Session and Chapter.	Title.	Extent of Repeal.
17 & 18 Vict. c. 107. -	An Act to amend the Laws relating to the Militia, and for raising a Volunteer Militia Force, in Ireland.	Sections one to thirty-five. Schedule C.
18 & 19 Vict. c. 19. -	An Act to remove Doubts as to the Commissions of Officers of Militia in Ireland who have omitted to deliver unto the Clerk of the Peace Descriptions of their Qualifications, and to indemnify them against the Consequences of such Omission, and to amend the Law relating to the Militia in Ireland.	The whole.

CHAPTER 70.

An Act for further amending the Law relating to Chimney Sweepers.

[11th August 1875.]

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:

Preliminary.

Short title.

1. This Act may be cited as The Chimney Sweepers Act, 1875.

Commencement of Act.

2. This Act shall commence and take effect from and immediately after the thirty-first day of December one thousand eight hundred and seventy-five.

Extent of Act.

3. This Act shall not extend to Scotland.

Interpretation.

4. In this Act—

"Justice" means a justice of the peace or magistrate having jurisdiction in the county or place where the matter requiring the cognisance of a justice arises:

"Court of summary jurisdiction" means justices or magistrate (however designated) acting under the Summary Jurisdiction Acts described in the schedule to this Act.

Certificates.

Certificate to be issued by police.

5. The chief officer of police in each police district, as defined in the schedule to this Act, may, subject to the provisions of this Act, issue a certificate authorising the person therein named to carry on the business of a chimney sweeper in the district.

Certificate for journeymen and others.

6. Every person who carries on the business of a chimney sweeper, and who employs any journeyman, assistant, or apprentice, shall take out a certificate as herein-after mentioned.

Application for and issue of certificate.

7. A person desirous of having a certificate for a district may apply for one to the chief officer of police for the district, by delivering the application at the police station for the district nearest to the applicant's dwelling place.

The application shall be in the form given in the schedule to this Act, or to the like effect, and shall set forth the particulars therein indicated.

Thereupon a certificate shall be delivered to the applicant in the form given in the schedule to this Act, or to the like effect, signed by the chief officer of police.

Certificate for partners.

8. Where two or more persons carry on the business of a chimney sweeper in partnership, it shall be sufficient for them to have one certificate for all the partners, and the forms given in the schedule to this Act may be altered accordingly.

Journeyman and assistant exempted.

9. Notwithstanding anything in this Act, it shall not be necessary for a person who carries on the business of a chimney sweeper, in the capacity only of a journeyman of or assistant to a master chimney sweeper, to have a certificate: Provided, that such journeyman or assistant does not employ in chimney sweeping any other person as his paid assistant or as his apprentice.

Fee on certificate.

10. Every person to whom a certificate is issued shall on the issue thereof pay a fee of two shillings and sixpence.

The fees received shall be applied as penalties under this Act are applicable.

Duration of certificate.

11. Every certificate shall be dated the day of issue, and shall be in force for one year from its date, and no longer.

Uniform period for certificates.

12. One of Her Majesty's Principal Secretaries of State may, if he thinks fit, direct that all certificates be made to expire yearly on the same day.

If he does so, he shall provide—

(1.) In the case of a certificate issued for less than a year, for apportionment of the fee payable thereon:

(2.) For the issue of a certificate instead of a certificate lost or destroyed, and apportionment of the fee payable thereon.

Endorsing certificate when chimney sweeper desires to carry on business in another district.

13. The holder of a certificate for one district, who is desirous of carrying on the business of a chimney sweeper in any other district, may forward his certificate to the chief officer of police for such other district for endorsement; and such chief officer shall thereupon endorse and return it without charging any fee, and a certificate so endorsed shall be of the same validity for such last-mentioned district as if it had been originally issued for the same district.

Register of certificates.

14. Each chief officer of police shall keep a register of the certificates issued or endorsed by him.

It shall be in such form and shall show such particulars as one of Her Majesty's Principal Secretaries of State from time to time directs, and every such register shall be presumed to be in conformity with such directions until the contrary is shown.

An entry in it, and a copy of such an entry purporting to be certified as a true copy by the chief officer of police, and a statement purporting to be signed by the chief officer of the absence of such an entry in any case, shall be evidence of the matters therein appearing.

Offences.

Penalty for acting as chimney sweeper without certificate.

15. Every person who carries on such trade or business of chimney sweeper as is hereinbefore specified without having such certificate shall be guilty of an offence against this Act, and shall, on conviction thereof in a court of summary jurisdiction, be liable for the first offence to a penalty not exceeding ten shillings, and for every subsequent offence to a penalty not exceeding twenty shillings.

Obligation to give name and address.

16. Every person carrying on the business of such chimney sweeper as aforesaid shall, when required by any person for whom he acts or offers to act as a chimney sweeper, or by any justice, or constable or peace officer, give his name and address.

If any such person fails so to do, or gives a false name or false address, he shall be guilty of an offence against this Act, and shall, on conviction thereof in a court of summary jurisdiction, be liable to a penalty not exceeding ten shillings.

Production of certificate on demand.

17. Where such person carries on the business of a chimney sweeper as aforesaid he shall, on demand, produce and show his certificate (if any) to any person for whom he acts or offers to act as a chimney sweeper, and to any justice, or constable or peace officer, and allow it to be read and copied by the person to whom it is produced.

If he fails to do so he shall be guilty of an offence against this Act, and shall on conviction thereof in a court of summary jurisdiction, be liable for the first offence to a penalty

not exceeding ten shillings, and for every subsequent offence to a penalty not exceeding twenty shillings.

Certificate not to be assigned.

18. It shall not be lawful for a person having a certificate to lend or transfer it to another.

It shall not be lawful for any person to borrow, accept, or use a certificate issued to another.

If any person acts in contravention of this section he shall be guilty of an offence against this Act, and shall for every such offence, on conviction thereof in a court of summary jurisdiction, be liable to a penalty not exceeding twenty shillings.

Penalty for false representations, &c.

19. If any person does any of the following things he shall be guilty of an offence against this Act:

(1.) If he makes, or procures to be made, or aids in making, a false statement or representation, knowing it to be false, in any application for a certificate;

(2.) If he fabricates, or counterfeits, or alters, or procures to be fabricated, or counterfeited, or altered, or aids in fabricating, or counterfeiting, or altering a certificate;

(3.) If he carries, produces, or shows, a fabricated, or counterfeited, or altered certificate, knowing it to be such:

and every person so offending shall, on conviction thereof in a court of summary jurisdiction, be liable for the first offence to a penalty not exceeding forty shillings, and for every subsequent offence to the like penalty, with or without imprisonment for a term not exceeding six months, with or without hard labour, or to such imprisonment alone, with or without hard labour.

Deprivation of certificate on conviction under former Acts.

20. If any person having a certificate is convicted of an offence against the Chimney Sweepers and Chimneys Regulation Acts, 1840 and 1864, or either of them, the court or justice before whom he is convicted may, if it seems fit, deprive him of his certificate for the residue of the current year; and if any person not having a certificate is convicted of an offence against the Chimney Sweepers and Chimneys Regulation Acts, 1840 and 1864, or either of them, the court or justice before whom he is convicted may, if it thinks fit, in addition to imposing any other penalty which it may be authorised to impose, declare him disqualified to hold any certificate under this Act for any term not exceeding one year, but such deprivation or disqualification shall be suspended pending any appeal under section eleven of the Chimney Sweepers and Chimneys Regulation Act, 1840, and shall be in the discretion of the court of appeal in case the conviction is confirmed.

Duty of police to enforce former Acts.

21. The chief officer of police shall enforce and put in execution the Chimney Sweepers and Chimneys Regulation Acts, 1840 and 1864, without prejudice to the right of any other person to institute proceedings thereunder.

Ireland.

Powers of Lord Lieutenant.

22. In Ireland the Lord Lieutenant or other chief governor or governors of Ireland for the time being shall have power and authority under this Act in lieu of one of Her Majesty's Principal Secretaries of State.

Application of penalties.

23. Penalties recovered in Ireland shall be applied according to the Fines Act (Ireland), 1851, or any Act amending the same.

Savings.

Saving for Vagrant Act.

24. A person shall not be exempt from the provisions of any Act relating to idle or disorderly persons, or to rogues or vagabonds, by reason only that he has a certificate under this Act, or assists or accompanies a person having such a certificate.

Saving for local Acts and local authorities.

25. Nothing in this Act shall interfere with the operation of any other Act in force in any city, town, or other place, or take away or abridge any power vested in any local authority by any general or local Act.

THE SCHEDULE.

PART I.

POLICE DISTRICTS AND OFFICERS.

Police District.	Chief Officer of Police.
In England.	
The city of London, and the liberties thereof, exclusive of Southwark.	The Commissioner of Police of the City.
The Metropolitan Police District - - -	The Commissioner of Police of the Metropolis.
Any county, any riding, parts, division, or liberty of a county, any borough, or town maintaining a separate police force.	The chief constable or head constable, or other officer, by whatever name called, having the chief command of the police in the district.
In Ireland.	
The police district of Dublin metropolis - -	Either of the commissioners of police for the district.
Any district, whether city, town, or county, over which is appointed a sub-inspector of the Royal Irish Constabulary,	The sub-inspector.

All the police under one chief constable constitute one police force for the purposes of this schedule.

PART II.

SUMMARY JURISDICTION ACTS.

I.—*England.*

11 & 12 Vict. c. 43.—An Act to facilitate the performance of the duties of Justices of the Peace out of sessions within England and Wales with respect to summary convictions and orders.

Any Acts amending the same.

II.—*Ireland.*

Within the police district of Dublin metropolis, the Acts relating to the powers and duties of justices for that district or the police of their district.

Elsewhere in Ireland, the Petty Sessions (Ireland) Act, 1851.

Any Acts amending the same.

PART III.

FORMS.

(A.)—*Application for Certificate.*

I *A.B.* [*names of applicant in full*] of [*dwelling-place*] hereby apply for a certificate under the Chimney Sweepers Act, 1875, to authorise me to act as a chimney sweeper within police district; and I declare that the following statement is true and correct:

Names of all Apprentices and others in my employment.	Ages of those under 21.	Date and Term of Apprenticeship.
A.B. Apprentice - - -	17	..... 187 . [ ] years.
C.D. Journeyman - - -	.....	.....
E.F. - - - - -	.....	.....

Dated this day of 18 .

(Signed) *A.B.*

(B.)—*Certificate.*

In pursuance of the Chimney Sweepers Act, 1875, I hereby certify that *A.B.* [*names of applicant in full*] of , in the county of , is authorised to carry on the business of a chimney sweeper within the police district for one year, reckoned from the date of this certificate.

Dated the day of 18 .

(Signed) *C.D.*,
Police Officer.

CHAPTER 71.

An Act to amend the Act of the twenty-ninth and thirtieth years of Her Majesty, chapter one hundred and eleven, relating to the Ecclesiastical Commissioners for England. [11th August 1875.]

WHEREAS by the eleventh section of the Act of the twenty-ninth and thirtieth years of Her Majesty, chapter one hundred and eleven, it was enacted that it should be lawful for the Ecclesiastical Commissioners for England (herein-after called "the Commissioners") to carry over to the account of their common fund, by such instalments as in the same section mentioned, a total sum not exceeding one million sterling, the produce of such sales as are therein referred to, and to apply and appropriate the said sum, subject to the proviso contained in the said section, as part of their common fund:

And whereas, in conformity with the provisions of the said section, the Commissioners have duly carried over the sum of one million sterling, the produce of such sales as aforesaid, to the account of the said common fund by instalments of one hundred thousand pounds each, in each of the years from one thousand eight hundred and sixty-six to the present year inclusive, and have applied and appropriated the same as part of the same fund:

And whereas, with the view of further carrying into effect the objects stated in the same section, it is expedient that the Commissioners should be authorised to apply and appropriate in like manner a further sum of one million sterling:

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:

Power to Commissioners to carry over to common fund 1,000,000*l.*, the produce of sales.

1. It shall be lawful for the Commissioners to carry over, by such instalments as are herein-after mentioned, to the account of their common fund, and to apply and appropriate as part thereof, a total sum not exceeding one million sterling, the produce of sales effected or to be effected under the authority of the sixth section of the Act of the sixth and seventh years of Her Majesty, chapter thirty-seven.

To be carried over by annual instalments.

2. Such last-mentioned sum of one million sterling shall be so carried over to the common fund by annual instalments not exceeding one hundred thousand pounds in any one year, commencing with the year one thousand eight hundred and seventy-six.

Short title.

3. This Act may be cited for all purposes as "The Ecclesiastical Commissioners Act, 1875," and the said Act of the twenty-ninth and thirtieth years of Her Majesty may be cited for all purposes as "The Ecclesiastical Commissioners Act, 1866."
