Case shall happen), or in any other Form of Words to the same Effect; (that is to say,)

Form of Conviction.

‘ to wit. } **BE** it remembered, That on the
 ‘ Day of in the Year of our Lord
 ‘ *A.B.* is convicted before us, Two of Her Majesty’s
 ‘ Justices of the Peace of the said County [*or City or Town, as*
 ‘ *the Case may be*], by virtue of an Act passed in the Tenth Year
 ‘ of the Reign of Her present Majesty Queen Victoria, intituled
 ‘ “An Act” [*here set forth the Title of this Act*], of having [*here*
 ‘ *set out the Offence, and when and where committed*], contrary
 ‘ to the said Act, for which Offence we do adjudge the said
 ‘ to have forfeited the Sum of
 ‘ Given under our Hands and Seals, the Day and Year above
 ‘ written.’

LXXXV. Provided always, and be it enacted, That it shall be lawful for any Person who shall think himself or herself aggrieved by any such Conviction to appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be holden for the County or Place; and every Person appealing against such Conviction shall (if there be sufficient Time after the Cause of Complaint shall have arisen) first give or cause to be given Ten Days Notice at least in Writing of his or her Intention of bringing such Appeal, and of the Matter thereof, to the Justices whose Conviction shall be so appealed against, and within Seven Days next after the Date of such Notice shall enter into a Recognizance before some Justice of the Peace for the County or Place, with

Persons aggrieved by Conviction may appeal to Quarter Sessions, giving Ten Days Notice, and Security.

Two sufficient Sureties, conditioned to try such Appeal, and to abide by or submit to the Order thereon, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions or any Adjournment thereof; and for Want of sufficient Time for giving such Notice previous to the Quarter Session next after the Cause of any such Complaint shall have happened, then such Appeal, after such Notice and under such Recognizance, may be made at the Second General or Quarter Sessions of the Peace to be holden for such County or Place; and the Justice at such First or Second Sessions, or any Adjournment thereof, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and shall award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and the Determination of such Justices at such Sessions shall be final, binding, and conclusive to all Intents and Purposes; and it shall be lawful for the said Justices at such Sessions, by their Order or Warrant, to levy such Costs so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse or neglect to pay the same, and for Want of sufficient Distress to commit such Person or Persons to the Common Gaol or House of Correction for the said County, there to remain for any Time not exceeding Two Calendar Months, or until Payment of such Costs.

Costs of Appeal
recoverable by
Distress.

Proceedings
not to be
quashed for
Want of Form.

LXXXVI. And be it enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act shall be quashed for Want of Form, nor be removed nor removable by Certiorari or any other Writ or Process whatsoever into any of Her Majesty's Courts of Record at *Dublin*; and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons or Conviction, or in the Warrant of Distress or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action on the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid if Tender of sufficient Amends hath been made, by or on behalf of the Party distraining, before such Action commenced.

Limitation of
Actions.

Notice.

Tender of
Amends.

Venue.

LXXXVII. And be it enacted, That no Action, Suit, or Proceeding shall be commenced or prosecuted against any Justice of the Peace, or any Commissioner of Valuation, or against any Valuator, or against any other Person or Persons, for any thing done in pursuance of this Act, until Thirty Days Notice thereof shall be given to such Justice or Commissioner or Valuator, or other Person or Persons, nor after sufficient Satisfaction or Tender of Amends hath been made to the Party or Parties aggrieved, nor after the Expiration of Three Calendar Months next after the Fact committed; and every such Action or Suit or Prosecution shall

be

be laid or brought in the County, County of a City, or County of a Town where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action, Suit, or Prosecution shall and may, at his or their Election, plead specially, or the General Issue Not Guilty, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if any Replevin shall be brought for any Cattle, Goods, or Chattels seized or taken by virtue or in pursuance of this present Act, it shall and may be lawful and sufficient to and for any Person or Persons who shall be Defendant or Defendants or Avowant or Avowants in any such Replevin to avow, plead, or make cognizance generally that he or they took the same Cattle, Goods, or Chattels as a Distress, by force of the Statute in that Case made and provided, without more particularly setting forth this Act, or the Cause of making and detaining the said Distress or Distresses, or making any other special Plea, Avowry, or Cognizance, any thing herein contained to the contrary notwithstanding; and if it shall appear that the Matter on which the Cause of Action arose was done, or that the Distress replevied was made, in pursuance and by Authority of this Act, or that such Action or Suit shall have been brought before Thirty Days Notice thereof was given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, County of a City, or County of a Town than as aforesaid, then the Jury shall find for the Defendant or Defendants or Avowant or Avowants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be prosecuted, or shall discontinue his, her, or their Action, Suit, or Prosecution after the Defendant shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, Defendant or Defendants or Avowant or Avowants shall recover Double Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases of Costs given by Law.

General Issue.

General
Avowry in
Replevin.

Costs.

LXXXVIII. And be it enacted, That in the Construction of this Act the Words "Lord Lieutenant" shall be understood to mean Lord Lieutenant or other Chief Governor or Governors of *Ireland*; the Word "Inhabitant" to include every one rated to the Grand Jury Cess; the Words "Town Council" and "Council" shall include "Town Commissioners" under the said Act of the Ninth Year of His late Majesty King *George* the Fourth, or any Trustees or other Body empowered by Law to make local Assessments; "Clerk of the Guardians" and "Clerk" shall be understood to mean and include Clerk of the Guardians of the Poor for the Union; and that all Provisions and Directions in this Act contained relating to Counties shall extend to all Counties, Counties of Cities, Counties of Towns, and Towns Corporate in *Ireland*, except such Parts of the County of *Dublin*, or the County of the City of *Dublin*, as lie within the Municipal Boundary of the said City; and that all the Acts and Duties by this Act required to be performed by the several Grand Juries at the Assizes for any County shall and may, in the County of *Dublin*, or the County of the City of *Dublin*, be performed at the Presenting Terms by

Construction
of Terms in
this Act.

the Grand Juries duly met and impannelled; and that all Provisions and Directions relating to Baronies shall extend to Half Baronies and to all other Divisions of Counties being greater than Parishes; and that all Provisions and Directions relating to Parishes shall extend to all Chapelries or Divisions of Parishes or extra-parochial Divisions, and to all Unions of Parishes, as if the same were One Parish, in Cases where any such Union or Division shall be rateable as One Parish; and that all Provisions and Directions relating to Townlands shall extend to all Divisions and Sub-Denominations of Lands less than and being comprised within any Parish; and that where any Parish or Union shall be situate in more than One County or Barony, or partly in a County and partly in a County of a City, County of a Town, or Town Corporate, the several Parts of such Parish shall be valued as a distinct Parish in the several Baronies or Counties, or Counties of Cities or Counties of Towns, or Towns Corporate, to which they shall contribute to the Payment of any County Cess Charges or Grand Jury Rate; and that in the Valuation of any County of a City or Town, under the Provisions of this Act, such Documents as are hereby in other Counties required to be transmitted to the High Constable of a Barony or other Collector of County Cess therein shall be transmitted to the Clerk of the Peace of the said County of a City or Town, and that all Acts required to be done in other Counties by the Constable of a Barony or other Collector of County Cess shall be done by the Clerk of the Peace for the said County of a City or Town.

Act may be amended, &c.

LXXXIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

SCHEDULES to which this Act refers.

FORM (A.)

PRIMARY VALUATION of TENEMENTS.

County of

Union
Barony
Parish
Townland

Letter and Number in Field Book.	Name of Occupier.	Name of immediate Lessor.	Description of Tenement.	Extent of Land.			Net annual Value of Land.	Net annual Value of Dwelling House.	Total net annual Value.
				A.	R.	P.			

FORM (B.)

VALUATION of TENEMENTS rateable to Poor Rates.

County of

Union
Barony
Parish
Townland

Letter and Number in Field Book.	Name of Occupier.	Name of immediate Lessor.	Description of Tenement.	Extent of Land.			Net annual Value of Dwelling House.	Net annual Value of Land.	Total net annual Value.	Probable annual Cost of Landlord's Repairs and Insurance when Tenement is in a Borough comprised in Schedules (A.) or (B.), 3 & 4 Vict. c. 108., or in a Town incorporated under that Act.
				A.	R.	P.				

FORM (C.)

REVISED VALUATION of TENEMENTS rateable to Poor Rates.

County of

Union
Barony
Parish
Townland

Letter and Number in Field Book.	Present distinctive Letter or Number of Tenement.	Name of Occupier.	Name of immediate Lessor.	Description of Tenement.	Extent of Land.			Net annual Value of Dwelling House.	Net annual Value of Land.	Total net annual Value.	Probable annual Cost of Landlord's Repairs and Insurance when Tenement is in a Borough comprised in Schedules (A.) or (B.), 3 & 4 Vict. c. 108., or in a Town incorporated under that Act.
					A.	R.	P.				

FORM (D.)

Barony of B. in the County of C.

VALUATION OF LANDS, &c., within the several Parishes and Townlands in the said Barony, made in pursuance of the Act 10 Vict. c. , for the uniform Valuation of Lands in Ireland.

	Acres.	Annual Value of Lands and rateable Value of Houses.	Total in each Parish.	
			Acres.	Value.
Parish of A. :	No.	£	No.	£
Townland D. - -	250	120	.	
----- E. - -	100	100		
----- F. - -	50	25		
Total in the Parish of A. - -			400	245
Exemptions in the Parish of A. -				
Parish of G. :				
Townland H. - -	60	100		
----- I. - -	47	37		
----- K. - -	160	240		
Total in the Parish of G. - -			267	377
Exemptions.				
&c. &c. &c.				
TOTAL in Barony - -			667	622

The Meeting of the Committee of Appeal, named for the said Barony by the Grand Jury of the said County, is appointed for the Day of next, at the Court House at [or at any other Place fixed for the Meeting].

Dated this

Day of

18 .

C.V.,

Commissioner of Valuation for the County of C.

To the High Constable [or Collector of the Cess] for the Barony of

A Copy of this List is to be transmitted by the High Constable [or Collector] to the Churchwardens of the several Parishes within the said Barony of B., and to be posted in manner directed by this Act.

Letters to be addressed to C.V., at

FORM (E.)

County of C.

VALUATION OF LANDS, &c. within the several Baronies in the said County, made in pursuance of the Act 10 Vict. c. , for the uniform Valuation of Lands in Ireland.

Baronies.	Parishes.	Acres.	Annual Value of Lands, &c.	Total in each Barony.	
				Acres.	Value.
A.	B. Exemptions.	No. 140	£ 90	No.	£
	F. Exemptions.	200	100		
Total of Barony A. - -				340	190
I.	K. Exemptions.	400	200		
	N. Exemptions.	80	40		
Total of Barony I. - -				480	240
&c.	&c.	&c.	&c.	&c.	&c.
TOTAL of all the Baronies in the County -					

The Meeting of the Committee of Revision, named by the Grand Jury of the said County, is appointed for the _____ Day of _____ next, at the County Court House at _____, for the Revision of the foregoing Valuation.

Dated this _____ Day of _____ 18 .

C. V.,

Commissioner of Valuation of the said County.

The Secretary of the Grand Jury is required by the said Act to give Notice of the Day and Place above appointed to each and every Member of the said Committee of Revision, and also to advertise the same in some public Newspaper circulated in the said County, Fourteen Days at least before the said Day of meeting.

FORM

FORM (F.)

County of C.

VALUATION OF LANDS, &c. within the several Baronies in the said County, finally confirmed and agreed on by the Committee of Revision appointed by the Grand Jury of the said County, in pursuance of the Act 10 Vict. c. . . for the uniform Valuation of Lands in Ireland.

Baronies.	Parishes.	Acres.	Annual Value of Lands, &c.	Total in each Barony.	
				Acres.	Value.
		No.	£	No.	£
A.	B. Exemptions.	140	20		
	F. Exemptions.	200	100		
Total of Barony A. - - -				340	120
I.	K. Exemptions.	80	200		
	N. Exemptions.	400	40		
Total of Barony I. - - -				480	240
&c.	&c.	&c.	&c.	&c.	&c.
TOTAL of all the Baronies in the County					

C.D.,

Commissioner of Valuation for the County of C.

E.F., } Members of the Committee
G.H., } of Revision for the said
I.K., } County.

County Court House,
Day of

18 .

C A P. CXI.

An Act to amend the Law in *Ireland* as to Ejectments and Distresses, and as to the Occupation of Lands.

[28th August 1846.]

‘ **WHEREAS** it is expedient to amend the Law in *Ireland* as to Ejectments and Distresses, and as to the Occupation of Lands:’ Be it therefore 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, That in all Cases of Ejectment for Nonpayment of Rent the Amount claimed to be due for Rent, and the Times at which the same accrued, shall be stated upon the Declaration or Summons in Ejectment or Civil Bill, which Statement shall be written or printed thereon in the following Form, or as near thereto as the Nature of the Case will admit; (that is to say,) “The Lessor of the Plaintiff [or “the Plaintiff” in case of a Civil Bill] claims being for Years Rent up to the Day of and if the Amount thereof be paid to the Lessor of the Plaintiff [or “the Plaintiff” in case of a Civil Bill] or his Attorney, together with the Costs, before the Day of being the First Day of [“the ensuing Term” to be here inserted in Proceedings in the Superior Courts, “the next Sessions” in Civil Bills,] further Proceedings will be stayed;” and the Lessor of the Plaintiff, or the Plaintiff in the Case of a Civil Bill Ejectment, or his Attorney, shall, upon either of them respectively being required so to do, specify in Writing the Demand for the Plaintiff’s Costs of such Ejectment and upon Payment or Tender, within the Time so specified, of the Rent so specified, together with the Costs, if specified as aforesaid, to the Lessor of the Plaintiff, or Plaintiff, or his Attorney, or in case the Costs shall not be specified upon such Requisition, then on Payment within the Time aforesaid of such Rent to such Lessor of the Plaintiff, Plaintiff, or Attorney, and upon Delivery or Tender within the Time aforesaid to such Lessor of the Plaintiff, Plaintiff, or Attorney of an Undertaking in Writing signed by some Person served with such Ejectment to pay the Plaintiff’s Costs up to the Time of such Payment, when taxed, all further Proceedings in such Ejectment shall cease and be stayed accordingly: Provided always, that the Defendant in any such Ejectment shall be at liberty, notwithstanding such Payment, to have the Costs taxed, and if any Part of the Costs demanded shall be disallowed upon the Taxation, the Attorney for the Lessor of the Plaintiff, or Plaintiff, shall pay back to the Defendant the Sum so disallowed, and if more than One Sixth of such Costs shall be disallowed, shall also pay to the Defendant the Costs of such Taxation.

In all Ejectments for Nonpayment of Rent the Amount of Rent claimed shall be stated.

II. And be it enacted, That it shall be lawful for the Defendant in any Action of Ejectment for Nonpayment of Rent in any Superior Court against whom Judgment shall not have been obtained in such Ejectment by Leave of such Court or of a Judge of such Court, at any Time before Notice of Trial shall have been served, upon a Side Bar Rule obtained for that Purpose

In such Ejectments in the Superior Courts Money may be paid into Court for Rent and Costs.

or

or in such Manner or according to such Course of Practice as the Judges of the Superior Courts of Law, or any Eight or more of them, of whom the Chiefs of each of the said Courts shall be Three, shall prescribe, as herein-after mentioned, to pay into Court a Sum of Money for Rent, with Liberty to the Plaintiff to proceed further in such Action at his Peril, the Defendant by such Rule undertaking to pay the Costs theretofore incurred to be taxed by the proper Officer, and in case of Nonpayment of the same to suffer the Plaintiff in taking such Money out of Court, either on an Affidavit of a proper Demand and Service of such Rule, to move for an Attachment against the Defendant so undertaking, or to sign final Judgment in such Ejectment; and when such Sum of Money shall be so paid into Court for Rent, if the Plaintiff or his Lessor shall not accept thereof, with Costs to be taxed by the proper Officer, in full Discharge of the Action, then upon the Trial of the Issue in such Cause, if it shall appear upon the Evidence that no greater Sum was due for Rent from the Defendant to the Lessor of the Plaintiff at the Time of the Service of such Ejectment than the Sum so paid into Court, the Verdict shall be entered for the Defendant: Provided always, that if final Judgment shall be signed for the Plaintiff in such Ejectment in consequence of the Defendant not paying the Costs incurred pursuant to his Undertaking as aforesaid, it shall not be lawful to issue Execution thereon without the Leave of the Court first had and obtained: Provided also, that if any Ejectment for Nonpayment of Rent be in other respects sustainable, a Mistake or Error in the Statement of the Amount of Rent claimed to be due shall not defeat such Ejectment, except in the Case where the full Rent due has been paid into Court as aforesaid, or lodged with the Clerk of the Peace as hereafter provided, and the Landlord afterwards proceeding to a Trial or a Hearing shall fail to prove more to be due for Rent than the Sum so paid into Court, or lodged with the Clerk of the Peace.

At any Time before Execution issued in Ejectment for Nonpayment of Rent, upon Payment or Tender of the Rent and Costs, the Proceedings shall be stayed.

III. And be it enacted, That if the Tenant or Tenants, or his or their Assignee, or any Person served with an Ejectment, shall at any Time before the Writ for Execution in any Ejectment for Nonpayment of Rent in any Superior Court shall be executed pay or tender to the Lessor or Landlord, his Executors or Administrators, or his or their Agent or Attorney in such Cause, all the Rent and Arrears then due, together with the Costs or a Sum sufficient to cover such Costs, then and in such Case all further Proceedings on the said Ejectment shall cease and be discontinued: Provided always, that the Lessor of the Plaintiff or his Attorney shall, upon being required so to do, furnish to the Defendant a Statement of the Sums claimed for the Plaintiff's Costs, and proceed to a Taxation thereof forthwith; and upon such Taxation, if any Part of such Costs which shall have been paid shall be disallowed, the Attorney for the Lessor of the Plaintiff shall pay back to the Defendant the Sum so disallowed, or if more than One Sixth of the Costs demanded shall be disallowed, shall pay to the Defendant the Costs of such Taxation.

In Civil Bill Ejectments for Nonpayment of

IV. And be it enacted, That it shall be lawful for the Defendant in any Civil Bill Ejectment for Nonpayment of Rent, Six clear Days previous to the Day on which by such Civil Bill he

is required to appear, to deposit with the Clerk of the Peace a Sum of Money for Rent, together with the Sum of Five Shillings for Costs, for which Deposit the Clerk of the Peace, upon Payment of a Fee of One Shilling, shall give to the Defendant a Certificate according to the Form in the Schedule (C.) hereto annexed, and also a Duplicate of such Certificate, which Certificate and Duplicate shall be free from the Payment of Stamp Duty, and of which Certificate a Copy shall be entered by the Clerk of the Peace in the Book kept by him for entering Decrees in Civil Bill Ejectments; and the Defendant shall, Four clear Days previous to the Day on which he is required to appear as aforesaid, deliver to or leave at the Place of Abode of the Plaintiff, his Agent, Receiver, or Attorney, in such Cause, such Certificate; and in case the Plaintiff or his Attorney in such Cause shall receive from the Clerk of the Peace the Sum so deposited, which the said Clerk of the Peace is hereby required to pay over to the Plaintiff or his Attorney, on Demand, such Receipt and Payment shall be deemed to be in full Discharge of the Rent claimed by such Civil Bill and of Costs; but in case the Plaintiff or his Attorney, after such Certificate shall have been delivered or left as aforesaid, shall not accept the Sum so deposited on or before the Day next previous, or (in case of *Sunday* intervening) on or before the Day next but one previous to the Day on which the Defendant is required to appear as aforesaid, and if upon the hearing of such Civil Bill it shall appear that no greater Sum than the Sum so deposited for Rent was due to the Plaintiff for Rent at the Time of the Service of such Civil Bill Ejectment, and that such Certificate has been delivered or left as aforesaid, it shall be lawful for the Assistant Barrister to dismiss such Civil Bill, with the Costs of all the Proceedings subsequent to the Time of the making of such Deposit, as in other Cases of Dismisses of Civil Bill Ejectments.

V. And be it enacted, That if the Tenant or the Defendant in any such Civil Bill Ejectment shall at any Time after the Period herein-before limited for making such Deposit for Rent and Costs, and before the signing and issuing of a Decree upon such Civil Bill, pay or tender to the Lessor or Landlord, his Executors or Administrators, or his or their Agent, or the Attorney in such Civil Bill Ejectment, all Rent and Arrears then due, together with the Costs, it shall be lawful for the Assistant Barrister to order all further Proceedings on such Civil Bill to be stayed and discontinued upon Payment of such Costs as he shall deem reasonable to be paid by the Defendant, not exceeding such Costs as would, according to the Law in force, be properly payable at the Time of such Tender: Provided always, that in case of such Tender as last aforesaid, and Refusal to receive the Sum so tendered, such Money shall be lodged in the Hands of the Clerk of the Peace, and shall be paid over to such Landlord or Lessor on Demand: Provided also, that the Decision of the Assistant Barrister in any of the Cases aforesaid shall be subject to such Appeal, and upon such Terms as in other Cases of Civil Bill Ejectments for Nonpayment of Rent.

VI. And be it enacted, That upon every Writ of Habere facias possessionem in any Ejectment for Nonpayment of Rent in any

Rent the Defendant may, Six Days before the Day of Hearing, lodge with the Clerk of the Peace the Rent and Costs.

In such Civil Bill Ejectments if the Defendant before a Decree pay or tender the Rent and Costs, the Proceedings shall be stayed.

Appeal.

The Writ or Warrant shall state the Superior

Amount due for Rent and Costs, and upon Payment thereof, with Fees, Execution shall be stayed.

Judges to make Rules as to Payment, &c. of Rent and Taxation of Costs.

The Provisions of the 6 & 7 W. 4. c. 75. as to Civil Bill Ejectments extended to Lands, &c. held under any Grant, &c. for any Term not exceeding 61 Years, and the Rent shall not exceed 20l., &c.

Superior Court, and upon every Sheriff's Warrant under a Decree in any Civil Bill Ejectment for Nonpayment of Rent, there shall be a Statement of the Amount of the Rent then due, to be verified by Affidavit of the Landlord or his Agent, and of the Plaintiff's Costs; and if at any Time before Execution executed the Defendant or Tenant shall pay to the Sheriff the said Sums for Rent and Costs, together with One Moiety of such Sheriff's Fees for such Execution as would be legally payable if such Execution had been executed, such Sheriff shall stay such Execution, subject nevertheless to any Order which may be made by the Court from which such Execution shall have issued, and the Sheriff shall endorse on such Writ, as a Return thereto, the Receipt by him of such Rent, Costs, and Fees: Provided always, that it shall be lawful for the Judges of the Superior Courts in *Dublin*, or any Eight or more of them, of whom the Chiefs of each Court shall be Three, from Time to Time to make Regulations by general Rules and Orders touching the Payment into Court, or to the Sheriff or to the Landlord, or touching the Tender of Rent or Costs in any of the Cases aforesaid, and also touching the Taxation of any such Costs.

VII. 'And whereas by an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of His late Majesty King *William* the Fourth, intituled *An Act to extend the Jurisdiction and regulate the Proceedings of the Civil Bill Courts in Ireland*, it is amongst other things enacted, that the respective Assistant Barristers in *Ireland* shall and they are hereby authorized and empowered to hear and determine within their respective Jurisdictions all Disputes and Differences respecting the Possession of any Lands, Tenements, or Hereditaments held under any Grant, Lease, or other Instrument for any Term or Interest, the Duration or Extent whereof when originally granted or created did not exceed Three Lives, without any Provision for the Renewal thereof, or a Term of Sixty-one Years determinable on Three Lives, or a Term of Sixty-one Years absolute, and the yearly Rent reserved or payable in respect whereof under such Grant, Lease, or other Instrument shall not exceed Twenty Pounds, and in respect of which no Fine exceeding Fifty Pounds was paid on the granting or Execution of such Grant, Lease, or other Instrument: And whereas the said Enactment does not apply to Disputes respecting the Possession of Lands held under any Grant, Lease, or other Instrument for any Term or Interest, the Duration or Extent whereof when originally granted or created did not exceed Three Lives, with a concurrent Term of Years not exceeding Sixty-one Years; he it therefore enacted, That the said recited Enactment shall be extended to and apply to and include Lands, Tenements, or Hereditaments held under any Grant, Lease, or other Instrument for any Term or Interest, the Duration or Extent whereof when originally granted or created did not exceed Three Lives with a concurrent Term of Years not exceeding Sixty-one Years, and the yearly Rent reserved or payable in respect whereof under such Grant, Lease, or other Instrument shall not exceed Twenty Pounds, and in respect of which no Fine exceeding Fifty Pounds was paid on the granting or Execution of such Grant, Lease, or other Instrument;

strument; and the several Provisions of the said recited Act in relation to Proceedings by Civil Bill as to Disputes and Differences respecting the Possession of Lands, Tenements, and Hereditaments held for the Terms or Interests therein specified shall extend and apply to Lands, Tenements, and Hereditaments held under any Grant, Lease, or other Instrument for any such Term or Interest as in this Enactment specified, as fully and effectually, as to Lands, Tenements, and Hereditaments held for any Term or Interest in the said recited Act specified.

VIII. And be it enacted, That it shall be lawful for the Sheriff or his Bailiff or Officer, upon the Consent in Writing of the Lessor of the Plaintiff, or the Plaintiff, or the Attorney for the Plaintiff, to execute any Writ of Habere facias possessionem in any Action of Ejectment or any Civil Bill Decree for the Recovery of the Possession of Lands and Tenements, without removing therefrom or disturbing the Possession or Occupation of any Under-tenant or Occupier who shall at the Time of the Execution of such Writ or Decree sign with his or her Name or Mark, attested by such Sheriff or Officer, an Acknowledgment according to either of the Forms (N° 1 and 2) in the Schedule (A.) to this Act annexed, or as near thereto as the Nature of the Case will admit, which Acknowledgment or Acknowledgments shall be endorsed on or attached to such Writ or Civil Bill Decree, and shall not be subject to any Stamp Duty, and a Copy thereof, if required, shall be delivered by the Sheriff or his Officer under his Hand to the Lessor of the Plaintiff, or the Plaintiff, or his Attorney; and the Execution of any such Writ or Decree in the Manner hereby authorized shall be as valid and effectual to all Intents as if such Writ or Decree had been executed, and the Possession of the Premises had been delivered in common Form of Law; provided that in any such Case, save and except where any such Under-tenant or Occupier shall have attorned as Tenant to the Lessor of the Plaintiff, or the Plaintiff, pursuant to the Form (N° 1) in the Schedule (A.) to this Act annexed, it shall be lawful for the Lessor of the Plaintiff, or the Plaintiff, at any Time within Six Calendar Months from such Execution of such Writ or Decree, provided that in case of an Ejectment or Civil Bill Ejectment for Nonpayment of Rent the Lease or Interest shall not have been in the meantime redeemed, on Application to the Court from which such Writ of Execution or Decree issued, to obtain a Renewal of such Writ or Decree to be again executed at the Cost and Charge of such Lessor of the Plaintiff, or Plaintiff, in common Form of Law, as to the whole or as to any Part of the said Lands; and such Renewal shall be without Prejudice to any Right or Interest vested in such Lessor of the Plaintiff, or Plaintiff, by virtue of such first Execution of such Writ or Decree: Provided also, that nothing herein contained shall be construed to prevent any Lessor of the Plaintiff, or Plaintiff, from having any such Writ or Decree executed in common Form of Law, if he shall so think fit.

IX. And be it enacted, That the several Assistant Barristers in *Ireland* shall and they are hereby authorized and empowered to hear and determine within their respective Jurisdictions all Disputes and Differences respecting the Possession of Lands, Tenements,

Provisions of recited Act as to Disputes, &c. respecting Possession of Lands extended to those held under any Grant, &c.

On executing a Writ or Decree for Possession in Ejectment, the Sheriff, upon the Plaintiff's Consent, may deliver Possession without the Removal of the Under-tenants or Occupiers.

Ejectments under 6 & 7 W. 4. c. 75. extended to Lands held under Acknowledgments,

according to Form (No. 2) in Schedule (A.) to this Act annexed.

ments, or Hereditaments held under an Acknowledgment in or substantially according to the Form (N° 2) in the Schedule (A.) to this Act annexed between the Lessor of the Plaintiff in the Ejectment or the Plaintiff in the Civil Bill Decree to which such Acknowledgment shall refer, or on which the same shall be founded, or any Person claiming or deriving under him, and any Occupier who shall have signed as aforesaid such Acknowledgment, c. Any Person claiming or deriving under him; and the several Provisions of the said Act of the Sixth and Seventh Years of His late Majesty King *William* the Fourth in relation to Proceedings by Civil Bill as to Disputes and Differences respecting the Possession of Lands, Tenements, and Hereditaments held for the Terms or Interests therein specified shall extend and be applied to the several Cases in this Enactment specified, as far as the same shall be applicable, as fully and effectually as to Cases of Lands, Tenements, and Hereditaments in the said recited Act specified.

In all Cases of Distress for Rent a written Notice of the Rent claimed shall be given.

X. And be it enacted, That in all Cases of Distress for Rent cognizable in any Court, whether superior or inferior, the Person making any such Distress shall at the Time of making such Distress deliver to the Person in possession of the Premises for the Rent of which such Distress shall be made, or, in case there shall not be any Person found in possession, shall affix on some conspicuous Part of such Premises a Particular in Writing of the Rent demanded, specifying the Amount thereof, the Time or Times when the same accrued, and the Name and Place of Abode of the Person by whom, and (if the Person who acts in the making of the Distress be not the Party claiming to be entitled to the Rent for which the Distress is made) the Name of the Person by whose Authority such Distress is made, or otherwise such Distress shall be unlawful and void: Provided always, that if the Person by whom or by whose Authority such Distress shall be made shall be the Party substantially and beneficially entitled to the Rent, such Distress shall not be unlawful or void by reason that the Person having the legal Estate in the Reversion is not named in such Notice: Provided also, that if any such Distress shall be in other respects sustainable and well founded, the same shall not be unlawful or void by reason that the Amount of Rent demanded by such Notice shall not be the exact Amount due if the Mis-statement of such Rent in such Notice shall have been made by Mistake, and without Fraud or Malice, or Want of reasonable Care.

Distress not unlawful on account of Mistakes, &c.

In Cases of Distress for Rent a Tender of the Amount before Sale shall be sufficient to stay Proceedings.

XI. And be it enacted, That in every Case of Distress for Rent a Tender of the Rent in arrear and of the Charges of such Distress at any Time before the Commencement of the Sale of the Property distrained shall be sufficient to stay the Proceedings on such Distress, and to entitle the Person distrained upon to a Return of the Property so distrained; and the Party whose Goods shall be distrained shall be at liberty to plead such Tender in bar to any Avowry or Cognizance, and shall be entitled to recover Damages in an Action on the Case against the Party by whom or by whose Agent or Bailiff the Goods so distrained shall be withheld after such Tender; and for the Purposes of this Act the Bailiff appointed in Writing by the known Agent or Receiver of any

any Landlord, or of the Person substantially and beneficially entitled to the Rent for which the Distress shall be made, shall be deemed to be the Bailiff of such Landlord or Person so entitled.

XII. And be it enacted, That no Distress for Rent made otherwise than by the Landlord of any Premises, or his known Agent or Receiver in Person, shall be lawful, unless made by virtue of a written or printed Warrant or Order to distrain signed by the Landlord or Person substantially and beneficially entitled to the Rent for which the Distress shall be made, or his known Agent or Receiver, directing the Bailiff or other Person to distrain the Tenant or Tenants, Person or Persons named therein, and bearing upon it the Date when and the Name of the Place at which it is signed, nor unless such Warrant or Order shall be signed within Twenty Days next before the Time when such Distress shall be made: Provided always, that such Warrant or Order to distrain shall be free from the Payment of any Stamp Duty.

XIII. ' And whereas by an Act passed in the Fifty-sixth Year of His late Majesty King George the Third, intituled *An Act to amend the Law of Ireland respecting the Recovery of Tenements from absconding, overholding, and defaulting Tenants, and for the Protection of the Tenant from undue Distress*, it is enacted, " that it shall be lawful for every Lessor or Landlord in that Part of the United Kingdom of *Great Britain and Ireland* called *Ireland*, or his, her, or their Steward, Bailiff, Receiver, or other Person or Persons empowered by him, her, or them, to take and seize as a Distress for Arrears of Rent all Sorts of Corn and Grass, Hops, Roots, Fruit, Pulse, or other Product whatsoever, which shall be growing on any Part of the Estates so demised or holden as a Distress for Arrears of Rent, and the same to cut, gather, make, cure, carry, and lay up, when ripe, in the Barns or other proper Place on the Premises so demised or holden, and in case there shall be no Barn or proper Place on the Premises so demised or holden, then in any other Barns or proper Place which such Lessor or Landlord, Lessors or Landlords shall hire or otherwise procure for that Purpose, and as near as may be to the Premises, and dispose of the same for Satisfaction of the Rent for which such Distress shall have been taken, and of the Charges of such Distress and Sale, in the same Manner as any other Goods and Chattels distrained for Nonpayment of Rent : " And whereas it is expedient that the said recited Enactment should be repealed ; ' be it therefore enacted, That the said Enactment of the said recited Act shall be and the same is hereby repealed, save and except as to any Distress made or commenced before the passing of this Act.

XIV. And be it enacted, That where any Distress shall be made for any Rent justly due, and any Irregularity or unlawful Act shall be afterwards done by the Party distraining, or by his Agents, the Distress itself shall not be therefore deemed to be unlawful, nor the Party a Trespasser, *ab initio*, but the Party aggrieved shall receive full Satisfaction for the special Damage sustained thereby, and no more, in an Action of Trespass or on the Case, and where such Plaintiff shall recover he shall be paid his full Costs : Provided always, that no Tenant shall recover

No Distress for Rent shall be lawful unless by virtue of a Warrant properly signed.

Warrant free from Stamp Duty.

The Provisions of the 56 G. 3. c. 88. authorizing the distraining of growing Crops for Rent repealed, except as to any Distress commenced before the passing of this Act.

Party distraining for Rent not deemed a Trespasser ab initio by reason of subsequent Irregularity.

for such Irregularity if Tender of Amends hath been made by the Party distraining, or his Agent, before Action brought.

57 G.3. c.93.

7 & 8 G. 4. c. 17.

No Person making any Distress for Rent, Taxes, Rates, &c., where the Sum due shall not exceed 20l. to take other Charges than mentioned in the Schedule annexed, nor to charge for any Act, &c. not done.

XV. 'And whereas it is expedient to limit and regulate the Costs of Distresses in *Ireland* as it has been done in *England* by an Act passed in the Fifty-seventh Year of His late Majesty King *George* the Third, intituled *An Act to regulate the Costs of Distresses levied for Payment of small Rents*, as amended by an Act of the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth; be it enacted, That from and after the passing of this Act no Person whatsoever making any Distress for Rent, or for any Rates, Taxes, Impositions, or Assessments, where the Sum demanded and due shall not exceed the Sum of Twenty Pounds for and in respect of such Rent or Rates, Taxes, Impositions, or Assessments, save as herein-after provided, nor any Person whatsoever employed in any Manner in making such Distress, or doing any Act whatsoever in the course of such Distress, or for carrying the same into effect, shall have, take, or receive out of the Produce of the Goods or Chattels distrained upon and sold, or from the Tenant distrained on, or from the Landlord, or from any other Person whatsoever, any other or more Costs and Charges for and in respect of such Distress, or any Matter or Thing done therein, than such as are fixed and set forth in the Schedule (B.) hereunto annexed, and appropriated to each Act which shall have been done in the course of such Distress; and no Person or Persons whatsoever shall make any Charge whatsoever for any Act, Matter, or Thing mentioned in the said Schedule, unless such Act shall have been really done: Provided always, that in any Case in which a less Amount than the Amount specified in the said Schedule shall have been prescribed by any Act or Acts of Parliament, or shall in pursuance of the Provisions of or the Power given by any Act or Acts of Parliament be specified in the Warrant by which the Distress or Levy shall be made, such less Amount only shall be demanded, taken, or levied for or in respect of such Costs and Charges; any thing in this Act to the contrary notwithstanding.

Party aggrieved by any such Practice may apply to a Justice of the Peace.

XVI. And be it enacted, That if any Person or Persons whatsoever shall in any Manner levy, take, or receive from any Person or Persons whatsoever, or retain or take from the Produce of any Goods sold for the Payment of such Rent or Taxes, Rates, Impositions, or Assessments, any other or greater Costs and Charges than are mentioned and set down in the said Schedule, or make any Charge whatsoever for any Act, Matter, or Thing mentioned in the said Schedule and not really done, it shall be lawful for the Party or Parties aggrieved by such Practices to apply to any One Justice of the Peace for the County, City, Town, and acting for the Division where such Distress shall have been made or in any Manner proceeded in for the Redress of his, her, or their Grievance so occasioned, whereupon such Justice shall summon the Person or Persons complained of to appear before the Justices of the Petty Sessions for such District at a reasonable Time to be fixed in such Summons, and such Justices shall examine into the Matter of such Complaint by all legal Ways and Means, and also hear in like Manner the Defence of the Person

son or Persons complained of; and if it shall appear to such Justices that the Person or Persons complained of shall have levied, taken, received, or had other and greater Costs and Charges than are mentioned or fixed in the Schedule (B.) hereunto annexed, or made any Charge for any Matter or Thing mentioned in the said Schedule, such Act, Matter, or Thing not having been really done, such Justices shall order and adjudge treble the Amount of the Monies so unlawfully taken to be paid by the Person or Persons so having acted to the Party or Parties who shall thus have preferred his, her, or their Complaint thereof, together with full Costs; and in case of Nonpayment of any Monies or Costs so ordered and adjudged to be paid, such Justices shall forthwith issue their Warrant to levy the same by Distress and Sale of the Goods and Chattels of the Party or Parties ordered to pay such Monies or Costs, rendering the Overplus (if any) to the Owner or Owners, after the Payment of the Charges of such Distress and Sale; and in case no sufficient Distress can be had, such Justices shall, by Warrant under their Hands, commit the Party or Parties to the Common Gaol or Prison within the Limits of the Jurisdiction of such Justices, there to remain until such Order or Judgment be satisfied.

Justice may adjudge treble the Amount of Monies unlawfully taken to be paid, with Costs, which may be levied by Distress.

If no sufficient Distress, Justice may commit the Offender.

XVII. And be it enacted, That it shall be lawful for such Justices, at the Request of the Party complaining or complained against, to summon all Persons as Witnesses, and to administer an Oath to them touching the Matter of such Complaint, or the Defence against it; and if any Person or Persons so summoned shall not obey such Summons without any reasonable or lawful Excuse, or refuse to be examined upon Oath, or, if a Quaker, Moravian, or Separatist, upon solemn Affirmation, then every such Person so offending shall forfeit and pay a Sum not exceeding Forty Shillings, to be ordered, levied, and paid in such Manner, and by such Means, and with such Power of Commitment, as is herein-before directed as to such Order and Judgment to be given between the Party or Parties in the original Complaint, excepting so far as regards the Form of the Order, and herein-after provided for.

Justices may summon Witnesses and administer Oaths.

Penalty on refusing to obey such Summons.

XVIII. And be it enacted, That it shall be lawful for such Justices, if they shall find that the Complaint of the Party or Parties aggrieved is not well founded, to order and adjudge Costs not exceeding Twenty Shillings to be paid to the Party or Parties complained against, which Order shall be carried into effect, and levied and paid in such Manner and with like Power of Commitment as is herein-before directed as to the Order and Judgment founded on such original Complaint: Provided always, that nothing herein contained shall empower such Justices to make any Order or Judgment against the Landlord for whose Benefit any such Distress shall have been made, unless such Landlord shall have personally levied such Distress: Provided also, that no Person or Persons who shall be aggrieved by any Distress for Rent, Taxes, Rates, Impositions, or Assessments, or by any Proceedings had in the course thereof, or by any Costs and Charges levied upon them in respect of the same, shall be barred from any legal or other Suit or Remedy which he, she, or they might have had before the passing of this Act, excepting so far

If Complaint unfounded, Justice may give Costs, &c.

No Judgment to be given against Landlord unless he personally levies the Distress. Parties not to be barred of other legal Remedies.

as any Complaint to be preferred by virtue of this Act shall have been determined by the Order and Judgment of the Justices before whom it shall have been heard and determined, and which Order and Judgment shall and may be given in Evidence under the Plea of the general Issue in all Cases where the Matter of such Complaint shall be made the Subject of any Action.

Signature of the
Justices Proof
of Judgment.

XIX. And be it enacted, That such Orders and Judgments on such Complaint shall be made in the Form in the Schedule (B.) hereunto annexed, and may be proved before any Court by Proof of the Signature of the Justices to such Order and Judgment; and such Orders, as regards Persons who may have been summoned as Witnesses, shall be made in such Form as to such Justices shall seem most fit and convenient.

Brokers and
others making
any Distress to
give Copies of
their Charges to
the Persons
distressed.

XX. And be it enacted, That every Broker, Bailiff, or other Person who shall make and levy any Distress whatsoever shall, if the same shall be demanded by the Party distrained, give a Copy of his Charges, and of all the Costs and Charges of the Distress whatsoever, signed by him, to the Person or Persons on whose Goods and Chattels any Distress shall be levied, although the Amount of the Rent, Taxes, Rates, Impositions, or Assessments demanded shall exceed the Sum of Twenty Pounds, and upon default of so doing he shall be liable to forfeit any Sum not exceeding Forty Shillings, to be recovered before any Two Justices of the Peace acting for such District, and levied under the Warrant of such Justices by Distress and Sale of the Goods of the Person so making default.

Printed Copy of
certain Clauses
of this Act to
be hung up in
Sessions Houses.

XXI. And be it enacted, That a fair printed Copy of the Clauses of this Act, and of the Schedule (B.) thereto annexed, which regulate or relate to the Costs of Distresses, shall be hung up in some convenient Place in such Halls or Rooms where the Justices of each and every County, County of a City, or County of a Town in *Ireland* hold either their Quarter or Petty Sessions.

Interpretation
of Act.

XXII. And be it enacted, That in the Construction of this Act and the Schedules thereto annexed, unless there be something in the Subject or Context repugnant to such Construction, Words importing the Singular Number only shall include the Plural Number, and Words importing the Plural Number only shall include also the Singular Number; Words importing the Masculine Gender only shall include Females; the Word "Landlord" shall extend to any Number of Persons, or to a Body or Bodies Politic, Corporate, Collegiate, Aggregate or Sole, or to any Number of Persons associated together as a Company or Partnership; the Word "Lands" shall extend to Lands, Houses, Tenements, or Hereditaments; and the Term "Assistant Barrister" shall extend to the Chairman of the Sessions of the Peace for the County of *Dublin* and to the Recorder of the City of *Dublin*.

Schedules Part
of Act.

XXIII. And be it enacted, That the Schedules to this Act annexed shall be deemed and taken to be Part of this Act.

Act to extend
to *Ireland* only.

XXIV. And be it enacted, That this Act shall extend only to that Part of the United Kingdom called *Ireland*.

Act may be
amended, &c.

XXV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

N° 1.

Form of Attornment by Under-tenants or Occupiers of Lands recovered in Ejectment, upon the Execution of a Writ or Civil Bill Decree for delivering Possession where the Under-tenants attorn as Tenants to the Lessor of the Plaintiff, or Plaintiff.

WHEREAS *A.B.* of hath lately recovered Judgment in Ejectment [or obtained a Civil Bill Decree] for the Lands and Tenements in the Tenancy or Occupation of the Persons under named respectively. Now we, whose Names are hereunder subscribed, upon the Execution of the Writ of Possession [or Decree, if by Civil Bill] in the said Cause, according to the Statute in that Behalf, with the Assent of the said *A.B.* [or the Attorney for the Plaintiff] in the said Cause, testified by the said Attorney for the Plaintiff signing these Presents, do hereby severally and respectively attorn and become Tenants to the said *A.B.* of the several Farms, Lands, and Tenements situate at the several Places, and for the Terms, and commencing at the Times mentioned and set opposite to our respective Names in the Schedule hereunder written, and do hereby severally agree to pay such respective Rents for the same, and from such several Periods or Times as in the said Schedule expressed; and we have severally given unto the said *A.B.* or his Agent, the Sum of One Penny, in the Name of Attornment and in part of the said Rents. [*Provided always, that if the said Lands and Tenements shall in due Course of Law be redeemed in pursuance of the Statutes in such Case made and provided, these Presents shall thenceforth be void.]

As witness our Hands, this

Day of

Tenants Names.	Farm or Tenement.	Yearly Rent, or as the Case may be.	When due.	Term of the Holding.	Commencement of the Term.
<i>C.D.</i>	- -	£ s. d. 5 0 0	May 1 and November 1.	One Year [or for such Term as may be agreed on].	1 November or 29 September [or such Day as may be agreed on].
<i>E.F.</i>	- -	- - -	March 25 and September 29.		
<i>G.H.</i>	- -	1 per Acre	May 1 and November 1.		

Attorney for the Plaintiff.
Sheriff

or
Sheriff's Officer.

Witness,

* This Proviso to be added where the Ejectment or Civil Bill Ejectment shall have been for Nonpayment of Rent.

N° 2.

Form of Acknowledgment by Occupiers of Lands recovered in Ejectment upon the Execution of a Writ or Civil Bill Decree for Delivery of Possession, where the Parties do not agree to an Attornment as Tenants.

WHEREAS *A.B.* of hath lately recovered Judgment in Ejectment [*or a Civil Bill Decree*] for the Lands and Tenements in the respective Tenancy or Occupation of the Persons under named respectively, amongst other Lands and Tenements. Now we, whose Names are hereunder subscribed, upon the Execution of the Writ of Possession [*or Decree*] in the said Cause, according to the Statute in that Behalf, with the Assent of the said *A.B.* [*or the Attorney for the Plaintiff*] in the said Cause, testified by the said Attorney for the Plaintiff signing these Presents, do hereby severally and respectively acknowledge that we respectively hold or occupy the Lands and Tenements now in our respective Occupation as hereunder specified, by the Leave and Licence and for and on behalf of and at the Will of the said *A.B.* and that we will severally and respectively, when required by the said *A.B.* or his authorized Agent or Receiver, deliver up to the said *A.B.* or his authorized Agent or Receiver the Possession of the said Lands and Premises in our respective Occupation as set opposite to our respective Names in the Schedule hereunder written. [** Provided always, that if the said Lands and Premises shall in due Course of Law be redeemed in pursuance of the Statutes in such Case made and provided, these Presents shall thenceforth be void.*]

As witness our Hands this

Day of

Occupiers Names.	Farm or Lands.
<i>C.D.</i> - - -	Blackacre.
<i>E.F.</i> - - -	Whiteacre.
<i>G.H.</i> - - -	House and Garden in Whiteacre.

Witness,

Attorney for the Plaintiff.
 Sheriff
or
 Sheriff's Officer.

* This Proviso to be added where the Ejectment or Civil Bill Ejectment shall have been for Nonpayment of Rent.

SCHEDULE (B.)

AS TO COSTS ON DISTRESSES FOR RENTS, OR RATES, TAXES,
IMPOSITIONS, AND ASSESSMENTS.

Form of the Order and Judgment of the Justices before whom Complaint is preferred, where the Order and Judgment is for the Complainant.

In the Matter of the Complaint of *A.B.* against *C.D.*, for a Breach of the Provisions of an Act of the Ninth and Tenth Years of Her Majesty Queen Victoria, intituled "An Act" [*here insert the Title of this Act*], we, *E.F.* and *G.H.*, Justices of the Peace for the County of _____ and acting within the District of _____ do order and adjudge that the said *C.D.* shall pay to *A.B.* the Sum of _____ as a Compensation and Satisfaction for unlawful Charges and Costs levied and taken from the said *A.B.* under Distress for Rent, [*or Rates, Taxes, Impositions, or Assessments, or as the Case may be,*] and the further Sum of _____ for Costs on this Complaint.

(Signed) *E.F.*
G.H.

Form of the Order and Judgment of the Justices, where they dismiss the Complaint as unfounded, and with or without Costs, as the Case may be.

In the Matter of the Complaint of *A.B.* against *C.D.* for the Breach of the Provisions of an Act of the Ninth and Tenth Years of Her Majesty Queen Victoria, intituled "An Act" [*here insert the Title of this Act*], we, *E.F.* and *G.H.*, Justices of the Peace for the County of _____ and acting within the District of _____ do order and adjudge that the Complaint of the said *A.B.* is unfounded, and the same is hereby dismissed; [*if Costs are given*] and we do further order and adjudge that the said *A.B.* shall pay unto the said *C.D.* the Sum of _____ for Costs.

(Signed) *E.F.*
G.H.

Schedule of the Limitation of Costs and Charges on Distresses for small Rents, or Rates, Taxes, Impositions, or Assessments, not exceeding Twenty Pounds.

	£	s.	d.
Levying Distress - - - - -	0	2	0
Man in Possession, per Day each (but not exceeding Two in Number, unless upon Information sworn before a Justice that a Rescue or Violence is apprehended) - - - - -	0	2	0
All Expences of Advertisements, if any such - - - - -	0	5	0
Catalogues, Sale, and Commission, and Delivery of Goods, 1s. in the Pound on the net Produce of the Sale, if sold by a licensed Auctioneer; otherwise, 6d. in the Pound on the net Produce of the Sale.			

SCHEDULE (C.)

Form of the Certificate of the Clerk of the Peace as to the Lodgment of Money by a Defendant for Rent and Costs in a Civil Bill Ejectment Case.

County of _____
 Division of _____
 Plaintiff [to be here stated and described as in the Civil Bill].
 Defendant [to be here stated and described as in the Civil Bill].

I hereby certify, That *A.B.* of _____ Defendant
 in this Cause, has [or have] this Day deposited with me the Sum
 of _____ for Rent, and _____ for Costs, pursuant
 to the Statutes in that Behalf.

Given under my Hand, this _____

Day of _____
F.G. { Clerk of the Peace for the
 County of _____
 or, Deputy.

C A P. CXII.

An Act to facilitate and encourage the granting of certain Leases for Terms of Years in *Ireland*. [28th August 1846.]

‘ WHEREAS it is expedient to encourage the leasing of Lands in *Ireland* for Terms of Years, in certain Cases, and subject to certain Conditions, as herein-after mentioned;’ be it therefore 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, That it shall and may be lawful for any Person duly entitled in that Behalf, who shall, after the passing of this Act, demise or let any Lands or Tenements in *Ireland* for any Term of Years not exceeding Thirty-one Years, and not less than Fourteen Years, reserving a yearly Rent not exceeding Fifty Pounds, without the taking of any Fine, Premium, or Foregift, or any thing in the Nature thereof, for the making of such Demise, to execute a Deed of Lease according to the Form and pursuant to the Provisions contained in a certain Act of the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the granting of certain Leases*, or according to any of the Forms and pursuant to the Directions contained in the Schedules to this Act annexed; and any such Lease shall be deemed to be within and subject to the Provisions of this Act in relation to Stamp Duty next herein-after contained.

II. And be it enacted, That for or in respect of any such Lease as aforesaid to be executed according to any of the Forms and pursuant to the Directions contained in the Schedule of this Act, or according to the Form and pursuant to the Provisions contained in the said Act of the Eighth and Ninth Years of Her present Majesty’s Reign, in lieu and stead of all other Stamp Duties which would have been chargeable in respect of any such Lease immediately before the passing of this Act, there shall be granted, raised, levied, collected, and paid in *Ireland*, unto and for the Use

Leases for Terms not exceeding 31 Years, nor less than 14 Years, reserving a Rent not exceeding 50*l.* yearly, may be made according to the Forms in Schedules to 8&9 Vict. c. 124. or to Schedules of this Act.

Such Leases to be subject to a Stamp Duty of 1*s.* only;

of Her Majesty, Her Heirs and Successors, a Stamp Duty of One Shilling, and on the Counterpart of any such Lease a Stamp Duty of One Shilling. and a Stamp Duty of 1s. on the Counterpart.

III. And be it enacted, That the said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Stamps and Taxes for the Time being; and that all the Powers, Provisions, Clauses, Regulations, and Directions, Fines, Forfeitures, Pains, and Penalties contained in or imposed by the several former Acts of Parliament relating to any prior Duties of the same Kind or Description in *Great Britain* and *Ireland* respectively, and in force at the Time of the passing of this Act, shall respectively be of full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Articles, Matters, and Things, charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, and shall be observed, applied, enforced, and put in execution for the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted with reference to the said Duties by this Act granted. Powers and Provisions of former Acts to be applied to the Duties granted by this Act.

IV. And be it enacted, That every such Deed, executed according to the Form and pursuant to the Directions contained in the Schedules to this Act, unless any Exception be specially made therein, shall be held and construed to include all Outhouses, Buildings, Barns, Stables, Yards, Gardens, Cellars, ancient and other Lights, Paths, Passages, Ways, Watercourses, Easements, and Appurtenances whatsoever, to the Lands and Tenements therein comprised belonging or in anywise appertaining. Deeds executed according to this Act held to include all Outhouses, &c.;

V. And be it enacted, That any Deed or Part of a Deed, executed as last aforesaid, which shall fail to take effect by virtue of this Act, shall nevertheless be as valid and effectual, and shall bind the Parties thereto, so far as the Rules of Law and Equity will permit, as if this Act had not been made. Deed failing to take effect by this Act to be valid.

VI. And be it enacted, That in the Construction and for the Purposes of this Act, and the Schedules hereto annexed, unless there be something in the Subject or Context repugnant to such Construction, the Word "Lands" shall extend to all Tenements and Hereditaments of any Tenure; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing, and the converse; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "Person" shall mean and include any Body Politic or Corporate or Collegiate, as well as an Individual. Construction of Act.

VII. And be it enacted, That the Schedules, and the Directions and Forms therein contained, shall be deemed and taken to be Parts of this Act. Schedules, &c. Part of Act.

VIII. And be it enacted, That this Act shall extend to *Ireland* only. Extent of Act.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Directions as to the Forms in the Schedules to this Act.

1. PARTIES who use any of the Forms in these Schedules may substitute for the Words "Lessee" or "Lessor" any Name or Names.

2. Such Parties may substitute the Feminine Gender for the Masculine, or the Plural Number for the Singular, in any of the Forms in these Schedules.

3. All or any of the Covenants specified in Schedule (C.) may be introduced into or annexed to the Form of the Lease, according to the Agreement of the Parties.

4. Such Parties may introduce into or annex to the Forms any express Exceptions from or express Qualifications thereof respectively, or they may omit or qualify any of the Exceptions contained in the Forms, or they may introduce any other Agreements not inconsistent with the Provisions of this Act.

5. Where the Premises demised shall be of Freehold Tenure, the Covenants by the Lessee shall be taken to be made with and the Proviso for Re-entry to apply to the Heirs and Assigns of the Lessor; and where the Premises demised shall be of Leasehold Tenure, the Covenants by the Lessee and the Proviso for Re-entry shall be taken to be made with and apply to the Lessor, his Executors, Administrators, and Assigns. The Parties may, if they think fit, introduce, either before or after the Proviso for Re-entry, all or any of the Covenants or all or any of the other Provisoes contained in the Schedules (B.) and (C.), and may adopt the Proviso for Re-entry contained in Schedule (C.) instead of the Proviso for Re-entry contained in Schedule (B.)

SCHEDULE (B.)

*Form of Lease under the Statute 9th & 10th Victoria,
Chapter (.)*

THIS Indenture, made the _____ Day of _____ One thousand eight hundred and forty _____ [or other Year], in pursuance of an Act of the 9th and 10th Years of Her Majesty Queen Victoria, intituled "An Act to facilitate and encourage the granting of certain Leases for Terms of Years in Ireland," between [here insert the Names of the Parties, and Recitals, if any _____] witnesseth, that the said [Lessor or Lessors] doth [or do] demise unto the said [Lessee] or [Lessees], his or their Executors, Administrators, and Assigns, all, &c., [Parcels _____], excepting all Timber and other Trees, Saplings and Underwoods, growing or to grow on the said demised Premises, with full Power of Ingress and Regress for the said [Lessor], his Heirs and Assigns, and others by him or them authorized, to view, cut down, manage, dispose of, or carry away the same; and also excepting all Mines, Minerals, and Quarries, now found or hereafter to be found on the said Premises, with full Power of Ingress and Regress for the said [Lessor], his Heirs and Assigns, and others by him or them authorized to search for, work, dig for, sink

sink Pits for, manage, dispose of, or carry away the same, or the Produce thereof, and also excepting and reserving to the said [Lessor], his Heirs and Assigns, and all Persons by him or them authorized, full Power of Ingress and Regress, to lay out, make, or use any Farm or Occupation Road or Roads on or through the said demised Premises, for the Occupation or Use of the said Premises, or of any other Part of the Lands or Estates of the said [Lessor], his Heirs and Assigns, or to make any Drain or Drains, or Watercourses, on or through the said demised Premises, for the Use of the same, or of any other Part of the Lands or Estate of the said [Lessor], his Heirs and Assigns, the said [Lessor], his Heirs and Assigns, making reasonable Compensation for the Waste, Spoil, and Destruction which shall have been done to the said demised Premises in doing the several Acts aforesaid; and also excepting and reserving all Royalties and Franchises, and all Game, wild Fowl, and Fish, and all Privilege of hunting, hawking, fishing, coursing, shooting, and fowling on the said Premises, with free Liberty of Ingress and Regress to the said [Lessor], his Heirs and Assigns, and others by him or them authorized, for the same, or for exercising the same [*here state any other Exceptions, if any*]; to have and to hold the said Lands and Premises hereby demised, with the Appurtenances, unto the said [Lessee], his Executors, Administrators, and Assigns, from the

Day of for the Term of

thence ensuing, yielding therefor, during the said Term, the Rent of [*state the Rent, the Times and Mode of Payment, yearly, half-yearly, or otherwise*].

1. And the said [Lessee] doth hereby, for himself, his Heirs, Executors, Administrators, and Assigns, covenant with the said Lessor, that he the said Lessee, his Executors, Administrators, and Assigns, will during the said Term pay unto the said [Lessor] the Rent hereby reserved, in manner herein-before mentioned, without any Deduction whatsoever.

2. Provided always, and it is expressly agreed, That if the Rent hereby reserved, or any Part thereof, shall be unpaid for Twenty-one Days after any of the Days on which the same ought to have been paid (although no formal Demand shall have been made thereof), then and in such Cases it shall be lawful for the said [Lessor] into and upon the said demised Premises, or any Part thereof in the Name of the whole, to re-enter, and the same to have again, re-possess, and enjoy as of his or their former Estate, any thing herein-after contained to the contrary notwithstanding.

3. And the said [Lessee] doth hereby for himself, his Heirs, Executors, Administrators, and Assigns, covenant with the said [Lessor] that he the said [Lessee], his Executors, Administrators, and Assigns, will also pay all Taxes, Rates, Duties, and Assessments whatsoever, whether parochial, parliamentary, or otherwise, now charged or hereafter to be charged upon the said demised Premises, or upon the said [Lessor], on account thereof (excepting all Taxes, Rates, Duties, or Assessments whatsoever, or any Portion thereof, which the Lessee is or may be by Law exempted from).

4. And also will during the said Term well and sufficiently repair, maintain, amend, and keep the said demised Premises, with the

the Appurtenances, in good and substantial Repair, together with all Buildings, Windows, Doors, and all other Fixtures, and all Gates, Hedges, Ditches, Fences, Drains, and Things which at any Time during the said Term shall be erected and made, or shall be on the said Premises, when, where, and so often as need shall be.

5. And it is hereby agreed, That it shall be lawful for the said [Lessor] and his Agents, at all reasonable Times during the said Term, to enter the said demised Premises to take a Schedule of the Buildings, Fixtures, Gates, Hedges, Ditches, Fences, Drains, and Things made and erected or being thereupon, and to examine the Condition of the said Premises; and further that all Wants of Reparation which upon such Views shall be found, and for the Amendment of which Notice in Writing shall be left at the Premises, the said [Lessee], his Executors, Administrators, and Assigns, will, within Three Calendar Months next after every such Notice, well and sufficiently repair and make good accordingly.

6. And that the said [Lessee], his Executors, Administrators, and Assigns, shall and will from Time to Time manage, till, and use the Lands hereby demised in a good and husbandlike Manner, and in due and regular Course of good Husbandry, so that the same may not be in any way injured or deteriorated.

7. And that the said [Lessee] will, at the Expiration or other sooner Determination of the said Term peaceably surrender and yield up unto the said [Lessor] the said Premises hereby demised, with the Appurtenances, together with all Buildings, Erections, and Fixtures now or hereafter to be built or erected thereon, in good and substantial Repair and Condition in all respects, reasonable Wear and Tear and Damage by Fire only excepted.

8. And the [Lessor] doth hereby for himself, his Heirs, Executors, Administrators, and Assigns, covenant with the said Lessee, his Executors, Administrators, and Assigns, that he and they, paying the Rent hereby reserved, and performing the Covenants herein-before on his and their Part contained, shall and may peaceably possess and enjoy the said demised Premises for the Term hereby granted, without any Interruption or Disturbance from the said [Lessor], his Executors, Administrators, or Assigns, or any other Person or Persons lawfully claiming by, from, or under him, them, or any of them.

N.B. The Parties may add, if they please, any of the Covenants or Forms contained in Schedule (C.) of the above Statute.

In witness whereof the said Parties hereto have hereunto set their Hands and Seals.

<i>These, or either of them, may be omitted or struck out at the Pleasure of the Parties.</i>	}	Statement and Description of Buildings, if any, now existing on the said demised Premises.	<i>[Here state and describe the Buildings, if any.]</i>
		Statement and Description of Buildings allowed by the said Lessor to be erected on the said demised Premises.	<i>[Here state and describe the Buildings so allowed to be erected.]</i>
<i>(Witnesses.)</i>		<i>(Parties Names and Seals.)</i>	

SCHEDULE (C.)

Any of the Covenants specified in this Schedule may be introduced into or annexed to the Form of the Lease, according to the Agreement of the Parties.

1. And also that the said [Lessee] shall not nor will, during the said Term, assign, transfer, underlet, or set over, or otherwise by any Act or Deed procure the said Premises, or any of them, to be assigned, transferred, underlet, or set over, unto any Person or Persons whomsoever, without the Consent in Writing of the said [Lessor], his Executors, Administrators, or Assigns, first had and obtained.

2. And also that the said [Lessee] shall not during the said Term bequeath or devise the said Lands by his Will or Testament, or by any Codicil thereto, unto more than One Person, without the Consent in Writing of the said [Lessor], his Executors, Administrators, or Assigns, first had and obtained.

3. Provided always, That it shall be lawful for the said [Lessee], his Executors or Administrators, or his Assigns, if any such there shall lawfully be, to bequeath or devise the said Premises to any one Person charged with any Sum or Sums of Money for any other Person or Persons, and thereupon it shall be lawful for the Person to whom the said Premises shall be so devised or bequeathed, his Executors or Administrators, or his Assigns, if any such there shall lawfully be, to sell or assign the said Premises for the Residue of the Term thereof to any one Person, for or towards defraying the Charges affecting the same.

4. That he the said [Lessee], his Executors, Administrators, and Assigns, shall not, nor will at any Time hereafter during the Term hereby granted, build or erect, or permit or suffer to continue built or erected, on the said Lands hereby demised, any Farmers Dwelling Houses, Labourers Houses, or other Messuages whatsoever, except such as he or they shall from Time to Time be expressly authorized to build or erect, or permit to be built or erected by the Licence and Consent in Writing of the [Lessor], or Person for the Time being entitled to the Reversion immediately expectant upon the Term hereby granted.

5. That the said [Lessee], his Executors, Administrators, and Assigns, shall not, nor will at any Time or Times during the Continuance of the Term hereby granted, take Two White or Corn Crops in succession off any Part or Parts of the Lands hereby demised.

6. And further, that the said [Lessee] will not, without the Consent in Writing of the said Lessor, his Heirs or Assigns, burn or permit to be burnt any Part of the Soil or Surface of the said Farm or Lands.

7. Provided always, and it is expressly agreed, That if the Rent hereby reserved, or any Part thereof, shall be unpaid for Twenty-one Days after any of the Days on which the same ought to have been paid (although no formal Demand shall have been made thereof,) or in case of the Breach or Nonperformance of any of the Covenants and Agreements herein-before contained on the Part of the said [Lessee], his Executors, Administrators, and Assigns, then and in either of such Cases it shall be lawful for the said [Lessor]

[Lessor] into and upon the said demised Premises, or any Part thereof in the Name of the whole, to re-enter, and the same to have again, re-possess, and enjoy, as of his or their former Estate, any thing herein contained to the contrary notwithstanding.

C A P. CXIII.

An Act to improve the Proceedings in Prohibition and on Writs of Mandamus in *Ireland*. [28th August 1846.]

1 W. 4. c. 21.

Provisions of 1 W. 4. c. 21. as to Writs of Prohibition extended to Ireland.

Provisions of 19 G. 2. (I.) as to Writs of Mandamus extended to other Cases of Writs of Mandamus.

For Protection of certain Officers to whom Writs of Mandamus are directed.

‘ WHEREAS by an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to improve the Proceedings in Prohibition and on Writs of Mandamus*, certain Provisions were made relating to Applications for Writs of Prohibition, and to the Proceedings thereon, and to Damages and Costs of such Applications and Proceedings; and it is expedient that the said Provisions should be extended to and be in force in *Ireland*.’ Be it therefore 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, That the several Enactments contained in the said Statute relating to Applications for Writs of Prohibition, and to Declarations and other Pleadings and Proceedings thereon, and to the Recovery of Costs and Damages therein, shall be and the same are hereby extended to and shall be in force in *Ireland*.

II. ‘ And whereas the Provisions contained in an Act passed in the Parliament of *Ireland* in the Nineteenth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the better Regulation of Corporations*, relating to the Writs of Mandamus, therein mentioned, have been found useful and convenient, and the same ought to be extended to the Proceedings on other such Writs;’ be it therefore enacted, That the several Enactments contained in the said last-mentioned Statute relating to the Returns to Writs of Mandamus, and the Proceedings on such Returns, and to the Recovery of Damages and Costs, shall be and the same are hereby extended and made applicable to all other Writs of Mandamus, and the Proceedings thereon, except so far only as the same may be varied or altered by this Act.

III. ‘ And whereas Writs of Mandamus, other than such as relate to the Offices and Franchises mentioned in or provided for by the said Act made in the Nineteenth Year of the Reign of King *George* the Second, are sometimes issued to Officers and other Persons, commanding them to admit to Offices or do or perform other Matters in respect whereof the Persons to whom such Writs are directed claim no Right or Interest, or whose Functions are merely ministerial in relation to such Offices or Matters; and it may be proper that such Officers and Persons should in certain Cases be protected against the Payment or Damages or Costs to which they may otherwise become liable;’ be it therefore enacted, That it shall be lawful for the Court in *Ireland* to which Application may be made for any Writ of Mandamus (other than such as relate to the said Offices and Franchises

Franchises mentioned in or provided for by the said Act made in the Reign of King *George* the Second), if such Court shall see fit so to do, to make Rules and Orders calling not only upon the Person to whom such Writ may be required to issue, but also all and every other Person having or claiming any Right or Interest in or to the Matter of such Writ, to show Cause against the issuing of such Writ, and Payment of Costs of the Application; and upon the Appearance of such other Person in compliance with such Rules, or in default of Appearance after Service thereof, to exercise all such Powers and Authorities, and make all such Rules and Orders applicable to the Case, as are or may be given or mentioned by or in any Act passed or to be passed during this present Session of Parliament for giving Relief against adverse Claims made upon Persons having no Interest in the Subject of such Claims: Provided always, that the Return to be made to any such Writ, and Issues joined in Fact or in Law upon any Traverse thereof, or upon any Demurrer, shall be made and joined by and in the Name of the Person to whom such Writ shall be directed; but nevertheless the same shall and may, if the Court shall think fit so to direct, be expressed to be made and joined on the Behalf of such other Person as may be mentioned in such Rules, and in that Case such other Person shall be permitted to frame the Return, and to conduct the subsequent Proceedings at his own Expence; and in such Case, if any Judgment shall be given for or against the Party suing such Writ, such Judgment shall be given against or for the Person or Persons on whose Behalf the Return shall be expressed to be made, and who shall have the like Remedy for the Recovery of Costs and enforcing the Judgment as the Person to whom the Writ shall have been directed might and would otherwise have had.

Proviso as to Returns of Writs and Issues joined.

IV. And be it enacted, That in case the Return to any such Writ shall, in pursuance of the Authority given by this Act, be expressed to be made on behalf of any other Person as aforesaid, the further Proceedings on such Writ shall not abate or be discontinued by the Death or Resignation of or Removal from Office of the Person having made such Return, but the same shall and may be continued and carried on in the Name of such Person; and if a peremptory Writ shall be awarded the same shall and may be directed to any Successor in Office or Right to such Person.

Proceedings not to abate by Death, &c. of the Officer having made the Return.

V. And for making some further Provision for the Payment of Costs on Application for Mandamus, be it enacted, That in all Cases of Applications for any Writ of Mandamus whatsoever in *Ireland* the Costs of such Application, whether the Writ shall be granted or refused, and also the Costs of the Writ, if the same shall be issued and obeyed, shall be in the Discretion of the Court, and the Court is hereby authorized to order and direct by whom and to whom the same shall be paid.

The Costs of Application for a Mandamus to be in the Discretion of the Court.

VI. And whereas it is expedient that Parties interested in the issuing of or in the Proceedings upon Writs of Mandamus shall be enabled in certain Cases to have the Judgments and Decisions of the Court of Queen's Bench in *Ireland* in respect of the said Writs, and of the Proceedings thereon, reviewed by a Court of Error, if they shall so think fit, and that a certain Mode of effecting the same shall be ordained and established:

Where Prosecutor intends to object to the Validity of a Return to a Mandamus, he must do so by way of Demurrer.

‘ And whereas there is not any Power or Authority given by the said recited Act of the Reign of His Majesty King *George* the Second to the Person prosecuting a Writ of Mandamus to demur to the Return made to any such Writ, so that the Decision of the said Court of Queen’s Bench as to the Validity of such Return could be reviewed by a Court of Error;’ for Remedy whereof, therefore, be it enacted, That in all Cases in which the Person prosecuting any Writ of Mandamus heretofore issued or hereafter to be issued shall wish or intend to object to the Validity of any Return heretofore made or hereafter to be made to the same, he shall do so by way of Demurrer to the same, in such and the like Manner as is now practised and used in the said Court in personal Actions, and thereupon the said Writ and Return and the said Demurrer shall be entered on Record in the said Court, and such and the like further Proceedings shall be thereupon had and taken as upon a Demurrer to Pleadings in personal Actions in the said Court; and the said Court shall thereupon adjudge either that the said Return is valid in Law, or that it is not valid in Law, or that the Writ of Mandamus is not valid in Law; and if the Court adjudge that the said Writ is valid in Law, but that the Return thereto is not valid in Law, then and in every such Case the Court shall also by the said Judgment award that a peremptory Mandamus shall issue in that Behalf; and thereupon such peremptory Writ of Mandamus may be sued out and issued accordingly at any Time after Four Days from the signing of the said Judgment; and it shall be lawful for the said Court and they are hereby required, in and by their said Judgment, to award Costs to be paid to the Party in whose Favour they shall thereby decide, by the other Party or Parties.

Proceedings thereupon.

Party aggrieved by Judgment may sue out a Writ of Error to reverse the same.

VII. And be it enacted, That whenever any such Judgment as is herein-before mentioned shall be given, or whenever Issue in Fact or in Law shall be joined upon any Pleadings, in pursuance of the said recited Act of the Reign of His Majesty King *George* the Second and of this Act, or of either of them, and Judgment shall be given thereon by the said Court, it shall be lawful for any Party to the Record in any of such Cases, who shall think himself aggrieved by such Judgment, to sue out and prosecute a Writ of Error for the Purpose of reversing the same, in such Manner and to such Court or Courts as a Party to any personal Action in the said Court of Queen’s Bench in *Ireland* may now sue out and prosecute a Writ of Error upon the Judgment in such Action, and such and the like Proceedings shall thereupon be had and taken and such Costs awarded, as in ordinary Cases of Writs of Error upon Judgments of the said Court in Personal Actions; and if the Judgment of the said Court be reversed by the Court of Error the said Court of Error shall thereupon, by their Judgment, not only reverse the same, but shall also, in addition thereto, give the same Judgment which the Court whose Judgment is so reversed ought to have given in that Behalf; and if by their said Judgment they shall award that a peremptory Writ of Mandamus shall issue, the same shall and may accordingly be issued by the proper Officer in the Office from which such Writs issue, upon Production to him of an Office Copy of the said Judgment of the Court of Error, which shall be his Authority and Warrant for so doing: Provided always,

always, that Bail in Error to the Amount of Fifty Pounds, or such other Sum as may by any Rule of Practice be appointed as herein-after provided, shall be duly put in within Four Days after the Allowance of the said Writ of Error, and the same shall afterwards be duly perfected according to the Practice of the Court wherein the said original Judgment was given, otherwise the Plaintiff in Error shall be deemed to have abandoned his Writ of Error, and the same shall not be further prosecuted.

Bail in Error shall be duly put in within Four Days after Allowance of Writ.

VIII. And be it enacted, That no Action, Suit, or any other Proceeding shall be commenced or prosecuted in *Ireland* against any Person or Persons whatsoever for or by reason of any thing done in obedience to any peremptory Writ of Mandamus issued by any Court having Authority to issue Writs of Mandamus.

No Action, &c. for any thing done in obedience to any peremptory Writ.

IX. And be it enacted, That the said Court or Courts of Error which are hereby empowered to take cognizance of the Matters aforesaid may make and they are hereby directed to make, from Time to Time and as often as they shall see Occasion, such Rules of Practica in reference to the said Application and the Proceedings thereon, and in reference to the Writs of Error herein-before mentioned, and the Proceedings thereon, and the Amount of Bail to be taken, as the said Courts respectively may deem necessary to effectuate the Intention of this Act in relation to the same respectively.

Court of Error may make Rules of Practice, &c.

X. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

C A P. CXIV.

An Act for the further Amendment of an Act of the Sixth Year of Her present Majesty, for regulating the *Irish Fisheries*.
[28th August 1846.]

‘ **W**HEREAS an Act was passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to regulate the Irish Fisheries*: And whereas the same was amended by an Act of the Seventh and Eighth Years of the Reign of Her said Majesty, and was again amended by another Act of the Eighth and Ninth Years of the Reign of Her said Majesty; and it is by the said first-recited Act, amongst other things, enacted, “that from and after the First Day of *January* in the Year One thousand eight hundred and forty-four no Fish of the Salmon Kind shall be taken in or from any River, Lake, or Estuary whatsoever or on the Sea Coast, between the Twentieth Day of *August* in any Year and the Twelfth Day of *February* in the Year following, by any Person, save and except in any River, Lake, or Estuary, or any Part of the Sea Coast where the catching of Salmon shall be permitted during such Period by the said Commissioners, in conformity with the Powers therein-after vested in them for that Purpose:” And whereas it is expedient that the said first-recited Act, and the Acts amending the same, should be further amended in relation to the Close Time or Close Season for Salmon:’ Be it therefore enacted by the

5 & 6 Vict. c. 106.

7 & 8 Vict. c. 108.

8 & 9 Vict. c. 108.

So much of recited Provision as defines the Close Time for Salmon repealed.

Close Time for Salmon in the Sea and Tideways shall be from 1st Sept. to 31st Jan.

Close Time for Salmon in Rivers or Lakes above Tideway; but Salmon to be taken by Rod and Line only from 1st to 14th September.

Nothing to prevent Owners, &c. from using Fishing Weirs above Termination of Tideway, and within Two Miles therefrom, during the Month of February.

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, That from and after the passing of this Act so much of the said recited Provision as specifies the said Close Time or Close Season in which no Fish of the Salmon Kind shall be taken shall be and the same is hereby repealed, save and except as to any Matter or Thing heretofore done, or any Penalty heretofore incurred in respect of the same; and from and after the passing of this Act, as regards the rest of *Ireland* and the Sea Coast thereof (save the Counties herein-after mentioned and the Sea Coast of the same), no Fish of the Salmon Kind shall be killed, destroyed, or taken, by any Person or by any Means whatever, in or from any Estuary or on the Sea Coast, or in or from the Tideway of any River or Lake, or the Part thereof where the Tide ebbs and flows, at any Time between the First Day of *September* in each Year and the Thirty-first Day of *January* in the Year following, both the said Days inclusive; and no Fish of the Salmon Kind (save as herein-after provided) shall be killed, destroyed, or taken, by any Person or by any Means whatsoever, in or from any Part of any River or Lake above the Tideway, or Portion thereof where the Tide ebbs and flows, at any Time between the Fifteenth Day of *September* in each Year and the last Day of *February* in the Year following, both the said Days inclusive: Provided always, that in any such Part of any River or Lake above the Tideway, or Portion thereof where the Tide ebbs or flows, no Fish of the Salmon Kind shall be killed, destroyed, or taken between the First and Fourteenth Days of the Month of *September*, both the said Days inclusive, by any Person, by means of any Weir, Crib, Cruive, Box, Trap, Draw Net, Haul Net, fixed Net, or other Net or Device whatsoever, save by Rods and Lines only.

II. And whereas in many of the Rivers aforesaid permanent or fixed Weirs, with Boxes, Crib, or Cruives, for the taking of Salmon, are now held under Charter, Patent, Grant, Act of Parliament, or prescriptive Right, and are placed or constructed wholly or partially across such Rivers, in the fresh-water Portions thereof, above the Place where the Tide ceases to flow: And whereas in such Cases where any such permanent or fixed Weirs are situate within Two Miles from the Place where the Tide ceases to ebb and flow, and no fishing or other Weir is situate or interposed between such permanent or fixed Weirs and the Place where as aforesaid the Tide ceases to ebb and flow, good Fish of the Salmon Kind may, without Injury to the Fisheries, and with Advantage to the Public, be taken during the Month of *February* in each Year; be it therefore enacted, That nothing herein-before contained shall be construed to prevent the Owners or Tenants of such Weirs so circumstanced as aforesaid from using the same, and it shall be lawful for them to use the same, to take therein or thereat Fish of the Salmon Kind, in such Boxes, Crib, or Cruives of such Weirs, or by the drawing of Nets at or near such Weirs, or in any Part of such Rivers between such Weirs and the Tideway, or Portion thereof where the Tide ebbs and flows, during any Part of the Month of *February*,

in like Manner as if such Weirs were situate within the Tideway or Place where the Tide ebbs and flows : Provided always, that in all other respects such Weirs, and the Persons using, possessing, tenanting, or fishing the same, shall be subject to the Provisions of the said recited Acts and this Act in relation to the same.

Weirs, &c. to be subject to Provisions of recited Act, &c.

III. And be it enacted, That in any of the following Counties, or on the Sea Coast of the same, or any of them, (that is to say,) the Counties of *Antrim, Tyrone, Donegal, Londonderry, Mayo, Fermanagh, Leitrim, and Sligo*, no Fish of the Salmon Kind shall be killed, destroyed, or taken, by any Person or by any Means whatever, in or from any River, Lake, or Estuary whatsoever, or on the Sea Coast, between the Twentieth Day of *August* in any Year and the Thirty-first Day of *January* in the Year following, both the said Days inclusive.

In certain Counties the Close Time to be from 20th August to 31st January.

IV. Provided always, and be it enacted, That nothing in this Act contained shall prevent any Person from killing, destroying, or taking any Fish of the Salmon Kind during such Periods as aforesaid, or any of them respectively, in or from any River, Lake, or Estuary, or on any Part of the Sea Coast where the catching of Salmon shall be permitted during such Periods or any of them respectively by the said Commissioners, in pursuance of the Powers vested in them for that Purpose by the said first-recited Act, or any Act or Acts amending the same.

Not to prevent fishing in any Lake, &c. where permitted by the Commissioners.

V. And be it enacted, That the said respective Close Times for Fish of the Salmon Kind, as fixed by this Act, shall be observed and kept in the like Manner in every respect as the Close Time for such Fish by the said recited Acts or any of them provided ; and the Observance thereof respectively shall and may be enforced by all the Means, Powers, Persons, and Authorities provided in respect of such Close Time in the said recited Acts or any of them ; and the Provisions of the said recited Acts, so far as the same are applicable, and not varied by this Act, shall be extended and applied to the respective Close Times hereby fixed, as if the same had been set forth in the said recited Acts ; and all Persons guilty of any Breach of any of the Provisions of the said Acts or any of them, or this Act, relating to such respective Close Times, or offending in any respect against the Provisions of this Act, shall be liable to the like Penalties and Forfeitures as are provided by the said recited Acts or any of them, as if the respective Times, Periods, Matters, and Things herein provided to be observed and done were set forth in the said recited Acts, and the Matters and Things provided to be done for Observance of the Close Season in the said Acts were set forth in this Act ; and all such Powers, Authorities, and Provisions for or in relation to the Enforcement of the Observance of the Close Season or Seasons, or for or in relation to the altering of the Close Season or Seasons, provided and given by the said recited Acts or any of them, shall extend and apply to the Subjects and Purposes of this Act, and may be used and exercised for enforcing the Provisions of this Act, in as full and effectual a Manner as if they were set forth in this Act, and applied and extended by express Terms to the Subjects and Purposes thereof ; and all such Penalties and Forfeitures shall and may be sued for, recovered, and levied

Penalties, Forfeitures, and Regulations for enforcing Observance of Close Season. 5 & 6 Vict. c. 106. 7 & 8 Vict. c. 108. §§ 1. 2. 8 & 9 Vict. c. 108. §§ 1. 10. 14. 23, 24.

in the same Manner as by the said recited Acts provided in Cases of Offences prohibited by the said Acts or any of them.

Interpreta-
tion of Act.

VI. And be it enacted, That this Act and the said recited Acts shall be construed as One Act; and the said recited Acts shall remain in full Force and Effect, except so far as the Provisions of the same are repealed or altered by or are inconsistent with this Act; and the Commissioners for the Execution of this Act; and, save when the Nature of the Provision or the Context shall exclude such Construction, Words and Expressions to which a particular or extended Meeting is given in the said recited Acts or any of them shall have or include the same particular or extended Meaning in this Act.

Act may be
amended, &c.

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

C A P. CXV.

An Act to amend the Laws as to District Lunatic Asylums in *Ireland*; to provide for the Expence of the Maintenance of certain Lunatic Poor removed from the *Richmond Lunatic Asylum, Dublin*, for Want of Room therein; and to provide for the Salaries and Expences incident to the Office of Inspector of Lunatics in *Ireland*.

[28th August 1846.]

1 & 2 G. 4. c. 33.

11 G. 4. &
1 W. 4. c. 22.

‘ WHEREAS by an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor, and for the Custody of Insane Persons charged with Offences*, in *Ireland*, certain Provisions were made for the Erection and Establishment of Lunatic Asylums in and for Districts to be limited and appointed in manner and by the Authority in the said Act mentioned: And whereas by an Act passed in the Eleventh Year of the Reign of His said late Majesty, intituled *An Act for appropriating the Richmond Lunatic Asylum in Dublin to the Purposes of a District Lunatic Asylum*, it was among other things enacted, that a certain Building commonly known by the Name of the *Richmond Lunatic Asylum*, in the City of *Dublin*, theretofore established and used as an Asylum or Hospital for the Reception and Management of Lunatic Patients, should and might be and become, and the same has accordingly become, a Lunatic Asylum for the County of the City of *Dublin*, and for such other County or Counties as from Time to Time, under the Provisions of the said first-recited Act of the First and Second Years of His late Majesty, constituted, together with the said City of *Dublin*, a District of a Lunatic Asylum: And whereas, in consequence of the Number of Lunatic Poor whose Cases urgently required Admission into the *Richmond Lunatic Asylum*, it became necessary, in the Year of our Lord One thousand eight hundred and forty-four, to remove a certain

' a certain Number of the Lunatic Poor then being Inmates of the
 ' said Asylum, and whose Cases did not so urgently require their
 ' Residence therein, to an Hospital or Asylum at *Island Bridge* in
 ' the County of *Dublin*, connected with and attached to the House
 ' of Industry in the City of *Dublin*; and such Lunatic Poor so
 ' removed have been kept, superintended, and maintained in the
 ' said Hospital, and the Expences of such Care, Superintendence,
 ' and Maintenance have been defrayed by the Poor Law Com-
 ' missioners out of certain Funds in their Hands applicable to
 ' the Purposes of the said House of Industry: And whereas it
 ' is expedient that the Sum so defrayed and expended should be
 ' repaid to the said Commissioners, and that the Expence of the
 ' future Care, Superintendence, and Maintenance of such Lunatic
 ' Poor so removed (whilst they continue as Inmates of such Hos-
 ' pital) should be provided for by the County, Counties, or District
 ' which would have been or would be respectively chargeable in
 ' respect of them, in case they remained as Inmates of the said
 ' *Richmond Asylum*:' Be it therefore 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,
 That the Amount of the Sums so heretofore defrayed or expended
 by the said Poor Law Commissioners in and for the Care, Super-
 intendence, and Maintenance of the said Lunatic Poor so removed
 to the said Hospital, and of all Sums to be hereafter from Time to
 Time duly defrayed or expended by the said Poor Law Commis-
 sioners in and for the Care, Superintendence, and Maintenance in
 the said Hospital of the said Lunatic Poor, or any other Lunatic
 Poor, who, with the Consent of the Poor Law Commissioners and
 of the Commissioners of Her Majesty's Treasury, may be removed
 from the said *Richmond Lunatic Asylum*, or from the District
 thereof, to the said Hospital, whilst they shall continue therein,
 to be ascertained by any Order of the Lord Lieutenant or other
 Chief Governor or Governors of *Ireland*, and Privy Council in
Ireland, shall be raised off and provided for and paid by the same
 County or Counties, County of a City, or District off or by which
 and in all respects as the Sums or Expences requisite for support-
 ing, supplying, and maintaining the same respective Lunatic
 Poor would or might be, or ought to have been or to be raised,
 provided for, and paid in case the same Lunatic Poor were
 respectively kept and maintained in the said *Richmond Lunatic*
Asylum; and the Grand Jury of each such County, County of a
 City, or County of a Town, or of the County or County of a City
 or County of a Town in which such District may be situated,
 shall, without any previous Proceeding at any Presentment Ses-
 sions, present the Sum or Sums so to be ascertained accordingly,
 or in default thereof the same shall be inserted in and raised by
 an Order of the Judge of Assize or of the Court at any Present-
 ing Term, which Order shall have the Force of a Presentment,
 and the Sum or Sums therein mentioned shall be apportioned and
 raised and levied accordingly as if the same had been inserted
 in a Presentment duly made at the Assizes or Presenting Term at
 which such Order shall be made; and such Sums respectively,
 when so from Time to Time raised and provided, shall be paid

The Sums
 expended in
 supporting the
 Lunatic Poor
 removed from
 Richmond Lu-
 natic Asylum
 to be raised by
 the Districts
 liable therefor.

Grand Jury to
 present the Sums
 necessary.

over to the said Poor Law Commissioners, and by them be placed to the Credit of the Funds of the said House of Industry.

In case of Change of Districts of Lunatic Asylums the Sums to be repaid under recited Provisions shall be paid by Instalments, and applied in liquidation of the Payments which the County transferred from one District shall be liable to make for the Asylum of another District.
7 G. 4. c. 14.

II. ' And whereas by an Act of the Seventh Year of His late Majesty King George the Fourth, intituled *An Act for the further Amendment of an Act of the First and Second Years of His present Majesty, for the Establishment of Asylums for the Lunatic Poor in Ireland*, it is amongst other things enacted, that if it shall at any Time happen that any Money shall have been raised off any County, County of a City, or County of a Town, or any Part thereof, towards defraying the Expences of erecting, establishing, maintaining, or supporting of any Lunatic Asylum, and that by reason of any Change of the District or Place in or for which such Asylum shall have been established such County, County of a City, or County of a Town, or any Part thereof, shall be taken out of the District liable to be assessed for such Expences, then and in such Case any Sum or Sums of Money which shall have been raised off such County, County of a City, or County of a Town, or such Part thereof as aforesaid shall be raised off any and every County, County of a City, or County of a Town, or any Part or Parts thereof, which shall remain within such District; and all and every Sum and Sums which shall be so raised shall be repaid to the Treasurer of the County, County of a City, or County of a Town which shall have been removed from such District; and that whenever any County, County of a City, or County of a Town, or any Part or Parts thereof, which shall have been comprised in any former District, shall, by reason of any such Change as aforesaid, be comprised in or shall form Part of any new District, such County, County of a City, or County of a Town, or such Part thereof, shall be and is hereby declared to be subject and liable towards the defraying the Expences of any Asylum in or for such new District, in like Manner as is directed by the said recited Acts, or either of them, and as if such County, County of a City, or County of a Town, or such Part thereof, had been originally comprised in or formed Part of such new District: And whereas by the said recited Act of the last Session of Parliament it is amongst other things enacted, that when any Change of the District of any District Asylum shall be made as aforesaid, no Sum of Money for defraying the Expences of maintaining or supporting any such District Asylum (after the same shall have been erected and established) shall from and after the passing of this Act be raised off any County, County of a City, or County of a Town, or any Part thereof, which shall remain (or be) within such District, or be repaid to the Treasurer of the County, County of a City, or County of a Town which shall have been removed from such District, or be raised off any such County, County of a City, or County of a Town, or Part thereof, which shall have been comprised in any former District, and shall by reason of any such Change be comprised in or form Part of any new District for any such Asylum, any thing in the said recited Enactment to the contrary notwithstanding: And whereas it is expedient that the Sums payable under the said recited Provisions should be paid by Instalments and applied as herein mentioned; be it therefore enacted, That

the respective Sums of Money for erecting and establishing any such Lunatic Asylum so to be raised and repaid as in the said recited Provisions mentioned shall be raised and paid in or by Instalments or Proportions, which Instalments or Proportions shall, as nearly as the Circumstances of the Case will admit, be payable at the same Periods as the Instalments or Proportions or Sums which any such last-mentioned County, County of a City, or County of a Town which shall have been removed or transferred from any such District shall be liable to pay and contribute towards the Erection or Establishment of any District Lunatic Asylum in and for the District to which such last-mentioned County, County of a City, or County of a Town shall be so transferred; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors and Privy Council in *Ireland* by any Order to ascertain the Instalment or Proportion, Instalments or Proportions, which ought to be so raised and paid, and the Times at which the same shall be payable and paid, and the County, County of a City, or County of a Town, or Part or Parts of a County, County of a City, or County of a Town, off which each such Instalment or Proportion ought to be raised; and the Grand Jury of each such County, County of a City, or County of a Town shall, without any previous Proceeding at any Presentment Sessions, present the Sum or Sums to be ascertained by any such Order or Orders accordingly, or in default thereof the same shall be inserted in and raised by an Order of the Judge of Assize or of the Court at any Presenting Term, which Order shall have the Force of a Presentment, and the Sum or Sums therein mentioned shall be apportioned and raised and levied accordingly as if the same had been inserted in a Presentment duly made at the Assizes or Presenting Term at which such Order shall be made, and the same shall be so payable and shall be paid at the Periods aforesaid to the Treasurer of the County, County of a City, or County of a Town, which shall have been so removed or transferred from any such District, and such Treasurer shall pay over and apply such Sums when so received, so far as the same shall extend or shall be required, as the Case may be, in Liquidation and Discharge of such Instalments so payable by such last-mentioned County, County of a City, or County of a Town so transferred as aforesaid.

III. And be it enacted, That any Person who has been or shall be, by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, removed from any Gaol and admitted into any District Lunatic Asylum, not being a Criminal Lunatic within the Meaning of the said recited Act of the last Session of Parliament, may lawfully be discharged from such Lunatic Asylum without the Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, as in the Case of other Lunatic Poor, in case it shall be duly certified by Medical Certificate that such Person has become of sound Mind, or has ceased to be or is not a dangerous Lunatic or dangerous Idiot: Provided always, that nothing in this Provision contained shall apply to any Person who after he or she shall have been committed for Trial, or for default of Surety to keep the Peace, or after he or she shall have been convicted of any Offence, and during his or her Imprisonment

Persons removed from Gaols to District Asylums by Order of the Lord Lieutenant, not being Criminals, may be discharged on Certificate that they are of sound Mind, &c.

ment by reason of such Committal or Conviction shall have been removed from any Gaol to any such Lunatic Asylum by virtue of a Warrant of the said Lord Lieutenant or other Chief Governor or Governors under the Authority of an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to make more effectual Provision for the Prevention of Offences by insane Persons in Ireland.*

1 & 2 Vict.
c. 27.

Act may be
amended, &c.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

C A P. CXVI.

An Act to apply the Sum of Eight millions three hundred fifty-six thousand one hundred and seventy-three Pounds Seventeen Shillings and Eleven-pence out of the Consolidated Fund, and Monies in the Exchequer, to the Service of the Year One thousand eight hundred and forty-six, and to appropriate the Supplies granted in this Session of Parliament. [28th August 1846.]

- § I. There shall be applied, for the Service of the Year 1846, £8,356,173 17s. 11d. out of the Consolidated Fund.
- II. The Treasury may cause £8,356,173 17s. 11d. of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1., 4 & 5 W. 4. c. 15., and 5 & 6 Vict. c. 66.
- III. The Clauses, &c. in recited Acts extended to this Act.
- IV. Interest on Exchequer Bills.
- V. Bank of England may advance £8,356,173 17s. 11d. on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.
- VI. Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.
- VII. Monies raised by Exchequer Bills to be applied to Services voted by the Commons.
- VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.
- IX. The Treasury to issue £500,000 now in the Exchequer to complete the Aids granted for 1844 and 1845.
- X. Monies coming into the Exchequer by 9 & 10 Vict. c. 7.—£18,380,200 by Exchequer Bills, 9 & 10 Vict. c. 15.—Monies coming in by 9 & 10 Vict. c. 47.—and £8,356,173 17s. 11d. and £500,000 by this Act, applied as hereafter expressed.
- XI. There shall be issued and applied,
- | | | | | |
|--|----------|---|----|--|
| | £ 44,420 | 6 | 10 | For Excess of Naval Expenditure over Grants of 1844. |
|--|----------|---|----|--|
- XII.
- | | | | |
|-----------|---|---|--|
| 7,484,453 | 0 | 0 | For Naval Services, to the 31st March 1847, viz. |
| 1,294,720 | 0 | 0 | For Wages to 40,000 Seamen and Marines, &c. |
| 645,048 | 0 | 0 | For Victuals, &c. in the Navy. |
| 1,636,426 | 0 | 0 | For Naval Stores, &c. |
| 526,810 | 0 | 0 | For new Works in Naval Establishments. |
| 705,448 | 0 | 0 | For Naval Half Pay. |
| 129,714 | 0 | 0 | For Salaries, &c. of the Admiralty Office. |

	£ 9,501	0 0	For Registry Office of Seamen, &c.
	40,015	0 0	For the Navy Scientific Departments.
	129,932	0 0	For Naval Establishments at home.
	23,902	0 0	For Naval Establishments abroad.
	752,427	0 0	For Wages of Artificers, &c. at home.
	43,720	0 0	For Wages of Artificers, &c. abroad.
	21,273	0 0	For Medicines, &c.
	71,075	0 0	For Naval Miscellaneous Services.
	486,322	0 0	For Military Pensions.
	156,548	0 0	For Civil Pensions.
	166,626	0 0	To defray the Charge of Transports, &c.
	92,859	0 0	To defray the Charge of Convicts, Home Department.
	544,587	0 0	For Mail Packet Service.
	7,500	0 0	For retired Allowance to Naval Captains.
§ XIII.	6,635,044	0 0	For Army Services, from 1st <i>April</i> 1846 to 31st <i>March</i> 1847, <i>viz.</i>
	3,772,889	0 0	For Forces in United Kingdom and Stations abroad (except the <i>East Indies</i>).
	326,000	0 0	For Half Pay for Retired Officers.
	104,200	0 0	For Pensions to Widows.
	1,191,350	0 0	For Out-Pensioners of <i>Chelsea</i> Hospital, &c.
	154,938	0 0	For Disembodied Militia.
	364,801	0 0	For Commissariat Department.
	32,404	0 0	For Half Pay of Commissariat Department.
	169,435	0 0	For General Staff Officers, &c.
	94,439	0 0	For Allowances to Officers, &c. of Public Military Departments.
	14,062	0 0	For Royal Military Asylum, &c.
	82,375	0 0	For Volunteer Corps.
	36,501	0 0	For Services of former Years.
	12,000	0 0	For Rewards for distinguished Military Services.
	49,000	0 0	For certain General Officers.
	46,000	0 0	For Full Pay for retired Officers.
	38,000	0 0	For Half Pay, &c. to Officers of disbanded Foreign Corps, &c.
	82,000	0 0	For Compassionate List, &c.
	34,650	0 0	For <i>Chelsea</i> and <i>Kilmainham</i> Hospitals, &c.
	30,000	0 0	For Superannuations in Military Public Departments.
XIV.	2,543,569	0 0	For Ordnance Services to the 31st <i>March</i> 1847, <i>viz.</i>
	575,670	0 0	For Ordnance Military Corps.
	340,981	0 0	For Commissariat and Barrack Supplies, &c.
	223,025	0 0	For Ordnance and Barrack Establishments.
	390,184	0 0	For Ordnance Stores for Land and Sea Service.
	611,986	0 0	For Ordnance and Barrack Works.
	94,903	0 0	For Ordnance Offices at the <i>Tower</i> and <i>Pall Mall</i> .
	125,392	0 0	For Wages of Artificers, &c. in the Ordnance Department.
	60,969	0 0	For Scientific Branch of Ordnance Department.
	120,459	0 0	For Non-effective Ordnance Services.

§ XV.	£18,380,200	0	0	To pay off Exchequer Bills of 1846.		
	500,000	0	0	To discharge Supplies granted for 1845, &c.		
XVI.	100,000	0	0	For Civil Contingencies	} To 31st March 1847.	
	121,578	0	0	For Repairs of Public Buildings, Furniture of Public Offices, &c. ;		
	10,000	0	0	For a Palm House in the Royal Botanic Gardens at <i>Kew</i>		
	15,588	0	0	For providing Accommodation for Houses of Parliament		
	72,400	0	0	For New Houses of Parliament		
	19,235	0	0	For rebuilding the Home Office, &c.		
	85,681	0	0	For <i>Holyhead</i> Harbour		
	50,000	0	0	For <i>Caledonian</i> Canal		
	21,452	0	0	For Public Buildings, &c., <i>Ireland</i>		
	12,500	0	0	For <i>Kingstown</i> Harbour		
	20,000	0	0	For enlarging <i>Buckingham Palace</i> in 1846.		
	4,500	0	0	For Damage to Public Buildings by Storm on 1st August 1846.		
	30,000	0	0	For Harbours of Refuge in 1846.		
XVII.	29,350	0	0	For both Houses of Parliament		} To 31st March 1847.
	56,000	0	0	For Salaries, &c. at the Treasury		
	16,600	0	0	For the Home Department		
	63,000	0	0	For Salaries, &c. in the Foreign Department		
	19,000	0	0	For the Colonial Department		
	37,255	0	0	For Salaries, &c. at the Privy Council, &c.		
	2,000	0	0	For Lord Privy Seal		
	29,559	0	0	For Office of Paymaster General		
	16,156	0	0	For Comptroller General of Exchequer, &c.		
	2,650	0	0	For State Paper Office		
	72,915	0	0	For the Mint		
	12,628	0	0	For Public Records, &c.		
	23,273	0	0	For Offices of Chief Secretary, &c., <i>Ireland</i>		
	5,046	0	0	For Paymaster of Civil Services, <i>Ireland</i>		
	5,798	0	0	For Board of Public Works, <i>Ireland</i>		
	244,126	0	0	For Stationery, &c. for Government Departments		
	4,950	0	0	For Printing, by Queen's Printers, <i>Ireland</i>		

	£ 3,340	0	0	For Ecclesiastical Commis- sioners for <i>England</i> -	
	120,700	0	0	For the Poor Law Commis- sioners -	
	15,324	0	0	For Salaries, &c. of Inspec- tors of Factories, &c. -	
	1,755	0	0	Salaries of Officers, <i>Scot- land, &c.</i> -	
	6,464	0	0	Household of Lord Lieute- nant of <i>Ireland</i> -	
	39,000	0	0	For Foreign and Secret Ser- vices -	
§ XVIII.	57,568	0	0	For Law Charges, &c. in <i>England and Wales, viz.</i>	
	21,000	0	0	For Office of Solicitor to the Treasury -	
	10,600	0	0	For Prosecutions under Laws relating to Coin -	
	12,600	0	0	For Expences of Sheriffs, Salaries of Officers of the Exchequer, &c. -	
	13,868	0	0	For Insolvent Debtors Court	
	64,610	0	0	For Law Charges, <i>Scotland</i>	To
	66,209	0	0	For Law Charges, <i>Ireland</i>	31st March 1847.
	239,000	0	0	For Charges formerly paid out of County Rates -	
	12,463	0	0	For <i>Parkhurst</i> Prison -	
	19,934	0	0	For <i>Pentonville</i> Prison -	
	34,083	0	0	For <i>Milbank</i> Prison -	
	5,000	0	0	For <i>Perth</i> Prison -	
	3,971	0	0	For Convict Depôt in <i>Dub- lin, &c.</i> -	
	3,935	0	0	For Criminal Lunatics -	
	6,000	0	0	For a Prison for Criminal Lunatics, <i>Dublin</i> -	
	8,986	0	0	Inspectors of Prisons, &c. -	
	36,000	0	0	For the Police of <i>Dublin</i> -	
	62,330	0	0	For Convicts at home, &c. -	
	250,000	0	0	For Convicts at <i>New South Wales, &c.</i> -	
	10,000	0	0	For a Model Prison in <i>Ireland</i> in 1846.	
XIX.	100,000	0	0	For Public Education in 1846.	
	85,000	0	0	For Education, <i>Ireland</i> -	
	5,881	0	0	School of Design, &c. -	
	2,006	0	0	For certain Professors at <i>Oxford and Cambridge</i> -	
	4,526	0	0	For <i>London</i> University -	
	7,480	0	0	For Grants to <i>Scottish</i> Uni- versities -	To
	300	0	0	For <i>Royal Irish</i> Academy -	31st March 1847.
	300	0	0	For <i>Royal Hibernian</i> Aca- demy -	
	6,082	0	0	For <i>Royal Dublin</i> Society -	

	£ 2,600	0 0	<i>Belfast Academical Institution</i>	
	45,494	0 0	For Buildings at <i>British Museum</i>	
	3,390	0 0	For National Gallery in 1846	To
	10,911	0 0	For Geological Survey, &c.	31st March 1847.
	5,032	0 0	For Observatories at <i>Toronto</i> , &c.	
	2,000	0 0	For Conservatories, &c. in <i>Dublin</i>	Botanic Gardens,
	45,406	0 0	For <i>British Museum</i>	
§ XX.	3,410	0 0	For Civil Establishment of the <i>Bahama Islands</i>	
	4,049	0 0	For ditto of the <i>Bermudas</i>	
	3,070	0 0	For ditto of <i>Prince Edward's Island</i>	
	400	0 0	For <i>Sable Island</i> , &c.	To
	13,680	0 0	For Civil Establishments on the Western Coast of <i>Africa</i>	31st March 1847.
	11,500	0 0	For <i>St. Helena</i>	
	7,219	0 0	For <i>Western Australia</i>	
	2,965	0 0	For <i>Port Essington</i> , in 1846.	
	4,758	0 0	For the <i>Falkland Islands</i> , to	31st March 1847.
	30,000	0 0	For <i>New Zealand</i> in 1846.	
	1,023	0 0	For <i>Heligoland</i>	
	18,394	0 0	For <i>West India Colonies</i>	
	11,353	0 0	For <i>British North American Provinces</i>	
	18,000	0 0	For <i>Indian Department</i> in <i>Canada</i>	
	10,364	0 0	For Colonial Land and Emigration Board, &c.	
	43,400	0 0	For Magistrates in <i>West Indies</i> , &c.	
	20,000	0 0	Support of captured Negroes, &c.	To
	22,800	0 0	For Commissioners for suppressing the Slave Trade	31st March 1847.
	112,600	0 0	For Consular Establishment	
	48,800	0 0	For <i>British Settlement</i> at <i>Hong Kong</i> , &c.	
	20,000	0 0	For Missions abroad	
XXI.	80,800	0 0	For Retired Allowances to Public Officers	
	5,500	0 0	For <i>Toulonese</i> and <i>Corsican</i> Emigrants, &c.	
	1,850	0 0	For National Vaccine Institution in 1846.	
	3,000	0 0	For Refuge for Destitute in 1846.	
	11,500	0 0	For <i>Polish Refugees</i> , &c.	
	7,051	0 0	To pay Allowances formerly paid from Civil List, &c.	To
	3,272	0 0	For Foundling Hospital, <i>Dublin</i>	31st March 1847.

£13,226	0	0	For House of Industry, <i>Dublin</i>	} To 31st March 1847.
1,000	0	0	For Female Orphan House, <i>Dublin</i>	
2,500	0	0	For <i>Westmoreland</i> Lock Hospital	
1,000	0	0	For Lying-in Hospital, <i>Dub- lin</i>	
1,500	0	0	For Dr. <i>Stevens'</i> Hospital	
3,500	0	0	For Fever Hospital, &c., <i>Dublin</i>	
500	0	0	For Hospital for Incurables	
35,730	0	0	For Protestant Dissenting Ministers, <i>Ireland</i>	
7,256	0	0	For Charitable Allowances <i>Ireland</i>	

§ XXII.

3,400	0	0	For Criminal Law Commission.
736	0	0	For <i>Shannon</i> Commission to 31st March 1847.
35,000	0	0	For certain Navigation Works, <i>Ireland</i> , in 1846.
1,000	0	0	For <i>British</i> Ambassador's House at <i>Paris</i> in 1846.
12,000	0	0	Ditto at <i>Constantinople</i> .
50,000	0	0	For Steam to <i>India</i> to 31st March 1847.
15,500	0	0	For Militia, <i>Canada</i> , in 1846.
132,000	0	0	For Distress by Failure of Potato Crop, <i>Ireland</i> .
20,000	0	0	For Sufferers by Fires at <i>Quebec</i> .
30,000	0	0	For ditto by Fire at <i>St. John's, Newfoundland</i> .

XXIII.

Supplies to be applied only for the Purposes aforesaid.

XXIV.

Expenditure for Navy, Army, and Ordnance Services respectively to be confined to the separate Services for which granted. Treasury may on Application alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.

XXV.

Rules to be observed in the Application of the Sum appropriated to Half Pay. Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c. Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since *July* 1828. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament.

XXVI.

Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXVII.

Persons concerned in issuing, paying, and receiving Money for the Payment of Half Pay, without the Oaths having been taken as required, indemnified, 8 & 9 *Vict. c. 130*.

XXVIII.

Half Pay allowed to the Officers of the *Manx* Fencibles.

XXIX.

Half Pay Allowances to Chaplains of Regiments not being in possession of Ecclesiastical Benefices derived from the Crown.

XXX.

By 8 & 9 *Vict. c. 130*. a Sum was appropriated to be paid to Half Pay Officers, the Surplus of which is hereby authorized to be disposed of as Her Majesty shall direct.

XXXI.

Widows and Persons claiming Pensions shall make the required Declaration.

XXXII.

Declarations to be made as specified in 5 & 6 *W. 4. c. 62*.

C A P. CXVII.

An Act to authorize the Inclosure of certain Lands pursuant to a special Report of the Inclosure Commissioners for *England and Wales*. [26th August 1846.]

8 & 9 Vict. c. 118.

‘ WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act to facilitate the Inclosure and Improvement of Commons and Lands held in common, the Exchange of Lands, and the Division of intermixed Lands; to provide Remedies for defective or incomplete Executions, and for the Non-execution, of the Powers of general and local Inclosure Acts; and to provide for the Revival of such Powers in certain Cases*, it was enacted, that certain Waste Lands therein specified should not be inclosed under that Act without the previous Authority of Parliament in each particular Case, as therein provided, and that the Inclosure Commissioners should in the Month of *January* in every Year send to One of the Principal Secretaries of State a general Report of their Proceedings, specifying the Cases in which they should be of opinion that proposed Inclosures which could not be made without the Direction of Parliament would be expedient, and that every such Report should be laid before both Houses of Parliament within Six Weeks after the Receipt of the same by such Principal Secretary of State, if Parliament be sitting, or if Parliament be not sitting, then within Six Weeks after the next Meeting of Parliament; and it was also thereby enacted, that such Commissioners might from Time to Time send to One of the Principal Secretaries of State such special Report in relation to all or any of the Matters therein aforesaid as they might think fit: And whereas the said Commissioners did on the Thirty-first Day of *January* last send to One of Her Majesty’s Principal Secretaries of State their first annual Report, specifying certain Cases in which they were of opinion that proposed Inclosures which could not be made without the Direction of Parliament would be expedient, and thereupon an Act was passed in this Session of Parliament, intituled *An Act to authorize the Inclosure of certain Lands in pursuance of the Recommendation of the Inclosure Commissioners for England and Wales*, whereby it was enacted, that the said several proposed Inclosures mentioned in the Schedule to the last-recited Act be proceeded with: And whereas the said Commissioners did on the Twenty-seventh Day of *July* last send to the said Secretary of State a special Report, setting forth their Proceedings as to the Cases of Inclosure (Fifteen in Number) requiring the previous Authority of Parliament, to which the proper Assents to the Provisional Orders have been given since the Date of their said annual general Report up to that Time, specifying such Matters with respect to them, and annexing the same Form of Schedule as if they had been contained in an annual general Report, which several proposed Inclosures are mentioned in the Schedule annexed to this Act: And whereas it is expedient, for the Reasons set forth in the said special Report of the Commissioners, that these Inclosures should be forthwith authorized by Parliament,

‘ notwith-

9 & 10 Vict.
c. 16.

' notwithstanding that they have not been specified in the annual ' general Report of the said Commissioners.' 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, That the said several proposed Inclosures mentioned in the Schedule annexed to this Act be proceeded with, and completed according to the Provisions of the first-recited Act, and on the Terms and Conditions in the Provisional Order of the Commissioners specified in each Case in that Behalf, in like Manner as if the said several proposed Inclosures had been specified in the annual general Report of the said Commissioners, and that this Act had been thereupon passed for directing the same to be proceeded with.

Inclosures mentioned in Schedule to be proceeded with according to Provisions of 8 & 9 Vict. c. 118., &c.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

III. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such.

Public Act.

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Walthamstow - - -	Essex - - -	15 April.
Kentisbury Down - - -	Devon - - -	14 January.
Wolston - - -	Lancaster - - -	25 April.
Tregears Down and Redd Down.	Cornwall - - -	13 March.
Alkham - - -	Kent - - -	26 January.
Shinfield - - -	Berks and Wilts - - -	21 May.
Obley - - -	Salop - - -	6 May.
Wetheringsett Green - - -	Suffolk - - -	15 April.
Brockford Green - - -	Suffolk - - -	26 May.
Rockbeare - - -	Devon - - -	22 April.
Heswall Hills - - -	Chester - - -	18 May.
South Down - - -	Devon - - -	17 June.
Norwood Green - - -	Suffolk - - -	6 May.
Taunton Deane - - -	Somerset - - -	10 June.
Ellenborough - - -	Cumberland - - -	9 July.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

N.B.—*The Continuance of such of the following Acts as are temporary will be known (where it is not expressly stated) by referring to the following List, according to the corresponding Letter at the End of the Title.*

- (a) *For 31 Years, &c. [i.e. to the End of the next Session] from a Day named in the Act.*
 (b) *For 31 Years, &c. from the passing of the Act.*

The following are all PUBLIC ACTS; to each of which is annexed a Clause in the Form following:

“ And be it further enacted, That this Act shall be deemed
 “ and taken to be a Public Act, and shall be judicially
 “ noticed as such.”

Cap. i.

An Act for lighting with Gas the Town of *Downpatrick* in the County of *Down*. [2d April 1846.]

Cap. ii.

An Act for lighting with Gas the Town and Parish of *Radcliff* and the Township of *Pilkington*, or Parts thereof, in the County Palatine of *Lancaster*. [2d April 1846.]

Cap. iii.

An Act for better assessing and collecting the Poor Rates, Lighting and Watching and Church Rates, in the Parish of *Aylesbury*, and the Highway Rates in the Township of *Aylesbury* and Hamlet of *Walton* respectively, in the County of *Buckingham*. [2d April 1846.]

Cap. iv.

An Act for granting more effectual Powers for lighting with Gas the Town of *Bury* and the Neighbourhood thereof in the Parish of *Bury* in the County Palatine of *Lancaster*. [14th May 1846.]

Cap. v.

An Act to enable the United Company of Proprietors of the *Ellesmere and Chester* Canal to raise a further Sum of Money.* [14th May 1846.]

*£330,000.

Cap. vi.

An Act for building a Bridge across the River *Medway* at *Rochester* in the County of *Kent*, with Approaches thereto; for taking down the present Bridge; and for amending the Acts relating to the same. [14th May 1846.]

Cap. vii.

An Act for repairing, improving, and maintaining certain Roads leading from the Borough of *New Woodstock* to *Rollright Lane*, and other Roads connected therewith, in the County of *Oxford*. (a) [14th May 1846.]

[No more Money to be laid out on any Road than is taken thereon, § 25. No Toll to be taken or Money laid out in Towns, § 26.]

Cap. viii.

An Act for lighting with Gas the Town of *Middleton* and its Vicinity in the County of *Lancaster*. [14th May 1846.]

Cap. ix.

An Act for inclosing Lands in the Parish of *Willingham* in the County of *Cambridge*, and for draining and embanking certain Fen Lands and Low Grounds in the said Parish.

[14th May 1846.]

[Allotment to be made to Rector for Glebe and Rights of Common, § 68. Rector and Feoffees of Charities may let Allotments to poor Inhabitants, § 69. Rector's Allotment to be fenced at general Expence, § 80. Rector may lease his Allotment for Twenty-one Years with Consent of Patron and Bishop, § 83. Rights of Bedford Level Corporation and of South Level Commissioners reserved, § 228.]

Cap. x.

An Act to enable the Company of Proprietors of the *Manchester and Salford Waterworks* to raise a further Sum of Money.*

[14th May 1846.]

*£200,000.

Cap. xi.

An Act for altering, amending, and enlarging the Powers and Provisions of the several Acts passed in relation to the *Monkland* Navigation. [14th May 1846.]

Cap. xii.

An Act for enabling the Trustees of the *Enfield Chase* Road to make a Deviation or Alteration of the said Road from a Point near the Sixteenth Milestone in the Parish of *North Mims* to the Town of *Hatfield* in the County of *Hertford*.

[14th May 1846.]

Cap. xiii.

An Act for constructing a Wet Dock and other Works on the South Side of the River *Wear* at *Sunderland-near-the-Sea* in the County Palatine of *Durham*. [14th May 1846.]

Cap. xiv.

An Act to amend and enlarge some of the Provisions of the Acts relating to the *Great Western Railway Company*, and to confirm the Purchase of certain Railways by the said Company. [14th May 1846.]

Cap. xv.

An Act for enabling the *Taunton Gas Light and Coke Company*, incorporated by the *Taunton Gas Act*, 1845, to borrow additional Money* for the Purposes of the Company, and for confirming a Purchase made by them; and for other Purposes. [14th May 1846.]

* £7,000 by new Shares, and £2,333 on Mortgage.

Cap. xvi.

An Act for improving and maintaining the Port and Harbour of *Helensburgh* in the County of *Dumbarton*. [14th May 1846.]

Cap. xvii.

An Act for better supplying with Water the City and Neighbourhood of *York*. [14th May 1846.]

Cap. xviii.

An Act to incorporate the Members of the Most Honourable and Loyal Society of Ancient *Britons*, commonly called The *Welsh Charity School*, and to enable them the better to carry on their charitable Designs. [14th May 1846.]

Cap. xix.

An Act for better supplying with Water the Town and Environs of *Boston* in the County of *Lincoln*. [14th May 1846.]

Cap. xx.

An Act for establishing a Cemetery at *Birmingham* in the County of *Warwick*. [14th May 1846.]

[*Fees to be paid to Incumbents of Parishes from which Bodies are brought*, § 77.]

Cap. xxi.

An Act to enable the Company of Proprietors of the *Glasgow Waterworks* to introduce an additional Supply of Water to the City and Suburbs of *Glasgow*. [14th May 1846.]

Cap. xxii.

An Act for providing an enlarged Site for rebuilding the Coal Market in the City of *London*, and for widening the Avenues in the Vicinity thereof, and for effecting other Improvements in the said City. [18th June 1846.]

[*Rights of Her Majesty and of the Corporation of London not to be prejudiced*, § 51. *Rights of Commissioners of Sewers protected*, § 52.]

Cap. xxiii.

An Act for enabling the Parliamentary Trustees on the River *Clyde* and Harbour of *Glasgow* to acquire a Portion of the Lands of *Stobcross* and adjacent Grounds, and to construct thereon a Wet Dock or Tidal Basin, with certain additional Wharfs and other Works. [18th June 1846.]

Cap. xxiv.

An Act for improving and maintaining the Harbour or Port of *Sligo* in the County of *Sligo*. [18th June 1846.]

Cap. xxv.

An Act for constructing a Pier, and forming necessary Approaches thereto, in the Parish of *Weston-super-Mare* in the County of *Somerset*. [18th June 1846.]

Cap. xxvi.

An Act for amending certain Acts of the Forty-third and Fiftieth Years of the Reign of His late Majesty King *George* the Third, relating to the Port and Harbour of the Town and County of the Town of *Southampton*. [18th June 1846.]

[43 G. 3. c. 21. and 50 G. 3. c. 168. amended, § 1.]

Cap. xxvii.

An Act for establishing a general Cemetery for the Interment of the Dead in the Neighbourhood of the Towns of *Plymouth*, *Devonport*, and *Stonehouse*, in the County of *Devon*. [18th June 1846.]

[*Company to pay certain Sums to Incumbents of Parishes from which Bodies are brought*, § 80.]

Cap. xxviii.

An Act for altering, amending, and enlarging the several Acts relating to the Improvement of *Birkenhead*, *Cloughton-cum-Grange*, and Part of *Oxton*, in the County of *Chester*. [18th June 1846.]

Cap. xxix.

An Act for improving the Borough of *Leicester*. [18th June 1846.]

Cap. xxx.

An Act for paving, lighting, watching, watering, cleansing, regulating, and otherwise improving the Town of *Southport*, in the County Palatine of *Lancaster*, and for establishing and regulating a Market and Market Places therein. [18th June 1846.]

Cap. xxxi.

An Act for extending the Limits of the Burgh of *Helensburgh* in the County of *Dumbarton*, for lighting and cleansing the same, for establishing a Police therein, and for other Purposes relating thereto. (b) [18th June 1846.]

Cap. xxxii.

An Act to erect and constitute the Parishes of *Old and New Monkland*, and Parts of the Parishes of *Bothwell* and *Shotts*, in the County of *Lanark*, into One Police District, for the Establishment of an efficient Police Force therein, and for other Purposes relating thereto. [18th June 1846.]

Cap. xxxiii.

An Act for incorporating the *Gravesend and Milton Waterworks* Company, and for more effectually supplying the Inhabitants of the Town and Parishes of *Gravesend* and *Milton-next-Gravesend* and the Parish of *Northfleet* in the County of *Kent* with Water [18th June 1846.]

[*Saving the Rights of the Gravesend Improvement Commissioners*, § 95.]

Cap. xxxiv.

An Act for granting more effectual Powers for supplying with Water the Town of *Bury*, and the several Townships of *Walmersley-cum-Shuttleworth*, *Bury*, and *Elton*, all in the Parish of *Bury* in the County Palatine of *Lancaster*. [18th June 1846.]

Cap. xxxv.

An Act to amend the Provisions of Two several Acts passed in the Third and Eighth Years of His Majesty King *George* the Fourth, for supplying with Water the Town of *Liverpool* and *Harrington* and *Toxteth Park* in the County Palatine of *Lancaster*. [18th June 1846.]

Cap. xxxvi.

An Act for better supplying with Water the Town and Borough of *Sunderland*, and the Neighbourhood thereof, in the County of *Durham*. [18th June 1846.]

Cap. xxxvii.

An Act for better supplying with Gas the Town and Borough of *Sunderland*, and the Neighbourhood thereof, in the County of *Durham*. [18th June 1846.]

Cap. xxxviii.

An Act for incorporating the *Rotherham Gas Light and Coke* Company, and for better supplying the Parish of *Rotherham* in the West Riding of the County of *York* with Gas. [18th June 1846.]

Cap. xxxix.

An Act to enable the *Bilston Gas Light and Coke* Company to light with Gas the Town of *Bilston*, and certain other Townships, Parishes, and Places, in the County of *Stafford*. [18th June 1846.]

Cap. xl.

An Act for better supplying with Gas the Townships of *Bilston* with *Harrogate* and *Pannal*, and certain Parts of the Townships of *Knaresborough* and *Scriven* with *Tentergate*, adjacent thereto or intermixed therewith, all in the West Riding of the County of *York*. [18th June 1846.]

Cap. xli.

An Act for constructing and maintaining an Arcade between *Argyle Street* and *Great Clyde Street* in the City of *Glasgow*, to be called "*The Union Arcade*," and for altering the Site of an intended Foot Passenger Bridge across the *Clyde* at *Glasgow*.
[18th June 1846.]

Cap. xlii.

An Act for the better and more effectual ascertaining, assessing, collecting, and levying the Poor Rate, and all other Rates and Assessments, in the Parish of *Carshalton* in the County of *Surrey*, and for the better Management of the Business and Affairs of the said Parish; and for other Purposes relating thereto.
[18th June 1846.]

[Act not to abridge the Power of the Poor Law Commissioners, § 46.]

Cap. xliii.

An Act to incorporate the Members of the Institution called "*The Royal Asylum of the Saint Ann's Society*," and to enable them the better to carry on their charitable Designs.
[18th June 1846.]

Cap. xliv.

An Act for forming and regulating "*The Electric Telegraph Company*," and to enable the said Company to work certain Letters Patents.
[18th June 1846.]

Cap. xlv.

An Act for incorporating the "*Caledonian Insurance Company*;" for enabling the said Company to sue and be sued, to take and to hold Property; for confirming the Rules and Regulations of the said Company; and for other Purposes relating thereto.
[18th June 1846.]

Cap. xlvi.

An Act for maintaining the Road from *Deanburn* in the County of *Haddington*, through *Greenlaw* in the County of *Berwick*, to *Cornhill* in the County of *Durham*, with Branches from *Carfrae Mill* through *Lauder*, from *Orange Lane* to *Swinton*, and from *Coldstream* to *Mount Pleasant*, all in the County of *Berwick*; and for maintaining the Bridge over the River *Tweed* at *Coldstream*. (b)
[18th June 1846.]

[No Gate to be erected within Half a Mile of the North End of *Lauder*, § 10. Lime, Limestone, and Manure to pay Half Toll only, § 12. Carriages with cylindrical Wheels of a certain Breadth to pay but Half Toll, § 13. Tolls to be taken a Second Time for a new Loading each Day, Three Cwt. to constitute a new Loading, § 15. Tolls to be taken only once in Six Miles, § 16.]

Cap. xlvii.

An Act to enlarge the Term and Powers of an Act made in the Sixth Year of the Reign of His Majesty King *George* the Fourth, for repairing and maintaining the Road from *White-*

burn, upon the Turnpike Road from *Edinburgh* to *Greenlaw*, passing through *Thornydike* and *Westruther* to *Choicelee*, upon the Turnpike Road from *Greenlaw* to *Dunse*, all in the County of *Berwick*. [18th June 1846.]

[6 G. 4. c. xvi. as altered by this Act continued for Thirty-one Years, and to the End of the then next Session, § 1.]

Cap. xlviii.

An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for maintaining and regulating the Market in the Parish of Sidmouth in the County of Devon*. [18th June 1846.]

Cap. xlix.

An Act for more effectually supplying Water to the Inhabitants of the Town of *Bolton*, and several Townships and Places adjoining or near thereto, in the County of *Lancaster*. [18th June 1846.]

Cap. l.

An Act for the better supplying with Gas the Royal Burgh of *Dundee*, Suburbs thereof, and Places adjacent, in the County of *Forfar*. [18th June 1846.]

Cap. li.

An Act to authorize certain Alterations in the Line of the *Syston and Peterborough* Branch of the *Midland* Railway, and the Formation of certain other Branch Railways in connexion therewith. [18th June 1846.]

Cap. lii.

An Act for making a Railway from *Maldon*, through *Witham*, to *Braintree*, all in the County of *Essex*. [18th June 1846.]

Cap. liii.

An Act for making a Railway from the *Eastern Union* Railway in the Parish of *Bentley* to the Town of *Hadleigh*, all in the County of *Suffolk*, to be called "The *Eastern Union and Hadleigh Junction* Railway." [18th June 1846.]

Cap. liv.

An Act for making a Branch Railway from the *London and Brighton* Railway to or near to the Town of *East Grinstead* in the County of *Sussex*. [18th June 1846.]

Cap. lv.

An Act to enable the *South-eastern* Railway Company to make and maintain a Railway from the Town of *Rye* to the Mouth of *Rye Harbour*. [18th June 1846.]

Cap. lvi.

An Act to enable the *South-eastern* Railway Company to construct an additional Station at *Ashford* in the County of *Kent*; and for other Purposes. [18th June 1846.]

Cap. lvii.

An Act to amend and enlarge the Powers of the Acts relating to the *Edinburgh, Leith, and Granton* Railway.

[18th June 1846.]

Cap. lviii.

An Act for enabling the *Newcastle and Darlington Junction* Railway Company to make a Railway from or near *Thirsk* to *Malton*, with a Branch to *Hemsley*.

[18th June 1846.]

Cap. lix.

An Act for enabling the *York and North Midland* Railway Company to extend the Line of the *Whitby and Pickering* Railway to or near *Castleton*.

[18th June 1846.]

Cap. lx.

An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to alter their Line near *Kilmarnock*, and to make Branches to *Linwood, Swinlees*, and the *Kilmarnock and Troon* Railway.

[18th June 1846.]

Cap. lxi.

An Act to amend the Acts relating to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway; and to authorize the Formation of Branches from *Busby* to *Irvine*, and from *Irvine* to the Harbour thereof, with a subsidiary Branch to *Perceton* Coalworks.

[18th June 1846.]

Cap. lxii.

An Act to enable the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to make a Branch from their Railway near *Blair* to *Strathaven*; and to amend the Acts relating to such Railway.

[18th June 1846.]

Cap. lxiii.

An Act for making Railways from the *Brighton, Lewes, and Hastings* Railway to *Eastbourne*, to *Hailsham*, and to *Seaford* and *Newhaven*, and certain Deviations from the Line of the said Railway, all in the County of *Sussex*.

[18th June 1846.]

Cap. lxiv.

An Act to authorize the *South-eastern* Railway Company to make a Railway from *Tunbridge Wells* to join the *Rye and Ashford* Extension of the *Brighton, Lewes, and Hastings* Railway near *Hastings*.

[18th June 1846.]

Cap. lxv.

An Act for enabling the *York and North Midland* Railway Company to make certain Branch Railways in the East Riding of the County of *York*; and for other Purposes.

[18th June 1846.]

Cap. lxxvi.

An Act for enabling the *York and North Midland Railway Company* to make certain Branch Railways in the East Riding of the County of *York*; and for other Purposes.

[18th June 1846.]

Cap. lxxvii.

An Act to empower the *London and Birmingham Railway Company* to make a Branch Railway from *Rugby* to the *Syston and Peterborough Railway* near *Stamford*. [18th June 1846.]

Cap. lxxviii.

An Act for making a Branch Railway from the *Brighton and Chichester Railway* to the Town of *Littlehampton* in the County of *Sussex*.

[18th June 1846.]

Cap. lxxix.

An Act for making a Branch Railway from the *Brighton and Chichester Railway* to the Town of *Steyning* in the County of *Sussex*.

[18th June 1846.]

Cap. lxxx.

An Act to enable the *Edinburgh and Glasgow Railway Company* to alter the Line of the *Glasgow Junction Railway*, and to form a Branch to *South Queensferry*.

[18th June 1846.]

Cap. lxxxi.

An Act for making a Railway from *London* to *York*, with Branches therefrom providing for the Counties of *Hertford*, *Bedford*, *Huntingdon*, *Northampton*, *Rutland*, *Nottingham*, and the Three Divisions of the County of *Lincoln* a Railway Communication with *London* and *York*, to be called "The *Great Northern Railway*."

[26th June 1846.]

Cap. lxxxii.

An Act to enable the *Edinburgh and Northern Railway Company* to purchase the Ferry across the River *Tay* between *Ferry-Port-on-Craig* and *Broughty*.

[26th June 1846.]

Cap. lxxxiii.

An Act to empower the *North British Railway Company* to construct certain Branch Railways in connexion with the *Hawick Branch* of the *North British Railway*.

[26th June 1846.]

Cap. lxxxiv.

An Act to authorize the Construction of several Branch Railways and other Works in connexion with the *North British Railway*.

[26th June 1846.]

Cap. lxxxv.

An Act to enable the *Scottish Midland Junction Railway Company* to make certain Branch Railways; and to amend the Act relating to such Railway.

[26th June 1846.]

Cap. lxxvi.

An Act for making a Railway from the *Eastern Counties Railway* at *Marks Tey* near *Colchester* to the Town of *Sudbury* in the County of *Suffolk*, and the Town of *Halstead* in the County of *Essex*, with a Branch Railway from the *Eastern Union Railway* to the *Hythe* at *Colchester*. [26th June 1846.]

Cap. lxxvii.

An Act for making a Railway from the *Scarborough Branch* of the *York and North Midland Railway* at *Norton* near *Malton* to the *Bridlington Branch* of the *Hull and Selby Railway* at *Great Driffield*, with a Branch therefrom. [26th June 1846.]

Cap. lxxviii.

An Act to enable the *Arbroath and Forfar Railway Company* to raise an additional Sum of Money;* and to amend the Acts relating to the said Company. [26th June 1846.]

* £40,000.

Cap. lxxix.

An Act to enable the *Edinburgh and Northern Railway Company* to alter their Line of Railway near to *Dysart*, to make a Branch Railway from *Kinghorn* to the Harbour of *Pettycur*, and for other Purposes relating to the said Company. [26th June 1846.]

Cap. lxxx.

An Act to empower the *Manchester and Birmingham Railway Company* to make a Branch Railway to *Bollington*. [26th June 1846.]

Cap. lxxxii.

An Act for making a Railway from *Glasgow* to *Dumbarton* and *Lochlomond*, and with Branches to *Helensburgh* and other Places, to be called "The *Caledonian and Dumbartonshire Junction Railway*." [26th June 1846.]

Cap. lxxxiii.

An Act for making a Railway from *Oxford* to the *London and Birmingham Railway* at *Bletchley* in the County of *Buckingham*. [26th June 1846.]

Cap. lxxxiiii.

An Act for making a Railway from the *Croydon and Epsom Railway* at *Epsom* to the Town of *Portsmouth*, to be called "The *Direct London and Portsmouth Railway*." [26th June 1846.]

Cap. lxxxv.

An Act for making a Railway from *Harecastle* to join the *Manchester and Birmingham Railway* at or near the *Sandbach Station* thereon. [26th June 1846.]

Cap. lxxxvi.

An Act for making a Railway from the *Manchester and Birmingham Railway* at *Macclesfield* to the *Trent Valley Railway* at *Colwich*, with Branches. [26th June 1846.]

Cap. lxxxvi.

An Act for making a Railway from the *Manchester and Birmingham* Railway at *Macclesfield* to join the *Birmingham and Derby* Line of the *Midland Railways*, with a Branch to *Stoke-upon-Trent*. [26th June 1846.]

Cap. lxxxvii.

An Act for making a Railway from *Belfast* to *Downpatrick*, with Branches to the Towns of *Holywood*, *Newtownards*, *Bangor*, and *Donaghadee*, all in the County of *Down*. [26th June 1846.]

Cap. lxxxviii.

An Act for making a Railway from *Great Grimsby* by *Louth* and *Alford* to *Boston*, all in the County of *Lincoln*, to be called "The *East Lincolnshire* Railway." [26th June 1846.]

Cap. lxxxix.

An Act for enabling the *York and North Midland* Railway Company to make a more direct Line of Railway between *York* and *Leeds*. [26th June 1846.]

Cap. xc.

An Act for making a Railway, to be called "The *Liverpool, Manchester, and Newcastle-upon-Tyne Junction* Railway," with a Branch to the Town of *Hawes*. [26th June 1846.]

Cap. xci.

An Act for making a Railway from the *Chester and Birkenhead* Railway to the *Manchester and Birmingham* Railway, with Branches therefrom, to be called "The *Birkenhead, Lancashire, and Cheshire Junction* Railway." [26th June 1846.]

Cap. xcii.

An Act for making a Railway from the *Leeds and Bradford Extension* Railway to the *Lancaster and Carlisle* Railway, with a diverging Line therefrom to *Lancaster*, to be called "The *North-western* Railway." [26th June 1846.]

Cap. xciii.

An Act for making a Railway from the Line of the *Syston and Peterborough* Railway in the Parish of *Helpstone*, near to the Town of *Stamford*, to the Line of the *Wisbech* Branch of the *Lynn and Ely* Railway at or near to the Town of *Wisbech*, to be called "The *Boston, Stamford, and Birmingham* Railway." [26th June 1846.]

Cap. xciv.

An Act for improving and maintaining the Harbour of *Port Ellen* in the County of *Argyll*. [26th June 1846.]

[Act not to extend to Vessels in the Service of the Crown, Customs, Excise, Trinity House, Ordnance, Admiralty, or Commissioners of Northern Lighthouses, § 82.]

Cap. xcv.

An Act for enabling the *Newcastle and Darlington Junction Railway Company* to make a Railway from the Line of the *Great North of England Railway* to or near to *Borough-bridge*. [26th June 1846.]

Cap. xcvi.

An Act for enabling the *Newcastle and Darlington Junction Railway Company* to make a Railway from the Line of the *Great North of England Railway* to *Bedale*. [26th June 1846.]

Cap. xcvii.

An Act to empower the *Eastern Union Railway Company* to complete the *Eastern Union Railway* from the Junction thereof with the Line of the *Eastern Counties Railway* at *Ardleigh* to *Colchester*. [26th June 1846.]

Cap. xcviij.

An Act for making certain new Lines and Deviations in the Line of the *Great Grimsby and Sheffield Junction Railway*, and for constructing a Branch therefrom to the Town of *Caistor*, all in the Parts of *Lindsey* in the County of *Lincoln*. [26th June 1846.]

Cap. xcix.

An Act for enabling the *Great Grimsby and Sheffield Junction Railway Company* to make an Extension from the *Market Rasen Branch* from the *Great Grimsby and Sheffield Junction Railway* to communicate with the City of *Lincoln*, and also a Branch to the Town of *Barton-upon-Humber*, and other Works connected therewith. [26th June 1846.]

Cap. c.

An Act to authorize the *Great Grimsby and Sheffield Junction Railway Company* to make an Extension from their Line of Railway in the Parish of *Bole* in the County of *Nottingham* to the Town of *Newark-upon-Trent* in the same County. [26th June 1846.]

Cap. ci.

An Act for establishing a Steam Communication across the River *Humber* in connexion with "The *Great Grimsby and Sheffield Junction Railway*." [26th June 1846.]

Cap. cii.

An Act to empower the *Midland Railway Company* to make a Railway from *Pye Bridge* to the *Clay Cross Station* of the *Midland Railway*, and a Branch in the Parish of *Crich*. [26th June 1846.]

Cap. ciii.

An Act for making a Railway from *Aberdeen* to *Inverness*, with Branches to *Banff*, *Portsoy*, *Garmouth*, and *Burghhead*, to be called "The *Great North of Scotland Railway*." [26th June 1846.]

Cap. civ.

An Act to enable the *Ballochney Railway Company* to improve the Gauge of their Rails. [26th June 1846.]

Cap. cv.

An Act for making a Railway Communication between the City of *Bristol* and the proposed *South Wales* Railway in the County of *Monmouth*, with a Branch Railway therefrom. [26th June 1846.]

Cap. cvi.

An Act for amending an Act passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Third, for making and maintaining a navigable Communication between *Stowmarket* and *Ipswich* in the County of *Suffolk*, so as to enable the Trustees of such Act to lease the said Navigation; and for other Purposes connected therewith. [26th June 1846.]

[*Rights of Lords of Manors to Fisheries reserved*, § 22. *Saving the Rights of the Mayor, Burgesses, and Commonalty of Ipswich*, § 23.]

Cap. cvii.

An Act to enable the *Slamannan Railway Company* to make a Railway to *Borrowstouness*, with Branches to the *Edinburgh and Glasgow* Railway. [26th June 1846.]

Cap. cviii.

An Act for making a Pier from the *Common Hard* at the Eastern or *Portsmouth* Side of the Harbour of *Portsmouth* in the Parish of *Portsea* in the County of *Southampton*. [26th June 1846.]

[*Saving the Rights of the Corporation of Portsmouth*, § 78; and of *Commissioners for paving Southsea*, § 80; and of the *Trinity House*, § 81; and of the *Crown*, § 82.]

Cap. cix.

An Act for enabling the Trustees of the *Liverpool Docks* to construct additional Wet Docks and other Works, and to raise a further Sum of Money; and for extending and amending the Acts relating to the Docks and Harbour of *Liverpool*.

[26th June 1846.]

[*Trustees empowered to borrow* £1,000,000, § 43. *Saving Jurisdiction of the Mayor and Corporation of Liverpool*, § 84. *General Saving*, § 45.]

Cap. cx.

An Act for constructing Docks and other Works at *Coble Dean* in the County of *Northumberland*, and in the Borough and County of *Newcastle-upon-Tyne*, to be called "The *Northumberland Docks*." [26th June 1846.]

[*Saving the Rights of Her Majesty, of the Lord and Lady of the Manor, and of the Corporation of Newcastle as Conservators of the Tyne*, § 91.]

Cap. cxi.

An Act for better supplying with Water the Inhabitants of the City of *Lincoln*, and certain Parishes and Places adjacent thereto in the County of *Lincoln*. [26th June 1846.]

Cap. cxii.

An Act for the better supplying with Water the Town and Borough of *Warrington*, or Parts thereof, in the Counties of *Lancaster* and *Chester*, and the Townships of *Latchford* and *Appleton* in the last-mentioned County. [26th June 1846.]

Cap. cxiii.

An Act for supplying with Water the Hamlets or Places of *High* and *Low Harrogate* in the several Townships of *Knaresborough*, *Pannal*, *Bilton-with-Harrogate*, and *Scriven-with-Tentergate*, in the Parishes of *Knaresborough* and *Pannal* in the West Riding of the County of *York*. [26th June 1846.]

[*Saving the Rights of the Crown and of the Duchy of Lancaster*, § 98.]

Cap. cxiv.

An Act for better supplying with Gas the Town and Borough of *Stafford*, and the several Parishes and Townships of *Saint Mary* and *Saint Chad* in *Stafford*, *Castle Church*, *Hopton* and *Coton*, and *Tillington*, all in the County of *Stafford*.

[26th June 1846.]

[*Saving the Rights of the Grand Junction Railway Company*, § 64.]

Cap. cxv.

An Act for lighting with Gas and supplying with Water the Town of *Hartlepool* and the Neighbourhood thereof in the County of *Durham*.

[26th June 1846.]

Cap. cxvi.

An Act for better supplying with Gas and Water the Town and Parish of *Kendal* in the County of *Westmoreland*.

[26th June 1846.]

Cap. cxvii.

An Act for lighting with Gas the Parish and Borough of *Great Grimsby* in the County of *Lincoln*.

[26th June 1846.]

Cap. cxviii.

An Act for supplying and lighting the Town of *Hamilton* and Places adjacent thereto with Gas.

[26th June 1846.]

Cap. cxix.

An Act for better paving, lighting, cleansing, regulating, and improving the Town of *Burnley* in the County Palatine of *Lancaster*, and for better supplying the Inhabitants thereof with Water.

[26th June 1846.]

Cap. cxx.

An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of Liverpool to open and widen certain Streets and Places, and otherwise to improve the same; and to enable the said Mayor, Aldermen, and Burgesses to appropriate certain Lands, Tenements, and Hereditaments for public Purposes, and also to erect public Buildings.*

[26th June 1846.]

Cap. cxxi.

An Act for lighting with Gas the Borough of *Newcastle-upon-Tyne*, and for varying and extending the Powers of the several Acts for regulating and improving the said Borough.

[26th June 1846.]

Cap. cxxii.

An Act for paving the Footways in the Town of *Sittingbourne* in the Parish of *Sittingbourne* in the County of *Kent*, and for lighting the Streets, and for the Removal and Prevention of Nuisances and Annoyances within the said Parish.

[26th June 1846.]

Cap. cxxiii.

An Act for widening, altering, and improving certain Streets within the City of *York*; and for other Purposes.

[26th June 1846.]

Cap. cxxiv.

An Act for paving, cleansing, draining, and improving the Town of *Bromsgrove*, for opening a new Street therein and in the Parish of *Stoke Prior*, both in the County of *Worcester*, and for the better assessing and collecting the Poor, Church, and Highway Rates within the Parish of *Bromsgrove*.

[26th June 1846.]

Cap. cxxv.

An Act for regulating the Repair and Maintenance of the Roads and Streets within the Town of *Leith*, and the Assessments payable in respect thereof.

[26th June 1846.]

Cap. cxxvi.

An Act for more effectually regulating the *Salford* Hundred Court, for extending the Jurisdiction and Powers of the said Court, and for establishing and constituting it as a Court of Record.

[26th June 1846.]

[*Jurisdiction of Court extended to Sums under £50, § 1.*]*Cap. cxxvii.*

An Act for the Improvement of the Sewerage and Drainage of the Borough of *Liverpool*, and for making further Provisions for the sanatory Regulation of the said Borough.

[26th June 1846.]

[*Saving the Rights of the Grand Junction Railway Company, § 223; and of Dock Trustees, § 224; and of Liverpool Gas Companies, § 225; and of Liverpool and Harrington Water Company, § 226.*]

Cap. cxxviii.

An Act for improving the Drainage of the Vallies of the *Rye* and *Derwent* in the North and East Ridings of the County of *York*.
[26th June 1846.]

[*General Saving*, § 109; and of *Crown and Duchy of Lancaster*, § 110.]

Cap. cxxix.

An Act for making a Railway from *Exeter* to *Exmouth*, to be called "The *Exeter and Exmouth Railway*." [3d July 1846.]

Cap. cxxx.

An Act for making a Railway from the *Polloc and Govan* Railway to the River *Clyde* and Harbour of *Glasgow*, with Branches, to be called "The *General Terminus and Glasgow Harbour Railway*." [3d July 1846.]

Cap. cxxxi.

An Act for amending the Acts relating to the *London and South-western* Railway Company; and to authorize the said Company to enter into Contracts and to complete Arrangements with certain other Railway Companies. [3d July 1846.]

Cap. cxxxii.

An Act for enabling the *Norfolk* Railway Company to purchase or lease the *Lowestoft* Railway, Harbour, and Navigation. [3d July 1846.]

Cap. cxxxiii.

An Act to enable the *Dundee and Arbroath* Railway Company to make a Railway from their Line at *Broughty* to *Broughty Ferry Castle*, and another Railway from their Line at *Geordies Burn* to the *Arbroath and Forfar* Railway at *Almeriecloss*. [3d July 1846.]

Cap. cxxxiv.

An Act for making a Railway from *Kintore* to *Alford*, to be called "The *Alford Valley Railway*." [3d July 1846.]

Cap. cxxxv.

An Act for making a Railway from *Dyce* to *Fraserburgh*, with a Branch to *Peterhead*, to be called "The *Great North of Scotland (Eastern Extension) Railway*." [3d July 1846.]

Cap. cxxxvi.

An Act to enable the *Edinburgh and Northern* Railway Company to extend their Line of Railway from *Cupar* to *Newport*. [3d July 1846.]

Cap. cxxxvii.

An Act for making a Railway from the Town of *Oban* to *Crianlarich* in the County of *Perth*, with a Branch to *Lochlomond*, to be called "The *Scottish Grand Junction Railway*." [3d July 1846.]

Cap. cxxxviii.

An Act to enable the *Edinburgh and Northern Railway Company* to make a Railway from their Line at *Thornton* to *Dunfermline*.
[3d July 1846.]

Cap. cxxxix.

An Act to enable the *Edinburgh and Northern Railway Company* to make a Railway from *Newburgh* to the *Scottish Central Railway at Hilton*.
[3d July 1846.]

Cap. cxl.

An Act to enable the *Great Leinster and Munster Railway Company* to extend their Railway to *Clonmel*.
[3d July 1846.]

Cap. cxli.

An Act for making a Railway from and out of the *Glasgow, Barrhead, and Neilston Direct Railway* near to *Pollokshaws* to the Town of *Strathaven*.
[3d July 1846.]

Cap. cxlii.

An Act to enable the *Glasgow, Barrhead, and Neilston Direct Railway Company* to make Branch Railways to *Thornliebank* and *Househill*; and to amend the Act relating to such Railway.
[3d July 1846.]

Cap. cxliii.

An Act to enable the *Glasgow, Paisley, and Greenock Railway Company* to make a Branch Railway to the River and Frith of *Clyde* at or near *Greenock*, and a Pier or Wharf in connexion therewith.
[3d July 1846.]

Cap. cxliv.

An Act for extending the Time for taking Lands, and for completing the Undertaking called "The *Thames Haven Dock and Railway*," authorized to be made by Two Acts passed in the Seventh Year of the Reign of His late Majesty and the Sixth Year of the Reign of Her present Majesty.
[3d July 1846.]

[*Time extended for Five Years from 4th July 1846, § 3.*]

Cap. cxlv.

An Act to enable the *Bridgewater and Taunton Canal Company* to make a Railway from *Bridgewater* to the *Bristol Channel* at or near *Stolford* in the County of *Somerset*, with Branches therefrom, and to make a Harbour at or near *Stolford*.
[3d July 1846.]

[*Saving the Rights of the Crown, § 48.*]

Cap. cxlvi.

An Act for constructing Docks, Walls, Warehouses, and other Works at *Toxteth Park* in the County of *Lancaster*, to be called "The *Herculeaneum Docks*."
[3d July 1846.]

[*Saving the Rights of the Crown, § 82. Vessels in Service of Her Majesty and of Public Boards exempted from Tolls, § 83. Saving the Rights of the Trustees of the Liverpool Dock, § 84; and of Trinity House, § 85.*]

Cap. cxlvii.

An Act to authorize the Sale of the *Monkland* Navigation to the Company of Proprietors of the *Forth and Clyde* Navigation.
[3d July 1846.]

[*Shareholders in the Monkland Navigation to be Shareholders in the Forth and Clyde Navigation, § 6.*]

Cap. cxlviii.

An Act for making a Railway from the Borough of *Cork* through *Blackrock* to the Town of *Passage West*. [16th July 1846.]

Cap. cxlix.

An Act to enable the *Leeds and Thirsk* Railway Company to make a Railway from *Northallerton* to the *Stockton and Hartlepool* Railway.
[16th July 1846.]

Cap. cl.

An Act to enable the *Scottish Central* Railway Company to make a Branch Railway by *Alloa Ferry* to *Tillicoultry*.
[16th July 1846.]

Cap. cli.

An Act to enable the *Slamannan* Railway Company to make Branch Railways to *Bathgate* and *Jawcraig*. [16th July 1846.]

Cap. clii.

An Act to empower the *London and Birmingham* Railway Company to enlarge their Stations in *London*; and for other Purposes.
[16th July 1846.]

Cap. cliii.

An Act for enabling the *Leeds and Thirsk* Railway Company to make certain Deviations in the Line of the *Saint Helens* Branch of the said Railway.
[16th July 1846.]

Cap. cliv.

An Act to enable the *Leeds and Thirsk* Railway Company to alter and extend the Line of Part of their Railway; and for other Purposes.
[16th July 1846.]

Cap. clv.

An Act for making a Railway from or near the *Ambergate* Station of the *Midland* Railway, through *Nottingham*, to *Spalding* and *Boston*, with Branches therefrom, and for enabling the Company to purchase the *Nottingham and Grant-ham* Canals.
[16th July 1846.]

Cap. clvi.

An Act to empower the *Midland* Railway Company to make several Branches from the *Erewash Valley* Railway.
[16th July 1846.]

Cap. clvii.

An Act to empower the *Midland* Railway Company to make a Railway from the *Midland* Railway at *Clay Cross* to join the *Nottingham and Lincoln* Railway, with Branches.
[16th July 1846.]

Cap. clviii.

An Act for making a Railway from *Ferryhill* near *Aberdeen* to *Aboyne*, to be called "The *Deeside* Railway."

[16th July 1846.]

Cap. clix.

An Act for making a Railway from the *Glasgow, Barrhead, and Neilston Direct* Railway to the Town of *Kilmarnock*, with certain Branches therefrom, to be called "The *Glasgow, Kilmarnock, and Ardrossan* Railway," and to purchase the *Ardrossan* Railway and Harbour.

[16th July 1846.]

Cap. clx.

An Act to enable the *Wilsontown, Morningside, and Coltness* Railway Company to make a Branch to the *Caledonian* Railway.

[16th July 1846.]

Cap. clxi.

An Act to enable the *Wilsontown, Morningside, and Coltness* Railway Company to improve their Line, and to make Branch Railways to *Shotts* and *Climpy*.

[16th July 1846.]

Cap. clxii.

An Act to enable the *Wilsontown, Morningside, and Coltness* Railway Company to make a Branch Railway to the Town of *Bathgate*.

[16th July 1846.]

Cap. clxiii.

An Act to empower the *Midland* Railway Company to make a Railway from *Nottingham* to *Mansfield*.

[16th July 1846.]

Cap. clxiv.

An Act for making a Railway from *Knaresborough* to or near to the City of *York*, to be called "The *East and West Yorkshire Junction* Railway."

[16th July 1846.]

Cap. clxv.

An Act for making a Railway from the *Edinburgh and Glasgow* Railway to the *Scottish Central* Railway, to be called "The *Stirlingshire Midland Junction* Railway."

[16th July 1846.]

Cap. clxvi.

An Act for making a Railway from the *Great Western* Railway at *West Drayton* to *Uxbridge* in *Middlesex*.

[16th July 1846.]

Cap. clxvii.

An Act for making a Railway from *Wexford* to *Carlow*.

[16th July 1846.]

Cap. clxviii.

An Act for extending and altering some of the Provisions of the Acts relating to the *Great Leinster and Munster* Railway.

[16th July 1846.]

Cap. clxix.

An Act to empower the *Norfolk* Railway Company to make a Railway Communication between the *Dereham* Branch of the *Norfolk* Railway and the Towns of *Wells* and *Blakeney* in the County of *Norfolk*. [16th July 1846.]

Cap. clxx.

An Act for making a Railway from *Royston* to *Hitchin*. [16th July 1846.]

Cap. clxxi.

An Act for making a Railway from *Reading* to *Guildford* and *Reigate*. [16th July 1846.]

Cap. clxxii.

An Act for making a Railway from *Chesterford* to *Newmarket*, with a Branch to *Cambridge*. [16th July 1846.]

Cap. clxxiii.

An Act to enable the *London and South-western* Railway Company to make a Branch Railway to *Farnham* in the County of *Surrey* and *Alton* in the County of *Southampton*. [16th July 1846.]

Cap. clxxiv.

An Act to enable the *London and South-western* Railway Company to make a Branch Railway to *Chertsey* and *Egham* in the County of *Surrey*. [16th July 1846.]

Cap. clxxv.

An Act to enable the *London and South-western* Railway Company to make a Branch Railway to *Hampton Court Bridge* in the County of *Surrey*. [16th July 1846.]

Cap. clxxvi.

An Act for making a Railway from the *Scottish Central* Railway at *Dunblane* by *Doune* to *Callander*, to be called "The *Dunblane, Doune, and Callander* Railway." [16th July 1846.]

Cap. clxxvii.

An Act for making a Railway from *Skipton* to *York*, to be called "The *Wharfedale* Railway." [16th July 1846.]

Cap. clxxviii.

An Act for making a Railway from *Stotfield* and *Lossiemouth* Harbour to *Elgin, Rothes*, and *Craigellachie*, to be called "The *Morayshire* Railway." [16th July 1846.]

Cap. clxxix.

An Act to enable the *Monkland and Kirkintilloch* Railway Company to make Branch Railways to *Chapel Hall*, and the *Glasgow, Garnkirk, and Coatbridge* Railway. [16th July 1846.]

Cap. clxxx.

An Act to enable the *Scottish Central Railway Company* to make a Branch Railway to *Denny* in the County of *Stirling*.

[16th July 1846.]

Cap. clxxxii.

An Act for making a Railway from the *Yeovil* Branch of the *Bristol and Exeter Railway* to or towards the Town of *Crewkerne* in the County of *Somerset*; and for amending the Acts relating to the *Bristol and Exeter Railway*. [16th July 1846.]

Cap. clxxxiii.

An Act for vesting the *Aylesbury Railway* in the *London and Birmingham Railway Company*. [16th July 1846.]

Cap. clxxxiiii.

An Act to enable the *Saint Helens Canal and Railway Company* to make a Railway from the Township of *Eccleston* to the Township of *Garston*, with Branches therefrom, and Docks at *Garston* aforesaid, all in the County of *Lancaster*.

[16th July 1846.]

Cap. clxxxv.

An Act for making a Harbour and Docks at *Heysham* on *Morecambe Bay* in the County of *Lancaster*, and a Railway in connexion therewith. [16th July 1846.]

[*Power to lease Harbour, Railway, and other Works*, § 105. *Power to sell the same*, § 106. *Saving the Rights of the Crown and of Duchy of Lancaster*, §§ 120 and 121.]

Cap. clxxxvi.

An Act to empower the *Wakefield, Pontefract, and Goole Railway Company* to make Three several Branch Railways.

[16th July 1846.]

Cap. clxxxvii.

An Act for erecting the Town or Village of *Ardrossan* and Places adjacent in the County of *Ayr* into a Burgh of Barony; for paving, lighting, and cleansing the same; for establishing a Police therein; and for other Purposes relating thereto.

[16th July 1846.]

Cap. clxxxviii.

An Act for enabling the *Sheffield, Ashton under Lyne, and Manchester Railway Company* to provide additional Station Room at *Sheffield*, and also to make a Branch Railway to *Dukinfield*, and to purchase and maintain a Branch already made from their Main Line to *Glossop*; and for other Purposes.

[16th July 1846.]

Cap. clxxxviiii.

An Act to enable the *Glasgow, Paisley, and Greenock Railway Company* to make a Branch Railway to the *Polloc and Govan Railway*; and to amend the Acts relating to the said Railway.

[16th July 1846.]

Cap. clxxxix.

An Act to enable the *Scottish Central Railway Company* to make certain Terminal Branches and other Works at the City of *Perth*. [16th July 1846.]

Cap. cxc.

An Act for making a Railway from the *Edinburgh and Northern Railway* at *Markinch* to *Anstruther Easter*, with a Branch to the *Kirkland Works*, to be called "The *East of Fife Railway*." [16th July 1846.]

Cap. cxci.

An Act to enable the *Scottish Central Railway Company* to make a Branch Railway to *Crieff* in the County of *Perth*. [16th July 1846.]

Cap. cxcii.

An Act for making a Railway from the *Manchester and Birmingham Railway* at *Cheadle* in the County of *Chester* to or near to the *Ambergate Station* of the *Midlands Railway* in the County of *Derby*, to be called "The *Manchester, Buxton, Matlock, and Midlands Junction Railway*." [16th July 1846.]

Cap. cxciii.

An Act for enabling the *Grand Junction Railway Company* to make a Branch Line of Railway from *Huyton* to *Warrington*; and for amending the former Acts relating to the said Company. [16th July 1846.]

Cap. cxciv.

An Act for making a Railway from the Town of *Mallow* to the Town of *Fermoy*. [16th July 1846.]

Cap. cxcv.

An Act for making a Railway from the City or Borough of *Limerick* to the Borough of *Ennis*, with Branches to the Towns of *Clare* and *Killaloe*, and to join the *Great Southern and Western Railway*. [16th July 1846.]

Cap. cxcvi.

An Act to enable the *Great Southern and Western Railway Company* to extend their Railway from their present Terminus in the City of *Cork* to the River *Lee* in the same City. [16th July 1846.]

Cap. cxcvii.

An Act for making a Railway from the *Great Southern and Western Railway* at the Townland of *Carne* or *Curraghane* to the Town of *Mountmellick*. [16th July 1846.]

Cap. cxcviii.

An Act for completing a Railway Communication between the Town of *Clonmel* and the *Great Southern and Western Railway* at or near the Town of *Thurles*. [16th July 1846.]

Cap. cxcix.

An Act for making a Railway from *Dublin* to *Dundrum* and *Rathfarnham*, to be called "The *Dublin, Dundrum, and Rathfarnham* Railway." [16th July 1846.]

Cap. cc.

An Act for making a Railway from the Town of *Mallow* to the Town of *Killarney*, to be called "The *Killarney Junction* Railway." [16th July 1846.]

Cap. cci.

An Act for making a Railway from the *Glasgow, Barrhead, and Neilston Direct* Railway to the *Caledonian* Railway. [16th July 1846.]

Cap. ccii.

An Act for making a Railway from *Stirling* to *Dunfermline*, with Branches to *Tillicoultry* and to *Alloa* Harbour, to be called "The *Stirling and Dunfermline* Railway." [16th July 1846.]

Cap. cciii.

An Act to enable the *Midland* Railway Company to make a Railway from *Burton-upon-Trent* to *Nuneaton*, with Branches, and to purchase the *Ashby-de-la-Zouch* Canal. [16th July 1846.]

Cap. cciv.

An Act to consolidate the *London and Birmingham, Grand Junction*, and *Manchester and Birmingham* Railway Companies. [16th July 1846.]

[*Old Companies dissolved and formed into a new Company by the Name of the London and North-western Railway Company, § 3.*]

Cap. ccv.

An Act to enable the *Eastern Counties* Railway Company to make a Railway from *Epping* to a Point of Junction with the *Colchester* Line of the *Eastern Counties* Railway at or near the *Ilford* Station thereon. [16th July 1846.]

Cap. ccvi.

An Act to enable the *Wishaw and Coltness* Railway Company to make a Branch Railway from the *Wishaw and Coltness* Railway to *Murdieston*, with a Branch to *Goodockhill*. [16th July 1846.]

Cap. ccvii.

An Act for enabling the *Newcastle and Berwick* Railway Company to make a certain Branch Railway in the County of *Northumberland*. [16th July 1846.]

Cap. ccviii.

An Act for making a Railway and Branch Railway, to be called "The *Waterford, Wexford, Wicklow, and Dublin* Railway." [16th July 1846.]

Cap. ccix.

An Act for making and maintaining a Railway from *Templemore* to *Nenagh*. [16th July 1846.]

Cap. ccx.

An Act to enable the *Midland Great Western Railway of Ireland* Company to make a Deviation in the authorized Line of the said Railway, and also a Branch Railway to the River *Liffy*. [16th July 1846.]

Cap. ccxi.

An Act to enable the *Kilmarnock and Troon* Railway Company to let on Lease their Railway to the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company; and to authorize the said *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company to alter Parts of the said *Kilmarnock and Troon* Railway, and to construct certain Branch Railways in connexion therewith. [16th July 1846.]

Cap. ccxii.

An Act for empowering the *Wakefield, Pontefract, and Goole* Railway Company to construct a Jetty and other Works, and to provide a Station, Coal Staiths, and other Conveniences, at the Port of *Goole*; and for other Purposes relating to the said Port. [16th July 1846.]

Cap. ccxiii.

An Act for extending the Line of the *Dublin and Kingstown* Railway to the *Bridge of Bray* in the County of *Dublin*. [16th July 1846.]

Cap. ccxiv.

An Act to provide for the Repair of the Parish Church of *South Leith* in the County of *Edinburgh*, and for the Administration of the Property and Revenues thereof; to alter the existing Mode of electing a Minister to the Second Charge of the said Church and Parish; to confirm the Proceedings of the Heritors of the said Parish relating to the Purchase of a suitable House as a Manse; and to effect other Objects in connexion with the said Church and Parish. [16th July 1846.]

Cap. ccxv.

An Act to enable the *Chard* Canal Company to convert into a Railway the Portion of the *Chard* Canal from *Creech Saint Michael* to *Ilminster*, all in the County of *Somerset*. [16th July 1846.]

[*Saving the Rights of Her Majesty and of the Duke of Cornwall*, § 31.]

Cap. ccxvi.

An Act for lighting with Gas the Town and Borough of *Stockton* and other Places in the Counties of *Durham* and *York*. [16th July 1846.]

Cap. ccxvii.

An Act for better supplying with Gas the City of *Worcester* and the Suburbs thereof. [16th July 1846.]

Cap. ccxviii.

An Act for regulating the Markets and Fairs in the Borough and Town of *Yeovil* in the County of *Somerset*.

[16th July 1846.]

Cap. ccxix.

An Act for providing Market Places and for regulating the Markets and Fairs in the Borough of *Manchester* in the County Palatine of *Lancaster*.

[16th July 1846.]

[*Saving the Power of the Council to make Bye Laws*, § 125. *Saving Rights of Devisees of Duke of Bridgewater in respect of Markets*, § 126; and of Proprietors of the *Mersey and Irwell Navigation*, and of Devisees of Duke of Bridgewater, § 127.]

Cap. ccxx.

An Act for more effectually supplying with Water the City of *Bath*, and several Parishes and Places adjacent thereto.

[16th July 1846.]

Cap. ccxxi.

An Act for better supplying with Water the Town and Borough of *Newport* in the County of *Monmouth*.

[16th July 1846.]

Cap. ccxxii.

An Act for supplying with Water the City of *Bristol* and certain Parishes adjacent thereto in the Counties of *Gloucester* and *Somerset*.

[16th July 1846.]

[*Saving the Rights of the Paving Commissioners*, § 125; and of Corporation of *Bristol*, § 126.]

Cap. ccxxiii.

An Act to amend the Acts relating to the *Witham* Navigation, and to reduce the Tolls on the said Navigation.

[16th July 1846.]

Cap. ccxxiv.

An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make a Railway from *Mullingar* to *Athlone*.

[16th July 1846.]

Cap. ccxxv.

An Act for better assessing and collecting the Poor Rates, Highway Rates, Borough Rates, County Rates, Lighting, Watching, and Cleansing Rates, and all other Parochial Rates, on small Tenements, in the Parish of *Aston juxta Birmingham* in the County of *Warwick*.

[16th July 1846.]

Cap. ccxxvi.

An Act for better raising and more securely constituting the Fund for the Relief of Widows and Children of Burgh and Parochial Schoolmasters in *Scotland*.

[16th July 1846.]

Cap. ccxxvii.

An Act for more effectually maintaining and repairing certain Roads in the Counties of *Banff*, *Aberdeen*, and *Elgin*.
[16th July 1846.]

Cap. ccxxviii.

An Act to enable the *Dundee and Perth* Railway Company to alter their Line at *Inchyra* and *Lairwell*, and to extend the same towards the Penitentiary at *Perth*. [27th July 1846.]

Cap. ccxxix.

An Act to enable the *Caledonian* Railway Company to make Branch Railways from the *Castle Cary* Branch of the *Caledonian* Railway to the *Glasgow*, *Garnkirk*, and *Coatbridge* Railway.
[27th July 1846.]

Cap. ccxxx.

An Act for enabling the *Sheffield*, *Ashton-under-Lyne*, and *Manchester* Railway Company to make Branch Railways from or in connexion with their Main Line of Railway to *Whaley Bridge* and *Hayfield*, to be called "The *Whaley Bridge and Hayfield* Branches."
[27th July 1846.]

Cap. ccxxxii.

An Act for vesting in the *Grand Junction* Railway Company and the *Manchester and Leeds* Railway Company the *North Union* Railway, and all the Works, Property, and Effects appertaining thereto.
[27th July 1846.]

Cap. ccxxxiii.

An Act for making a Railway from *Birmingham* to *Lichfield*, to be called "The *Birmingham, Lichfield, and Manchester* Railway."
[27th July 1846.]

Cap. ccxxxiiii.

An Act for making a Railway from the *Oxford and Bletchley Junction* Railway to *Buckingham* and *Brackley*.
[27th July 1846.]

Cap. ccxxxv.

An Act to enable the *London and Croydon* Railway Company to construct a Branch to *Deptford*; and for amending the Acts relating to such Railway.
[27th July 1846.]

Cap. ccxxxvi.

An Act for enabling the *Newcastle and Darlington Junction* Railway Company to purchase the *Durham and Sunderland* Railway and the *Wearmouth* Dock.
[27th July 1846.]

Cap. ccxxxvii.

An Act for making a Railway from the *Great Western* Railway at *Maidenhead* in *Berkshire* to the Town of *High Wycombe* in the County of *Buckingham*.
[27th July 1846.]

Cap. ccxxxvii.

An Act for making a Railway from *Johnstone* to the *Bridge of Weir*, with a Branch to *Kilbarchan*, to be called "The *Ayrshire and Bridge of Weir* Railway." [27th July 1846.]

Cap. ccxxxviii.

An Act for making a Railway from *Ashburton* in the County of *Devon* to join the *South Devon* Railway. [27th July 1846.]

Cap. ccxxxix.

An Act for extending the Line of the *South Wales* Railway, and for making certain Alterations of the said Railway, and certain Branch Railways in connexion therewith. [27th July 1846.]

Cap. ccxl.

An Act for making a Railway from *Gloucester* to the *Monmouth and Hereford* Railway, and to the *South Wales* Railway, at *Awre*, to be called "The *Gloucester and Dean Forest* Railway." [27th July 1846.]

Cap. ccxli.

An Act for enabling the *Hull and Selby* Railway Company to lease and also to sell their Railway to the *York and North Midland* and *Manchester and Leeds* Railway Companies, or one of them; and to authorize the raising of additional Money by both or either of the last-mentioned Companies for those and other Purposes. [27th July 1846.]

Cap. ccxlii.

An Act for enabling the *Great North of England* Railway Company to lease and also to sell their Railway to the *Newcastle and Darlington Junction* Railway Company; and to authorize the raising of additional Money by the said last-mentioned Company for those and other Purposes. [27th July 1846.]

Cap. ccxliii.

An Act for vesting the *Leicester and Swannington* Railway in the *Midland* Railway Company. [27th July 1846.]

Cap. ccxliv.

An Act for carrying into effect certain Arrangements between the *London and Birmingham* Railway Company and the Company of Proprietors of the *Birmingham Canal Navigations*, and for granting certain Powers to the said respective Companies. [27th July 1846.]

Cap. ccxlv.

An Act for making a Railway from *Newry* in the Counties of *Armagh* and *Down* to *Rostrevor* in the County of *Down*, with a Branch to *Warrenpoint* in the same County. [27th July 1846.]

Cap. ccxli.

An Act for making a Railway from *Preston* in the County Palatine of *Lancaster* to *Clitheroe* in the same County Palatine. [27th July 1846.]

Cap. ccxlvii.

An Act to authorize the widening and Enlargement of Part of the Line of the *York and North Midland Railway*, or the Construction and Maintenance of a Railway adjoining thereto.

[27th July 1846.]

Cap. ccxlviii.

An Act to empower the *London and Birmingham Railway Company* to extend their Line at *Leamington*, and to enlarge their Stations at *Coventry* and *Rugby*; and for other Purposes.

[27th July 1846.]

Cap. ccxlix.

An Act to enable the *Caledonian Railway Company* to deviate the Line of the said Railway in the Vicinity of *Carlisle*.

[27th July 1846.]

Cap. ccl.

An Act to authorize the *North Wales Mineral Railway Company* to make certain Branches, and also to make a Deviation in their present Line of Railway.

[27th July 1846.]

Cap. ccli.

An Act for the Consolidation of the *Shrewsbury, Oswestry, and Chester Junction* and the *North Wales Mineral Railway Companies*.

[27th July 1846.]

[*Old Companies dissolved and formed into a new Company, to be called "The Shrewsbury and Chester Railway Company,"* § 6.]

Cap. cclii.

An Act for authorizing the Sale of the *Guildford Junction Railway*, and for enabling the Purchasers to maintain the same, and to make and maintain a Railway therefrom to *Godalming*, and from the *London and South-western Railway* at *Fareham* to *Portsmouth*.

[27th July 1846.]

Cap. ccliii.

An Act for making a Railway from the *Trent Valley Railway* near *Nuneaton* to the *Midland Railway* in the Parish of *Wigston Magna* in the County of *Leicester*, to be called "*The Coventry, Nuneaton, Birmingham, and Leicester Railway*."

[27th July 1846.]

Cap. ccliv.

An Act to empower the *Midland Railway Company* to extend their Line at *Birmingham*; and for other Purposes.

[27th July 1846.]

Cap. cclv.

An Act to authorize the Purchase of the *Oakham Canal* by the *Midland Railway Company*.

[27th July 1846.]

Cap. cclvi.

An Act for making a Railway to connect the *Saundersfoot Railway* with the *South Wales Railway*, with the Harbour of *Saundersfoot*, and with the Town of *Tenby*, to be called "*The Tenby, Saundersfoot, and South Wales Railway*;" and for other Purposes.

[27th July 1846.]

Cap. cclvii.

An Act to enable the *Lancaster and Carlisle Railway Company* to extend and enlarge their Stations and extend their Railway at *Carlisle*; and for other Purposes. [27th July 1846.]

Cap. cclviii.

An Act to enable the *Eastern Counties Railway Company* to enlarge their Stations in *London* and at *Stratford*; and for other Purposes. [27th July 1846.]

Cap. cclix.

An Act for enabling the *Huddersfield and Manchester Railway and Canal Company* to divert their Main Line of Railway in *Huddersfield*, and to make a Branch therefrom near *Cooper Bridge* in the Township of *Huddersfield*. [27th July 1846.]

Cap. cclx.

An Act for making a Railway from the *Great North of England Railway* at *Thirsk* in the North Riding of *Yorkshire* to the *Lancaster and Carlisle Railway* at *Clifton* in *Westmorland*, and a Railway from *Bishop Auckland* in the County of *Durham* to the *Lancaster and Carlisle Railway* at *Tebay* in *Westmorland*, to be called "The *Northern Counties Union Railway*." [27th July 1846.]

Cap. cclxi.

An Act for enabling the *Grand Junction Railway Company* to make certain Branch Lines of Railway, to be called "The *Huyton and Aston Branch*," "The *Huyton, Prescott, and Saint Helens Branch*," "The *Warrington and Kenyon Branch*," "The *Warrington and Parkside Branch*," and "The *Edgehill and Huyton Branch*;" and for amending the former Acts relating to the said Company. [27th July 1846.]

Cap. cclxii.

An Act for altering, amending, and enlarging the Powers of the *Leeds, Dewsbury, and Manchester Railway Act, 1845*, and for authorizing certain Deviations from the Line and Levels of the said Railway, and for making and maintaining certain Branches and Extensions therefrom. [27th July 1846.]

Cap. cclxiii.

An Act for making a Railway from *Glasgow* to *Airdrie*, with Branches to the *Clydesdale Junction Railway* and to *Mile End*, to be called "The *Glasgow, Airdrie, and Monklands Junction Railway*." [27th July 1846.]

Cap. cclxiv.

An Act for enabling the *Newcastle and Darlington Junction Railway Company* to make certain Branch Railways in the County of *Durham*; and for other Purposes. [27th July 1846.]

Cap. cclxv.

An Act for making a Railway, with Branches therefrom, in the County of *Lancaster* and West Riding of the County of *York*, to be called “*The Blackburn, Clitheroe, and North-western Junction Railway.*” [27th July 1846.]

Cap. cclxvi.

An Act for making certain Branches from the Line of the *Blackburn and Preston* Railway in the County of *Lancaster*; and for amending the Acts relating thereto. [27th July 1846.]

Cap. cclxvii.

An Act for vesting in the *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company the *Peak Forest* Canal and the *Macclesfield* Canal. [27th July 1846.]

Cap. cclxviii.

An Act to amalgamate the *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company, the *Sheffield and Lincolnshire Junction*, the *Sheffield and Lincolnshire Extension*, and the *Great Grimsby and Sheffield* Railway Companies, and the *Grimsby Dock* Company. [27th July 1846.]

[*Old Companies dissolved and formed into a new Company, to be called “The Manchester, Sheffield, and Lincolnshire Railway Company,”* § 3.]

Cap. cclxix.

An Act for consolidating the *Dudley* Canal Navigation with the *Birmingham* Canal Navigations; and for other Purposes. [27th July 1846.]

Cap. cclxx.

An Act to amend the *Ely and Huntingdon* Railway Act. [27th July 1846.]

Cap. cclxxi.

An Act to enable the Company of Proprietors of the *Manchester, Bolton, and Bury* Canal Navigation and Railway to raise an additional Sum of Money; and to amend the Acts relating to that Company. [27th July 1846.]

Cap. cclxxii.

An Act for enabling the *Leeds and Bradford* Railway Company to alter the Levels of a Portion of the Line of their Railway in the Parish of *Bingley* in the West Riding of the County of *York*. [27th July 1846.]

Cap. cclxxiii.

An Act for widening the Line of “*The London and Blackwall Railway;*” and for amending the Acts relating to the said Railway. [27th July 1846.]

Cap. cclxxiv.

An Act to authorize the *Shrewsbury, Oswestry, and Chester Junction* Railway Company to make Railways to *Crickheath* and *Wem*, and to raise additional Capital* for those Purposes. [27th July 1846.]

* £24,000.

Cap. cclxxv.

An Act to authorize the *Shrewsbury, Oswestry, and Chester Junction* Railway Company to make an Extension into *Shrewsbury*, and certain Alterations and Deviations in their Line of Railway. [27th July 1846.]

Cap. cclxxvi.

An Act to enable the *East Lancashire* Railway Company to alter the Line and Levels of such Railway, and to make Branches therefrom; and for other Purposes relating thereto. [27th July 1846.]

Cap. cclxxvii.

An Act to incorporate the *Huddersfield and Sheffield Junction* Railway Company with the *Manchester and Leeds* Railway Company. [27th July 1846.]

Cap. cclxxviii.

An Act to authorize certain Alterations in the Line of the *Oxford, Worcester, and Wolverhampton* Railway; and to amend the Act relating thereto. [27th July 1846.]

Cap. cclxxix.

An Act to enable the *Furness* Railway Company to extend their Line to *Broughton* and to *Ulverstone*, and to make certain Branches therefrom; and to amend the Act relating thereto. [27th July 1846.]

Cap. cclxxx.

An Act to amend "The *Ipswich and Bury Saint Edmunds* Railway Act, 1845;" and for making a Railway from the said *Ipswich and Bury Saint Edmunds* Railway to *Norwich*, with a Branch therefrom. [27th July 1846.]

Cap. cclxxxii.

An Act for making a Branch Railway from the *London and Brighton* Railway in the Parish of *Croydon* to join the *South-western* Railway in the Parish of *Wandsworth* in the County of *Surrey*. [27th July 1846.]

Cap. cclxxxii.

An Act to incorporate the *Liverpool and Bury* Railway Company with the *Manchester and Leeds* Railway Company. [27th July 1846.]

Cap. cclxxxiii.

An Act to consolidate and unite the *London and Brighton* and the *London and Croydon* Railway Companies and the Undertakings belonging to them. [27th July 1846.]

[*New Company incorporated by the Name of "The London, Brighton, and South Coast Company."*]

Cap. cclxxxiv.

An Act for incorporating the Proprietors of the *Sheffield* General Cemetery in the Township of *Ecclesall Bierlow* in the Parish of *Sheffield* in the West Riding of the County of *York*, and

for enlarging and improving the said Cemetery ; and for other Purposes connected therewith. [27th July 1846.]

[*Compensation to be made to Incumbents of Parishes for Loss of Fees, § 39.*]

Cap. cclxxxv.

An Act for supplying with Water the Town of *Kilmarnock*, Suburbs thereof, and Places adjacent. [27th July 1846.]

Cap. cclxxxvi.

An Act for the better supplying with Water the Town or Village of *Heywood*, and Places adjacent thereto, in the County Palatine of *Lancaster*. [27th July 1846.]

Cap. cclxxxvii.

An Act for better supplying with Water the Town and Parish of *Chorley* in the County Palatine of *Lancaster*. [27th July 1846.]

Cap. cclxxxviii.

An Act for supplying with Water the Towns of *Airdrie* and *Coatbridge*, and Places adjacent, in the County of *Lanark*. [27th July 1846.]

Cap. cclxxxix.

An Act to extend the Municipal Boundaries of the City of *Glasgow*; to amend the Acts relating to the Police and Statute Labour of the said City and adjoining Districts ; and for other Purposes in relation to the Municipality and Police of the said City. [27th July 1846.]

Cap. ccxc.

An Act authorizing the Sale of the *Cromford* Canal and other Property of the *Cromford* Canal Company. [27th July 1846.]

Cap. ccxci.

An Act to alter and extend the Provisions of the Acts for improving the Navigation of the River *Severn*. [27th July 1846.]

Cap. ccxcii.

An Act for improving, preserving, maintaining, and better regulating the Port and Harbour of *Waterford*; and for other Purposes relating thereto. [27th July 1846.]

[*Act not to extend to Ships of War, or in Employment of the Government, § 131. Saving Rights of the Crown, of the Admiralty, Bodies Corporate, and of the Water Bailiff of Waterford, § 132.*]

Cap. ccxciii.

An Act for better lighting, paving, cleansing, draining, regulating, and improving the Borough of *Bury* in the County Palatine of *Lancaster*, and for otherwise promoting the Health and Convenience of the Inhabitants. [27th July 1846.]

[*Saving the Rights of the Lord of the Manor, § 358; and of Owners of Markets, § 359.*]

Cap. ccxciv.

An Act for better lighting and improving the Borough of *Belfast*.
[27th July 1846.]

Cap. ccxcv.

An Act for paving, lighting, cleansing, and otherwise improving the Town of *Wath-upon-Dearne* in the County of *York*, and for removing and preventing Nuisances and Annoyances therein.
[27th July 1846.]

[*Saving the Rights of the Lord of the Manor*, § 178.]

Cap. ccxcvi.

An Act for repealing an Act of the Parliament of *Scotland* passed in the Sixth Session of the First Parliament of King *William* (1696), intituled *An Act in favours of the Heritors adjacent to the Pow of Inchaffray*; and for more effectually draining and improving Lands adjacent to the River or Stream called the *Pow of Inchaffray*, in the County of *Perth*.
[27th July 1846.]

Cap. ccxcvii.

An Act for better draining and improving certain Low, Marsh, and Fen Lands lying between *Boston Haven* and *Bourn* in the County of *Lincoln*, and for further improving the Navigation through such Lands.
[27th July 1846.]

[*Saving the Rights of the Enclosure Commissioners*, § 121; and of *Corporation of Boston*, § 123; and of *Paving Commissioners*, § 124; and of *Witham Drainage*, § 125; and of *Trustees of River Welland*, § 126; and of *Commissioners of Sewers*, § 127; and of *Bourn North Fen and Dike Fen Drainage*, § 128; and of *Crown*, § 132.]

Cap. ccxcviii.

An Act for amending Two several Acts passed respectively in the Second and Seventh Years of the Reign of Her present Majesty, for draining and embanking certain Lands in *Lough Swilly* and *Lough Foyle* in the Counties of *Donegal* and *Londonderry*.
[27th July 1846.]

[*Saving the Rights of the Irish Society*, § 3. *General Saving*, § 4.]

Cap. ccxcix.

An Act for regulating the Municipal Government and Police of the Royal Burgh of *Rothsay*.
[27th July 1846.]

Cap. ccc.

An Act for making a Railway, to be called "The *South Staffordshire Junction Railway*," with Branches. [3d August 1846.]

Cap. ccci.

An Act for enabling the *Leeds and Bradford Railway Company* to make a Junction Line at *Bradford* in the West Riding of the County of *York*.
[3d August 1846.]

Cap. cccii.

An Act to unite and consolidate the *Blackburn and Preston Railway Company* with the *East Lancashire Railway Company*.
[3d August 1846.]

Cap. ccciii.

An Act for making a Railway from *Newport* to *Abergavenny* and *Hereford*, with Branches therefrom.
[3d August 1846.]

Cap. ccciv.

An Act for making a Railway from *Sheffield* to *Gainsborough*, with Branches.
[3d August 1846.]

Cap. cccv.

An Act to enable the *South-eastern Railway Company* to make a Railway from the *London and Greenwich Railway* to *Woolwich* and *Gravesend*.
[3d August 1846.]

Cap. cccvi.

An Act to enable the *Manchester and Leeds Railway Company* to make several Branch Railways, and to authorize the Amalgamation of the *Preston and Wyre Railway*, Harbour, and Dock Company with the *Manchester and Leeds Railway Company*.
[3d August 1846.]

Cap. cccvii.

An Act for making a Railway from *Shrewsbury* to *Wolverhampton*, with a Branch, to be called "The *Shrewsbury and Birmingham Railway*."
[3d August 1846.]

Cap. cccviii.

An Act for making a Railway from *Shrewsbury* to *Wolverhampton*, to be called "The *Shrewsbury, Wolverhampton, and South Staffordshire Junction Railway*."
[3d August 1846.]

Cap. cccix.

An Act to empower the *London and Birmingham Railway Company* to make a Branch from the said Railway to the *Blisworth and Peterborough Branch* thereof.
[3d August 1846.]

Cap. cccx.

An Act to enable the *Blackburn, Darwen, and Bolton Railway Company* to alter the Line of Part of their Railway.
[3d August 1846.]

Cap. cccxi.

An Act for enabling the *Midland Railway Company* to alter a Portion of the *Leicester and Swannington Railway*, and to make certain Branches.
[3d August 1846.]

Cap. cccxii.

An Act for amending the Act relating to the *Liverpool and Bury Railway*, and for making Branches therefrom.
[3d August 1846.]

Cap. ccexiii.

An Act to authorize certain Alterations and Extensions of the Line of the *Wilts, Somerset, and Weymouth Railway*. [3d August 1846.]

Cap. ccexiv.

An Act to enable the *Caledonian Railway Company* to form certain Branch and Terminal Railways in the Vicinity of *Glasgow*. [3d August 1846.]

Cap. ccexv.

An Act for making Railways from *Birmingham to Wolverhampton and Dudley*, to be called "The *Birmingham, Wolverhampton, and Dudley Railway*." [3d August 1846.]

Cap. ccexvi.

An Act for making a Railway from *Walsall* in the County of *Stafford* to the *Midland Railways* at *Wichnor Forge* in *Tatenhill*, to be called "The *Trent Valley, Midlands, and Grand Junction Railway*." [3d August 1846.]

Cap. ccexvii.

An Act for making a Railway from the Line of the *Perth and Inverness Railway* to *Aberfeldy*, to be called "The *Strathtay and Breadalbane Railway*." [3d August 1846.]

Cap. ccexviii.

An Act to enable the *Londonderry and Enniskillen Railway Company* to alter and extend the Line of such Railway, to make a Branch therefrom to the Town of *Omagh*, and to amend the Act relating thereto. [3d August 1846.]

Cap. ccexix.

An Act for making a Railway from the proposed *Sheffield and Lincolnshire Junction Railway* to the City of *Lincoln*. [3d August 1846.]

Cap. cccxx.

An Act to enable the *Whitehaven and Furness Junction Railway Company* to make a Railway in deviation from their Line of Railway, and to construct an Extension thereof to a Point of Junction with the *Whitehaven Junction Railway*. [3d August 1846.]

Cap. cccxxi.

An Act for making a Railway from *Armagh* to *Portrush*, with Branches to *Randalstown* and *Ballymoney*. [3d August 1846.]

Cap. cccxxii.

An Act for making a Railway from the *Chester and Crewe Branch* of the *Grand Junction Railway* at *Calveley* to *Wolverhampton*; and for other Purposes connected therewith. [3d August 1846.]

Cap. cccxxiii.

An Act for making a Railway from *Shrewsbury* to *Stafford*, with a Branch to *Stone*; and for other Purposes. [3d August 1846.]

Cap. cccxxiv.

An Act for making a Railway from *Newton* in the County of *Montgomery* to *Crewe* in the County of *Chester*, with Branches; and for other Purposes connected therewith. [3d August 1846.]

Cap. cccxxv.

An Act for making a Railway from *Shrewsbury* to *Hereford*, to be called "The *Shrewsbury and Hereford Railway*." [3d August 1846.]

Cap. cccxxvi.

An Act to consolidate the *Bristol and Gloucester* and *Birmingham and Gloucester* Railway Companies with the *Midland Railway Company*. [3d August 1846.]

Cap. cccxxvii.

An Act to alter and amend the *North Wales Railway Act*, One thousand eight hundred and forty-five. [3d August 1846.]

Cap. cccxxviii.

An Act for making a Railway from *Birmingham* to *Wolverhampton*, and to the *Grand Junction Railway* in the Parish of *Bushbury*, with a Branch to *Dudley*. [3d August 1846.]

Cap. cccxxix.

An Act to effectuate the Sale of the *Glasgow, Garnkirk, and Coatbridge Railway Company* of the said Railway to the *Caledonian Railway Company*; and other Purposes therewith connected. [3d August 1846.]

Cap. cccxxx.

An Act for authorizing the Sale of the *Pontop and South Shields Railway* to the *Newcastle and Darlington Junction Railway Company*. [3d August 1846.]

Cap. cccxxxi.

An Act to empower the *London and Birmingham Railway Company* to make a Branch Railway from the *London and Birmingham Railway* near *Coventry* to the *Trent Valley Railway* in the Parish of *Nuneaton*. [3d August 1846.]

Cap. cccxxxii.

An Act for making a Railway from the *Edinburgh and Glasgow Railway* to *Bathgate*, with Branches, to be called "The *Edinburgh and Bathgate Railway*." [3d August 1846.]

Cap. cccxxxiii.

An Act to enable the *Surrey Iron Railway Company* to sell the Lands, Houses, and other Property of the Company, together with the navigable Communication from the Dock of the Company to the River *Thames* at *Wandsworth* in the County of *Surrey*, and to dissolve the said Company. [3d August 1846.]

Cap. cccxxxiv.

An Act to enable the *Glasgow, Garnkirk, and Coatbridge Railway Company* to extend the Terminus of their Railway in *Glasgow*. [3d August 1846.]

Cap. cccxxxv.

An Act for making a Railway and other Works from *Plymouth* to *Falmouth* and other Places in the County of *Cornwall*, to be called "The *Cornwall Railway*." [3d August 1846.]

Cap. cccxxxvi.

An Act for making a Railway from the Parish of *Kenwyn* in the County of *Cornwall* to *Penzance* in the same County, with Branches, to be called "The *West Cornwall Railway*." [3d August 1846.]

Cap. cccxxxvii.

An Act for making a Railway from *Birmingham*, to join the Lines of the proposed *Oxford and Rugby* and *Oxford, Worcester, and Wolverhampton* Railways, and to be called "The *Birmingham and Oxford Junction Railway*." [3d August 1846.]

Cap. cccxxxviii.

An Act for making a Railway into *Birmingham* in extension of the proposed *Birmingham and Oxford Junction Railway*. [3d August 1846.]

Cap. cccxxxix.

An Act to authorize the Purchase of the *Gravesend and Rochester Railway and Canal* by the *South-eastern Railway Company*. [3d August 1846.]

Cap. cccxl.

An Act for making a Railway from the *Birmingham and Gloucester Railway* at *Kings Norton* in the County of *Worcester* to *Hales Owen* in the same County. [3d August 1846.]

Cap. cccxli.

An Act for making a Railway from the *South Wales Railway* at or near to the Town of *Neath* to *Merthyr Tidvil*, with Branches, to be called "The *Vale of Neath Railway*." [3d August 1846.]

Cap. cccxlii.

An Act for making a Railway from the Borough of *Cockermouth* to the Town of *Keswick*, all in the County of *Cumberland*, to be called "The *Cockermouth and Workington Extension Railway*." [3d August 1846.]

Cap. cccxliii.

An Act for making a Railway from *Lough Allen* to *Lough Gill*, both in the County of *Leitrim*, to be called "The *Sligo and Shannon Railway*." [3d August 1846.]

Cap. cccxliv.

An Act for constructing a Pier at *Portbury* in the County of *Somerset*, and for making a Railway from the same to the City of *Bristol*, with a Branch Railway connected therewith.

[3d August 1846.]

[*Saving the Rights of the Trinity House*, § 86.]

Cap. cccxlv.

An Act to amend the *Cambridge* Improvement Acts, and to exempt the *Eastern Counties* Railway Company from certain Tolls thereby imposed.

[3d August 1846.]

[*Railway Company to pay to the Commissioners* £1,000 yearly, § 2.]

Cap. cccxlv.

An Act to repeal, alter, and amend the several Acts relating to *Billingsgate Market* in the City of *London*.

[3d August 1846.]

Cap. cccxlvii.

An Act for further and better supplying with Water the Barony or Regality of *Gorbals* and Places adjacent.

[3d August 1846.]

Cap. cccxlviii.

An Act for making certain new Streets or Thoroughfares, and widening and improving certain other Streets or Thoroughfares, within the Town and Borough of *Sheffield* in the County of *York*.

[3d August 1846.]

Cap. cccxlix.

An Act for paving, lighting, watching, cleansing, regulating, and otherwise improving the Town of *Tunbridge Wells* in the Counties of *Kent* and *Sussex*.

[3d August 1846.]

Cap. cccl.

An Act to repeal an Act of the Fifty-second Year of the Reign of King *George* the Third, for lighting and watching the Road leading from *Newington Butts* to the *Nag's Head* on the *Wandsworth Road*, and other Places communicating therewith, in *Lambeth*, *Clapham*, and *Battersea* in *Surrey*; and for making other Provisions for lighting and improving the said Road, and other Places adjacent or near thereto.

[3d August 1846.]

[*Act not to interfere with the Act for lighting Clapham, except Part of the Wandsworth Road*, § 143; nor *Lambeth's Improvement Act*, § 144. *Saving the Rights of Surveyors of Highways*, § 145; and of *Commissioners of Sewers*, § 146; and of *Duke of Cornwall*, § 147.]

Cap. cccli.

An Act to amend an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, for granting certain Powers and Authorities to the *Australian Agricultural Company*.

[7th August 1846.]

Cap. ccclii.

An Act for making a Railway from the intended *Great Northern Railway* in the Parish of *Ufford* in the County of *Northampton*, to unite with the *Loop Line* of the same Railway in the Parish of *Crowland* in *Lincolnshire*. [7th August 1846.]

Cap. cccliii.

An Act for making a Railway from *Llangynwyd* to *Margam*, by a Company to be called "The *Llynvi Valley Railway Company*." [7th August 1846.]

Cap. ccccliv.

An Act for making certain Lines of Railway in the West Riding of the County of *York*, to be called "The *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole Railway*." [7th August 1846.]

Cap. cccclv.

An Act for amending the Acts relating to the *Taw Vale Railway* and Dock, and for making an Extension therefrom to the *Exeter and Crediton Railway* in the County of *Devon*. [7th August 1846.]

Cap. cccclvi.

An Act for making Railways from *Wisbech* to *Saint Ives* and to *Fenny-Drayton*, to be called "The *Wisbech, Saint Ives, and Cambridge Junction Railway*." [7th August 1846.]

Cap. cccclvii.

An Act for making a Railway from the *Northern and Eastern Counties Railway* at *Edmonton* to the Town of *Enfield* in the County of *Middlesex*. [7th August 1846.]

Cap. cccclviii.

An Act for making a Railway from the *Midland Railway* at *Staveley* to the Town of *Worksop*, and for consolidating into One Undertaking the said proposed Railway and the Canal Navigation from *Chesterfield* to the River of *Trent*. [7th August 1846.]

Cap. cccclix.

An Act for making a Railway from the *London and Birmingham Railway* to or near to *Navigation Street* within the Borough of *Birmingham*. [7th August 1846.]

Cap. cccclx.

An Act for making a Railway from *Kilkenny* to join the *Great Southern and Western Railway* at or near *Cuddagh*, to be called "The *Kilkenny and Great Southern and Western Railway*." [7th August 1846.]

Cap. cccclxi.

An Act for the Maintenance of the Cemeteries at *Golden Bridge* and *Prospect* in the County of *Dublin*, and to create a perpetual Succession in the governing Body or Committee for managing the same. [7th August 1846.]

[*Governing Body may prohibit Interments in Burial Grounds, if too full, § 38.*]

Cap. cccxii.

An Act for making a Canal from the Harbour of *East Tarbert* to *West Lock Tarbert*, and other Works in connexion therewith. [7th August 1846.]

[*Saving Rights of the Crown*, § 66. *Act not to apply to Vessels in Service of Her Majesty or of the Government*, § 67.]

Cap. cccxiii.

An Act for making a Ship Canal from *Sligo* Harbour to *Lough Gill*, both in the County of *Sligo*, to be called "The *Sligo* Ship Canal." [7th August 1846.]

Cap. cccxiv.

An Act for enlarging, improving, and maintaining the Harbour, Quays, and Wharfs of *Campbeltown*; for supplying with Water, paving, cleansing, lighting, and watching the said Burgh and Suburbs thereof; and for the better and more effectual assessing, levying, and collecting the Ladle and other Dues and Customs of the said Burgh. [7th August 1846.]

[*Saving the Rights of the Crown*, § 198.]

Cap. cccxv.

An Act for further regulating the Repair and Maintenance of the Roads, Streets, and Bridges within the Middle District of the County of *Edinburgh*, and the Assessments payable in respect thereof; and for other Purposes relating thereto. [7th August 1846.]

Cap. cccxvi.

An Act to enable the Special Commissioners of the Town of *Yeovil* to sell certain Estates in the Parish of *Yeovil* in the County of *Somerset*. [7th August 1846.]

[*Property of Portreeve and Burgesses vested in Special Commissioners*, § 2. *Power to sell to raise Money for Purposes of Act*, § 3. *General Saving*, § 10.]

Cap. cccxvii.

An Act to enable the *Eastern Counties* Railway Company to make Two Branch Railways from the Line of the *Eastern Counties and Thames Junction* Railway, one thereof terminating at the Pepper Warehouses belonging to the *East India* Dock Company, and the other terminating by a Junction with the *Eastern Counties* Railway. [13th August 1846.]

Cap. cccxviii.

An Act for making a Railway from the *London and Birmingham* Railway in the Parish of *Rugby* in the County of *Warwick* to *Leamington* in the County of *Warwick*. [13th August 1846.]

Cap. cccxix.

An Act to authorize an Improvement of the Line of the *West London* Railway, and the Extension thereof to the River *Thames*. [13th August 1846.]

Cap. ccclxx.

An Act to enable the *London and South-western Railway Company* to make a Railway by *Whitchurch* and *Andover* to *Salisbury*.
[13th August 1846.]

Cap. ccclxxi.

An Act for making certain Branch Railways to be connected with the *Newport and Pontypool* Railway, and for incorporating a new Company for carrying on the *Monmouthshire Canal* Navigation.
[13th August 1846.]

Cap. ccclxxii.

An Act for making a Railway from the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway near *Cumnock* to the *Caledonian* Railway near the crossing of the River *Sark*, to be called "The *Glasgow, Dumfries, and Carlisle* Railway," with Branches.
[13th August 1846.]

Cap. ccclxxiii.

An Act for authorizing the Sale of the *Andevor* Canal and other Property of the Company of Proprietors of the *Andevor* Canal Navigation.
[13th August 1846.]

Cap. ccclxxiv.

An Act for embanking and reclaiming from the Sea certain Lands now under Water or subject to be overflowed by the Tide in the Estuary or Back Strand of *Tramore* in the County of *Waterford*.
[13th August 1846.]
[*Saving Rights of Lords of Manors*, § 37. *General Saving*, § 40.]

Cap. ccclxxv.

An Act to incorporate the *British* Guarantee Association.
[13th August 1846.]

Cap. ccclxxvi.

An Act for uniting the Rectory of *North Lynn* with the Perpetual Curacy of *Saint Margaret* with *Saint Nicholas* in the Borough of *King's Lynn*, all in the County of *Norfolk*.
[13th August 1846.]

Cap. ccclxxvii.

An Act for making a Railway from *Airdrie* to *Bathgate*, with a Branch to *Whitburn* and *Blackburn*, to be called "The *Airdrie and Bathgate Junction* Railway."
[13th August 1846.]

Cap. ccclxxviii.

An Act to incorporate the Company of Proprietors of the *Manchester, Bolton, and Bury* Canal Navigation and Railway with the *Manchester and Leeds* Railway Company.
[18th August 1846.]

Cap. ccclxxix.

An Act to amalgamate the *Polloc and Govan* and *Clydesdale Junction* Railways with the *Caledonian* Railway.
[18th August 1846.]

Cap. ccclxxx.

An Act for enabling the *Huddersfield and Manchester Railway* and Canal Company to make a Branch Railway from their Main Line of Railway to *Oldham*. [18th August 1846.]

Cap. ccclxxxii.

An Act for making a Railway from the *Liverpool and Bury Railway* to the *North Union* and *Blackburn and Preston Railways*, with Branches therefrom, to be called "The *Liverpool, Ormskirk, and Preston Railway*." [18th August 1846.]

Cap. ccclxxxiii.

An Act to grant certain Powers to the *New Zealand Company*. [18th August 1846.]

Cap. ccclxxxiiii.

An Act for constructing Docks at *Millbay (Plymouth)*, to be called the *Plymouth Great Western Docks*.

[18th August 1846.]

[*Saving the Rights of the Crown*, § 89. *Act not to extend to Vessels in Service of the Crown*, § 90. *Saving the Rights of Trinity House*, § 91; and of *Corporations of Plymouth and Devonport*, § 92; and of *Corporations and Lords of Manors*, § 93.]

Cap. ccclxxxv.

An Act to enable the Company of Proprietors of the *Forth and Clyde Navigation* to extend and enlarge the Basin at *Bowling Bay*, and to make and maintain certain other Works in connexion therewith; and to alter and amend the Acts relating to the said Navigation. [18th August 1846.]

Cap. ccclxxxvi.

An Act for sewerage, draining, and lighting of the Hamlet of *Brighouse* in the Township of *Hipperholme-cum-Brighouse* in the Parish of *Halifax* in the West Riding of the County of *York*. [18th August 1846.]

Cap. ccclxxxvii.

An Act for reclaiming from the Sea, embanking and improving, the *Salthouse Sands* in the Manor of *Plain Furness* in the County Palatine of *Lancaster*. [18th August 1846.]

[*Saving Rights of Crown and Duchy of Lancaster*, § 44. *General Saving of Rights*, § 45.]

Cap. ccclxxxviii.

An Act for improving and altering a Portion of the Harbour of *Wexford* in the County of *Wexford* in *Ireland*, and the Entrance thereof; for improving the Navigation of the River *Slaney*, and also the Bridge over the same River at or near to the Town of *Wexford*; and for embanking and reclaiming divers Waste Lands, Mud Banks or Slobs, in and adjacent to the said Harbour and River; and for other Purposes. [18th August 1846.]

[*Rights of Lord of Manor on Banks of the Slaney not to be prejudiced*, § 77. *Saving the Rights of the Waterford, Wexford, and Dublin Railway Company*, § 78; and of *Trinity House*, § 79; and of *Crown*, § 80.]

Cap. cclxxxviii.

An Act for inclosing and reclaiming from the Sea certain Tracts of Land forming Part of the Great Estuary called "The Wash," between the Counties of *Norfolk* and *Lincoln*.

[18th August 1846.]

[*Saving the Rights of the Trinity House*, § 111; and of *Commissioners of Sewers*, § 112; and of *Bedford Level Corporation*, § 113; and of *Corporations of Lynn*, § 114; and *Wisbeck*, § 115; and of *River Nene Commissioners*, § 116; and of *Middle and South Levels and Eau Brink and Ouze Bank Commissioners*, § 117; and of *Duchy of Lancaster*, § 118; and of *Crown*, § 119.]

Cap. cclxxxix.

An Act for enabling the Warden and College of the Souls of All Faithful People deceased of *Oxford* to grant Building and Improving Leases of their Estates in the County of *Middlesex*.

[18th August 1846.]

Cap. cccxc.

An Act for making certain Lines of Railway in the West Riding of the County of *York*, to be called "The *West Riding Union Railways*."

[18th August 1846.]

Cap. cccxci.

An Act to enable the *London and South-western Railway Company* to extend their Railway to the *Thames* near *London Bridge* in the County of *Surrey*.

[26th August 1846.]

Cap. cccxcii.

An Act for making a Railway from the *Glasgow, Paisley, Kilmarnock, and Ayr Railway* near the Manse of *Newton* to the Town of *Girvan*, with a Branch to the Town of *Maybole*, to be called "The *Glasgow and Belfast Union Railway*."

[26th August 1846.]

Cap. cccxciii.

An Act to empower the *Taff Vale Railway Company* to construct certain Branch Railways and Extensions, and to make Arrangements for the Use of certain Wharfs adjoining the *Bute Ship Canal*.

[26th August 1846.]

Cap. cccxciv.

An Act to authorize the *Newcastle-upon-Tyne and Carlisle Railway Company* to extend their Railway in *Newcastle-upon-Tyne*, to make a Branch Railway, and for other Purposes connected with their Undertaking.

[26th August 1846.]

Cap. cccxcv.

An Act to enable the *Caledonian Railway Company* to deviate certain Portions of the *Clydesdale Junction Railway*.

[26th August 1846.]

Cap. cccxcvi.

An Act for making a Railway from the *East and West India Docks* to join the *London and Birmingham Railway* at the *Camden Town Station*, to be called "*The East and West India Docks and Birmingham Junction Railway.*"

[26th August 1846.]

Cap. cccxcvii.

An Act for making a Railway from *Cork* to *Waterford*, with Branches therefrom.

[26th August 1846.]

Cap. cccxcviii.

An Act to incorporate a Company by the Name of "*The Metropolitan Sewage Manure Company.*"

[26th August 1846.]

Cap. cccxcix.

An Act for the Regulation of the Legal Quays within the Port of *London.*

[26th August 1846.]

‘ **W**HEREAS by an Act of Parliament passed in the Session
 ‘ of Parliament held in the Thirteenth and Fourteenth
 ‘ Years of the Reign of His Majesty King *Charles* the Second,
 ‘ intituled *An Act for preventing Frauds and regulating Abuses* 19 & 14 Car. 2.
 ‘ in His Majesty’s Customs, after reciting that it was enacted by c. 11.
 ‘ an Act of Parliament in the First Year of Queen *Elizabeth*,
 ‘ directing when and where Merchandize should be landed and
 ‘ Customs paid, that no Goods, Wares, or Merchandize should be
 ‘ shipped or loaden aboard any Ship or Vessel, or landed or dis-
 ‘ charged out of or from any Ship or Vessel but in or upon some
 ‘ such open Place, Quay, or Wharf, Places, Quays, or Wharfs,
 ‘ (except the Port of *Hull*), as Her Highness, Her Heirs and
 ‘ Successors, should therefore assign and appoint by virtue of Her
 ‘ Highness’s Commission or Commissions within the Port of
 ‘ *London*, and in all Ports, Creeks, Havens, or Roads; and also
 ‘ reciting that, notwithstanding the aforesaid Act, there were some
 ‘ Ports, Creeks, and Places where Customers, Collectors, and
 ‘ Comptrollers, and Searchers, and their Servants, had then Time
 ‘ out of Mind been resident, to which no such Commissioners
 ‘ were sent, nor Places, Quays, nor Wharfs appointed, as by the
 ‘ said Act was directed; it was (amongst other things) enacted,
 ‘ that the King’s Majesty might, from Time to Time, by His
 ‘ Commission out of His Court of Exchequer, assign all such
 ‘ further Places (except the Town of *Hull*) as should be lawful
 ‘ for the landing and discharging, lading or shipping, any Goods,
 ‘ Wares, or Merchandize within the Kingdom of *England*, and
 ‘ to what ancient and head Ports respectively such Places, Mem-
 ‘ bers, or Creeks should belong and appertain, and by virtue of
 ‘ the aforesaid Commission might likewise set down and appoint
 ‘ the Extents, Bounds, and Limits of every Port, Haven, or Creek
 ‘ within His Majesty’s Kingdom of *England*, and that it should
 ‘ not be lawful for any Person or Persons whatsoever to lade or
 ‘ put, or cause to be laden or put, off or from any Quay, Wharf,
 ‘ or other Place on the Land into any Ship, Vessel, Lighter, Boat,
 ‘ or Bottom any Goods, Wares, or Merchandize whatsoever (except
 ‘ as therein excepted) to be transported into any Place of the Parts
 ‘ beyond

' beyond the Seas, or carried by Land into the Realm of *Scotland*,
 ' or to take up, discharge, or lay on Land, or cause or procure
 ' to be taken up, discharged, and laid on Land, out of any Boat,
 ' Lighter, Ship, Vessel, or Bottom (being not in Leak or Wreck),
 ' any Goods, Wares, or Merchandize whatsoever (except as therein
 ' excepted) to be brought from any of the Parts beyond the Seas,
 ' or by Land from the Realm of *Scotland*, by way of Merchandize,
 ' but only upon such open Place, Quay, or Wharf, Places,
 ' Quays, or Wharfs, as His Majesty should from Time to Time
 ' appoint by virtue of such Commission as aforesaid in His
 ' Majesty's Port of *London*, and the Members and Liberties
 ' thereof, and in any other Port or Place as therein is mentioned,
 ' without special Sufferance and Leave first had from the Commis-
 ' sioners and Officers of His Majesty's Customs, upon the Penalty
 ' of the Forfeiture of all such Goods, Wares, and Merchandizes :
 ' And whereas His Majesty King *George* the Third issued a Com-
 ' mission under the Seal of His Court of Exchequer at *Westmin-*
 ' *ster*, bearing Date on or about the Eighth Day of *May* in the
 ' Fifty-ninth Year of His Reign, and after reciting (amongst
 ' other things) that it had been represented unto Him that the
 ' Bounds and Limits of His Port of *London*, and the Quays and
 ' Wharfs necessary for landing and discharging, lading and ship-
 ' ping, of Goods, Wares, and Merchandize, and better securing
 ' His Customs, had not been properly set out, His said Majesty
 ' did, by the said Commission, assign certain Persons therein
 ' named to be His Majesty's Commissioners, and to them, or any
 ' Five or more of them, gave full Power and Authority to appoint
 ' all such and so many open Place or Places to be Quays or
 ' Wharfs for the shipping and landing of Goods, Wares, and
 ' Merchandize within His said Port of *London* according to their
 ' Discretion, as should seem most convenient for the Uses and
 ' Services aforesaid, and to appoint the Extents, Bounds, and
 ' Limits of the said Port : And whereas, on or about the Thirtieth
 ' Day of *June* in the Fifty-ninth Year of the Reign of His said
 ' Majesty King *George* the Third, Five of the said Commissioners
 ' duly made a Certificate under their Hands and Seals to the
 ' Barons of the said Court of Exchequer, and after appointing
 ' and settling the Extents, Bounds, and Limits of the said Port of
 ' *London*, the said Commissioners did thereby certify that they
 ' had appointed the several open Places therein-after mentioned
 ' to be the lawful Places, Quays, and Wharfs respectively for the
 ' landing or discharging, lading or shipping of any Goods, Wares,
 ' or Merchandize within the said Port of *London* ; viz', *Brewer's*
 ' *Quay*, *Chester's Quay*, *Galley Quay*, *Wool Quay*, *Custom*
 ' *House Quay*, *East India Wharf*, *Botolph Wharf*, *Hammond's*
 ' *Quay*, *Cox's Quay*, and *Fresh Wharf*, and which Certificate
 ' was duly returned into the said Court of Exchequer, and filed :
 ' And whereas the said Quays or Wharfs named in the said Cer-
 ' tificate, being Legal Quays, are lawful Places, Quays, and
 ' Wharfs for the landing or discharging, lading or shipping, of
 ' Goods, Wares, or Merchandize within the said Port of *London*,
 ' and the Public have a Right to use the same for those Purposes,
 ' on Payment to the respective Wharfingers for the Time being
 ' in the Occupation of the said Quays or Wharfs of a reasonable
 ' Compen-

Royal Com-
 mission, dated
 8th May,
 59 G. 3.

Certificate of
 Commissioners,
 dated
 30th June,
 59 G. 3.

‘ Compensation for such Use; and the said Wharfingers are bound by Law to keep the said Quays or Wharfs in repair, and fit for public Use: And whereas the said Quays or Wharfs are now in the Occupation of the several Persons herein-after mentioned; that is to say, *Brewer’s Quay, Chester’s Quay, and Galley Quay* are in the Occupation of *Joseph Barber; Wool Quay and Custom House Quay* are in the Occupation of *William John Hall; East India Wharf* is in the Occupation of *John Ismay Nicholson and Frederick Besley; Botolph Wharf* is in the Occupation of *Thomas Wilkinson and William Stennett; and Hammond’s Quay, Cox’s Quay, and Fresh Wharf* are in the Occupation of *John Knill*: And whereas several Wet Docks, called respectively the *West India Docks, the London Docks, the East India Docks, and the Saint Katherine Docks,* have been from Time to Time established in the Port of *London,* and the Quays within which are made Legal Quays, and the Acts of Parliament under which the same Docks were established contain divers Provisions and Regulations as to Entries of Goods at the Custom House in *London,* and for preserving the Lien or Security of the Shipowner on the Goods after landing, and for facilitating the Despatch of Business, and rendering the Collection of the Customs Revenue more secure and easy: And whereas it is expedient that similar Provisions should be enacted with regard to the aforesaid Legal Quays in the Port of *London;* but the same cannot be done without the Authority of Parliament:’ Wherefore Your Majesty’s most dutiful and loyal Subjects, the said *Joseph Barber, William John Hall, John Ismay Nicholson, Frederick Besley, Thomas Wilkinson, William Stennett, and John Knill,* do most humbly beseech Your Majesty that it may be enacted; and 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, That it shall be lawful for the Master or Owner of any Ship lying alongside any of the said Legal Quays comprised in the said Certificate to cause a proper Entry to be made in his Name for the Inward Cargo, or any Part of the Inward Cargo, (being such as from Time to Time by Law may be warehoused,) of such Ship, for which an Entry shall not have been made by the Importer, Proprietor, or Consignee thereof, and for which the Customs Order for Delivery shall not have been lodged with the proper Officer of the Customs within Forty-eight Hours from the Day on which the Cargo of such Ship shall have been reported at the Custom House at *London,* (such Entry to be made according to the Marks, Numbers, Package or Packages, Qualities, Quantities, or Contents of such Cargo or Part or Parts thereof, as described in the Report of the Cargo of such Ship,) and thenceforth, on any Day (not being a *Sunday, Christmas Day, or Good Friday,* or a Day appointed by Her Majesty’s Proclamation for the Purposes of a General Fast or Thanksgiving, or the Day or Days appointed for the Celebration of the Birthdays of Her Majesty and Her Successors), and without Authority from the Importer, Proprietor, or Consignee thereof, to unship and land the Goods of which the same shall consist, in the Presence or with the Authority of the proper Officer of the

Present Occupiers of the same Quays.

Goods, if not entered within a certain Time by Importers, Proprietors, or Consignees, may be entered by Master or Owner of Ship.

Customs,

Customs, and deposit the same Goods in any Warehouse approved by the Commissioners of Her Majesty's Customs for the warehousing of Goods without Payment of the Duty at the Time of the first Entry thereof; and the Goods so landed and warehoused shall in all respects be considered as in the Charge and Custody of the Master and Owner of the Ship from or out of which the same shall be so landed, in the same Manner in all respects as if such Goods had remained on board such Ship, and shall remain subject to the same Rights, Claims, and Liabilities, for Freight or otherwise, as such Goods were subject to whilst the same were on board such Ship, and before the landing thereof, and may be detained until the Person applying for the Delivery or Transfer thereof shall have paid the Freight, Wharfage, Warehouse Rent, and other Charges payable thereon, and shall have delivered to the said Master or Owner, or his Agent, a Duplicate of the Bill of Lading which shall have been signed for the same at the Port of loading.

Act not to affect certain Charter-parties or Bills of Lading.

II. Provided always, and be it enacted, That nothing in this Act shall affect or invalidate Charter-parties or Bills of Lading which contain Agreements for allowing a certain Number of Days for the Discharge of the Cargo, or authorize the landing of Goods contrary to such Agreements or to any express Stipulation in such Charter-parties or Bills of Lading.

Goods entered by this Act subject to 8 & 9 Vict. c. 86.

III. Provided also, and be it enacted, That Goods entered by virtue of this Act shall be subject to the same Regulations, Rules, and Forfeitures as Goods entered under an Act passed in the last Session of Parliament, intituled *An Act for the general Regulation of the Customs*, are subject to.

Goods landed at the Legal Quays to remain subject to Lien for Freight.

IV. And be it enacted, That all Goods which after the passing of this Act shall be landed at any of the Legal Quays aforesaid from or out of any Ship within the Port of *London*, and lodged in the Custody of the Wharfinger for the Time being in the Occupation of such Quay, either at such Quay or elsewhere, shall, when so landed, continue and be subject to the same Lien or Claim for Freight in favour of the Master and Owner of the Ship from or out of which such Goods shall be so landed, or of any other Person interested in the Freight of the same Goods, as such Goods were subject to whilst the same were on board such Ship, and before the landing thereof; and the said Wharfinger, or his Servants or Agents, are hereby required, upon due Notice in Writing in that Behalf given by such Master or Owner, or other Person aforesaid, to the said Wharfinger, or left for him at his Office or Counting-house for the Time being, to detain such Goods in the Warehouse of the said Wharfinger until the Freight to which the same shall be subject as aforesaid shall be duly paid, together with the Wharfage, Rent, and other Charges to which the same shall have become subject and liable.

Notice to detain Goods to be given before Warrants issued for their Delivery.

V. Provided always, and be it enacted, That no such Notice as aforesaid to detain any Goods for Payment of Freight shall be available unless the same be given or left, as herein-before provided, before the Issue by the said Wharfinger of the Warrant for the Delivery of the same Goods, or an Order given by the Importer, Proprietor, or Consignee, or his Agent, to and accepted by the Wharfinger for the Delivery or Transfer of the same; but nothing

herein contained shall authorize any Wharfinger to deliver or issue any Warrant or accept any Order for the Delivery of any Goods which shall be subject to a Lien for Freight, and in respect of which such Notice in Writing as aforesaid to detain the same for Freight shall have been given, until the Importer, Proprietor, or Consignee of such Goods shall have produced a Withdrawal in Writing of the Order of Stoppage for Freight from the Owner or Master of the Ship from or out of which such Goods shall have been landed, or his Broker or Agent, and which Order of Withdrawal the said Master or Owner is hereby required to give on Payment or Tender of the Freight to which the Goods shall be liable.

VI. And be it enacted, That the Wharfage, Rent, and other Charges which from and after the passing of this Act shall become payable to the Wharfinger of any of the Legal Quays aforesaid in respect of Goods which shall be in his Custody either on the said Quays or in any Warehouse, Ereccion, or Building from Time to Time held or occupied by him, and which shall adjoin any such Legal Quay, or in any Warehouse, Ereccion, or Building from Time to Time held or occupied by him, and some Part of which shall be within Five hundred Yards of some Part of such Legal Quay, and which shall be of a perishable Nature, shall be paid at or before the Expiration of Two Calendar Months, and if not of a perishable Nature then at or before the Expiration of Twelve Calendar Months, next after the Cargo of the Ship importing such Goods shall have been completely discharged or unloaded, or previous to the Removal of the same from the Custody of the said Wharfinger, which shall first happen; and in case Default be made in Payment of the said Wharfage, Rent, and other Charges, or any of them, or any Part thereof, it shall be lawful for the said Wharfinger, first paying the Duties due in respect of such Goods, and next any Freight which may be due in respect thereof, to distrain and sell or cause to be sold all or any Part of such Goods that may be deposited with the said Wharfinger, and out of the Monies thence arising to retain and pay any Duties and Freight paid by him in respect of such Goods, and then the Wharfage, Rent, and other Charges which shall be payable to the said Wharfinger in respect of such Goods, and all Charges and Expences of selling such Distress, rendering the Overplus (if any) of the Monies arising by such Sale, and such of the said Goods as shall remain unsold, to the Person entitled thereto, upon Demand; and in case such Goods shall happen to be removed before the Wharfage, Rent, and other Charges payable to the said Wharfinger in respect of the same shall be fully paid, then it shall be lawful for the said Wharfinger to take and distrain and sell any Goods or Chattels of the Importer, Proprietor, or Consignee thereof, for the Time being in the Custody of the said Wharfinger, or the said Wharfinger shall and may prosecute any Action at Law for the Payment and Recovery of such Wharfage, Rent, and other Charges, or any Part thereof respectively: Provided nevertheless, that no such Sale shall be made as aforesaid until the Wharfinger shall have given at least Ten Days Notice of his Intention to sell the Goods in the *London Gazette* and Two of the Morning Daily Newspapers printed in the City of London or

For the Recovery of Wharfage, Rent, and other Charges payable for Goods.

Westminster, and, if the Importer, Proprietor, or Consignee shall be resident in the United Kingdom, until at least Ten Days Notice shall have been left at his Residence, or sent to him by the Post, if such Residence shall be known by the Wharfinger, and no Sale shall be made until the Goods to be sold shall have been valued by a Sworn Broker, and no greater Quantity shall be sold than shall be reasonably sufficient to raise the Monies which may be due in respect of such Duties, Wharfage, Rent, and Charges, and the Expence of Valuation and Sale.

Interpretation
of Act.

VII. And be it enacted, That in the Construction of this Act the Expression "Goods" shall include all Wares and Merchandize, and the Word "Person" shall extend to a Body Corporate, and the Word "Ship" shall include every Species of Vessel, and every Word importing the Singular Number only shall be applied to several Persons or Things, unless the Context is repugnant to such Construction.

General Saving.

VIII. Saving and always reserving to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every Body and Bodies Politic and Corporate, and other Person and Persons whomsoever, his, her, or their Successors, Heirs, Executors, and Administrators, all such Prerogatives, Estates, Rights, Titles, Immunities, Franchises, and Liberties (other than those expressly barred or regulated by this Act) as they and every or any of them had and enjoyed before the passing of this Act, or could or might have had and enjoyed in case this Act had not been passed.

Act to remain
in force until
1st Oct. 1847.

IX. And be it enacted, That this Act and the several Clauses and Provisions herein contained shall continue to be in force until the First Day of *October* One thousand eight hundred and forty-seven, and no longer.

Public Act.

X. And be it enacted, That this Act shall be taken to be a Public Act, and shall be judicially taken notice of as such.

Cap. cccc.

An Act to extend the Powers of the Commissioners of Wide Streets, *Dublin*, to widen and improve certain Streets and Passages in the City and County of *Dublin*.

[26th August 1846.]

Cap. cccci.

An Act to authorize the Construction of a Railway from *Maln-y-Manach* to *Rhydydefydd* in the County of *Glamorgan*, to be called "*Cameron's Coalbrook Steam Coal and Swansea and Loughor Railway*."

[28th August 1846.]

Cap. ccccii.

An Act for authorizing certain Alterations in and Extensions of the Line of the *South Devon Railway*, and the Formation of Branches therefrom to *Torquay* and other Places.

[28th August 1846.]

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN
IN EVIDENCE.

N.B.—*To each of these Acts is annexed a Clause in the Form following:*

“ And be it further enacted, That this Act shall be printed
“ by the several Printers to the Queen's most Excellent Majesty
“ duly authorized to print the Statutes of the United Kingdom;
“ and a Copy thereof so printed by any of them shall be admitted
“ as Evidence thereof by all Judges, Justices, and others.”

Cap. 1.

An Act for vesting the Real Estates of the Right Honourable
Charles John late Earl of *Blesinton* deceased, in the County
and County of the City of *Dublin*, the City of *Kilkenny*, and
the County of *Tyrone*, in Trustees for Sale, for the Payment of
his Debts; and for other Purposes. [18th June 1846.]

Cap. 2.

An Act for selling such Parts of the entailed Lands and Estates of
Hempriggs lying in the County of *Caithness*, belonging to Sir
George Dunbar Baronet, as may be necessary for the Payment
of the Debts and Obligations affecting or that may be made to
affect the said Lands and Estates. [18th June 1846.]

Cap. 3.

An Act to enlarge the Powers of leasing the Estates comprised
in an Act passed in the Eighth and Ninth Years of the Reign
of Her present Majesty Queen *Victoria*, intituled *An Act to*
authorize the Sale of Settled Estates of the Most Honourable
the Marquess of Donegall in Ireland, in order to pay off Mort-
gage and other Incumbrances; and for other Purposes.
[18th June 1846.]

Cap. 4.

An Act for vesting certain undivided Shares in Estates devised
by the Will of *Joseph Solly* Esquire, deceased, in Trustees for
Sale; and for other Purposes. [18th June 1846.]

Cap. 5.

An Act for inclosing, dividing, and allotting certain Lands within the Manor or Lordship of *Gollon*, situate in the several Parishes of *Llanbadarn-Vynydd*, *Llanano*, *Llanbister*, *Llandewy-Ystradenny*, *Abbey Cwmhir*, and *Saint Harmon*, in the County of *Radnor*. [18th June 1846.]

[*Allotment to be made to Lord of Manor in lieu of Right of Soil*, § 56. *Saving of Manorial Rights*, § 89.]

Cap. 6.

An Act for empowering the Tenants for Life under the Wills of *Miss Mary Cary* and *Adam Ashew* Esquire, deceased, and Trustees during Minorities, to grant Building Leases; and for other Purposes. [26th June 1846.]

Cap. 7.

An Act for the Division of the Rectory of *Upwell-cum-Welney* in the County of *Norfolk* and in the *Isle of Ely* in the County of *Cambridge*. [26th June 1846.]

[*Act not to affect the existing Church Charities at Upwell and Welney*, § 45; *nor the Division of Upwell-cum-Welney into Townships for the Maintenance of the Poor, or any civil Purpose whatsoever*, § 47.]

Cap. 8.

An Act for dividing, allotting, laying in Severalty, inclosing, and draining, the Open and Common Fields, Common Meadows, and other Commonable Lands and Waste Grounds in the Hamlet or Township of *Frilford* in the Parish of *Marcham* in the County of *Berks*. [3d July 1846.]

[*Allotments to be made for Highways*, § 57; *for Recreation of Inhabitants*, § 58; *to Lords of Manor for Right of Soil*, § 59; *and to the Trustees of the Poor*, § 60.]

Cap. 9.

An Act for vesting in Trustees certain Hereditaments in the County of *Kent* devised by the Will of *Henry Dudderidge* Gentleman, to enable them to carry into execution an Agreement between his Devises in Trust and *Alexander James Beresford Hope* Esquire, for the Sale thereof, and for subjecting the Bank Annuities, the Produce of the Purchase Money, to the same Trusts. [16th July 1846.]

Cap. 10.

An Act for vesting in Trustees certain Hereditaments in the County of *Kent* the Estate of *Emma Bedford Videan*, a Lunatic, to enable them to carry into execution a Treaty between her Husband, *Mr. Joseph Videan*, and *Alexander James Beresford Hope* Esquire, for the Sale thereof; also for laying out the Purchase Money in the Purchase of Bank Annuities, to be held as Real Estate in trust for the said *Emma Bedford Videan* and her Heirs. [16th July 1846.]

Cap. 11.

An Act for effecting an Exchange of Lands between the Archbishop of *York*, the Earl of *Carlisle*, and Viscount *Morpeth*.
[16th July 1846.]

Cap. 12.

An Act to enable *Andrew Wauchope* Esquire, of *Niddrie Marischall*, to uplift certain Sums of Money lying in Bank, and to be consigned therein, and to borrow upon the Security of his entailed Estates such further Sums as may be necessary for Repayment to him of a Portion of the Monies laid out and to be laid out in the Improvement of the said Estates.
[16th July 1846.]

Cap. 13.

An Act to vest in Trustees in Fee Simple the entailed Lands of *Haltree* and others, for the Purpose of selling the same, and applying the Price in Payment of Debts which affect or may be made to affect the same; and for other Purposes connected therewith.
[16th July 1846.]

Cap. 14.

An Act to enable the Trustees of the settled Estate of *William Cullen* to sell to *Alexander James Beresford Hope* Esquire, before the appointed Time under the Settlement, a Portion of that Estate for which an Offer has been made them by him.
[16th July 1846.]

Cap. 15.

An Act for authorizing Leases to be granted for Mining and other Purposes of Estates in the County of *Glamorgan* belonging to *Walter De Winton* Esquire (an Infant), Tenant in Tail under the Will of *Walter Wilkins* Esquire, deceased; and for other Purposes.
[16th July 1846.]

Cap. 16.

An Act to enable the Trustees or Guardians appointed by *Joseph Thomson* of *Nortonhall* of *Eildon*, deceased, to sell the said Lands of *Nortonhall* of *Eildon*, and also the Half of a Storey of a House in *Saint Mary's Wynd*, *Edinburgh*, and relative Policy of Insurance, vested in them in trust, and apply the Price to be obtained, and certain Trust Monies in their Hands, in the Purchase of other Lands, for the Purposes of the said Trust.
[16th July 1846.]

Cap. 17.

An Act to alter and amend an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to enable the Trustees of the Marriage Articles of Thomas Bacon Esquire to grant a new Lease to Richard Hill and Anthony Hill Esquires of an Iron Furnace, and Works and Mines, and Privileges and Hereditaments held therewith, called Plymouth Works, in the Parish of Merthyr Tydvill in the County of Glamorgan*; and for better carrying the same Act into effect.
[27th July 1846.]

Cap. 18.

An Act for carrying into effect an Agreement respecting the Estates of the Corporation of the Borough of *Ludlow*, and other Estates vested in the said Corporation, in trust, either partly or in whole, for certain charitable Uses; and for appropriating certain Estates to the Charity herein-after mentioned, and declaring the Trusts thereof; and for making Provision for Payment of the Debts of the said Corporation; and other Purposes. [27th July 1846.]

Cap. 19.

An Act to authorize the Sale of Part of the Charity Estates vested in the Master, Wardens, and Brethren and Sisters of the Guild or Fraternity of the Blessed *Mary* the Virgin of the Mystery of Drapers of the City of *London*, upon the Trusts of the Will of *Thomas Howell* deceased. [27th July 1846.]

[*The Company authorized to sell under the Direction of the Court of Chancery, § 1.*]

Cap. 20.

An Act to enable *William Ramsay Ramsay* of *Barnton*, Heir of Entail in possession of *Barnton* and other Estates in the County of *Edinburgh*, to borrow Money upon the Security of the said Estates for the Repayment of Monies laid out in the Improvement of the said Estate, and to enable him and his Successors to grant Feus of certain Parts thereof; and for other Purposes therein expressed. [27th July 1846.]

Cap. 21.

An Act for vesting Estates in the Parish of *West Bromwich* in the County of *Stafford*, devised by the Will of *Joseph Barrs* deceased, and the Mines and Minerals under the same, in Trustees for Sale, with Powers to grant Leases of such Estates, and to grant, demise, or sell the Coal, Ironstone, and other Minerals in or under the same. [3d August 1846.]

Cap. 22.

An Act for burdening or selling a Portion of the entailed Estate of *Cumbernauld* in the County of *Dumbarton*, for Payment of Debt. [3d August 1846.]

Cap. 23.

An Act to enable the Trustees of the Will of *Edmund Yates* Esquire, deceased, to sell the Estates in the County of *Kent* devised by the same Will, and to invest the Monies to arise from such Sale in the Public Funds. [3d August 1846.]

Cap. 24.

An Act to incorporate the Governors and Managers appointed under the Trust Disposition and Settlement of *Robert Philp* of *Edenshead* deceased, and to explain and extend the Powers and Provisions contained in the said Deed. [3d August 1846.]

Cap. 25.

An Act to enable *John Eden Spalding*, with the Consent of a Trustee, to lease the Mines and Minerals within the Lands of *Holm* and other Lands and Estates in the Stewartry of *Kircudbright* in *Scotland*.
[3d August 1846.]

Cap. 26.

An Act to enable the Trustees acting under the Will of the late Sir *John Webb* Baronet, deceased, to concur with other Parties, under the Sanction of the High Court of Chancery, in the Sale and Conveyance of certain Estates in the County of *Dorset* and in the Town and County of the Town of *Poole* devised by the said Testator, and of Estates subsequently acquired by the Trustees of his said Will, and subject to the Trusts of the said Will.
[7th August 1846.]

Cap. 27.

An Act to vest in Trustees in Fee Simple the entailed Estate of *Overshiels* in the County of *Edinburgh*, for the Purpose of selling the same, and purchasing other Lands to be entailed in lieu thereof.
[13th August 1846.]

Cap. 28.

An Act to enable the Trustees of certain Charity and Trust Estates at and near the Town of *Lowestoft* in the County of *Suffolk* to carry into effect a Contract for the Sale of Parts thereof to the *Lowestoft* Railway and Harbour Company; and to enable the said Trustees, and the Trustees of other Charity and Trust Estates at and near the said Town of *Lowestoft*, to grant Leases for long Terms of Years for Building Purposes of the said Estates or Parts thereof; and for other Purposes.
[13th August 1846.]

Cap. 29.

An Act to extend the Powers of Sale and Exchange and the Power to grant Building Leases respectively contained in the Will of Sir *George William Tapps Gervis* deceased; and to empower the Trustees of the said Will to raise Money by Mortgage for the Improvement of Part of the Estates devised by the said Will; and to confirm a Contract for an Exchange entered into by the said Trustees with the Right Honourable *James Howard Harris* Earl of *Malmesbury*.
[13th August 1846.]

Cap. 30.

An Act to give further Powers to the Trustees of the Will of the late Duke of *Cleveland* for the Management of the Trust Estates in the County of *Durham* by the said Will devised.
[18th August 1846.]

Cap. 31.

An Act to vest the Estates in *Ireland* settled by the Will of *Bindon Scott* deceased in Trustees, for the Purposes therein set forth.
[18th August 1846.]

Cap. 32.

An Act to unite and to incorporate the Trustees of certain Charities established by *Humphrey Booth* the elder, Esquire, and by *Humphrey Booth* Esquire, his Grandson, respectively; and to amend an Act of Parliament made and passed in the Sixteenth Year of His late Majesty King *George* the Third, intituled *An Act to enable the Trustees of certain Charity Lands belonging to the Poor of Salford in the County Palatine of Lancaster to grant Building Leases thereof*; and to make further Provision for the beneficial Management and Administration of the several Charity Estates and Charities of the said *Humphrey Booth* the elder and *Humphrey Booth*, his Grandson, respectively. [18th August 1846.]

Cap. 33.

An Act to enable the Trustees appointed by Mrs. *Jane Ferguson* deceased to sell the Lands of *Laverocklaw*, and also certain Subjects situate in the Village of *Ormiston*, vested in them in trust, and to apply the Price to be obtained, and certain Trust Monies in their Hands, in the Purchase of other Lands, for the Purposes of the said Trust. [18th August 1846.]

Cap. 34.

An Act for enabling the President and Fellows of *Sion College* within the City of *London* to raise Money by way of Annuity on Part of their Estates. [26th August 1846.]
[President and Fellows empowered to raise £5,500, § 1.]

Cap. 35.

An Act for facilitating the raising of the annual Sum of One hundred Pounds settled upon the Vicar for the Time being of the Parish of *All Hallows* in the Town of *Northampton* in lieu of Tithes, by an Act passed in the Twenty-ninth Year of the Reign of King *Charles* the Second. [26th August 1846.]

Cap. 36.

An Act to enable the Trustees of the Will of the Most Noble *William Harry* late Duke of *Cleveland* to grant Leases and make Sale of the *Bathwick* and *Wrington* Estates in the County of *Somerset*. [26th August 1846.]

Cap. 37.

An Act to enable the Most Noble *Henry Charles* Duke of *Norfolk*, and other the Owner for the Time being of *Arundel Castle* and the Estates settled therewith, to grant Leases of Parts thereof; and for other the Purposes therein mentioned. [26th August 1846.]

Cap. 38.

An Act for authorizing the Sale of Part of the Estates settled by the Will of *William Congreve* Esquire, deceased, and for laying out the Surplus of the Monies produced by such Sale, after Payment of his Debts, in the Purchase of other Estates. [26th August 1846.]

Cap. 39.

An Act for the better Support and better Regulation of "The Hospital of the Holy *Jesus*, founded in the *Manors* in the Town and County of *Newcastle-upon-Tyne* at the Costs and Charges of the Mayor and Burgesses of the Town of *Newcastle-upon-Tyne* in the County of the Town of *Newcastle-upon-Tyne* aforesaid," and for confirming Sales and other Dispositions made of Estates formerly Part of the Possessions of the said Hospital ; and for other Purposes. [26th August 1846.]

Cap. 40.

An Act to vest certain Lands and Hereditaments, the Estates of *Alexander Perry Bond* Esquire, situate in the County of *Westmeath* in *Ireland*, in Trustees, to raise Money for the Payment of Incumbrances affecting said Lands and Hereditaments, and, subject thereto, to limit the said Lands and Hereditaments for the Uses and Purposes declared by the Will of *William Bond* Esquire, deceased. [26th August 1846.]

Cap. 41.

An Act to enable Sir *Richard Bulkeley Philipps Philipps* Baronet and others to grant Mining, Building, and other Leases of certain Estates in the County of *Pembroke*, subject to the Uses of the Will of *Richard* Baron *Milford* deceased. [26th August 1846.]

Cap. 42.

An Act for enabling the Master and Brethren of the Hospital of *Saint Mary* the Virgin within the Borough of *Newcastle-upon-Tyne* to grant Building, Repairing, Mining, and other Leases of their Estates, and for extending the Objects of the Charity, and regulating the Appropriation of the Income thereof. [26th August 1846.]

Cap. 43.

An Act to enable the College of *Glasgow* to effect an Exchange of the present Lands and Buildings belonging to and occupied by the said College for other sufficient and adequate Lands and Buildings more advantageously situated ; and for other Purposes relating thereto. [26th August 1846.]

I N D E X

TO THE

PUBLIC GENERAL ACTS, 9° & 10° VICTORIÆ.

The Asterisk () signifies that the Act relates exclusively to Ireland.*

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- empowered to form a Royal Park in Battersea Fields in the County of Surrey - - 38
- enabled to construct an Embankment and Roadway on the North Shore of the River Thames from Battersea Bridge to Vauxhall Bridge, and to build a Suspension Bridge at or near Chelsea Hospital, with Approaches thereto, including a Street from Lower Sloan Street to the Northern Extremity of the Bridge - - 39

Woods, &c., Commissioners of, empowering the Commis- sioners of Loans for Public Works and Fisheries to make Loans to, in lieu of Loans here- tofore authorized to be made in Exchequer Bills - Cap. 83 Works, Public. See Public Works.	Wreck and Salvage, for consolidating and amending the Laws rela- ting to - - Cap. 99 Young Persons, to amend Two clerical Errors in 8 & 9 Vict. c. 29., for regulating the Labour of, in Print Works - - 18
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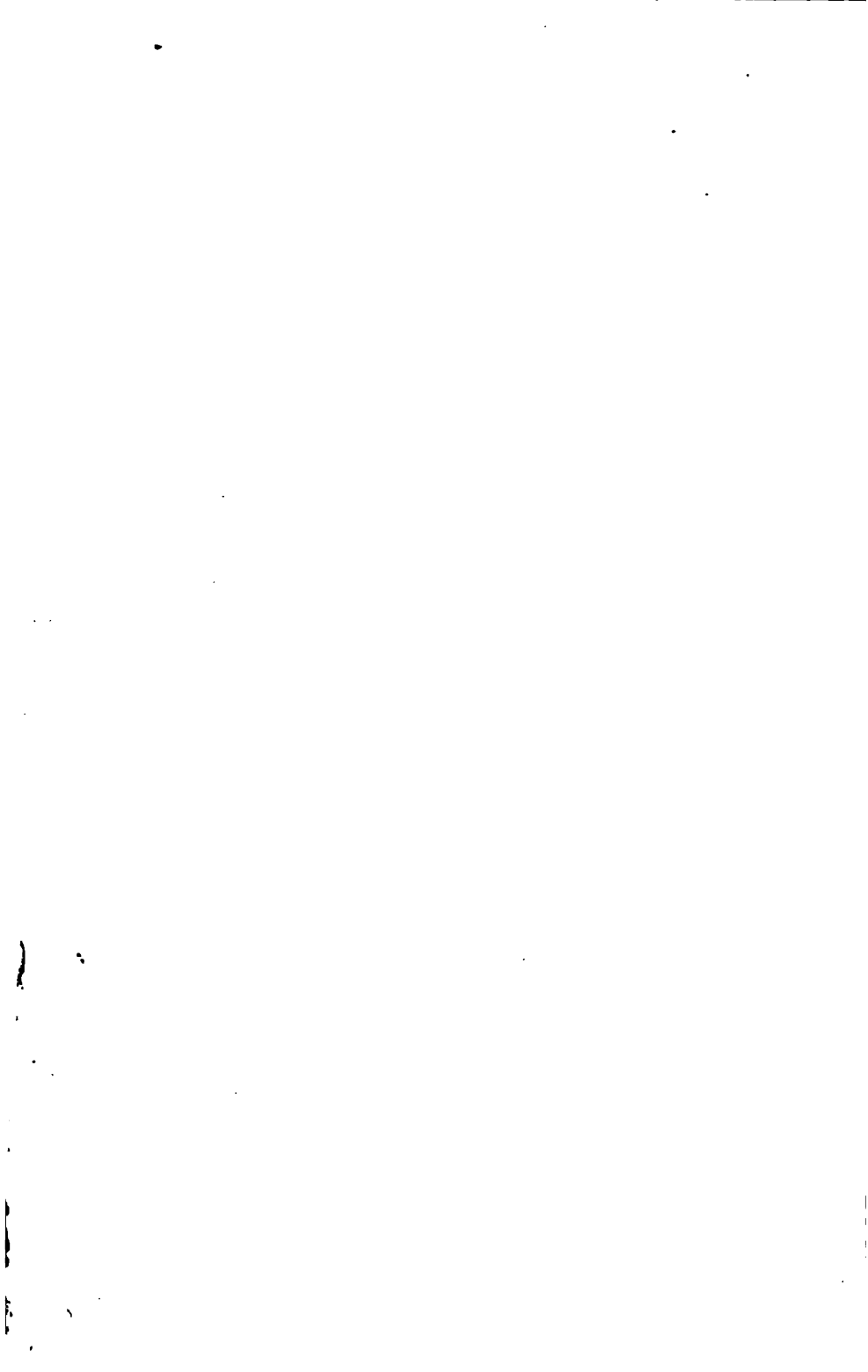


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