able salary or compensation out of those parts of the clear yearly income of the Charity otherwise applicable distributively for the benefit of such poor inmates.

Power to sell Charity property.

34. Upon or at any time after the first avoidance of the mastership, or with the consent in writing of the present master during the period of his holding office, the trustees shall have power, with the consent in writing of the person or persons for the time being entitled to the right of appointing the master, and being of full age, and with the approbation of the Charity Commissioners for England and Wales, to sell the present hospital buildings, and the gardens and ground annexed thereto, or any part of the premises with the appurtenances, and to apply the produce of such sale to the erection and establishment of a new hospital upon some site in the parish of Stoke Poges or its immediate vicinity, to be also bought, if necessary, out of such purchase money, for the reception of the master and poor inmates, or of such inmates solely, as the case may require, and any surplus of such purchase money shall be invested by the trustees in the purchase of real estate, with the approval of the said Charity Commissioners, when any such convenient purchase shall be found, and in the meantime in the public funds, and the rents, dividends, and income arising from such real estate or funds respectively shall be applicable as the other yearly income of the Charity.

Scheme to be printed.

35. This scheme shall be printed, and a copy delivered to every person who shall become a trustee or master of the Charity.

Copies of scheme may be taken.

36. A copy of this scheme shall be kept with the books of account and other documents belonging to the Charity, and every parishioner of Stoke Poges, and other person interested in the Charity, shall be at liberty to take copies of the scheme or any part thereof (upon making an application for that purpose to the trustees) at such times, and subject to such reasonable conditions, as may be prescribed by the trustees.

Doubts and disputes to be decided by the Charity Commissioners.

37. If any doubt or question shall arise amongst the trustees as to the construction or proper application of any of the provisions of this scheme, or the management of the Charity, application may be made by the trustees to the Charity Commissioners for England and Wales for their opinion and advice thereon, which, when given, shall be conclusive on the trustees.

CAP. CXII.

An Act to amend the Act of the last Session of Parliament, Chapter One hundred and twenty, for the better Local Management of the Metropolis.

[29th *July* 1856.]

18 & 19 Vict. c. 120.

'WHEREAS it is expedient to amend the Act of the last Session of Parliament, 'Chapter One hundred and twenty, "for the better Local Management of the 'Metropolis," as herein-after mentioned:" 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:

Church Rates where made in open Vestry before passing of the Act 18 & 19 Vict. c. 120. to continue to be so made.

I. Where at the Time of the passing of the said Act the Power of making Church Rates or Rates of the Nature of Church Rates in any Parish was vested in any open Vestry, or in any Meeting in the Nature of an open Vestry Meeting, or in any Meeting of the Parishioners, Inhabitants, or Ratepayers generally, or of such of the Parishioners, Inhabitants, or Ratepayers as were rated at or above any specified Amount or Value (whether such Vestry or Meeting were holden for the Parish at large or for any Liberty or other District therein), such Power shall not be deemed to have become vested in the Vestry constituted in such Parish under the said Act, but shall be exercised as if the said Act had not been passed: Provided always, that this Act shall not affect any such Rate made before the passing thereof by any such Vestry as last aforesaid.

Nothing in this Act or in 18 & 19 Vict.

II. Nothing in the said Act or this Act shall affect or be deemed to have affected any Power of electing or appointing Churchwardens or making Church Rates, or other Power which,

which, at the Time of the passing of the said Act, was vested in any such open Vestry or Meeting as aforesaid, or any elected or other Vestry, where such Vestry or Meeting acts exclusively for any District (by whatever Denomination distinguished) created for Ecclesiastical Purposes only.

c. 120. to affect Ecclesiastical Districts.

III. Save as herein-before otherwise provided, all the Duties, Powers, and Privileges, (including such as relate to the Affairs of the Church, or the Management or Relief of the Poor, or the Administration of any Money or other Property applicable to the Relief of the Poor,) which might have been performed or exercised by any open or elected or other Vestry or any such Meeting as aforesaid in any Parish, under any Local Act or otherwise, at the Time of the passing of the said Act of the last Session, shall be deemed to have become transferred to and vested in the Vestry constituted by such last-mentioned Act; except so far as any such Duties, Powers, or Privileges may in the Case of a Parish included in any District mentioned in Schedule (B.) to the said Act be vested by Section Ninety thereof in the Board of Works of such District: Provided that all Duties and Powers relating to the Affairs of the Church, or the Management or Relief of the Poor, or the Administration of any Money or other Property applicable to the Relief of the Poor, which at the Time of the passing of the said Act were vested in or might be exercised by any Guardians, Governors, Trustees, or Commissioners, or any Body other than any open or elected or other Vestry, or any such Meeting as herein-before mentioned, shall continue vested in and be exercised by such Guardians, Governors, Trustees, or Commissioners or other Body as aforesaid.

Other Powers of Vestries and like Meetings declared to have been transferred to Vestries under Act 18 & 19 Vict. c. 120., except Powers transferred to District Boards.

IV. It shall be lawful for any Person occupying any Tenement within any Parish to claim to be rated to the Relief of the Poor in respect thereof in the Rate for the Time being, and in all Rates to be thereafter made in respect of such Tenement, whether the Landlord be or be not liable to be rated to the Relief of the Poor in respect thereof; and upon such Occupier so claiming, by Notice in Writing left at the Office or Place of Residence of the Overseers of the Poor of the Parish, or One of them, and actually paying or tendering at such Office or Place of Residence the full Amount of the last made Rate then payable in respect of such Premises, such Overseers are hereby required to put the Name of such Occupier on the Rate for the Time being, and also, without further Claim, to put his Name upon every subsequent Rate made during the Time such Occupier continues in the Occupation of the same Premises; and in case the said Overseers neglect or refuse so to do, such Occupiers shall nevertheless, for the Purposes of the said Act, be deemed to have been rated to the said Rate in respect of such Premises from the Period at which the Rate for the Time being in respect of which he so claimed to be rated as aforesaid was made, and thenceforth so long as he continues in the Occupation of the same Premises: Provided always, that every Person so claiming as aforesaid shall in respect of every Rate for the Relief of the Poor made after such Claim as aforesaid, while he continues to occupy the same Premises, be liable to the same Extent and in the same Manner as if his Name had been put on such Rate.

Occupiers may claim to be rated.

V. Provided also, That in Cases where, by any Composition with the Landlord, a less Sum is payable than the full Amount of Rate which, except for such Composition, would be due in respect of the same Premises, the Occupier claiming to be rated shall not be bound to pay or tender more than the Amount then payable under such Composition: Provided also, that where, by virtue of any Act of Parliament, the Landlord is liable to the Payment of the Rate for the Relief of the Poor in respect of any Premises occupied by his Tenant, nothing herein contained shall be deemed to vary or discharge the Liability of such Landlord; but in case the Tenant who has been rated for such Premises in consequence of any such Claim as aforesaid make default in the Payment of the Rate for the Relief of the Poor payable in respect thereof, such Landlord shall be and remain liable for the Payment thereof, in the same Manner as if he alone had been rated in respect of the Premises so occupied by his Tenant.

Compositions not to be disturbed, and Landlord's Liability not to be affected.

VI. Any Occupier who under this Act is rated or deemed to be rated to the Relief of the Poor in any Parish, and has been so rated or deemed to be rated for One Year next before any Election of Vestrymen or Auditors under the said Act, shall be entitled to vote in

Right of Occupier so claiming to vote in Elections.

in such Election, and shall for the Purposes of the said Act be deemed a Ratepayer of such Parish, and be entitled to act as such, provided all Parochial Rates, Taxes, and Assessments, save and except Church Rates, due in respect of the same Premises at the Time of his so voting or acting, except such as have been made or become due within Six Months immediately preceding such voting or acting, have been paid; but such Occupier shall not be deemed to be a Ratepayer so as to gain a Settlement where he would not have gained a Settlement if this Act had not been passed.

Payment of Church Rates not necessary as a Qualification.

VII. The Provision in Section Sixteen of the said Act requiring all Parochial Rates, Taxes, and Assessments (except as therein excepted) to have been paid shall not be taken to include Church Rates.

Rental to be determined by Column headed "Rateable Value."

VIII. 'And whereas by the Act of the Session holden in the Sixth and Seventh Years of 'King *William* the Fourth, Chapter Ninety-six, "to regulate Parochial Assessments," it 'is required that every Rate for the Relief of the Poor shall, in addition to any other 'Particular which the Form of making out such Rate shall require to be set forth, contain 'an Account of every Particular set forth at the Head of the respective Columns in the Form 'given in the Schedule to that Act annexed, so far as the same can be ascertained, and in 'the Form in the said Schedule are Two Columns headed respectively "Gross estimated 'Rental" and "Rateable Value:" And whereas by the said Act of the last Session it is 'required that in order to qualify a Person to be elected a Vestryman or Auditor he should 'be rated to the Relief of the Poor upon a Rental of such Amount as therein mentioned: 'And whereas Doubts are entertained which of the Amounts specified in the said Two 'Columns is to be deemed the "Rental" for the Purposes of the last-mentioned Act:'

The Amount specified in the said Column headed "Rateable Value" shall be deemed the "Rental" for the Purposes of the last-mentioned Act.

Regulation of Meetings of Vestries constituted by 18 & 19 Vict. c. 120.

IX. Every Meeting of any Vestry constituted by the said Act of the last Session, of which and of the special Purpose whereof Notice is now by Law required to be affixed on or near the principal Doors of the Churches and Chapels within the Parish, may be convened by transmitting through the Post or otherwise Notice, signed by the Clerk to the Vestry, to each Vestryman, at his usual or last known Place of Abode in *England*, of the Place and Hour of holding the same, and the special Purposes thereof, Three Days before the Day appointed for such Meeting, and also by affixing at the same Time Notice thereof on or near the Door of any Building where the said Meeting is to be holden, and it shall not be necessary that Notice of any such Meeting shall be further or otherwise signed or published.

Section 144. of 18 & 19 Vict. c. 120. declared to extend to authorize Applications to Parliament for providing Parks, &c.

X. 'And whereas Doubts are entertained whether the Provision in Section One hundred and 'forty-four of the said Act of the last Session, authorizing the Metropolitan Board of Works, 'where it appears to them that further Powers are required for the Purpose of any Work 'for the Improvement of the Metropolis or public Benefit of the Inhabitants thereof, to 'make Applications to Parliament for that Purpose, and providing that the Expenses of such 'Application may be defrayed as other Expenses of the said Board, extends to authorize 'Applications to Parliament by such Board for Powers for providing Parks, Pleasure 'Grounds, Places of Recreation, and open Spaces, and it is expedient to remove such 'Doubts:' The Powers given to the said Board to make Applications to Parliament, and the Provision for the Expenses of such Application, extend respectively to Applications to Parliament for the Purpose of providing Parks, Pleasure Grounds, Places of Recreation, and open Spaces for the Improvement of the Metropolis or the public Benefit of the Inhabitants thereof, and to the Expenses of all such Applications.

District Boards and Vestries empowered to take Ground to be maintained as an open Space or Pleasure Ground.

XI. Any District Board or Vestry may take, by Agreement or Gift, any Land or any Right or Easement in or over Land, for any Estate or Interest therein, and on such Terms and Conditions as they may think fit, for the Purpose of such Land being either kept as an open Space or being kept and maintained as a Pleasure Ground for the public Benefit of the Inhabitants of the District or Parish; but this Enactment shall not authorize any Expenditure to be defrayed by Rates, except for the Purpose of enclosing, maintaining, planting, and otherwise improving the same.

Recited Act and this Act to be as One.

XII. The said Act of the last Session and this Act shall be construed together as One Act.