ANNO QUADRAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 82.

An Act for altering and enlarging the Powers of an Act, made in the Forty-third Year of His present Majesty, for establishing a Free Market in the City of *London* for the Sale of Coals, and for preventing Frauds and Impositions in the Vend and Delivery of all Coals brought into the Port of *London*, within certain Places therein mentioned.

[14th *July* 1804.]

WHEREAS by an Act made in the Forty-third Year of the Reign of His present Majesty, intituled, *An Act for establishing a Free Market in the City of* London, *for the Sale of Coals, and for preventing Frauds and Impositions in the Vend and Delivery of all Coals brought into the Port of* London, *within certain Places therein mentioned*, a certain Duty of One Halfpenny *per* Chaldron or Ton of Coals brought into any Part of the Port of *London*, at or to the Westward of *Gravesend*, was given and granted to the Mayor, Aldermen, and Commons of the City of *London*, for the Purpose of defraying the several Charges and Expences of establishing and holding a Free Market for the Sale of Coals, and 43 G. 3.

and of purchasing certain Lands and Buildings, called *The Coal Exchange*, situate on the North Side of *Lower Thames Street*, in the said City of *London*; and certain Powers and Authorities were vested in the said Mayor, Aldermen, and Commons, for the Purpose of carrying the said recited Act into Execution: And whereas the said Mayor, Aldermen, and Commons have proceeded in the Execution of the said recited Act, and have agreed for the Purchase of the said Coal Exchange, which they were by the said recited Act directed to purchase, for the Sum of Twenty-five thousand six hundred Pounds; but that owing to the very large Sum demanded and to be paid for such Coal Exchange the said Duty of One Halfpenny *per* Chaldron or Ton of Coals is insufficient for defraying the Charges and Expences of making such Purchase, and of carrying the several Purposes of the said recited Act into Execution, and certain of the Powers and Authorities thereof have also been found insufficient for the Purposes thereby intended; it is therefore necessary and expedient that such Duty should be increased, and such Powers and Authorities altered and enlarged: 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 the said recited Act, and all and every the Clauses, Powers, Exemptions, Rules, Remedies, Regulations, Fines, Penalties, Forfeitures, Articles, Matters, and Things whatsoever therein contained (save and except such Parts of the same as are hereby varied, altered, or repealed), shall be, and the same is and are hereby declared to be in full Force and Effect, and shall be as good, valid, and effectual, for carrying the several Purposes of this Act into Execution, in as full, ample, and beneficial a Manner as if the same had been repeated and re-enacted in the Body of this present Act.

Additional Duty on Coals.

II. And be it further enacted, That for the Purpose of defraying the several Charges and Expences of establishing and holding such Market, and of the Purchase of the said Lands, Buildings, and Hereditaments, called *The Coal Exchange*, and the other Lands, Tenements, and Hereditaments in the said recited Act mentioned, and of erecting convenient Buildings thereon, and for defraying the Salaries and Allowances of the several Clerks and other Persons employed in the Execution of the said recited Act and this Act, and for defraying the other Charges and Expences of carrying the same into Execution, and for defraying the Charges and Expences of obtaining the said recited Act and this Act, it shall and may be lawful to and for the said Mayor, Aldermen, and Commons to demand and take, or cause to be demanded and taken, of and from each and every Master of a Ship or other Vessel laden with Coals, or other Person having the Care or Command thereof, arriving at her Moorings within any Part of the Port of *London* at or to the Westward of *Gravesend*, when the said Market shall be opened and established, the Sum of One Halfpenny *per* Chaldron (or Ton, in case the same shall be sold by Weight) of Coals, for every Chaldron or Ton of Coals contained in such Ship or Vessel, in addition to the Sum of One Halfpenny which the said Mayor, Aldermen, and Commons are empowered to demand and take or cause to be demanded and taken by virtue of the said recited Act, for every

every Chaldron or Ton of such Coals; and such additional Duty of One Halfpenny granted by this Act shall be raised, levied, recovered, paid, and reduced in such and the like Manner as the said Duty of One Halfpenny, granted by the said recited Act, is directed to be raised, levied, recovered, paid, and reduced.

Enabling the Mayor, Aldermen, &c. to pay for Purchase of the Coal Exchange in Bonds.

III. And whereas the said Mayor, Aldermen, and Commons have agreed with the Owners and Proprietors of the said Coal Exchange Hereditaments and Premises for the Purchase thereof, at and for the Price of Twenty-five thousand six hundred Pounds, and that such Purchase Money should be paid and secured to such Owners and Proprietors in and by several Bonds of One Hundred Pounds each, under the Common Seal of the Mayor and Commonalty and Citizens of the City of *London*, pursuant to the Directions of the said recited Act, bearing Interest at and after the Rate of Five Pounds *per Centum per Annum*, such Interest to be paid and payable Half-yearly, and to be charged and secured on the Duty which the said Mayor, Aldermen, and Commons are enabled to levy under and by virtue of the said recited Act; and that such several Bonds should be taken and estimated at Par, or at the full Sum or Value for which each of them should be respectively given, or therein respectively expressed to be given as aforesaid: And whereas it is by the said recited Act enacted, that if there should be any Money to be paid for any Lands, Tenements, or Hereditaments purchased by virtue of the Powers thereof, which should belong to any Body Politick, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatick, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in Strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, that then such Money should be applied and disposed of in Manner by the said recited Act directed: And whereas it would be attended with great Loss to the several Persons under any such Disability or Incapacity as aforesaid if such Bonds were sold; be it therefore enacted, That all such Bonds as shall be paid or given for the Purchase of the said Coal Exchange Hereditaments and Premises, to any Person or Persons under any such Disability or Incapacity as aforesaid, shall be deposited in the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, and shall there remain until such Bonds respectively shall be paid off by the said Mayor, Aldermen, and Commons; and the said Mayor, Aldermen, and Commons shall, and they are hereby required to pay off such Bonds respectively, in like Manner as if the Money secured by such Bonds respectively had been borrowed by the said Mayor, Aldermen, and Commons, by virtue of the Powers of the said recited Act; and until such Bonds respectively shall be paid off, the Interest thereof respectively shall from Time to Time be paid by Order of the said Court of Chancery to the Person or Persons who would for the Time being have been entitled to the Rents, Issues, and Profits of the Lands, Tenements, and Hereditaments so purchased as aforesaid; and when and as soon as any such Bond or Bonds shall be paid off by the said Mayor, Aldermen, and Commons, then and in such Case the Money arising therefrom shall be applied and disposed of in Manner by the said recited Act directed whenever any Money

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is to be paid for the Purchaſe of any Lands, Tenements, or Hereditaments for the Purpoſes thereof, which ſhall belong to any Body Politick, Corporate, or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee for or on Behalf of any Infant, Lunatick, Idiot, Feme Covert, or other Ceſtuique Truſt, or to any Perſon whoſe Lands, Tenements, or Hereditaments are limited in Strict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever: Provided always, that it ſhall and may be lawful to and for the ſaid Court of Chancery, upon a Petition or Petitions to be preferred to the ſaid Court in a ſummary Way, by the Perſon or Perſons who ſhall be entitled to the Principal Money ſecured by ſuch Bonds reſpectively, his, her, or their Guardian or Guardians, Committee or Committees, to direct ſuch Bonds reſpectively to be delivered to ſuch Perſon or Perſons, Guardian or Guardians, Committee or Committees.

Requiring that Crimps and Factors ſhall deliver Copies of Contracts for Coals when demanded.

IV. Provided always, and be it enacted, That nothing in the ſaid recited Act contained ſhall extend, or be conſtrued to extend, ſo as to require any Crimp, Factor, or other Perſon having the Diſpoſal of Coals, to deliver *gratis* a Copy of the Bargain or Contract for the Sale of ſuch Coals by him atteſted, to the Buyer and Seller thereof, reſpectively, ſave and except ſuch Copy ſhall have been demanded by the Buyer or Seller thereof; and then and in ſuch Caſe ſuch Crimp, Factor, or other Perſon having the Diſpoſal of ſuch Coals, ſhall, and he and ſhe is and are hereby required to deliver ſuch Copy, *gratis*, to ſuch Buyer or Seller demanding the ſame.

The Time for purchaſing the Coal Exchange extended.

V. And whereas it is by the ſaid recited Act enacted, that if the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, ſhould not, within the Space of Twelve Calendar Months next after the paſſing of the ſaid Act, agree for, or cauſe to be valued as therein-after is mentioned, and purchaſe the ſaid Piece or Parcel of Land, and the Buildings thereon erected, called *The Coal Exchange*, with the Appurtenances, which they were thereby empowered to purchaſe, then and from thenceforth the Powers to them thereby granted for ſuch Purpoſe ſhould ceaſe, determine, and be utterly void and of no Effect: And whereas ſuch Purchaſe has not yet been completed, and it is neceſſary that the Time for the Completion of ſuch Purchaſe ſhould be extended; be it therefore enacted, That it ſhall or may be lawful to and for the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, at any Time within the Space of Six Calendar Months next after the paſſing of this Act, to agree for, or cauſe to be valued in Manner by the ſaid recited Act directed, and purchaſe the ſaid Piece or Parcel of Land, and the Buildings thereon erected, called *The Coal Exchange*, with the Appurtenances, which they are by the ſaid recited Act empowered to purchaſe, any Thing in the ſaid recited Act contained to the contrary thereof in anywiſe notwithſtanding.

Part of 43 G. 3. repealed.

VI. And be it further enacted, That ſo much of the ſaid recited Act as directs that all Fines, Penalties, or Forfeitures thereby impoſed, or by virtue of the Powers and Authorities thereof impoſed (the Manner of levying and recovering whereof is not thereby otherwiſe directed), not exceeding Twenty Pounds

Pounds, ſhall be levied and recovered (within Two Calendar Months after the Offence or Offences committed), before any Juſtice or Juſtices of the Peace for the County, City, or Place, where the Offence ſhall be committed, ſhall be, and the ſame is hereby declared to be repealed, and null and void to all Intents and Purpoſes whatſoever; and ſo much of the ſaid recited Act as declares 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 ſuch Act, or againſt any Rule, Order, or Bye Law made in purſuance thereof, within Four Calendar Months next after the Cauſe of Complaint ſhall have ariſen, to appeal to the Juſtices of the Peace aſſembled at the General Quarter Seſſions or General Seſſions to be holden for the County, City, or Place where the Matter of Appeal ſhall ariſe, firſt giving Ten Days Notice of ſuch Appeal to the Perſon or Perſons appealed againſt, and of the Matter thereof, and within Two Days after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for ſuch County, City, or Place with ſufficient Securities conditioned to try ſuch Appeal, and for abiding the Determination of the Court therein; and that ſuch Juſtices ſhall, upon due Proof of ſuch Notice having been given, and Recognizance 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 that the Deciſion of the ſaid Juſtices therein ſhall be final, binding, and concluſive, ſhall be, and the ſame is hereby declared to be repealed, and null and void to all Intents and Purpoſes whatſoever.

Penalties under 20*l.* how to be recovered.

VII. And be it further enacted, That all Fines, Penalties, or Forfeitures, by the ſaid recited Act or this Act, or by virtue of the Powers and Authorities of the ſaid recited Act or this Act impoſed not exceeding Twenty Pounds, ſhall be ſued for within Two Calendar Months after the Offence or 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.

Appeal.

VIII. And be it further enacted, That it ſhall and may be lawful to and for any Perſon or Perſons convicted before any ſuch Juſtice or Juſtices of the Peace of any Offence or Offences againſt the ſaid recited Act or this Act, or againſt any Rule, Order, or Bye Law made in purſuance of the ſaid recited Act or this Act, 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 being perſonally preſent at ſuch General Quarter Seſſions or General Seſſions, and for proſecuting the ſaid Appeal with Effect, and for abiding the Determination of the Court therein, and ſuch Juſtices in ſuch General Quarter Seſſions or General Seſſions ſhall hear and determine the Matter, and may either confirm or quaſh or 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 ſhall be final, binding, and concluſive.

Publick Act.

IX. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever.

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