50 & 51 Vict. c. 52.

the Secretary for Scotland Act, 1887, and it is expedient to remove those doubts:

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:

Secretary of State for War not affected by 50 & 51 Vict. c. 52.

1. Nothing in the Secretary for Scotland Act, 1887, shall affect or be deemed to have affected any powers, duties, or functions of any of Her Majesty's Principal Secretaries of State as Secretary of State for the War Department.

Short title.

2. This Act may be cited as the Secretary for Scotland Act, 1889, and this Act and the Secretary for Scotland Acts, 1885 and 1887, may be cited collectively as the Secretary for Scotland Acts, 1885 to 1889.

CHAPTER 17.

An Act to abolish any Duties on Coals leviable by the Corporation of London. [9th July 1889.]

Charter, 3rd James 1.

WHEREAS by a charter of His Majesty King James the First, dated the twentieth day of August, in the third year of his reign, after reciting that the mayor and commonalty and citizens of the City of London (herein-after referred to as the Corporation) from time immemorial had had and exercised the office of bailiff and the conservancy of the River Thames, and had received all the profits belonging to the office of bailiff, and also reciting that the Corporation had from time immemorial exercised the office of measurer of, amongst other things, all coals brought into the Port of London by the River Thames in any ship or vessel, or on every shore or wharf of the Thames, by deputies for the time being, and that the Corporation had received to their own use all profits belonging to the office of measurer, and reciting that the Corporation had for a short time previously been disturbed in their measurings and the office of measurer; His Majesty, in order to put an end to all controversy, by the now reciting charter confirmed all the fees and measurings aforesaid, and the profits belonging to them, and the uses and customs aforesaid, to the Corporation and their successors; and by the same charter His said Majesty granted to the Corporation the office of bailiff and the conservancy of the Thames; and further granted to the Corporation and their successors the office of measurer of, amongst other things, all coals which might be brought into the Port of London on the Thames in any ship or vessel, or which might be brought into any shore or wharf of the Thames from Staines Bridge to a place called Yentleete, otherwise Yantleet, near the sea, together with the right to receive all profits belonging to the said office of measurer:

Charter, 12th James 1.

And whereas by another charter of His said Majesty King James the First, dated the twelfth day of December, in the twelfth year of his reign, after reciting that it was manifest to His Majesty that

the Corporation from time immemorial had had and exercised the office of measurer of all coals which were landed, conveyed, or brought into the port of the City of London upon the River Thames in any ship or vessel, and upon every shore or wharf of the Thames, yet nevertheless that a question had then very lately arisen whether the weighing of all coals brought into the port, together with the measuring of coals pertained to the said Corporation, His Majesty, to put an end to all controversy, and to the intent that the Corporation might have as well the weighing as the measuring, and all profit usual for the same, granted to the Corporation and their successors the weighing of all coals called stone coals, pit coals, earth coals, and all other coals of what kind, nature, and species whatsoever they were, landed, conveyed, or brought to the port of the City of London upon the Thames, and also all profits and advantages belonging to them; and by the same charter His said Majesty granted to the Corporation the office of weigher of all coals, and appointed the Corporation to be the weighers of all coals, and to execute the weighing of the same; and by the same charter, after reciting that a question had arisen respecting the amount of the fee demanded by the Corporation and by their officers for the weighing of every ton weight of coals, His said Majesty, to put an end to all questions of the kind, granted to the Corporation and their successors that they might demand the fee of eightpence for the weighing of every ton of coals in respect of the charges of the Corporation and their successors for scales, and for their attendants, labour, and other necessary costs and expenses expended for the purpose:

And whereas by an Act of Parliament passed in the fifth and sixth year of the reign of King William and Queen Mary, chapter ten, intituled "An Act for the relief of Orphans and other "Creditors of the City of London," after reciting that the Corporation were answerable for all moneys of the orphans of the city paid into the chamber of the city, but by reason of sundry accidents and public calamities had then become indebted to the orphans and other creditors in a much greater sum than they were able to pay unless assistance was given; it was enacted that the properties and revenues of the Corporation should be charged with the sum of money mentioned in the said Act as a perpetual fund for the payment of the amounts due to the orphans and creditors; and by the said Act it was provided that for a further increase of the said fund, for all coals or culm which should be imported into the port of the City of London or the River Thames within the liberty of the said city to be sold by the chaldron or ton there should be paid by way of imposition thereupon the sum of fourpence per chaldron metage for ever over and above what was then lawfully paid for the metage thereof, to be paid in like manner as the then present duty for metage was or had been accustomed to be paid, and that over and above all other impositions and duties, and the said last-mentioned sum of fourpence for all coals or culm so imported the further sum of sixpence for every chaldron, and for such coals as were sold by the ton the sum of sixpence per ton, 5 & 6 W. & M. c. 10.

which said imposition of sixpence should continue for a term of fifty years:

And whereas the said imposition of sixpence was continued from time to time by several Acts of Parliament:

10 Geo. 4. c. 136. And whereas by an Act passed in the tenth year of the reign of His Majesty King George the Fourth, chapter one hundred and thirty-six, after reciting that the capital debt due to the orphans of the City of London had been annihilated, and that the capital debt due to the other creditors and charged upon the fund created by the said Act of King William and Queen Mary was reduced to the sum therein mentioned, and that it was probable that if no further charge was made in the said fund the whole of the debt would be paid off by the fifth day of April one thousand eight hundred and thirty-two, it was enacted that the Corporation might improve the approaches to London Bridge; and that for the purpose of providing a fund for the purposes of the now reciting Act, the duty of sixpence a chaldron or ton imposed by the said Act of King William and Queen Mary should be continued until the fifth day of July one thousand eight hundred and fifty-eight; and that as soon as the said debt due on the said orphan fund had been paid off, the duty of fourpence metage imposed by the said last-mentioned Act should be appropriated to the fund created by the Act now in recital:

1 & 2 Will. 4. c. 76. And whereas by an Act of Parliament passed in the first and second years of the reign of His Majesty King William the Fourth, chapter seventy-six, intituled "An Act for regulating the vend and "delivery of coals in the cities of London and Westminster, and in "certain parts of the counties of Middlesex, Surrey, Kent, Sussex, "Hertford, Bucks, and Berks," (herein-after referred to as the Coal Duties Act, 1831,) after reciting (section sixty) the charters of third James the First and twelfth James the First and the Act of Parliament fifth and sixth William and Mary herein-before recited, and reciting that the duty of sixpence had been continued from time to time and would expire on the fifth day of July one thousand eight hundred and fifty-eight, and that the duty of fourpence and the duty of sixpence were both charged with money raised for defraying the expenses of public works, and reciting that it was expedient for the purposes of the now reciting Act that the Corporation should not at the then present time exercise any right or privilege of weighing or measuring coals, culm, or cinders, to which under or by virtue of any Acts of Parliament or charter, or by prescription or otherwise, they might be entitled during the term therein-after mentioned, and that one rate or duty should be paid to the Corporation in lieu of all rates and duties payable to them with respect to all coals, culm, and cinders; it was enacted that, during the term of seven years from the thirty-first day of December one thousand eight hundred and thirty-one, the Lord Mayor of the said City of London, and the said mayor, commonalty, and citizens should not exercise any right of measuring or weighing coals, or any other rights with respect to coals to which he or they was, were, or might be entitled by prescription, or by the said charters and Act of Parliament, or otherwise, and that the rate or duty of twelve

pence for every ton of coals, culm, and cinders imported or brought into the Port of London should be collected; and it was provided that fourpence per ton, part thereof, should be applied in the same manner as the sum in the charters mentioned to be payable for metage would be applicable, and that the sum of eightpence for every ton residue thereof should be applied in the same manner as the duties of fourpence per chaldron and sixpence per chaldron or ton, made payable by the said Act of Parliament of King William and Queen Mary, would be applicable:

And whereas by the said Coal Duties Act, 1831 (section sixty-one), it was provided that at the end of the term of seven years the Lord Mayor of the said City of London, and the said mayor, commonalty, and citizens should be entitled to resume all rights of weighing and measuring coals, and all other rights and privileges in respect thereof to which he or they was, were, or might be entitled, and to demand and take the metage, impositions, duties, rates, or sums, and all other privileges and advantages to which he or they was, were, or might be entitled at the time of the passing of the said Act as fully as if the said Act had not been passed, and that the interruption in the exercise of any right or in the receipt of any fees or duties to which he or they might be entitled by prescription or otherwise during such time as the payments directed by the said Act to be made in lieu thereof should be received should not be deemed in law a waiver or discontinuance of any such right, fees, or duties, but that the same should be in full force and might be enforced and recovered and might be claimed in the same manner as if they had been exercised and received during the time in which the exercise and receipt thereof respectively should have been suspended, interrupted, or varied by virtue of the said Act, and that the said Lord Mayor and the said mayor, commonalty, and citizens might continue to prescribe for any such rights, fees, and duties as if he or they had continued in the exercise of such right, and in receipt of such fees and duties, notwithstanding the non-user thereof, in pursuance of the said Act or of any other Act of Parliament for the weighing of coals and payment of the sums provided for the same in lieu of the said metage fees and duties:

And whereas by an Act of Parliament passed in the first and second years of the reign of Her present Majesty, chapter one hundred and one, intituled "An Act to extend for seven years an "Act for regulating the vend and delivery of coals in London and "Westminster, and in certain parts of the adjacent counties," after reciting that the term of seven years provided by the Coal Duties Act, 1831, would expire on the thirty-first day of December one thousand eight hundred and thirty-eight, it was provided that the Coal Duties Act, 1831, should be continued for the further term of seven years from the thirty-first day of December one thousand eight hundred and thirty-eight; and that all the provisions, regulations, clauses, matters, and things in the said Act contained to take effect at the end of the term of seven years therein mentioned, or at any other time, should take effect in the

1 & 2 Vict. c. 101.

same manner as if the term of fourteen years had been inserted in the Coal Duties Act, 1831, instead of the term of seven years:

8 & 9 Vict. c. 101. And whereas by an Act of Parliament passed in the eighth and ninth years of the reign of Her present Majesty, chapter one hundred and one, intituled "An Act to continue until fifth day "of July one thousand eight hundred and sixty-two the Acts for "regulating the vend and delivery of coals in London and "Westminster, and in certain parts of the adjacent counties, and to "alter and amend the said Acts," after reciting the Coal Duties Act, 1831, and the Coal Duties Act, 1838, and reciting that the extended term of seven years would expire on the thirty-first day of December one thousand eight hundred and forty-five, it was enacted that the Coal Duties Act, 1831, and the Coal Duties Act, 1838, should be continued until the fifth day of July one thousand eight hundred and sixty-two, and that all the provisions, regulations, clauses, matters, and things in the Coal Duties Act, 1831, contained to take effect at the end of the term of seven years therein mentioned, or at any other time, should take effect in the same manner as if the fifth day of July one thousand eight hundred and sixty-two had been inserted in the Coal Duties Act, 1831, instead of the term of seven years:

24 & 25 Vict. c. 42. And whereas by an Act of Parliament passed in the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter forty-two, intituled "An Act to continue the duties levied "on coal and wine by the Corporation of London," after reciting that by the Acts of Parliament herein-before recited, and which are therein collectively referred to as the "Coal Duties Acts," the two several duties of one penny and twelve pence were authorised to be levied, and reciting that it was apprehended that the duty of eightpence, part of the duty of twelve pence, would expire in the year one thousand eight hundred and sixty-one, and that the duty of one penny would expire in July one thousand eight hundred and sixty-two unless continued by Parliament, and that it was expedient that the duties of twelve pence and one penny should continue for ten years; it was provided that all duties authorised by the "Coal Duties Acts" should be levied in the same manner as they were then leviable until fifth day of July one thousand eight hundred and seventy-two; and it was also provided that the Coal Duties Acts should be continued until fifth day of July one thousand eight hundred and seventy-two, and that all the provisions contained in the Coal Duties Act, 1831, to take effect at the end of seven years mentioned in that Act should take effect as if the fifth day of July one thousand eight hundred and seventy-two had been inserted in the Act instead of the term of seven years:

26 & 27 Vict. c. 46. And whereas by an Act of Parliament passed in the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, chapter forty-six, intituled "An Act for further continuing and "appropriating the London Coal and Wine Duties," after reciting various intended metropolitan improvements, and reciting that it was apprehended that the proceeds of the coal and wine duties, as continued by the herein-before recited Act of 1861 would be

insufficient for all the proposed purposes, and that it was therefore expedient to continue them until the fifth day of July one thousand eight hundred and eighty-two, it was enacted that all duties by the said Act of 1861 continued until the fifth day of July one thousand eight hundred and seventy-two, and all Acts relating thereto, should be continued until the fifth day of July one thousand eight hundred and eighty-two, and that the said Act of 1861 should be read as if the fifth day of July one thousand eight hundred and eighty-two had been substituted throughout the said Act for the fifth day of July one thousand eight hundred and seventy-two:

And whereas by an Act of Parliament passed in the thirty-first year of the reign of Her present Majesty, chapter seventeen, intituled "An Act to further continue and appropriate the London "Coal and Wine Duties," it is enacted that all duties by the said Act of 1861, continued until the fifth day of July one thousand eight hundred and seventy-two, and by the herein-before recited Act of 1863 continued until the fifth day of July one thousand eight hundred and eighty-two, should be further continued until the fifth day of July one thousand eight hundred eighty-nine, and that all Acts relating thereto should be continued until that date, and that the said Act of 1861 should be read as if the fifth day of July one thousand eight hundred and eighty-nine had been substituted throughout for the fifth day of July one thousand eight hundred and seventy-two: 31 Vict. c. 17.

And whereas it is expedient that, subject to the provisions of this Act, all duties at any time heretofore levied by the Corporation on coals, culm, or cinders shall cease:

And whereas by an Act entitled the Kew and other Bridges Act, 1869, and an Act entitled the Kew and other Bridges Act, 1869, (Amendment) Act, 1874, provision was made for the freeing of certain bridges therein named, and for raising certain funds in that behalf on the security of the coal duties as therein mentioned:

And whereas after discharging the pecuniary obligation imposed by the said Acts a certain surplus will remain:

And whereas Parliament has reserved to itself by the thirty-first Victoria, chapter seventeen, section five, the right of dealing with such surplus as it shall direct:

And whereas by an Act passed in the fourteenth and fifteenth years of the reign of Her present Majesty, chapter one hundred and forty-six, entitled the Coal Duties (London and Westminster and adjacent Counties) Act, 1851, the Corporation were to retain one penny per ton out of the drawback allowance for the purposes in the said Act expressed:

And whereas there now remains in the hands of the Chamberlain of London a surplus of fifty-nine thousand and ninety-seven pounds or thereabouts out of such drawback allowance:

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:

Repeal of power of Lord Mayor's

1. From and after the fifth day of July one thousand eight hundred and eighty-nine, the Lord Mayor of the City of London,

present rights with respect to coals.

and the mayor, commonalty, and citizens of the said city shall not at any time exercise any right of measuring or weighing coals or any other rights with respect to coals to which he or they is, are, or may be entitled by prescription or by any charters and Acts of Parliament, or otherwise, or to demand, collect, receive, or take any metage, impositions, duties, rates, or sums in respect of any coals, culm, or cinders imported or brought into the Port of London or brought within the limits of the metropolitan police district as defined by Act of Parliament, including the Cities of London and Westminster, by any mode of conveyance:

Provided always, that the duty of fourpence per ton on coals, culm, and cinders continued to the said Corporation, under the style of the Mayor, aldermen, and commons of the city of London, by section two of the before-recited Act of 1868 shall continue until the fifth day of July one thousand eight hundred and ninety, but shall be applied by the said Corporation towards discharging the moneys borrowed and now remaining unpaid in respect of the completion of the Holborn Valley improvements, particularly referred to in the said section. Provided also that the statutory provisions with respect to collection, returns, certificates, accounts, and drawback contained in or continued by the said Act in regard to the duties therein mentioned shall apply to the duty hereby continued, except that the allowance of drawback shall be limited to the sum of fourpence per ton. And provided also that an account of the receipt and application of the said duty shall be kept separate and distinct from the accounts of the said Corporation, and that an abstract of the said accuont be yearly laid by the Chamberlain of the City of London before both Houses of Parliament.

Application of surplus.

2. Any surplus or sums that may remain after discharging the pecuniary obligations imposed by any of the above-recited Acts, viz.: the Kew and other Bridges Act, 1869, and the Kew and other Bridges, 1869, (Amendment) Act, 1874, and any surplus accrued or accruing from the one penny per ton drawback allowance under the above-recited Act, intituled the Coal Duties Act, 1851, shall be applicable and be applied by the Corporation in discharging as far as may be the capital sum now due and owing by the said Corporation on the said Holborn Viaduct improvement and approaches.

Short title.

3. This Act may be cited as the London Coal Duties Abolition Act, 1889.

CHAPTER 18.

An Act to suppress Indecent Advertisements.

[26th July 1889.]

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: