



ANNO NONO

# GEORGII IV. REGIS.

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## Cap. lxxv.

An Act to enable His Majesty's Justices of the Peace for the County of *Surrey* to nominate and appoint Two or more Persons to act as Principal Land Coal Meters within and for the several Parishes and Places therein mentioned in the said County. [23d May 1828.]

**W**HEREAS an Act was passed in the Forty-sixth Year of the Reign of His late Majesty King George the Third, intituled *An Act for more effectually preventing of Frauds and Abuses in the Admeasurement and Delivery of Coals within the several Parishes lying between the Parishes of Egham and Rotherhithe, both inclusive, in the County of Surrey*, whereby it was enacted, that (among other Things) Joseph Burnett of Streatham in the said County of Surrey, Gentleman, and Francis Bigg of the Parish of Saint Mary Newington, in the said County, Gentleman, should be nominated Principal Land Coal Meters for executing the Provisions of the said Act for and during the Term of Twenty-one Years then next ensuing from the Commencement of the said Act, which said Act was repealed by the Act herein-after mentioned: And whereas an Act was passed in the Forty-seventh Year of the Reign of His said late Majesty King George the Third, intituled *An Act for repealing the several Acts for regulating the Vend and Delivery of Coals within the Cities of London and Westminster, and Liberties thereof, and in certain Parts of the Counties of Middlesex, Surrey, Kent, and* [Local.] 16 T Essex, 46 G. 3. c. 32. 47 G. 3. c. 68.



Essex, and for making better Provision for the same, whereby it was enacted, that the said *Joseph Burnett* and *Francis Bigg*, or the Survivor of them, so appointed by virtue of the said Act as such Principal Land Coal Meters or Meter, should remain and continue such Principal Land Coal Meters or Meter, for the Admeasurement of Coals sold by Wharf Measure within the several Parishes of *Egham*, *Thorpe*, *Chertsey*, *Weybridge*, *Walton-on-Thames*, *West Moulsey*, *Thames-Ditton*, *Kingston*, *Richmond*, *Mortlake*, *Barnes*, *Croydon*, *Mitcham*, *Putney*, *Wandsworth*, *Battersea*, *Lambeth*, *Christchurch*, *Newington*, *Saint George in the Borough of Southwark*, *Saint Saviour*, *Saint Olave*, *Saint Thomas*, *Saint John*, *Saint Mary Magdalen Bermondsey*, and *Saint Mary Rotherhithe*, all in the said County of *Surrey*, and for other Purposes in the said recited Act mentioned, (save and except he or they should be suspended or removed from such Office or Offices,) until the Sixteenth Day of *June* which will be in the Year of our Lord One thousand eight hundred and twenty seven, and from thence to the End of the next Session of Parliament: And whereas the said *Joseph Burnett* is deceased, and the said *Francis Bigg* is now the only Principal Land Coal Meter for executing the Purposes of the Act herein-before last recited within the Limits therein described: And whereas it is expedient that better and more effectual Powers should be granted for effecting the Purposes granted by the said last-recited Act; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Provision of the said last-mentioned Act of the Forty-seventh Year of the Reign of His late Majesty King George the Third, shall be and the same is hereby declared, to be repealed, and null and void to all Intents and Purposes whatsoever.

The recited Provision of the Act 47 G.3. c. 68. repealed.

Nothing herein to revive the Powers of the Act 46 G.3. c. 32.

II. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend so as to revive or give any Force or Effect to the said first herein-before recited Act of the Forty-sixth Year of the Reign of His said late Majesty, but the same Act, and all and every the Clauses, Powers, Provisions, Regulations, Penalties, and Forfeitures therein contained, shall be and continue repealed in such and the like Manner as if this Act had not been passed; any thing herein contained to the contrary thereof in anywise notwithstanding.

The Provisions of 47 G.3. c. 68., except as here repealed, extended to this Act.

III. And be it further enacted, That the said recited Act of the Forty-seventh Year of the Reign of His late Majesty King George the Third, and all and every the Regulations, Provisions, Powers, Authorities, Penalties, and Forfeitures therein contained, shall extend to this Act, and shall remain and continue in full Force and Effect, and be as good, valid, and effectual, to all Intents and Purposes, for carrying this Act into Execution, as if the same had respectively been repeated and re-enacted in this Act; save and except such Part or Parts thereof as is or are varied, altered, or repealed by this Act, or by



by Two several Acts passed in the Fifth and Sixth Years of His present Majesty's Reign, the one intituled *An Act for ascertaining and establishing Uniformity of Weights and Measures*, and the other intituled *An Act to prolong the Time of the Commencement of an Act of the last Session of Parliament, for ascertaining and establishing Uniformity of Weights and Measures, and to amend the said Act.* 5 G. 4. c. 74. 6 G. 4. c. 12.

IV. And whereas it is by the said recited Act of the Forty-seventh Year of the Reign of His said late Majesty enacted, that in case of the Death of either of the said *Joseph Burnett* and *Francis Bigg* before the Expiration of the Term or Time for which they were nominated and appointed as therein mentioned, the said Office should be managed by the Survivor of them (unless previously dismissed or suspended in the Manner in the said Act mentioned) during the Remainder of the said Term; and from and after the Expiration of such Term, or in case both the said *Joseph Burnett* and *Francis Bigg* should die, or be dismissed or suspended, before the Expiration of the said Term, then upon and from and after such Death, Dismissal, or Suspension of both of them, and also from Time to Time and at all Times thereafter, when and as often as any Principal Land Coal Meter for the said several Parishes should die, or be incapable of acting in the Execution of his Office, or should be dismissed or suspended therefrom as aforesaid, or the Time limited for the Execution of such Office should expire, then upon the happening of any such Vacancy it should be lawful to and for the Churchwardens, as in the said Act mentioned, or the major Part of them, in manner in the said Act mentioned, to elect, nominate, and appoint any other Person to be and act as Principal Land Coal Meter in the Room or Stead of every such Principal Land Coal Meter who should die, be so dismissed, suspended, or be incapable of acting in the Execution of his Office, or whose Time limited for the Execution of his Office should expire, and so *toties quoties* as often as such Case should happen; and every such Person so to be nominated and appointed Principal Meter for such Limits in the Room or Stead of any such other Principal Meter should be elected, nominated, and appointed by such Persons and in Manner and Form following; that is to say, the said Churchwardens of the said several and respective Parishes lying between the Parishes of *Egham* and *Saint Mary Rotherhithe*, both inclusive, should, by Notice in Writing, specifying the Occasion, and signed by One of the Deputies in the Coal Meter's Office for such several Parishes, and left at the Dwelling House or usual Place of Abode of each such Churchwarden as soon as the same could be done after any such Vacancy should happen, be summoned to meet and assemble at the said Land Coal Meter's Office at Twelve of the Clock at Noon on a Day to be mentioned in the said Notice, not exceeding Seven Days from the Date thereof, at which Meeting some Person should be chosen and appointed to succeed to the Office of Principal Land Coal Meter for the Limits aforesaid, and such Person as should at the Hour of Two of the Clock of that Day be elected by the Majority of Persons, being Churchwardens of the said Parishes, as should then and there be assembled, should be and was thereby declared to be Principal Coal Meter for putting the said Act in execution within such several Parishes in the said County of *Surrey*, and every such Person so to be

So much of 47 G. 3. c. 68. as relates to the Nomination and Appointment of a Principal Land Coal Meter in case of Vacancy repealed.



be elected, nominated, or appointed as aforesaid, should remain and continue Principal Meter for the said several Parishes within the said County for and during the Term of Twenty-one Years next ensuing from and after the Term of such his Election, Nomination, and Appointment, unless he should be sooner dismissed or suspended, or be incapable of acting in the Execution of his Office: And whereas it is become necessary and expedient that the aforesaid Provision should be repealed; be it therefore enacted, That from and after the passing of this Act so much of the said recited Act of the Forty-seventh Year of the Reign of His said late Majesty shall be and is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

Justices of the Peace at the next Midsummer Quarter Sessions to appoint Two or more Persons as Principal Land Coal Meters; and hereafter to fill up Vacancies at the next General Quarter Sessions.

V. And be it further enacted, That it shall be lawful for His Majesty's Justices of the Peace for the said County of *Surrey*, assembled at the Midsummer Quarter Sessions next after the passing of this Act, or at any Adjournment thereof, and they are hereby empowered and required, to nominate and appoint Two or more fit and proper Persons to be Principal Land Coal Meters for the several Parishes and District herein before mentioned and described; and in case the Persons, or any of them so appointed as aforesaid, shall die, or shall become incapable of acting in the Execution of the said recited Act of the Forty-seventh Year of the Reign of His said late Majesty, and this Act, or shall be removed or dismissed therefrom, it shall be lawful for the Justices of the Peace for the Time being acting for the said County, assembled at the next General Quarter Session next after any such Vacancy shall happen, or at some Adjournment thereof, to nominate and appoint some other fit and proper Person or Persons in the Room of the Person or Persons who shall so die, be dismissed, removed, or be incapable of acting in the Execution of his or their Offices or Office, and so as often as any such Vacancy shall happen.

Francis Bigg may continue in Office until such Appointment shall take place.

VI. Provided always, and be it further enacted, That until the Time when the said Justices shall have nominated and appointed such Two or more fit and proper Persons to be the Principal Land Coal Meters as aforesaid, the said *Francis Bigg* shall be and continue to act as Principal Land Coal Meter for the Parishes and District aforesaid, in such and the same Manner as before the passing of this Act; and in case of the Death, Neglect, Refusal, Misconduct, Resignation, or Incapacity of the said *Francis Bigg*, to act in the Execution of the said recited Act of the Forty-seventh Year of the Reign of His said late Majesty, and this Act, or either of them, then it shall be lawful for the Chairman of the General Quarter Sessions of the Peace holden in and for the said County immediately preceding any such Vacancy, to nominate and appoint some One or more fit and competent Person or Persons to act in the Office aforesaid until the said Justices shall at the Midsummer Quarter Sessions next after the passing of this Act, or any Adjournment thereof as aforesaid, have appointed such Two or more fit and proper Persons to act as Principal Land Coal Meters as aforesaid.

Justices may appoint Inspectors,

VII. And be it further enacted, That it shall be lawful for the said Justices of the Peace assembled at the said Midsummer Quarter Session,



Session, or any subsequent Quarter Session, to nominate and appoint any fit and proper Person or Persons to be an Inspector or Inspectors, and also to nominate and appoint any other Officer or Officers, as they shall deem necessary for the Prevention of Frauds and Abuses in the Measurement and Delivery of Coals within the Parishes aforesaid; and in case any of the said Inspectors or Officers shall die or be dismissed, or become incapable of acting, it shall be lawful for the said Justices assembled at any General Quarter Session as aforesaid to nominate and appoint any other fit and proper Person or Persons to be an Inspector or Inspectors or Officer or Officers in the Room and Stead of the Person or Persons so dying, being dismissed, or becoming incapable of acting, as often as any such Vacancy shall happen.

and other  
Officers,  
&c.

VIII. And be it further enacted, That it shall be lawful for His Majesty's Justices of the Peace for the Time being of the said County of *Surrey*, at the next Quarter Sessions of the Peace, or at any adjourned Quarter Session to be holden for the said County next after the passing of this Act, or at any subsequent Quarter Sessions or Adjournment thereof, and from Time to Time as they shall think expedient, to make, ordain, and establish such Orders, Rules, Bye Laws, and Regulations as they shall think proper, and from Time to Time to amend, alter, or repeal the same, or any of them, for the better regulating of the said Offices of Principal Land Coal Meters, and for regulating of all Persons acting or employed under them, and the Amount of Salaries and other Allowances to be paid and made to such last-mentioned Persons, as to the said Justices shall seem just and reasonable, and from Time to Time, as Occasion shall require, to repeal, amend, and alter the same in such Manner as to them shall seem proper and necessary for carrying the Purposes of the said last-recited Act and this Act, or either of them, into Execution, so far as the same relates to the preventing of Frauds and Abuses in the Admeasurement and Delivery of Coals within the several Parishes mentioned in this Act, in the said County of *Surrey*, and to fix and appoint such reasonable Penalties or Forfeitures for the Non-observance or Non-performance, or other Breach of such Orders, Rules, Bye Laws, and Regulations, not exceeding the Sum of Five Pounds for any One Offence; and all such Penalties and Forfeitures shall and may be recovered by such Ways and Means as any other Penalties or Forfeitures may be recovered by virtue of the said last-recited Act: Provided always, that no such Order, Rule, Bye Law, or Regulation be repugnant to or inconsistent with the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or contrary to the Directions and Provisions of the said last-recited Act and this Act, or either of them: Provided always, that all such Rules, Bye Laws, and Regulations so to be from Time to Time made, altered, amended; or repealed by the said Justices as aforesaid, shall be printed or painted on Boards, and affixed in some conspicuous Place in the Offices of the several and respective Principal Land Coal Meters, for Public Inspection, and shall be otherwise made public, in such Manner as the said Justices in Sessions assembled shall order and direct.

Justices may  
make Bye  
Laws for the  
better Regu-  
lation of the  
said Offices.

Bye Laws to  
be printed  
and made  
public.



Principal and Labouring Meters and their Servants to be under the Control of the Quarter Sessions for Surrey.

IX. And be it further enacted, That each and every Principal Land Coal Meter for the Time being to be appointed under or by virtue of this Act for the District in this Act mentioned, and each and every their Deputies, Labouring Meters, and Servants, and other Persons acting under them respectively in the Admeasurement of Coals, or in the Execution of any other Duties required by the said recited Act of the Forty-seventh Year of the Reign of His said late Majesty; and this Act, or either of them, shall be, and they and each and every of them is and are hereby declared to be subject to the Power, Jurisdiction, and Control of any General Court of Quarter Sessions of the Peace to be holden within the said County of *Surrey*, and shall and may be dismissed or suspended by the said Courts from the Execution and Emoluments of their said respective Offices, on Complaint and Proof of any Fraud, Default, Neglect, Contumacy, or other Misbehaviour in the Management or Execution thereof, or the Breach or Non-performance of any Rule, Order, or Bye Law made or to be made under or by virtue of this Act; all which Complaints shall and may be heard and determined by the said Courts in a summary Way; and it shall be lawful for the said Courts to make such Order or Orders in the Premises as to them shall seem right and proper: Provided always, that nothing in this Act contained shall be construed to extend to give any Claim of Compensation to any Person appointed under this Act, in the Event of any Repeal or Alteration thereof.

Principal Land Coal Meters Once in every Month to pay to the Treasurer of the County all the Money in their Hands, and deliver true Accounts of all Monies received, on Penalty of 20*l*.

X. And be it further enacted, That the Principal Land Coal Meters for the several Parishes mentioned in this Act shall and they are hereby required, Once in every Month, or oftener if required, to pay to the Treasurer of the Public Stock of the said County of *Surrey* for the Time being all and every Sum and Sums of Money which shall from Time to Time be received by such Principal Land Coal Meters or Labouring Land Coal Meters for any Metage, Inspection, or Re-measurement of any Coals within the said Parishes, and shall at the same Time deliver to such Treasurer a true and particular Account in Writing, verified by Affidavit, of all Monies received by such Meters or Labouring Meters for such Metage, Inspection, or Re-measurement of Coals; and in case any such Principal Land Coal Meter shall not, Once in every Month, or oftener if required, pay all and every Sum and Sums of Money as shall be received by virtue of this Act or of the said last-recited Act, for Metage, Inspection, or Re-measurement of Coals as aforesaid, or shall not at the same Time produce and deliver to the said Treasurer for the Time being such Account as aforesaid, verified by Affidavit, then and in every such Case such Principal Land Coal Meter shall for every such Offence forfeit and pay the Sum of Twenty Pounds, to be recovered by the same Ways and Means as is provided by the said last-mentioned Act in the Case of any other Fines and Forfeitures imposed by the said Act.

Officers Salaries and Allowances to be paid out of the Monies so received by the Treasurer.

XI. And be it further enacted, That from and out of the Monies so to be paid to such Treasurer by the Principal Land Coal Meters for the several Parishes herein-before mentioned, it shall and may be lawful for the said Justices of the Peace assembled in General Quarter Session for the said County of *Surrey*, and they are hereby directed



and required, from Time to Time to pay or cause to be paid such yearly or other Salaries to each and every Principal Land Coal Meter for the Time being, and such weekly or other Wages to the Labouring Land Coal Meters, and to all other Persons employed in the Execution of this Act or of the said last-recited Act, and all other Costs, Charges, and Expences which the said Justices assembled in Quarter Session shall deem necessary for the Prevention or Punishment of Frauds and Abuses in the Admeasurement and Delivery of Coals within the Parishes aforesaid, and the better Execution of this Act and the said last-recited Act; and in case the Monies so paid into the Hands of the said Treasurer shall be more than sufficient for paying all such Salaries, Wages, and other Expences attending the Execution of this Act or the said last-recited Act, it shall and may be lawful for the said Justices so assembled in Quarter Session, and they are hereby empowered to reduce the Sum or Sums directed to be paid for the Metage, Inspection, or Re-measurement of Coals, to such Sum or Sums of Money as shall be sufficient for such Purposes; and it shall and may be lawful for the said Justices so assembled as aforesaid again to raise such Sum or Sums of Money to any Sum or Sums not exceeding the Sum or Sums granted by the said last recited Act, when and as often as it may be necessary.

In case the Monies paid to the Treasurer are more than sufficient, the Charge for Metage, &c. to be reduced.

XII. And be it further enacted, That the said Treasurer of the Public Stock of the said County of *Surrey* for the Time being shall keep or cause to be kept a Book, in which the Monies to be received by him by virtue of this Act and of the said last-recited Act, in respect to the Metage, Inspection, and Re-measurement of Coals in the several Parishes herein-before mentioned, shall be entered and set down, and in which all Monies paid out of the said Monies from Time to Time by Order of the said Justices shall be entered and set down, and shall lay such Book before the said Justices at each Quarter Session to be holden for the said County of *Surrey*, and shall verify the said Accounts upon Oath, if required; and such Treasurer shall give Security to be accountable for all Monies which shall be paid to him by virtue of this Act, and to pay such Sum and Sums as shall be ordered by the said Justices assembled as aforesaid, and also for the due and faithful Execution of the Trusts reposed in him.

The Treasurer to keep Accounts of all Money arising by virtue of this Act.

XIII. And be it further enacted, That if any Person shall wilfully obstruct, hinder, prevent, or oppose any Principal Land Coal Meter, or any Deputy or Labouring Meter, or other Person acting under them, in the Performance of any of the Duties required by this Act or by the said last-recited Act, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered by such Ways and Means as other Penalties or Forfeitures may be recovered by virtue of the said last-recited Act.

Penalty on Persons obstructing the Execution of this Act.

XIV. And be it further enacted, That all the Costs, Charges, and Expences of obtaining and passing this Act, and incident thereto, shall be paid and defrayed by and out of the County Rates or County Stock of the said County of *Surrey*.

Expences of this Act.

XV. Pro-



Money advanced from the County Stock to be repaid out of the Surplus.

XV. Provided always, and be it further enacted, That when there shall be a Surplus of the Monies to be received by virtue of this Act in the Hands of the said Treasurer; over and above what shall be necessary for the Payment of the Salaries, Wages, Allowances, and other Expences attending the Execution of this Act and the said last-recited Act, then the Sum or Sums of Money which shall have been advanced and paid out of the said County Stock for the Purposes aforesaid shall from Time to Time be repaid to and replaced in the County Stock of the said County of Surrey.

Public Act.

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

Continuance of Act.

XVII. And be it further enacted, That this Act shall continue in force until the Fifth Day of July in the Year One thousand eight hundred and twenty-nine, and from thence to the End of the then next Session of Parliament.

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