

**CHAPTER xxii.**

An Act to authorise the establishment of a Market and the construction of a Town Hall at Staines in the county of Middlesex ; and for other purposes. [13th May 1872.] A.D. 1872.

WHEREAS the town of Staines in the county of Middlesex is a place of considerable importance, and is steadily increasing in population, and it would be of considerable public advantage if a market were established therein and a town hall erected, and that the same be placed under the management of Commissioners to be appointed under this Act :

And whereas the purposes aforesaid cannot be effected without the authority of Parliament :

And whereas plans of the lands and houses which may be compulsorily taken under the power of this Act, and books of reference to such plans, have been deposited for public inspection with the clerk of the peace for the county of Middlesex, which plans and books of reference are in this Act respectively referred to as the deposited plans and books of reference :

May it therefore please 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, as follows :

1. This Act may be cited for all purposes as "The Staines Town Hall and Market Act, 1872." Short title.

2. "The Commissioners Clauses Act, 1847," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "The Markets and Fairs Clauses Act, 1847," and sections 167 to 198 (both inclusive) of "The Town Improvement Clauses Act, 1847," shall be incorporated with and form part of this Act. Provisions of general Acts herein named incorporated.

A.D. 1872.
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Interpreta-
tion of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction; and the expression “superior courts” or “court of competent jurisdiction,” or any other like expression in this Act or in any Act wholly or partially incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

Local Board
if appointed
to exercise
powers of
this Act.

4. If at the time of the passing of this Act, or at any time thereafter, the Local Government Act, 1858, shall be adopted for the parish of Staines, then all the powers and authorities of this Act shall be vested in and may be exercised by the Local Board by way of addition to but not in derogation of any powers or authorities otherwise vested in such Local Board, and this Act shall be read and construed as if the word Local Board had been inserted in place of the after-mentioned Commissioners, and the Commissioners Clauses Act shall thereupon cease to be incorporated with and form part of this Act.

Limits of
Act.

5. The limits of this Act shall be co-extensive with the limits of the parish of Staines in the county of Middlesex.

The first
Commis-
sioners.

6. The number of Commissioners shall be twelve, and the first Commissioners shall consist of Skidmore Ashby, Benjamin Crosby Marshall, Henry Fladgate, Augustus William Rixon, and Robert Morford, and seven other persons to be elected by the owners of property and ratepayers of the parish of Staines, at a vestry of the said parish to be duly and specially summoned for that purpose within three months from the passing of this Act; and the first meeting of the Commissioners shall not be held until the first Wednesday after such election shall have been made; and all subsequent Commissioners shall be elected by the owners of property and ratepayers of Staines.

Commis-
sioners may
establish
market and
erect a town
hall.

7. Subject to the provisions of this Act, the Commissioners may construct and maintain a town hall, to be used for vestry meetings, for the sitting of magistrates, for holding county courts and public meetings, and for such other reasonable purposes, and on such terms and conditions, either gratuitously or on payment of money, as the Commissioners may from time to time determine, and may establish, either in or under such building or in separate and distinct buildings, or in the open air, a market for the sale of goods, commodities, meat,

cattle, horses, and other animals, birds, and fish, and may make and maintain all requisite and convenient market places, market houses, works, approaches, and conveniences connected with such markets and town hall, and may from time to time enter or take, hold, and use such of the lands described in the deposited plans and books of reference as may be required for any of the purposes aforesaid. A.D. 1872.

8. The power of the Commissioners for the compulsory purchase of lands and houses for the purposes of this Act shall not be exercised after the expiration of four years from the passing of this Act. Powers for compulsory purchases limited.

9. The Commissioners may from time to time, but only by agreement, purchase, on such terms and conditions as they may think fit, any lands within the limits of this Act, not exceeding three acres, and any interest, easement, right of user, powers, or privilege in, over, or affecting any lands within such limits which they may deem expedient for any of the purposes of this Act. Power to purchase additional land by agreement.

10. Subject to the provisions of this Act, the Commissioners may from time to time sell, lease, exchange, or otherwise dispose of any lands or property acquired by them under this Act and not wanted for the purposes thereof, either with or without first erecting or authorising the erection of houses or buildings thereon, and may make, execute, and do any deed, act, or thing proper for effectuating such sale, lease, exchange, or other disposition. Power to sell lands not wanted.

11. The Commissioners may from time to time demand and take from any person occupying or using any shop, stall, shed, station, pen, standing, or place in the market hereby authorised, selling or exposing for sale goods, commodities, meat, horses, cattle, and other animals, birds, or fish of any description, such tolls, stallages, and charges as the Commissioners may from time to time approve, not exceeding the amount of the lowest tolls, stallages, and charges of a similar nature demanded, taken, or made at any market or market house held or situate within ten miles of the market hereby authorised. Market tolls.

12. The Commissioners may from time to time make, levy, and collect such rates as they find necessary for the purposes of this Act, provided that the total amount of rates made or levied within any one year, reckoning always from the first day of January, shall never exceed the sum of twopence in the pound on land used as arable, meadow, or pasture ground only, or as woodland or marshes, garden or nursery grounds, or sixpence in the pound on the net annual value of houses or buildings or other rateable property. Power to levy rates.

A.D. 1872.

Power to borrow.

13. The Commissioners may from time to time borrow at interest, on the security of the rates authorised to be levied by them, or on the lands or other property of the Commissioners, or on the joint security thereof, any money not exceeding in the whole the sum of ten thousand pounds.

Power to re-borrow.

14. The Commissioners may from time to time re-borrow any amount from time to time paid off by them of the moneys borrowed by them under this Act, unless it shall have been paid off by means of the sinking fund, in which case and to the extent of the amount so paid off, their powers under this Act of borrowing and re-borrowing shall cease.

Sinking fund.

15. For the purpose of paying off the money borrowed as aforesaid, the Commissioners shall every year, from and after the expiration of five years after the passing of this Act, or sooner if they think fit, pay off and discharge such amount as they think proper, not being less than one fiftieth part of the principal money borrowed, or otherwise appropriate and set apart the like amount to a sinking fund for that purpose: Provided always, that all money at any time standing to the credit of the sinking fund may, until required for the purpose of paying off borrowed moneys, be invested by the Commissioners in any securities in which by law trust moneys may from time to time be invested.

Arrears may be enforced by appointment of a receiver.

16. Mortgagees of the Commissioners may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole.

Application of money.

17. The Commissioners shall apply all money received by them for the purposes following; (that is to say,)

1st. In payment of the costs and expenses of promoting and obtaining this Act:

2nd. In payment of the current expenses of the Commissioners:

3rd. In payment from year to year of the interest accruing on money borrowed:

4th. In payment of the money directed to be set aside towards establishing a sinking fund:

5th. In purchasing the lands and constructing or improving the market or market house, town hall, and other works hereby authorised:

6th. In repayment of borrowed money.

18. The Commissioners may let from time to time for any period not exceeding twenty-one years any shop or other building for the time being belonging to them, and forming part of the work hereby authorised, and may let for any period not exceeding five years any stall, standing, or other place in the market or market house, and may from time to time let for any period not exceeding one month all such parts of the town hall as may for the time being not required for the public benefit of the inhabitants of Staines.

A.D. 1872.

Power to let shops, stalls, &c.

19. Notwithstanding anything contained in this Act, after the market place is opened for public use any person may sell, or expose for sale, in any place within the limits of this Act any articles in respect of which tolls are by this Act authorised to be taken in the market.

Sales elsewhere than in markets allowed.

20. The Commissioners may from time to time let for any term not exceeding five years the whole or any part of the stallages, rents, tolls, and charges receivable in respect of the market authorised by this Act, or any of them.

Power to let tolls.

21. If any person liable to the payment of any stallage, rent, toll, or charge payable to the Commissioners under this Act does not pay the same when demanded, the Commissioners or their lessees, or any person authorised by them respectively to collect the same, may seize and detain the goods, commodities, meat, cattle, horses, or other animals, birds, or fish in respect of which the same is payable, or any other goods, commodities, meat, cattle, horses, or other animals, birds, or fish belonging to the person liable to pay the same or under his charge; and if the stallage, rent, toll, or charge, and the reasonable charges of the seizure and detention and of the keeping and maintaining of the goods, commodities, meat, cattle, horses, or other animals, birds, or fish seized, is not paid within four days from the time of seizure, or in case of perishable articles within six hours from the time of seizure, the Commissioners or their lessees may sell the goods, commodities, meat, cattle, horses, or other animals, birds, or fish seized, and out of the money arising thereby may pay and retain the stallage, rent, or toll, and the charges aforesaid, and those of the sale, returning the overplus (if any) to the owner of the goods, commodities, meat, cattle, horses, or other animals, birds, or fish seized, or such stallage, rent, toll, or charge may be recovered in any court of competent jurisdiction.

Recovery of tolls.

22. The Commissioners shall, not less than eight weeks before they take fifteen houses or more occupied either wholly or partially

Notices to be given of

A.D. 1872.
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taking houses
of labouring
classes.

by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, hand-bills, or other general notice placed in public view upon or within a reasonable distance from such houses, and the Commissioners shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the Commissioners have made known their intention to take the same in manner herein-before required.

Liability to
rates not to
disqualify
justices.

23. No person shall be incapable of acting as a justice in the execution in any respect of this Act in consequence of being a mortgagee of the rates authorised to be made and levied under this Act, or of his being liable to the payment of any rent, rate, or sum of money to the Commissioners, or by reason of his being a Commissioner.

Authentica-
tion of
notices.

24. Any summons, demand, or notice, or other such document for the purposes of this Act, and any copy of any byelaw made under the authority of this Act, may be in writing or print, or partly in writing and partly in print, and if the same require authentication by the Commissioners, the signature thereof by the clerk to the Commissioners shall be a sufficient authentication thereof, and as to any byelaw shall be *prima facie* evidence in all courts and elsewhere of the existence, due making, and contents of such byelaw.

Contents of
warrant.

25. Any number of names or sums may be included in any information, summons, warrant of distress, or notice obtained or given by the Commissioners for any of the purposes of this Act, and may be stated either in the body of the information, summons, warrant, or notice, or in a schedule thereto.

Warrant
shall include
costs.

26. Any warrant of distress under this Act may order that the costs of the proceedings for the recovery of the rate or sum be paid by the person liable to pay the rate or sum, and the costs shall be ascertained by the justice issuing the warrant, and shall be included in the warrant of distress for the recovery of the rate or sum.

Penalties not
cumulative.

27. For the purposes of this Act penalties imposed by several Acts for the same offence shall not be cumulative, and for this purpose this Act and the several Acts in whole or in part incorporated herewith shall be deemed several Acts.

Application
of penalties.

28. The justices by whom any penalty may be imposed under this Act, except when the penalty is payable by the Commissioners,

and except where the application thereof is otherwise provided for, shall award the penalty to the Commissioners. A.D. 1872.

29. A Queen's printers copy of this Act, with the several Acts incorporated herewith and bound together, with the clauses numbered and indexed, shall at all times be kept by the Commissioners at the town hall for the inspection in the usual hours of business by any ratepayer or other inhabitant of the parish of Staines.

Copy of this
Act and of
incorporated
Acts to be
bound
together and
kept at town
hall.

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Printers to the Queen's most Excellent Majesty. 1872.