



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. cxxxviii.

An Act to amend the Provisions of “The *West Bromwich* Improvement Act,” with relation to the Prevention of Smoke. [16th July 1855.]

WHEREAS an Act was passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for the better paving, draining, lighting, cleansing, and otherwise improving the Parish of West Bromwich in the County of Stafford, and for constructing Cemeteries there, and for making, maintaining, and regulating Markets and Market Places therein, and for other Purposes*, and which Act is herein-after called the “first-recited Act:” And whereas the Parish of *West Bromwich* contains an Area of upwards of Six thousand Acres, and adjoins to and forms Part of the Mining District of *South Staffordshire*, and the Inhabitants of the Parish are scattered in Groups over various Parts thereof, and large Numbers of them are employed in the Operations of Mining, and in the Processes and Operations of the Smelting and Manufacture of Iron, and in other Operations, Processes, and Manufactures connected therewith or incident to a Mining District: And whereas a large Amount of Capital has been expended in the opening of Mines, and in the Erection of Blast Furnaces, Forges, and Mills, and other Manufactories and Works

[*Local.*] 24 X in

The West Bromwich Improvement Amendment Act, 1855.

in the said Parish: And whereas by means of the Incorporation of "The Towns Improvement Clauses Act, 1847," the Clause of such Act with respect to the Prevention of Smoke, being the One hundred and eighth Section thereof, has become applicable to the said Parish of *West Bromwich*, and it is by such Clause enacted, that every Fireplace or Furnace constructed after the passing of the first-recited Act, in order to be used within the Limits of such Act in the working of Engines by Steam, or in any Mill, Factory, Dyehouse, Brewery, Bakehouse, Gaswork, or any Manufactory whatsoever, (although a Steam Engine be not used or employed therein,) shall be so constructed as to consume the Smoke arising from the Combustibles used in such Fireplace or Furnace, and every Fireplace or Furnace existing at the passing of the first-recited Act is required within Two Years from such Time to be altered in its Construction so as to consume such Smoke, and daily Penalties are imposed upon Persons who shall fail to comply with such Provisions: And whereas the said Provisions for the Consumption of Smoke are inapplicable to a Mining and Manufacturing District such as that of *West Bromwich*, and such Provisions would be wholly impracticable in several of the Operations and Processes of and incident to the Smelting and Manufacture of Iron, and would be attended with great Inconvenience, Interruption, and Hindrance in other Operations, Processes, Manufactures, and Works now carried on within the said Parish: And whereas the other Parts of the Mining and Manufacturing District of South *Staffordshire* adjoining, and of a Character similar to *West Bromwich*, are not subject or liable to the said Provisions, and the Enforcement of such Provisions, or the Attempt to enforce the same, in the Parish of *West Bromwich*, would inflict great Inconvenience, Expenses, and Losses upon the Persons engaged or interested in the several Operations, Processes, Manufactures, and Works aforesaid, and would be very detrimental and injurious to the industrial Classes employed in such Operations, Processes, Manufactures, and Works: And whereas it is expedient that the said One hundred and eighth Section of "The Towns Improvement Clauses Act, 1847," should cease to be applicable to the Parish of *West Bromwich*, so far as regards the several Operations, Processes, Manufactures, and Works herein-after mentioned; but the first-recited Act cannot be amended without the Authority of Parliament: 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, as follows; (that is to say,)

Clause 108. of
10 & 11 Vict.
c. 34. as to
Consumption

I. That the Clause of "The Towns Improvement Clauses Act, 1847," with respect to the Prevention of Smoke, being the One hundred and eighth Section of such Act incorporated with the first-recited Act,

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Act, shall not extend to 'any of the Operations, Processes, Manufactures, or Works herein-after mentioned; (that is to say,)

of Smoke not
to apply to
Works here-
in mentioned.

The coking of Coal:

The calcining of Ironstone or Limestone:

The making or burning of Bricks, Quarries, Tiles, or Pipes:

The raising of any Mines or Minerals:

The smelting of Iron Ores:

The refining, puddling, shingling, and rolling of Iron or other Metals, and the melting and casting of Iron into Castings:

Provided always, that if after the Expiration of Ten Years from the passing of this Act there shall not in any Public Health Act or any other Act of a similar Character be contained any general Exemption from the Necessity for the Consumption of Smoke in respect of any of the Operations, Processes, Manufactures, or Works herein-before mentioned, then as to any such Operation, Process, Manufacture, or Work in respect of which there shall not be contained any such general Exemption the Exemption hereby granted shall cease, and such Operation, Process, Manufacture, or Work shall thenceforth become and be subject to the said Clause of the Towns Improvement Clauses Act, 1847, for the Prevention of Smoke.

II. That, with respect to all Fireplaces or Furnaces in the Parish of *West Bromwich* which may be or become subject to the Provisions of such Section, the Justice or Justices before whom any Person shall be summoned may remit the Penalties imposed by such Act, if he or they shall be of opinion that such Person has so constructed or altered his Fireplace or Furnace as to consume as far as possible the Smoke arising from such Fireplace or Furnace, and has carefully attended to the same, and consumed as far as possible the Smoke arising from such Fireplace or Furnace.

Power to
Justices to
remit Penal-
ties in certain
Cases.

III. That in citing this Act for any Purpose it shall be sufficient to use the Expression "The *West Bromwich* Improvement Amendment Act, 1855."

Short Title.

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