FORM (K.)

Warrant of Distress. Sec. 20.

To the Constable of and to all other Peace Officers in the said County [*or as the Case may be*].

WHEREAS on last past Complaint was made before the undersigned, Two of Her Majesty's Justices of the Peace in and for the said County of [*or as the Case may be*] [*or* a Magistrate of the Police Courts of the Metropolis, *or* Stipendiary Magistrate, *as the Case may be*] for that [*&c. as in the Order*]; and thereupon having considered the Matter of the said Complaint, we [*or* I] adjudged the said [*set out from Form K. the Adjudication of Payment, and the Order for Distress and for Imprisonment in default of Distress*]: And whereas the Time in and by the said Order appointed for the Payment of the said several Sums of and hath elapsed, but the said hath not paid the same or any Part thereof within Fourteen Days after the Date fixed by the Order for such Payment, but therein hath made default: These are therefore to command you in Her Majesty's Name forthwith to make Distress of the Goods and Chattels of the said *A.B.*; and if within the Space of Days after the making of such Distress the said last-mentioned Sums, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, that then you do sell the said Goods and Chattels so by you distrained, and do pay the Money arising from such Sale over to the Clerk of the Justices of the Peace for the Division of in the said [County, *or as the Case may be*], that he may pay and apply the same as by Law directed, and may render the Overplus, if any, on Demand, to the said ; and if no such Distress can be found, then that you certify the same unto me, to the end that such Proceedings may be had therein as to the Law doth appertain.

Given under our [*or* my] Hands and Seal, this Day of in the Year of our Lord One thousand eight hundred and at in the [County] aforesaid.

A.B.
C.D.
(L.S.)

FORM (L.)

Return of Proceedings under Nuisances Removal Act, 1855, by the [name the Local Authority at length].

From 25th March 1855 to 25th March 1856.

Date of Notice.	By whom given.	Nature of Nuisance.	Proceedings taken.	Remarks:—With any special Work done under the Acts, without any Notice.
16 April -	The Inspector -	Foul Drainage from House.	Owner put down good Drain, on Summons, without Justices Order.	Several Houses being in a like position, the Highway Surveyor laid down a Sewer in the old Watercourse, and each House was charged a proportionate Sum for the same, of which the highest Sum was 10*s*.
18 April -	Two Neighbours	Offensive Cesspool.	Abated by Local Authority.	Renewed once; but Penalty recovered, and no subsequent Renewal attempted.

Dated this 26th Day of March 1856. [*To be signed by the Chairman of the Local Authority.*]

CAP. CXXII.

An Act to amend the Laws relating to the Construction of Buildings in the Metropolis and its Neighbourhood. [14th *August* 1855.]

'WHEREAS it is expedient that the Laws relating to Buildings in the Metropolis and its Neighbourhood should be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

PRELIMINARY.

I. This Act may be cited for all Purposes as "The Metropolitan Building Act, 1855." **Short Title.**

II. This Act shall, except in Cases where it is otherwise expressly provided, come into operation on the First Day of *January* One thousand eight hundred and fifty-six. **Commencement of Act.**

III. In the Construction of this Act (if not inconsistent with the Context) the following Terms shall have the respective Meanings herein-after assigned to them; (that is to say,) **Interpretation of certain Terms in this Act.**

"The Treasury" shall mean the Commissioners of Her Majesty's Treasury:

"Public Building" shall mean every Building used as a Church, Chapel, or other Place of Public Worship; also every Building used for Purposes of public Instruction; also every Building used as a College, public Hall, Hospital, Theatre, public Concert Room, public Ball Room, public Lecture Room, public Exhibition Room, or for any other public Purposes:

"External Wall" shall apply to every outer Wall or vertical Enclosure of any Building not being a Party Wall:

"Party Wall" shall apply to every Wall used or built in order to be used as a Separation of any Building from any other Building, with a view to the same being occupied by different Persons:

"Cross Wall" shall apply to every Wall used or built in order to be used as a Separation of one Part of any Building from another Part of the same Building, such Building being wholly in One Occupation:

"Party Structure" shall include Party Walls, and also Partitions, Arches, Floors, and other Structures separating Buildings, Stories, or Rooms which belong to different Owners, or which are approached by distinct Staircases or separate Entrances from without:

"The Area" of every Building shall be deemed to be the Superficies of a horizontal Section of such Building made at the Point of its greatest Surface, including the External Walls and such Portion of the Party Walls as belong to the Building, but excluding any attached Building the Height of which does not exceed the Height of the Ground Story:

"The Base of the Wall" shall mean the Course immediately above the Footings:

"Owner" shall apply to every Person in possession or receipt either of the whole or of any Part of the Rents or Profits of any Land or Tenement, or in the Occupation of such Land or Tenement other than as a Tenant from Year to Year or for any less Term, or as a Tenant at Will:

"Builder" shall apply to and include the Master Builder or other Person employed to execute or who actually executes any Work upon any Building:

"District Surveyor" shall mean every such Surveyor who is appointed in pursuance of this Act, or whose Appointment is hereby confirmed, and shall include any Deputy or Assistant Surveyor appointed under this Act:

In all Cases in which the Name of an Officer having local Jurisdiction in respect of his Office is referred to without Mention of the Locality to which the Jurisdiction extends, such Reference is to be understood to indicate the Officer having Jurisdiction in that Place within which is situate the Building or other subject Matter or any Part thereof to which such Reference applies:

"Person" shall include "a Body Corporate."

LIMITS OF ACT.

IV. This Act shall extend to all Places within the Limits of the Metropolis as defined by an Act passed in the present Session of Parliament, intituled *An Act for the better local Management of the Metropolis*, and to all other Places to which such last-mentioned Act may be extended, unless such Places are in making such Extension expressly excepted from the Operation of this Act; but nothing herein contained shall affect the Exercise of any Powers vested **Act to extend to all Places within Limits defined by 18 & 19 Vict. c. 120.**

vested by any Act of Parliament in the Commissioners of Sewers of the City of *London* for the Time being.

Division of Act.

V. This Act shall be divided into Five Parts:

(1.) The First Part relating to the Regulation and Supervision of Buildings:

(2.) The Second Part relating to Dangerous Structures:

(3.) The Third Part relating to Party Structures:

(4.) The Fourth Part relating to Miscellaneous Provisions:

(5.) The Fifth Part relating to the Repeal of former Acts, and to temporary Provisions.

PART I. *Regulation and Supervision of Buildings.*

PART I.

REGULATION AND SUPERVISION OF BUILDINGS.

Buildings, &c. herein named exempt from Operation of Part I. of this Act.

VI. The following Buildings and Works shall be exempt from the Operation of the First Part of this Act.

Bridges, Piers, Jetties, Embankment Walls, Retaining Walls, and Wharf or Quay Walls:

Her Majesty's Royal Palaces, and any Building in the Possession of Her Majesty, Her Heirs and Successors, or employed for Her Majesty's Use or Service:

Common Gaols, Prisons, Houses of Correction, and Places of Confinement under the Inspection of the Inspectors of Prisons, and Bethlehem Hospital, and the House of Occupations adjoining:

The Mansion House, Guildhall, and Royal Exchange of the City of *London:*

The Offices and Buildings of the Governor and Company of the Bank of *England* already erected, and which now form the Edifice called "The Bank of *England*," and any Offices and Buildings hereafter to be erected for the Use of the said Governor and Company, either on the Site of or in addition to and in connexion with the said Edifice:

The Buildings of the British Museum:

The Offices and Buildings of the Honourable *East India* Company already erected, and any Offices or Buildings hereafter to be erected, for the Use of the said Company, on the Site of or in addition to such existing Offices and Buildings:

Greenwich Hospital and the Buildings in the Parish of *Greenwich* vested in the Commissioners of *Greenwich* Hospital for the Purposes of the said Hospital:

All County Lunatic Asylums, Sessions Houses, and other public Buildings belonging to or occupied by the Justices of the Peace of the County or City in which the same are situated:

The Erections and Buildings authorized by an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, for the Purposes of a Market in *Covent Garden:*

The Cattle Market, with its Appurtenances, erected in pursuance of the Metropolitan Cattle Market Act, 1851:

The Buildings belonging to any Canal, Dock, or Railway Company, and used for the Purposes of such Canal, Dock, or Railway, under the Provisions of any Act of Parliament:

All Buildings, not exceeding in Height Thirty Feet, as measured from the Footings of the Walls, and not exceeding in Extent One hundred and twenty-five thousand Cubic Feet, and not being Public Buildings, wholly in One Occupation, and distant at least Eight Feet from the nearest Street or Alley, whether public or private, and at the least Thirty Feet from the nearest Buildings and from the Ground of any Adjoining Owner:

All Buildings not exceeding in Extent Two hundred and sixteen thousand Cubic Feet, and not being Public Buildings, and distant at least Thirty Feet from the nearest Street or Alley, whether public or private, and at the least Sixty Feet from the nearest Buildings and from the Ground of an Adjoining Owner:

All Party Fence Walls and Greenhouses so far as regards the necessary Woodwork of the Sashes, Doors, and Frames:

Openings made into Walls or Flues for the Purpose of inserting therein ventilating Valves of a superficial Extent not greater than Forty Square Inches, if such Valves are not nearer than Twelve Inches to any Timber or other combustible Material.

Application of Act, except Exemptions before mentioned.

VII. With the Exemptions herein-before mentioned, this Act shall apply to all new Buildings; and whenever Mention is herein made of any Building, it shall, unless the contrary appears from the Context, be deemed to imply a new Building.

Building, when deemed to be new.

VIII. A Building shall be deemed to be new whenever the enclosing Walls thereof have not been carried higher than the Footings previously to the said First Day of *January* One thousand eight hundred and fifty-six: Any other Building shall be deemed to be an old Building.

Alterations of and Additions to old Buildings.

IX. Any Alteration, Addition, or other Work made or done for any Purpose, except that of necessary Repair not affecting the Construction of any External or Party Wall, in, to, or upon any old Building, or in, to, or upon any new Building after the Roof has been covered in, shall, to the Extent of such Alteration, Addition, or Work, be subject to the Regulations of this Act; and whenever Mention is herein-after made of any Alteration, Addition, or Work in, to, or upon any Building, it shall, unless the contrary appears from the Context, be deemed to imply an Alteration, Addition, or Work to which this Act applies.

Rebuilding old Buildings.

X. Whenever any old Building has been taken down to an Extent exceeding One Half of such Building, such Half to be measured in Cubic Feet, the rebuilding thereof shall be deemed to be the Erection of a new Building; and every Portion of such old Building that is not in conformity with the Regulations of this Act shall be forthwith taken down.

Division of old Buildings separated by irregular Partitions.

XI. Whenever any old Buildings are separated by Timber or other Partitions not in conformity with this Act, then, if such Partitions are removed to the Extent of One Half thereof, such Buildings shall as respects the Separation thereof be deemed to be new Buildings, and be forthwith divided from each other in the Manner directed by this Act.

Walls.

Structure and Thickness of Walls.

XII. Walls shall be constructed of such Substances and of such Thickness and in such Manner as are mentioned in the First Schedule annexed hereto.

Recesses and Openings.

Rules as to Recesses and Openings.

XIII. The following Rules shall be observed with respect to Recesses and Openings in Walls:

Recesses and Openings may be made in External Walls, provided,

1. That the Backs of such Recesses are not of less Thickness than Eight and a Half Inches; and,
2. That the Area of such Recesses and Openings do not, taken together, exceed One Half of the whole Area of the Wall in which they are made:

Recesses may be made in Party Walls, provided that,

1. The Backs of such Recesses are not of less Thickness than Thirteen Inches; and
2. That every Recess so formed is arched over, and that the Area of such Recesses do not, taken altogether, exceed One Half of the whole Area of the Wall of the Story in which they are made; and
3. That such Recesses do not come within One Foot of the inner Face of the External Walls;

But no Opening shall be made in any Party Wall except in accordance with the Rules of this Act:

The Word Area, as used in this Section, shall mean the Area of the vertical Face, or Elevation, of the Wall, Pier, or Recess to which it refers.

MISCELLANEOUS.

As to Timber in External Walls.

XIV. Loophole Frames may be fixed within One Inch and a Half of the Face of any External Wall; but all other Woodwork fixed in any External Wall, except Bressummers and Story Posts under the same, and Frames of Doors and Windows of Shops on the Ground Story of any Building, shall be set back Four Inches at the least from the external Face of such Wall.

Rules as to Bressummers.

XV. The following Rules shall be observed with respect to Bressummers and Timbers:—

1. Every Bressummer must have a Bearing in the Direction of its Length of Four Inches at the least at each End, upon a sufficient Pier of Brick or Stone, or upon a Timber or Iron Story Post fixed on a solid Foundation, in addition to its bearing upon any Party Wall; and the Ends of such Bressummer shall not be placed nearer to the Centre Line of the Party Walls than Four and a Half Inches:
2. No Bond Timber or Wood Plate shall be built into any Party Wall, and the Ends of any Beam or Joist bearing on such Walls shall be at the least Four and a Half Inches distant from the Centre Line of the Party Walls:
3. Every Bressummer bearing upon any Party Wall must be borne by a Templet or Corbel of Stone or Iron tailed through at least Half the Thickness of such Wall, and of the full Breadth of the Bressummer.

Height and Thickness of Parapets to External Walls.

XVI. If any Gutter, any Part of which is formed of combustible Materials, adjoins an External Wall, then such Wall must be carried up so as to form a Parapet One Foot at the least above the highest Part of such Gutter, and the Thickness of the Parapet so carried up must be at the least Eight and a Half Inches, reckoned from the Level of the under Side of the Gutter Plate.

Height of Party Walls above Roof.

XVII. Every Party Wall shall be carried up above the Roof Flat or Gutter of the highest Building adjoining thereto, to such Height as will give a Distance of Fifteen Inches measured at Right Angles to the Slope of the Roof, or Fifteen Inches above the highest Part of any Flat or Gutter, as the Case may be; and every Party Wall shall be carried up above any Turret, Dormer, Lantern Light, or other Erection of combustible Materials fixed upon the Roof or Flat of any Building within Four Feet from such Party Wall, and shall extend at the least Twelve Inches higher and wider on each Side than such Erection; and every Party Wall shall be carried up above any Part of any Roof opposite thereto, and within Four Feet from such Party Wall.

As to Chases in Party Walls.

XVIII. In a Party Wall no Chase shall be made wider than Fourteen Inches, nor more than Four and a Half Inches deep from the Face of the Wall, nor so as to leave less than Eight and a Half Inches in Thickness at the Back or opposite Side thereof, and no Chase may be made within a Distance of Seven Feet from any other Chase on the same Side of the Wall.

As to Construction of Roofs.

XIX. The Roofs of Buildings shall be constructed as follows; that is to say,

1. The Flat, Gutter, and Roof of every Building, and every Turret, Dormer, Lantern Light, Skylight, or other Erection placed on the Flat or Roof thereof, shall be externally covered with Slates, Tiles, Metal, or other incombustible Materials, except the Doors, Door Frames, Windows, and Window Frames of such Dormers, Turrets, Lantern Lights, Skylights, or other Erections:
2. The Plane of the Surface of the Roof of a Warehouse or other Building used either wholly or in part for Purposes of Trade or Manufacture shall not incline from the External or Party Walls upwards at a greater Angle than Forty-seven Degrees with the Horizon.

Rules as to Chimnies and Flues.

XX. The following Rules shall be observed as to Chimnies and Flues:

1. Chimnies built on Corbels of Brick, Stone, or other incombustible Materials may be introduced above the Level of the Ceiling of the Ground Story if the Work so corbelled out does not project from the Wall more than the Thickness of the Wall, but all other Chimnies shall be built on solid Foundations, and with Footings similar to the Footings of the Wall against which they are built:

2. Chimnies and Flues having proper Doors of not less than Six Inches square may be constructed at any Angle, but in every other Chimney or Flue the Angles shall be constructed of an Obtuseness of not less than One hundred and thirty Degrees, and shall be properly rounded:
3. An Arch of Brick or Stone or a Bar of Wrought Iron must be built over the Opening of every Chimney to support the Breast thereof, and if the Breast projects more than Four and a Half Inches from the Face of the Wall, and the Jamb on either Side is of less Width than Seventeen and a Half Inches, the Abutments must be tied in by an Iron Bar or Bars turned up and down at the Ends and built into the Jambs for at least Eight and a Half Inches on each Side:
4. The Inside of every Flue, and the Back or Outside, unless forming Part of the outer Face of an External Wall, must be rendered, pargeted, or lined with Fire-proof Piping:
5. The Jambs of every Chimney must at the least be Eight and a Half Inches wide on each Side of the Opening thereof:
6. The Breast of every Chimney, and the Front, Withe, Partition, and Back of every Flue, must at the least be Four Inches in Thickness:
7. The Back of every Chimney Opening, from the Hearth up to the Height of Twelve Inches above the Mantel, must at the least be Eight and a Half Inches thick if in a Party Wall, or Four and a Half Inches thick if not in a Party Wall:
8. The Thickness of the upper Side of every Flue, when its Course makes, with the Horizon, an Angle of less than Forty-five Degrees, must be at the least Eight and a Half Inches:
9. Every Chimney Shaft shall be carried up in Brick or Stone Work all round, at the least Four Inches thick, to a Height of not less than Three Feet above the Roof, Flat, or Gutter adjoining thereto, measured at the highest Point in the Line of Junction with such Roof, Flat, or Gutter:
10. The Brickwork or Stonework of any Chimney Shaft, excepting that of the Furnace of any Steam Engine, Brewery, Distillery, or Manufactory, shall not be built higher above the Roof, Flat, or Gutter adjoining thereto, measured from the highest Point in the Line of Junction with such Roof, Flat, or Gutter, than a Height equal to Six Times the least Width of such Chimney Shaft at the Level of such highest Point in the Line of Junction, unless such Chimney Shaft is built with and bonded to another Chimney Shaft not in the same Line with the first, or otherwise rendered secure:
11. There shall be laid, level with the Floor of every Story, before the Opening of every Chimney, a Slab of Stone, Slate, or other incombustible Substance, at the least Twelve Inches longer than the Width of such Opening, and at the least Eighteen Inches wide in front of the Breast thereof.
12. On every Floor, except the lowest Floor, such Slab shall be laid wholly upon Stone or Iron Bearers, or upon Brick Trimmers; but on the lowest Floor it may be bedded on the solid Ground:
13 The Hearth or Slab of every Chimney shall be bedded wholly on Brick, Stone, or other incombustible Substance, and shall be solid for a Thickness of Seven Inches at the least beneath the upper Surface of such Hearth or Slab:
14. No Flue shall be built against any Party Structure, unless a Withe is properly secured thereto, at the least Four Inches in Thickness:
15. No Chimney Breast or Shaft built with or in any Party Wall shall be cut away unless the District Surveyor certifies that it can be done without injuriously affecting the Stability of any Building:
16. No Chimney, Shaft, Jamb, Breast, or Flue shall be cut into except for the Purpose of Repair, or doing some One or more of the following Things:
    Of letting in or removing or altering Flues, Pipes, or Funnels for the Convey-
    of Smoke, hot Air, or Steam, or of letting in, removing, or altering Smoke Jacks:
    Of forming Openings for Soot Doors, such Openings to be fitted with a close Iron Door and Frame:

Of

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Of making Openings for the Insertion of ventilating Valves, subject to the following Restriction, That no Opening shall be made nearer than Twelve Inches to any Timber or combustible Substance:

17. No Timber or Woodwork shall be placed,

In any Wall or Chimney Breast nearer than Twelve Inches to the Inside of any Flue or Chimney Opening;

Under any Chimney Opening within Eighteen Inches from the upper Surface of the Hearth of such Chimney Opening;

Within Two Inches from the Face of the Brickwork or Stonework about any Chimney or Flue, where the Substance of such Brickwork or Stonework is less than Eight and a Half Inches thick, unless the Face of such Brickwork or Stonework is rendered;

And no wooden Plugs shall be driven nearer than Six Inches to the Inside of any Flue or Chimney Opening, nor any Iron Holdfast or other Iron Fastening nearer than Two Inches thereto.

Rules as to close Fires and Pipes for conveying Vapour, &c.

XXI. The following Rules shall be observed as to close Fires, and Pipes for conveying heated Vapour or Water; that is to say,

1. The Floor under every Oven or Stove used for the Purpose of Trade or Manufacture, and the Floor around the same for a Space of Eighteen Inches, shall be formed of Materials of an incombustible and non-conducting Nature:
2. No Pipe for conveying Smoke, heated Air, Steam, or hot Water shall be fixed against any Building on the Face next to any Street, Alley, Mews, or public Way:
3. No Pipe for conveying heated Air or Steam shall be fixed nearer than Six Inches to any combustible Materials:
4. No Pipe for conveying hot Water shall be placed nearer than Three Inches to any combustible Materials:
5. No Pipe for conveying Smoke or other Products of Combustion shall be fixed nearer than Nine Inches to any combustible Material:

And if any Person fails in complying with the Rules of this Section he shall for each Offence incur a Penalty not exceeding Twenty Pounds, to be recovered before a Justice of the Peace.

Rules as to Accesses and Stairs in certain Buildings.

XXII. The following Rules shall be observed with respect to Accesses and Stairs:

In every Public Building, and in every other Building containing more than One hundred and twenty-five thousand Cubic Feet, and used as a Dwelling House for separate Families, the Floors of the Lobbies, Corridors, Passages, and Landings, and also the Flights of Stairs, shall be of Stone or other Fire-proof Material, and carried by Supports of a Fire-proof Material.

Rules as to habitable Rooms.

XXIII. The following Rules shall be observed with respect to habitable Rooms in any Building; that is to say,

1. Every habitable Room hereafter constructed in any Building, except Rooms in the Roof thereof and Cellars and underground Rooms, shall be in every Part at the least Seven Feet in Height from the Floor to the Ceiling:
2. Every habitable Room hereafter constructed in the Roof of every Building shall be at the least Seven Feet in Height from the Floor to the Ceiling throughout not less than One Half the Area of such Room:
3. Cellars and underground Rooms shall be constructed in manner directed by the said Act for the better Local Management of the Metropolis:

And whosoever knowingly suffers any Room that is not constructed in conformity with this Section to be inhabited shall, in addition to any other Liabilities he may be subject to under this Act, incur a Penalty not exceeding Twenty Shillings for every Day during which such Room is inhabited; and any Room in which any Person passes the Night shall be deemed to be inhabited within the Meaning of this Act.

As to Party Arches over public Ways.

XXIV. Every Party Arch, and every Arch or Floor over any public Way, or any Passage leading to Premises in other Occupation, shall be formed of Brick, Stone, or other incom-

incombustible Materials: If an Arch of Brick or Stone is used, it shall, in Cases where its Span does not exceed Nine Feet, be of the Thickness of Four and a Half Inches at the least, but when its Span exceeds Nine Feet, be of the Thickness of Eight and a Half Inches at the least: If an Arch or Floor of Iron or other incombustible Material is used, it shall be constructed in such Manner as may be approved by the District Surveyor.

As to Arches under public Ways.

XXV. Every Arch under any public Way shall be formed of Brick, Stone, or other incombustible Materials: If an Arch of Brick or Stone is used, it shall, in Cases where its Span does not exceed Ten Feet, be of the Thickness of Eight and a Half Inches at the least; where its Span does not exceed Fifteen Feet, it shall be of the Thickness of Thirteen Inches at least; and where its Span exceed Fifteen Feet, it shall be of such Thickness as may be approved by the District Surveyor: If an Arch or other Construction of Iron or other incombustible Material is used, it shall be constructed in such Manner as may be approved by the District Surveyor.

Rules as to Projections.

XXVI. The following Rules shall be observed as to Projections:

1. Every Coping, Cornice, Facia, Window Dressing, Portico, Balcony, Verandah, Balustrade, and architectural Projection or Decoration whatsoever, and also the Eaves or Cornices to any overhanging Roof, except the Cornices and Dressings to the Window Fronts of Shops, and except the Eaves and Cornices to detached and semi-detached Dwelling Houses distant at least Fifteen Feet from any other Building, and from the Ground of any Adjoining Owner, shall, unless the Metropolitan Board otherwise permit, be of Brick, Tile, Stone, artificial Stone, Slate, Cement, or other Fire-proof Material:
2. In Streets or Alleys of a less Width than Thirty Feet, any Shop Front may project beyond the External Wall of the Building to which it belongs for Five Inches and no more, and any Cornice of any such Shop Front may project Thirteen Inches and no more; and in any Street or Alley of a Width greater than Thirty Feet, any Shop Front may project Ten Inches and no more, and the Cornice may project for Eighteen Inches from the External Walls, but no more:
3. No Part of the Woodwork of any Shop Front shall be fixed nearer than Four and a Half Inches from the Line of Junction of any adjoining Premises, unless a Pier or Corbel of Stone, Brick, or other Fire-proof Material, Four and a Half Inches wide at the least, is built or fixed next to such adjoining Premises as high as such Woodwork is fixed, and projects an Inch at the least in front of the Face thereof:
4. The Roof, Flat, or Gutter of every Building, and every Balcony, Verandah, Shop Front, or other Projection, must be so arranged and constructed, and so supplied with Gutters and Pipes, as to prevent the Water therefrom from dropping upon or running over any public Way.
5. Except in so far as is permitted by this Section in the Case of Shop Fronts, and with the Exception of Water Pipes and their Appurtenances, Copings, Cornices, Facias, Window Dressings, and other like architectural Decorations, no Projection from any Building shall extend beyond the general Line of Fronts in any Street, except with the Permission of the Metropolitan Board of Works herein-after mentioned.

Rules as to the Separation of Buildings, and Limitation of their Areas.

XXVII. The following Rules shall be observed as to the Separation of Buildings, and Limitation of their Areas:

1. Every Building shall be separated by External or Party Walls from any adjoining Building:
2. Separate Sets of Chambers or Rooms tenanted by different Persons shall, if contained in a Building exceeding Three thousand six hundred Square Feet in Area, be deemed to be separate Buildings, and be divided accordingly, so far as they adjoin vertically by Party Walls, and so far as they adjoin horizontally by Party Arches or Fire-proof Floors:
3. If any Building in One Occupation is divided into Two or more Tenements, each having a separate Entrance and Staircase, or a separate Entrance from without, every such Tenement shall be deemed to be a separate Building for the Purposes of this Act:

4. Every

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4. Every Warehouse, or other Building used either wholly or in part for the Purposes of Trade or Manufacture, containing more than Two hundred and sixteen thousand Cubic Feet, shall be divided by Party Walls in such Manner that the Contents of each Division thereof shall not exceed the above-mentioned Number of Cubic Feet.

Rules as to uniting Buildings.

XXVIII. The following Rules shall be observed as to uniting Buildings:

1. No Buildings shall be united unless they are wholly in the same Occupation:
2. No Buildings shall be united, if when so united they will, considered as One Building only, be in contravention of any of the Provisions of this Act:
3. No Opening shall be made in any Party Wall dividing Buildings which, if taken together, would contain more than Two hundred and sixteen thousand Cubic Feet, except under the following Conditions:
   - Such Opening shall not exceed in Width Seven Feet or in Height Eight Feet:
   - Such Opening shall have the Floor, Jambs, and Head formed of Brick, Stone, or Iron, and be closed by Two Wrought Iron Doors, each One Fourth of an Inch thick in the Panel, at a Distance from each other of the full Thickness of the Wall, fitted to rebated Frames, without Woodwork of any kind:
4. Whenever any Buildings which have been united cease to be in the same Occupation, any Openings made in the Party Walls dividing the same shall be stopped up with Brick or Stone Work of the full Thickness of the Wall itself, and properly bonded therewith.

As to Open Spaces near Dwelling Houses.

XXIX. Every Building used or intended to be used as a Dwelling House, unless all the Rooms can be lighted and ventilated from a Street or Alley adjoining, shall have in the Rear or on the Side thereof an open Space exclusively belonging thereto of the Extent at least of One hundred Square Feet.

Construction of Public Buildings.

XXX. Notwithstanding anything herein contained, every Public Building, including the Walls, Roofs, Floors, Galleries, and Staircases, shall be constructed in such Manner as may be approved by the District Surveyor, or, in the event of Disagreement, may be determined by the Metropolitan Board; and save in so far as respects the Rules of Construction, every Public Building shall throughout this Act be deemed to be included in the Term Building, and be subject to all the Provisions of this Act, in the same Manner as if it were a Building erected for a Purpose other than a Public Purpose.

DISTRICT SURVEYORS.

Buildings to be supervised by District Surveyors.

XXXI. With the Exemptions herein-before mentioned, every Building, and every Work done to, in, or upon any Building, shall be subject to the Supervision of the District Surveyor appointed to the District in which the Building is situate.

Power to Metropolitan Board of Works established under 18 & 19 Vict. c. 120.

XXXII. The following Things may be done by the Metropolitan Board of Works, established by the said Act for the better Local Management of the Metropolis, by Order, at their Discretion; that is to say,

1. They may alter the Limits of any District, or unite any Two or more Districts together, and in any such Case place such altered District under the Supervision of any existing or of any future District Surveyor, with Power from Time to Time to alter any District so made, and do all such Matters and Things as are necessary for carrying into effect the Power hereby given:
2. They may dismiss any existing District Surveyor, with the Consent of One of Her Majesty's Principal Secretaries of State; they may suspend any such Surveyor as last aforesaid; they may dismiss or suspend any future District Surveyor; and in case of any Suspension or during any Vacancy they may appoint a temporary Substitute:
3. Whenever any Vacancy occurs in the Office of any existing or future District Surveyor they may appoint another qualified Person in his Place:

4. They

4. They may pay such Amount of Compensation as they think fit to any District Surveyor who may be deprived of his Office, in pursuance of the Power hereby given of altering the Limits of Districts:

But, subject to the Provisions herein contained, the several Places which at the Time when this Act comes into operation are constituted Districts under an Act passed in the Eighth Year of the Reign of Her present Majesty, Chapter Eighty-four, and intituled *An Act for regulating the Construction and Use of Buildings in the Metropolis and its Neighbourhood*, for the Purposes of that Act, shall continue to be Districts for the Purposes of this Act, and the several Persons who at the Time when this Act comes into operation are District Surveyors under the Provisions of the said Act shall continue to be District Surveyors under this Act.

Examination by Institute of British Architects.

XXXIII. The Institute of *British* Architects may from Time to Time cause to be examined by such Persons and in such Manner as they think fit, all Candidates presenting themselves for the Purpose of being examined as to their Competency to perform the Duties of District Surveyor, and shall grant Certificates of Competency to the Candidates found deserving of the same; and no Person who has not already filled the Office of District Surveyor, or has not already obtained a Certificate of Competency in pursuance of the said Act of the Eighth Year of the Reign of Her present Majesty, Chapter Eighty-four, shall be qualified to be appointed to that Office, unless he has received a Certificate of Competency from the said Institute of *British* Architects, or has been examined in such other Manner as the said Metropolitan Board may direct, and been found competent in such Examination.

District Surveyor to have an Office.

XXXIV. Every District Surveyor shall have and maintain an Office at his own Expense in such Part of his District as may be approved by the Metropolitan Board of Works.

District Surveyor may appoint Deputy, with Consent.

XXXV. If any District Surveyor is prevented by Illness, Infirmity, or any other unavoidable Circumstance from attending to the Duties of his Office, he may, with the Consent of the Metropolitan Board of Works, appoint some other Person as his Deputy to perform all his Duties for such Time as he may be prevented from executing them.

Assistant Surveyor may be appointed on Emergency.

XXXVI. If at any Time it appears to the Metropolitan Board of Works that, on account of the Pressure of Business in any District, or any other Account, the Surveyor of that District cannot discharge his Duties promptly and efficiently, then such Board may direct any other District Surveyor to assist the Surveyor of such District in the Performance of his Duties, or appoint some other Person to give such Assistance, and such Assistant Surveyor shall be entitled to receive all Fees payable in respect of the Services performed by him.

District Surveyor not to act in case of Works under his professional Superintendence.

XXXVII. If any Building is executed, or any Work done to, in, or upon any Building, by or under the Superintendence of any District Surveyor acting professionally or on his own private Account, it shall not be lawful for such Surveyor to survey any such Building for the Purpose of this Act, or to act as District Surveyor in respect thereof or in any Matter connected therewith, but it shall be his Duty to give Notice thereof to the said Metropolitan Board, who shall then appoint some other District Surveyor to act in respect of such Matter.

Notices to District Surveyors.

Notices to be given to District Surveyor by Builder.

XXXVIII. Two Days before the following Acts or Event, that is to say,

Two Days before any Building, or any Work to, in, or upon any Building, is commenced, and also, if the Progress of any such Building or Work is after the Commencement thereof suspended for any Period exceeding Three Months, Two Days before such Building or Work is resumed, and also if during the Progress of any such Building or Work the Builder employed thereon is changed, then Two Days before any new Builder enters upon the Continuance of such Building or Work,

It shall be the Duty of the Builder engaged in building or rebuilding such Building, or in executing such Work, or in continuing such Building or Work, to give to the District Surveyor Notice in Writing stating the Situation, Area, and Height, and intended Use of the Building or Buildings about to be commenced, or to, in, or upon which any Work is to

PART I. *Regulation and Supervision of Buildings.*

be done, and the Number of such Buildings if more than One, and also the Particulars of any such proposed Work, and stating also his own Name and Address, but any Works to, in, or upon the same Building that are in progress at the same Time may be included in One Notice.

District Surveyor to cause Rules of this Act to be observed.

XXXIX. Every District Surveyor shall, upon the Receipt of any such Notice as aforesaid, and also upon any Work affected by the Rules of this Act, but in respect of which no Notice has been given, being observed by or made known to him, and also from Time to Time during the Progress of any Works affected by the Rules and Directions of this Act, as often as may be necessary for securing the due Observance of such Rules, survey any Building or Work hereby placed under their Supervision, and cause all the Rules of this Act to be duly observed.

Notice to be Evidence of intended Works.

XL. Every Notice given in pursuance of this Act shall be deemed, in any Question relative to any Building or Work, to be *primâ facie* Evidence as against such Builder of the Nature of the Building or Work proposed to be built or done.

Penalty on Builders neglecting to give Notice.

XLI. If any Builder neglects to give Notice in any of the Cases aforesaid, or executes any Works of which he is hereby required to give Notice before giving the same, or having given due Notice of any Works executes the same before the Expiration of Two Days from the Time of giving such Notice, such Builder shall for every such Offence incur a Penalty not exceeding Twenty Pounds, to be recovered before a Justice of the Peace.

District Surveyor may enter and inspect Buildings affected by this Act. Penalty for Refusal.

XLII. At all reasonable Times during the Progress of any Building or Work affected by this Act it shall be lawful for the District Surveyor to enter and inspect such Building or Work; and if any Person refuses to admit such Surveyor to inspect such Building or Work, or refuses or neglects to afford such Surveyor all reasonable Assistance in such Inspection, in every such Case the Offender shall incur for each Offence a Penalty not exceeding Twenty Pounds, to be recovered before a Justice of the Peace.

District Surveyor may enter Buildings to ascertain as to exempted Buildings.

XLIII. The District Surveyor may at all reasonable Times enter any Premises, with the Exception of Buildings herein-before exempted by Name, for the Purpose of ascertaining whether any Buildings erected in such Premises are in such a Situation or possess such Characteristics as are herein-before required in order to exempt them from the Operation of this Act, and he may do all such Things as are necessary for the above Purpose; and if any Person refuses to admit such Surveyor to enter such Premises or to inspect any such Building, or neglects to afford to him all reasonable Assistance in such Inspection, in every such Case the Offender shall incur for each Offence a Penalty not exceeding Twenty Pounds to be recovered before a Justice of the Peace.

In case of Emergency, Works may be commenced without Notice.

XLIV. If by reason of any Emergency any Act or Work is required to be done immediately, or before Notice can be given as aforesaid, then it shall be lawful to do the Act or Work so required to be done, upon Condition that before the Expiration of Twenty-four Hours after such Act or Work has been begun Notice thereof is given to the District Surveyor.

PROCEEDINGS BY DISTRICT SURVEYORS IN CASE OF IRREGULARITY.

Notice by District Surveyor in case of Irregularity.

XLV. In the following Cases, that is to say,—

If in erecting any Building or in doing any Work to, in, or upon any Building, anything is done contrary to any of the Rules of this Act, or anything required by this Act is omitted to be done; or

In Cases where due Notice has not been given,—

If the District Surveyor, on surveying or inspecting any Building or Work, finds that the same is so far advanced that he cannot ascertain whether anything has been done contrary to the Rules of this Act, or whether anything required by the Rules of this Act has been omitted to be done;

In every such Case the District Surveyor shall give to the Builder engaged in erecting such Building, or in doing such Work, Notice in Writing requiring such Builder, within Forty-eight Hours from the Date of such Notice, to cause anything done contrary to the Rules of this Act to be amended, or to do anything required to be done by this Act, but which

which has been omitted to be done, or to cause so much of any Building or Work as prevents such District Surveyor from ascertaining whether anything has been done or omitted to be done as aforesaid to be to a sufficient Extent cut into, laid open, or pulled down.

On Noncompliance with Notice, Justice to summon Builder, and make Order to comply with Requisition.

XLVI. If the Builder to whom such Notice is given makes Default in complying with the Requisition thereof within such Period of Forty-eight Hours, the District Surveyor may cause Complaint of such Noncompliance to be made before a Justice of the Peace, and such Justice shall thereupon issue a Summons requiring the Builder so in default to appear before him; and if upon his Appearance, or in his Absence, upon due Proof of the Service of such Summons, it appears to such Justice that the Requisitions made by such Notice or any of them are authorized by this Act, he shall make an Order on such Builder commanding him to comply with the Requisitions of such Notice, or any of such Requisitions that may in his Opinion be authorized by this Act, within a Time to be named in such Order.

Penalty on Noncompliance with Order of Justice.

XLVII. If such Order is not complied with, the Builder on whom it is made shall incur a Penalty not exceeding Twenty Pounds a Day, to be recovered before a Justice of the Peace, during every Day of the Continuance of such Noncompliance, and in addition thereto the District Surveyor may, if he thinks fit, proceed with a sufficient Number of Workmen to enter upon the Premises, and do all such Things as may be necessary for enforcing the Requisitions of such Notice, and for bringing any Building or Work into conformity with the Rules of this Act, and all Expenses incurred by him in so doing and in any such Proceedings as aforesaid, may be recovered from the Builder on whom such Order was made, in a summary Manner, before a Justice of the Peace, or may be recovered from the Owner of the Premises in the same Manner in which Expenses incurred by the Commissioners herein-after named in respect of dangerous Buildings are herein-after directed to be recovered from any Owner; and if the Owner cannot be found, or if, on Demand, he refuses or neglects to pay the aforesaid Expenses, the District Surveyor shall have the same Power of taking and selling the Building in respect of which the Order is made, and of applying the Proceeds, as is thereby given to the Commissioners.

Penalty on Workmen, &c. doing anything contrary to Rules of Act.

XLVIII. If any Workman, Labourer, Servant, or other Person employed in or about any Building, wilfully, and without the Privity or Consent of the Person causing such Work to be done, does anything in or about such Building contrary to the Rules of this Act, he shall for each such Offence incur a Penalty not exceeding Fifty Shillings.

Fees of District Surveyors.

Payments to District Surveyors in respect of Matters in First Part of Second Schedule;

XLIX. There shall be paid to the District Surveyors, in respect of the several Matters specified in the First Part of the Second Schedule hereto, the Fees therein specified, or such other Fees, not exceeding the Amounts therein specified, as may from Time to Time be directed by the Metropolitan Board of Works; but One Fee only shall be chargeable with respect to any such Works done in, to, or upon any Building as are in pursuance of the Provisions herein-before contained included in One Notice; and if in consequence of any Reduction being made by the said Metropolitan Board in the Amount of the said scheduled Fees the Income of any existing District Surveyor is diminished, the Metropolitan Board shall grant to him Compensation in respect of such Diminution.

Metropolitan Board may appoint Special Fees for Services not provided for.

L. If any special Service is required to be performed by the District Surveyor under the First Part of this Act, for which no Fee is specified in the said Schedule, the Metropolitan Board of Works may order such Fee to be paid for such Service as they think fit, and the District Surveyor shall have the same Remedy for recovering such special Fee as if the same were expressly named in the said Schedule.

Periods when Surveyors entitled to Fees.

LI. At the Expiration of the following Periods, that is to say,

of One Month after the Roof of any Building surveyed by any District Surveyor under this Act has been covered in,

of Fourteen Days after the Completion of any such Work as is by this Act placed under the Supervision of the District Surveyor,

of Fourteen Days after any special Service in respect of any Building has been performed,

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the District Surveyor shall be entitled to receive the Amount of Fees due to him from the Builder employed in erecting such Building, or in doing such Work, or in doing any Matter in respect of which any special Service has been performed by the Surveyor, or from the Owner or Occupier of the Building so erected or in respect of which such Work has been done or Service performed; and if any such Builder, Owner, or Occupier refuses to pay the same, such Fees may be recovered in a summary Manner before a Justice of the Peace, upon its being shown to the Satisfaction of such Justice that a proper Bill specifying the Amount of such Fees was delivered to such Builder, Owner, or Occupier, or sent to him in a registered Letter addressed to his last known Residence.

RETURNS BY DISTRICT SURVEYORS.

District Surveyor to make monthly Returns to Metropolitan Board of Works.

LII. Every District Surveyor shall, within Seven Days after the First Day of every Month, make a Return to the Metropolitan Board of Works, in such Manner as they may appoint, of all Notices and Complaints received by him relative to the Business of his District, and the Results thereof, and of all Matters brought by him before any Justice of the Peace, and of all the several Works supervised and special Services performed by him in the Exercise of his Office within the previous Month, and of all Fees charged or received in respect thereof, and specify in such Return the Description and Locality of every Building built, rebuilt, enlarged, or altered, or on which any Work has been done under his Supervision, with the particular Nature of every Work in respect of which any Fee has been charged or received.

Return to be a Certificate that Works are agreeable to Act.

LIII. Every such Return shall be signed by such Surveyor, and shall be deemed to be a Certificate that all the Works enumerated therein as completed have been done in all respects agreeably to this Act, according to the best of his Knowledge and Belief, and that they have been duly surveyed by him.

Superintending Architect to audit Accounts of Fees charged by District Surveyors, and to report in case of Excess.

LIV. The Officer herein-after mentioned as the Superintending Architect of Metropolitan Buildings, or such other Officer as the Metropolitan Board of Works appoint, shall from Time to Time examine the said monthly Returns made by the District Surveyors; and in case any Fees therein specified appear to such Officer to be unauthorized by this Act, or to exceed in Amount the Rates hereby made payable, or in case any such Account appears to be in any respect fraudulent or untrue, he shall make his Report in Writing to that Effect to the Metropolitan Board of Works, who shall thereupon take such Steps in the Matter as they deem expedient.

POWERS OF METROPOLITAN BOARD OF WORKS.

Power for Metropolitan Board of Works to modify Rules.

LV. The Metropolitan Board of Works may, by Order, made with the Consent of Her Majesty in Council, alter, in such Manner as they may think fit, the Rules for the Regulation of the Thickness of Walls contained in the First Schedule hereto.

Buildings to which Rules of Act are inapplicable.

LVI. Whenever any Builder is desirous of erecting any Iron Building, or any other Building to which the Rules of this Act are inapplicable, he shall make an Application to the Metropolitan Board of Works, stating such Desire, and setting out a Plan of the proposed Building, with such Particulars as to the Construction thereof as may be required by the said Board; and the latter, if satisfied with such Plan and Particulars, shall signify their Approval of the same, and thereupon such Building may be constructed according to such Plan and Particulars; but it shall not be lawful for such Board to authorize any Warehouse or other Building used either wholly or in part for the Purposes of Trade or Manufacture to be erected of greater Dimensions than Two hundred and sixteen thousand Cubic Feet, unless it is divided by Party Walls in manner herein-before required.

Power of Metropolitan Board to make General Rules.

LVII. The said Metropolitan Board may, for the Purpose of regulating the Proceedings of such Applicants as aforesaid, from Time to Time issue such General Rules as to the Time and Manner of making such Applications, as to the Plans to be presented, as to the Expenses to be incurred, and as to any other Matter or Thing connected therewith, as they may think fit.

Approval of Board how signified.

LVIII. The Approval by the Metropolitan Board of Works of any Plans or Particulars, in pursuance of the foregoing Provisions, shall be signified by Writing under the Hand of the

the Superintending Architect of Metropolitan Buildings, and countersigned by the Chairman of such Board, or by any other Officer appointed by the Board.

Board to issue Forms of Notices.

LIX. The said Metropolitan Board may from Time to Time prepare or sanction Forms of the various Notices required by this Act, and may from Time to Time make such Alterations therein as they deem requisite; and they shall cause every such Form to be sealed with the Seal of the Board, or marked with some other distinguishing Mark; and any Notice made in a Form sanctioned by the Board shall in all Proceedings be held sufficient in Law.

Expenses of Orders to be borne by Builders.

LX. All Expenses incurred in and about the obtaining such Approval of the Metropolitan Board of Works as aforesaid shall be paid by the Builder to the said Superintending Architect, or to such other Person as the said Board may appoint, and in default of Payment may be recovered in a summary Manner.

District Surveyor to see Plans carried into execution.

LXI. A Copy of any Plans and Particulars, approved by the Metropolitan Board of Works, shall be furnished to the Surveyor within whose District the Building to which such Plans and Particulars relate is situate, and thereupon it shall be the Duty of such District Surveyor to ascertain that the same is built in accordance with the said Plans and Particulars.

Power to Metropolitan Board to appoint Superintending Architect and Clerks.

LXII. The Metropolitan Board of Works may, for the Purpose of aiding in the Execution of this Act, appoint some fit Person, to be called the "Superintending Architect of Metropolitan Buildings," together with such Number of Clerks as they think fit; such Architect and Clerks shall be removable by the said Metropolitan Board, and shall perform such Duties as the said Board direct; but it shall not be lawful for any Superintending Architect to practise as an Architect, or to follow any other Occupation.

Superintending Architect may appoint Deputy, with Consent.

LXIII. If the Superintending Architect is prevented by Illness, Infirmity, or any other unavoidable Circumstance from attending to the Duties of his Office, he may, with the Consent of the Metropolitan Board of Works, appoint some other Person as his Deputy to perform all his Duties for such Time as he may be temporarily prevented from executing them.

Salaries to Architect and Clerks.

LXIV. There shall be paid to such Superintending Architect and Clerks such Salaries as the said Metropolitan Board may from Time to Time direct.

EXPENSES.

Power of Metropolitan Board to pay Salaries.

LXV. The said Metropolitan Board may at any Time hereafter, by Order, cause such fixed Salary as they may determine to be paid to any District Surveyor by way of Remuneration instead of Fees, provided the Amount of such Remuneration be not less than the Amount of the Average of the Fees for the last Three Years; and thereupon such Surveyor shall pay all Fees received by him under this Act into the Hands of the said Superintending Architect.

Monies to be paid to the Metropolitan Board.

LXVI. All Monies received by the Superintending Architect in pursuance of this Act shall be accounted for and paid by him into the Hands of the Treasurer of the said Metropolitan Board, at such Time and in such Manner as the said Board may direct.

Metropolitan Board may pay Salaries out of Rates.

LXVII. The said Metropolitan Board may at any Time hereafter provide, either wholly or partially, for the Payment of Salaries to the District Surveyors, or to any of them, out of the Rates leviable by such Board, in pursuance of the said Act for the better local Management of the Metropolis, and may thereupon abolish or reduce any Fees hereby made payable to the District Surveyors.

Expenses, how borne.

LXVIII. All Expenses of carrying into execution this Act, not hereby otherwise provided for, shall be deemed to be Expenses incurred by the said Metropolitan Board in the Execution of the said Act for the better local Management of the Metropolis, and shall be raised and paid accordingly.

PART

PART II.
Dangerous Structures.

PART II.

DANGEROUS STRUCTURES.

Survey to be made of dangerous Structures. 8 Vict. c. 84. s. 40.

LXIX. Whenever it is made known to the Commissioners herein-after named that any Structure (including in such Expression any Building, Wall, or other Structure, and anything affixed to or projecting from any Building, Wall, or other Structure), is in a dangerous State, such Commissioners shall require a Survey of such Structure to be made by the District Surveyor, or by some other competent Surveyor, and it shall also be the Duty of the District Surveyor to make known to the said Commissioners any Information he may receive with respect to any Structure being in such State as aforesaid.

Definition of "Commissioners."

LXX. In Cases where any such Structure is situate within the City of *London* or the Liberties thereof, herein-after included under the Expression "the City of *London*," the Expression "the Commissioners" shall mean "the Commissioners of Sewers of the City of *London*;" but when such Structure is situate elsewhere it shall mean "the Commissioners of Police of the Metropolis," or such One of them as may be authorized by One of Her Majesty's Principal Secretaries of State to act in the Matter of this Act.

Surveyor to give Certificate.

LXXI. Upon the Completion of his Survey the Surveyor employed shall certify to the said Commissioners his Opinion as to the State of any such Structure as aforesaid.

Proceedings to be taken in respect of Certificate.

LXXII. If such Certificate is to the Effect that such Structure is not in a dangerous State, no further Proceedings shall be had in respect thereof, but if it is to the Effect that the same is in a dangerous State, the Commissioners shall cause the same to be shored up, or otherwise secured, and a proper Hoard or Fence to be put up for the Protection of Passengers, and shall cause Notice in Writing to be given to the Owner or Occupier of such Structure requiring him forthwith to take down, secure, or repair the same, as the Case requires.

On Noncompliance with Notice, Justice to summon Owner, &c. and make Order to comply with Requisition.

LXXIII. If the Owner or Occupier to whom Notice is given as last aforesaid fails to comply, as speedily as the Nature of the Case permits, with the Requisition of such Notice, the said Commissioners may make Complaint thereof before a Justice of the Peace; and it shall be lawful for such Justice to order the Owner, or on his Default the Occupier, of any such Structure to take down, repair, or otherwise secure to the Satisfaction of the Surveyor who made such Survey as aforesaid, or of such other Surveyor as the said Commissioners may appoint, such Structure or such Part thereof as appears to him to be in a dangerous State, within a Time to be fixed by such Justice; and in case the same is not taken down, repaired, or otherwise secured within the Time so limited, the said Commissioners may with all convenient Speed cause all or so much of such Structure as is in a dangerous Condition to be taken down, repaired, or otherwise secured, in such Manner as may be requisite; and all Expenses incurred by the said Commissioners in respect of any dangerous Structure by virtue of the Second Part of this Act shall be paid by the Owner of such Structure, but without Prejudice to his Right to recover the same from any Lessee or other Person liable to the Expenses of Repairs.

If Owner cannot be found, Commissioners may sell Structure giving the Surplus to Owner, &c.

LXXIV. If such Owner cannot be found, or if, on Demand, he refuses or neglects to pay the aforesaid Expenses, the said Commissioners, after giving Three Months Notice of their Intention to do so, by posting a printed or written Notice in a conspicuous Place on the Structure in respect of which or of Part of which they have incurred Expense, or on the Land whereon it stands, may sell such Structure, and they shall, after deducting from the Proceeds of such Sale the Amount of all Expenses incurred by them, restore the Surplus (if any) to the Owner.

Payments by or to the Commissioners, how made.

LXXV. All Payments hereby directed to be made by or to the Commissioners shall in the Cases of Payments in respect of any Structure situate within the City of *London* be made by or to the Chamberlain of the City out of or to the Consolidated Rate made by the Commissioners of Sewers, and in the Cases of Payments in respect of any Structure situate elsewhere within the Limits of this Act be made by or to the Receiver of Metropolitan Police, in the same Manner in which Payments are made by or to such Chamberlain and Receiver respectively in the ordinary Course of their Business; but no Commissioner or other

other Officer shall be liable in respect of any Loss that may be sustained by any Person in consequence of the Exercise by the said Commissioners of the Powers hereby given them, unless such Loss happens through the wilful Default of such Commissioner or other Officer.

Surplus how to be applied if no Demand made for it.

LXXVI. In Cases where any Surplus is hereby made payable to any Owner, if no Demand for the same is made by any Person entitled thereto within One Year, then the same shall be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the Owner (describing him so far as the Commissioners can), subject to the Control of the Court, and to be paid out to the Owner on his applying by Petition, and proving his Title thereto.

Fees to District Surveyor.

LXXVII. There shall be paid to the District Surveyor, or to such other Surveyor as aforesaid, in respect of his Services under the Second Part of this Act, such Fees, not exceeding the Amounts specified in the Second Part of the Second Schedule hereto, as may from Time to Time be directed by the said Metropolitan Board.

Metropolitan Board may appoint special Fees for Services not provided for.

LXXVIII. If any special Service is required to be performed by the District Surveyor, or by such other Surveyor as aforesaid, under the Second Part of this Act, for which no Fee is specified in the said Schedule, the said Metropolitan Board may order such Fee to be paid for such Service as they think fit.

Fees to be deemed Part of Expenses.

LXXIX. All Fees paid to the District Surveyor, or to such other Surveyor as aforesaid, by virtue of the Second Part of this Act, shall be deemed to be Expenses incurred by the said Commissioners in the Matter of the dangerous Structure in respect of which such Fees are paid, and shall be recoverable by them from the Owner accordingly.

Justice of Peace may cause Inmates to be removed from dangerous Structures.

LXXX. In Cases where a Structure has been certified by a District Surveyor, or such other Surveyor as aforesaid, to be dangerous to its Inmates, a Justice of the Peace may, if satisfied of the Correctness of such Certificate, upon the Application of the said Commissioners, by Order under his Hand direct any Inmates of such Structure to be removed therefrom by a Constable or other Peace Officer, and if they have no other Abode he may require them to be received into the Workhouse established for the Reception of the Poor of the Place in which such Structure is situate.

Powers of Commissioners to appoint Officers.

LXXXI. Subject to the Approval of One of Her Majesty's Principal Secretaries of State, the said Commissioners may appoint such Persons at such Salaries, and make such Regulations, as they think fit for carrying into execution the Second Part of this Act; and all Expenses incurred by them not hereby otherwise provided for shall, in the Case of Expenses incurred by the said Commissioners of Police, be deemed to be Expenses incurred by them in respect of the Police Force of which they are Commissioners, and be payable accordingly; and all Expenses incurred by the said Commissioners of Sewers shall be paid out of the said Consolidated Rate.

PART III.

PARTY STRUCTURES.

PART III. *Party Structures.*

PRELIMINARY.

Definition of Building Owner and Adjoining Owner.

LXXXII. In the Construction of the following Provisions relating to Party Structures, such One of the Owners of the Premises separated by or adjoining to any Party Structure as is desirous of executing any Work in respect to such Party Structure shall be called the Building Owner, and the Owner of the other Premises shall be called the Adjoining Owner.

RIGHTS OF BUILDING AND ADJOINING OWNERS.

Rights of Building Owner.

LXXXIII. The Building Owner shall have the following Rights in relation to Party Structures; that is to say,

(1.) A Right to make good or repair any Party Structure that is defective or out of repair:

(2.) A Right

PART III. *Party Structures.*

(2.) A Right to pull down and rebuild any Party Structure that is so far defective or out of repair as to make it necessary or desirable to pull down the same:

(3.) A Right to pull down any Timber or other Partition that divides any Buildings, and is not conformable with the Regulations of this Act, and to build instead a Party Wall conformable thereto:

(4.) In the Case of Buildings having Rooms or Stories the Property of different Owners intermixed, a Right to pull down such of the said Rooms or Stories or any Part thereof as are not built in conformity with this Act, and to rebuild the same in conformity with this Act:

(5.) In the Case of Buildings connected by Arches or Communications over Public Ways or over Passages belonging to other Persons, a Right to pull down such of the said Buildings, Arches, or Communications, or any Part thereof, as are not built in conformity with this Act, and to rebuild the same in conformity with this Act:

(6.) A Right to raise any Party Structure permitted by this Act to be raised, or any External Wall built against such Party Structure, upon Condition of making good all Damage occasioned thereby to the adjoining Premises or to the internal Finishings and Decorations thereof, and of carrying up to the requisite Height all Flues and Chimney Stacks belonging to the Adjoining Owner on or against such Party Structure or External Wall:

(7.) A Right to pull down any Party Structure that is of insufficient Strength for any Building intended to be built, and to rebuild the same of sufficient Strength for the above Purpose, upon Condition of making good all Damage occasioned thereby to the adjoining Premises, or to the internal Finishings and Decorations thereof:

(8.) A Right to cut into any Party Structure upon Condition of making good all Damage occasioned to the adjoining Premises by such Operation:

(9.) A Right to cut away any Footing or any Chimney Breasts, Jambs, or Flues projecting from any Party Wall, in order to erect an External Wall against such Party Wall, or for any other Purpose, upon Condition of making good all Damage occasioned to the adjoining Premises by such Operation:

(10.) A Right to cut away or take down such Parts of any Wall or Building of an Adjoining Owner as may be necessary in consequence of such Wall or Building overhanging the Ground of the Building Owner, in order to erect an upright Wall against the same, on Condition of making good any Damage sustained by the Wall or Building by reason of such cutting away or taking down.

(11.) A Right to perform any other necessary Works incident to the Connexion of Party Structure with the Premises adjoining thereto:

But the above Rights shall be subject to this Qualification, that any Building which has been erected previously to the Time of this Act coming into operation shall be deemed to be conformable with the Provisions of this Act, if it is conformable with the Provisions of an Act passed in the Fourteenth Year of His late Majesty King *George* the Third, Chapter Seventy-eight, or with the Provisions of the said Act of the Eighth Year of Her present Majesty, Chapter Eighty-four.

Rights of Adjoining Owner.

LXXXIV. Whenever the Building Owner proposes to exercise any of the foregoing Rights with respect to Party Structures the Adjoining Owner may require the Building Owner to build on any such Party Structure certain Chimney Jambs, Breasts or Flues, or certain Piers or Recesses, or any other like Works for the Convenience of such Adjoining Owner; and it shall be the Duty of the Building Owner to comply with such Requisition in all Cases where the Execution of the required Works will not be injurious to the Building Owner or cause to him unnecessary Inconvenience or unnecessary Delay in the Exercise of his Right; and any Difference that arises between any Building Owner and Adjoining Owner in respect of the Execution of such Works as aforesaid shall be determined in Manner in which Differences between Building Owners and Adjoining Owners are herein-after directed to be determined.

LXXXV. The

LXXXV. The following Rules shall be observed with respect to the Exercise by Building Owners and Adjoining Owners of their respective Rights:— Rules as to Exercise of Rights by Building and Adjoining Owners.

(1.) No Building Owner shall, except with the Consent of the Adjoining Owner, or in Cases where any Party Structure is dangerous, in which Cases the Provisions hereby made as to dangerous Structures shall apply, exercise any Right hereby given in respect of any Party Structure, unless he has given at the least Three Months previous Notice to the Adjoining Owner by delivering the same to him personally, or by sending it by Post in a registered Letter addressed to such Owner at his last known Place of Abode:

(2.) The Notice so given shall be in Writing or printed, and shall state the Nature of the proposed Work, and the Time at which such Work is proposed to be commenced:

(3.) No Building Owner shall exercise any Right hereby given to him in such Manner or at such Time as to cause unnecessary Inconvenience to the Adjoining Owner:

(4.) Upon the Receipt of such Notice the Adjoining Owner may require the Building Owner to build or may himself build on any such Party Structure any Works to the Construction of which he is herein-before mentioned to be entitled:

(5.) Any Requisition so made by an Adjoining Owner shall be in Writing or printed, and shall be delivered personally to the Building Owner within One Month after the Date of the Notice being given by him, or be sent by Post in a registered Letter addressed to him at his last known Place of Residence: It shall specify the Works required by the Adjoining Owner for his Convenience, and shall, if necessary, be accompanied with explanatory Plans and Drawings:

(6.) If either Owner does not, within Fourteen Days after the Delivery to him of any Notice or Requisition, express his Consent thereto, he shall be considered as having dissented therefrom, and thereupon a Difference shall be deemed to have arisen between the Building Owner and the Adjoining Owner:

(7.) In all Cases not hereby specially provided for where a Difference arises between a Building Owner and Adjoining Owner in respect of any Matter arising under this Act, unless both Parties concur in the Appointment of One Surveyor they shall each appoint a Surveyor, and the Two Surveyors so appointed shall select a Third Surveyor, and such One Surveyor or Three Surveyors, or any Two of them, shall settle any Matter in Dispute between such Building and Adjoining Owner, with Power by his or their Award to determine the Right to do, and the Time and Manner of doing any Work, and generally any other Matter arising out of or incidental to such Difference; but any Time so appointed for doing any Work shall not commence until after the Expiration of such Period of Three Months, as is herein-before mentioned:

(8.) Any Award given by such One Surveyor, or by such Three Surveyors, or any Two of them, shall be conclusive, and shall not be questioned in any Court, with this Exception, that either of the Parties to the Difference may appeal therefrom to the County Court within Fourteen Days from the Date of the Delivery of any such Award as aforesaid, and such County Court may, subject as herein-after mentioned, rescind or modify the Award so given in such Manner as it thinks just:

(9.) If either Party to the Difference makes default in appointing a Surveyor for Ten Days after Notice has been given to him by the other Party in manner aforesaid to make such Appointment, the Party giving the Notice may make the Appointment in the Place of the Party so making default:

(10.) The Costs incurred in obtaining any such Award as aforesaid shall be paid by such Party as such One Surveyor, or Three Surveyors, or any Two of them, may determine:

(11.) If the Appellant from any such Award as aforesaid, on appearing before the County Court, declares his Unwillingness to have the Matter decided by such Court and proves to the Satisfaction of the Judge of such Court that in the event of the Matter being decided against him he will be liable to pay a Sum, exclusive of Costs, exceeding Fifty Pounds, and gives Security, to be approved by such Judge, duly to prosecute his Appeal and to abide the Event thereof, all Proceedings in the

PART III. *Party Structures.*

County Court shall thereupon be stayed; and it shall be lawful for such Appellant to bring an Action in One of Her Majesty's Superior Courts of Law at *Westminster* against the other Party to the Difference; and the Plaintiff in such Action shall deliver to the Defendants an Issue or Issues whereby the Matters in difference between them may be tried; and the Form of such Issue or Issues, in case of Dispute, or in case of the Nonappearance of the Defendant, shall be settled by the Court in which the Action is brought; and such Action shall be prosecuted and Issue or Issues tried in the same Manner and subject to the same Incidents in and subject to which Actions are prosecuted and Issues tried in other Cases within the Jurisdiction of such Court, or as near thereto as Circumstances admit:

(12.) If the Parties to any such Action agree as to the Facts, a special Case may be stated for the Opinion of any such Superior Court as aforesaid, and any Case so stated may be brought before the Court in like Manner and subject to the same Incidents in and subject to which other special Cases are brought before such Court, or as near thereto as Circumstances admit; and any Costs that may have been incurred in the County Court by the Parties to such Action as is mentioned in this Section shall be deemed to be Costs incurred in such Action and be payable accordingly.

Power for Building Owner to make Entry on Premises to effect Works.

LXXXVI. Whenever any Building Owner has become entitled, in pursuance of this Act, to execute any Work, it shall be lawful for him, his Servants, Agents, or Workmen, at all usual Times of working, to enter on any Premises, for the Purpose of executing and to execute such Work, removing any Furniture, or doing any other Thing that may be necessary, and if such Premises are closed he or they may, accompanied by a Constable or other Officer of the Peace, break open any Doors in order to such Entry; and any Owner or other Person that hinders or obstructs any Workman employed for any of the Purposes aforesaid, or wilfully damages or injures the said Work, shall incur for every such Offence a Penalty not exceeding Ten Pounds, to be recovered before a Justice of the Peace.

Penalty on Persons obstructing.

Security to be given by Building Owner, if required by Adjoining Owner.

LXXXVII. Any Adjoining Owner may, if he thinks fit, by Notice in Writing given by himself or his Agent, require the Building Owner, before commencing any Work which he may be authorized by this Act to execute, to give such Security as may be agreed upon, or in case of Difference may be settled by the Judge of the County Court, for the Payment of all such Costs and Compensation in respect of such Work as may be payable by such Building Owner.

Rules as to Expenses in respect of Party Structure.

LXXXVIII. The following Rules shall be observed as to Expenses in respect of any Party Structure; (that is to say,)

As to Expenses to be borne jointly by the Building Owner and Adjoining Owner:

(1.) If any Party Structure is defective or out of repair the Expense of making good or repairing the same shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Structure:

(2.) If any Party Structure is pulled down and rebuilt by reason of its being so far defective or out of repair as to make it necessary or desirable to pull down the same, the Expense of such pulling down and rebuilding shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Structure:

(3.) If any Timber or other Partition dividing any Building is pulled down, in exercise of the Right herein-before vested in a Building Owner, and a Party Structure built instead thereof, the Expense of building such Party Structure, and also of building any additional Party Structures that may be required by reason of such Partition having been pulled down, shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Party Structure, and to the Thickness required to the respective Buildings parted thereby:

(4.) If any Room or Stories, or any Part of Rooms or Stories, the Property of different Owners, and intermixed in any Building, are pulled down in pursuance of the Right herein-before vested in any Building Owner, and rebuilt in conformity with this

this Act, the Expense of such pulling down and rebuilding shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Rooms or Stories:

(5.) If any Arches or Communications, or any Parts thereof, are pulled down in pursuance of the Right herein-before vested in any Building Owner, and rebuilt in conformity with this Act, the Expense of such pulling down and rebuilding shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Arches or Communications:

As to Expenses to be borne by Building Owner:

(6.) If any Party Structure or External Wall built against the same is raised in pursuance of the Power herein-before vested in any Building Owner, the Expense of raising the same, and of making good all such Damage, and of carrying up to the requisite Height all such Flues and Chimnies as are herein-before required to be made good and carried up, shall be borne by the Building Owner:

(7.) If any Party Structure which is of proper Materials and sound, or not so far defective or out of repair as to make it necessary or desirable to pull down the same, is pulled down and rebuilt by the Building Owner, the Expense of pulling down and rebuilding the same, and of making good all such Damage as is herein-before required to be made good, shall be borne by the Building Owner:

(8.) If any Party Structure is cut into by the Building Owner, the Expense of cutting into the same, and of making good any Damage herein-before required to be made good, shall be borne by such Building Owner:

(9.) If any Footing, Chimney Breast, Jambs, or Floor is cut away in pursuance of the Powers herein-before vested in any Building Owner, the Expense of such cutting away, and of making good any Damage herein-before required to be made good, shall be borne by the Building Owner.

Account of Expenses of Works to be delivered to Adjoining Owner within One Month.

LXXXIX. Within One Month after the Completion of any Work which any Building Owner is by this Act authorized or required to execute, and the Expense of which is in whole or in part to be borne by an Adjoining Owner, such Building Owner shall deliver to the Adjoining Owner an Account in Writing of the Expense of the Work, specifying any Deduction to which such Adjoining Owner or other Person may be entitled in respect of old Materials, or in other respects; and every such Work as aforesaid shall be estimated and valued at fair average Rates and Prices, according to the Nature of the Work and the Locality, and the Market Price of Materials and Labour at the Time.

Adjoining Owner may appeal against Account.

XC. At any Time within One Month after the Delivery of such Account, the Adjoining Owner, if dissatisfied therewith, may declare his Dissatisfaction to the Party delivering the same, by Notice in Writing given by himself or his Agent, and specifying his Objections thereto; and upon such Notice having been given a Difference shall be deemed to have arisen between the Parties, and such Difference shall be determined in manner herein-before provided for the Determination of Differences between Building and Adjoining Owners.

Building Owner may recover, if no Appeal made.

XCI. If within such Period of One Month as aforesaid the Party receiving such Account does not declare in manner aforesaid his Dissatisfaction therewith, he shall be deemed to have accepted the same, and shall pay the same, on Demand, to the Party delivering the Account, and if he fails to do so the Amount so due may be recovered as a Debt.

Penalty on Delay of Payment by Adjoining Owner.

XCII. Where the Adjoining Owner is liable to contribute to the Expenses of building any Party Structure, until such Contribution is paid the Building Owner at whose Expense the same was built shall stand possessed of the sole Property in such Structure.

As to Expenses on Requisition of Adjoining Owner.

XCIII. Where any Building Owner has incurred any Expenses on the Requisition of an Adjoining Owner, the Adjoining Owner making such Requisition shall be liable for all such Expenses, and in default of Payment the same may be recovered from him as a Debt.

Penalty on Building Owner failing to execute required Works.

XCIV. Where any Building Owner is, by the Third Part of this Act, liable to make good any Damage he may occasion to the Property of the Adjoining Owner by any Works authorized to be executed by him, or to do any other Thing upon Condition of doing which his Right to execute such Works is hereby limited to arise, and such Building Owner fails within

PART III. *Party Structures.*

within a reasonable Time to make good such Damage or to do such Thing, he shall incur a Penalty, to be recovered before a Justice of the Peace, not exceeding Twenty Pounds for each Day during which such Failure continues.

Consent how given on behalf of Persons under Disability.

XCV. Where, in pursuance of this Act, any Consent is required to be given, any Notice to be served, or any other Thing to be done by, on, or to any Owner under Disability, such Consent may be given, such Notice may be served, and such Thing may be done by, on, or to the following Persons, on behalf of such Persons under Disability; that is to say,

By, on, or to a Husband, on behalf of his Wife:

By, on, or to a Trustee, on behalf of his Cestuique Trust:

By, on, or to a Guardian or Committee, on behalf of an Infant, Idiot, or Lunatic.

Consent how given on behalf of Persons not to be found.

XCVI. Where any Consent is required to be given or any other Thing to be done by any Owner in pursuance of this Act, if there is no Owner capable of giving such Consent or of doing such Thing, and no Person empowered by this Act to give such Consent or to do such Thing on behalf of such Owner, or if any Owner so capable, or any Person so empowered, cannot be found, the Judge of the County Court shall have Power to give such Consent or do or cause to be done such Thing on behalf of such Owner, upon such Terms and subject to such Conditions as he may think fit, having regard alike to the Nature and Purpose of the Subject Matter in respect of which such Consent is to be given, and to the fair Claims of the Parties on whose Behalf such Consent is to be given; and such Judge shall have Power to dispense with the Service of any Notice which would otherwise be required to be served.

PART IV.

MISCELLANEOUS PROVISIONS.

PART IV. *Miscellaneous Provisions.*

Payment of Expenses by Owners.

XCVII. Where it is hereby declared that Expenses are to be borne by the Owner of any Premises (including in the Term "Owner" the Adjoining and Building Owner respectively), the following Rules shall be observed with respect to the Payment of such Expenses.

(1.) The Owner immediately entitled in possession to such Premises, or the Occupier thereof, shall in the first instance pay such Expenses, with this Limitation, that no Occupier shall be liable to pay any Sum exceeding in Amount the Rent due or that will thereafter accrue due from him in respect of such Premises during the Period of his Occupancy:

(2.) If there are more Owners than One, every Owner shall be liable to contribute to such Expenses in proportion to his Interest:

(3.) If any Difference arises as to the Amount of Contribution, such Difference shall be decided by Arbitration, to be conducted in manner directed by the Companies Clauses Consolidation Act, 1845; and for that Purpose the Clauses of the said Act with respect to the Settlement of Disputes by Arbitration shall be incorporated with this Act:

(4.) If some of the Owners liable to Contribution cannot be found, the Deficiency so arising shall be divided amongst the Parties that can be found:

(5.) Any Occupier of Premises who has paid any Expenses under this Act may deduct the Amount so paid from any Rent payable by him to any Owner of the same Premises; and any Owner of Premises who has paid more than his due Proportion of any Expenses may deduct the Amount so overpaid from any Rent that may be payable by him to any other Owner of the same Premises:

(6.) If Default is made by any Owner or Occupier in Payment of any Expenses hereby made payable by him in the first instance, or if Default is made by any Owner in Payment of any other Expenses or Monies due from him by way of Contribution or otherwise in pursuance of this Act, then in addition to any other Remedies hereby provided such Expenses and Monies, if arising in respect of any Matter within the Provisions of the Third Part of this Act, may be recovered as a Debt in due Course of Law, but if arising in respect of any other Matter under this Act may be recovered in a summary Manner.

XCVIII. The

Rules as to Service of Notices, Summonses, and Orders.

XCVIII. The following Rules shall be observed with respect to the giving or Service of any Notice, Summons, or Order directed to be given or served under this Act in Cases not herein-before provided for:

(1.) A Notice, Summons, or Order may in all Cases be served personally:

(2.) A Notice, Summons, or Order may be served on any Builder by leaving the same or sending it in a registered Letter addressed to him at his Place of Address as stated by him to the District Surveyor, or by putting up such Notice, Summons, or Order on a conspicuous Part of the Building or Premises to which the same relates:

(3.) A Notice, Summons, or Order may be served on the Owner or Occupier of any Premises by leaving the same with the Occupier of such Premises, or with some Inmate of his Abode, or if there is no Occupier by putting up such Notice, Summons, or Order on a conspicuous Part of the Building or Premises to which the same relates; and it shall not be necessary to name the Owner or Occupier of such Premises; nevertheless, when the Owner of any such Premises and his Residence, or that of his Agent, are known to the Party by whom or on whose Behalf any Notice, Summons, or Order is intended to be served, it shall be the Duty of such Party to send every such Notice, Summons, or Order by the Post in a registered Letter addressed to the Residence or last known Residence of such Owner or of his Agent:

(4.) A Notice, Summons, or Order may be served on any District Surveyor by leaving the same at his Office.

As to Things authorized to be done by a County Court. 11 & 12 Vict. c. lxxi.

XCIX. Whenever any Thing is hereby authorized to be done by a County Court it may be done as follows; that is to say, if such Thing arises in respect of any Structure or other Subject Matter situate within the City of *London* or the Liberties thereof, by the Sheriffs Court established by a Local Act passed in the Eleventh Year of the Reign of Her Majesty, Chapter Seventy-one, intituled *An Act for the more easy Recovery of Small Debts and Demands within the City of London or the Liberties thereof*, and if such Thing arises in respect of any Structure or other Subject Matter situate elsewhere, by the County Court having Jurisdiction within the District in which such Structure or other Subject Matter is situate.

Manner of determining Differences.

C. In Cases where Jurisdiction is hereby given to a County Court, such Court may from Time to Time make such Order in respect of Matters so brought before it as it may think fit, with Power to settle the Time and Manner of executing any Work, or of doing any other Thing, and to put the Parties to the Case upon such Terms as respects the Execution of the Work as it thinks fit: It shall also have Power to award or refuse Costs according to Circumstances, and to settle the Amount thereof.

Form of Proceedings in County Court.

CI. Proceedings in any County Court in respect of any Matter arising under this Act shall be conducted in the same Manner as Proceedings are conducted in any Case within the ordinary Jurisdiction of such Court, or as near thereto as Circumstances permit; and Orders made by the Judge of any such Court may be enforced by Execution, Committal, or otherwise, in a similar Manner to that in which the Orders of such Court are ordinarily enforced.

Appeal from Decision of County Court.

CII. If either Party in any Case over which Jurisdiction is hereby given to a County Court feels aggrieved with the Decision of such Court in respect of any Point of Law, or the Admission or Rejection of any Evidence, he may appeal therefrom in the same Manner and upon the same Terms in and upon which he might have appealed from the Decision of such Court in any Case within the ordinary Jurisdiction of such Court, or as near thereto as Circumstances permit; but no such Appeal shall be allowed unless the Value of the Matter in difference between the Parties exceeds Fifty Pounds; and the Opinion of the Judge before whom the Case is tried as to such Value shall be conclusive.

Recovery of Penalties.

CIII. All Penalties under this Act, and all Fees, Monies, Costs, or Expenses by this Act directed to be recovered in a summary Manner, may be recovered in manner directed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices*

PART IV. *Miscellaneous Provisions.*

Justices of the Peace out of Sessions within England *and* Wales *with respect to summary Convictions and Orders;* and whenever any Thing is hereby authorized or required to be done by or before a Justice of the Peace it may be done as follows; that is to say, if such Thing arises in respect of any Building or Wall situate within the City of *London*, by or before One or more Justice or Justices of the Peace for the said City or by any Metropolitan Police Magistrate, and if such Thing arises in respect of any Building or Wall situate elsewhere within the Limits of this Act, by or before any Metropolitan Police Magistrate.

Application of Penalties.

CIV. Any Justice of the Peace in any Case over which Jurisdiction is hereby given to him may make such Order as to the Costs of any Proceedings of which he has Cognizance as he thinks just; he may also direct the whole or any Part of any Penalty imposed by him under this Act to be applied in or towards Payment of the Costs of the Proceedings; and, subject to such Direction, all Penalties shall be paid into the Hands of the Treasurer of the said Metropolitan Board, to be applied in such Manner as the said Board thinks fit.

Provisions as to Limitation of Time when due Notice has not been given.

CV. In Cases where any Building has been erected or Work done without due Notice being given to the District Surveyor, the District Surveyor may, at any Time within One Month after he has discovered that such Building has been erected or Work done, enter the Premises for the Purpose of seeing that the Regulations of this Act have been complied with, and the Time during which the District Surveyor may take any Proceeding, or do anything authorized or required by this Act to be done by him, in respect of such Building or Work, shall begin to run from the Date of his discovering that such Building has been erected or Work done.

Power to appeal to Superior Courts.

CVI. In every Case, except in respect of Fees of a District Surveyor, in which Jurisdiction is herein-before given to a Justice of the Peace, if either Party to any such Case is dissatisfied with the Determination of the Justice so convicting, in respect of any Point of Law, or of the Admission or Rejection of any Evidence, such Party may, upon giving Notice within Seven Days to the other Party of his Intention to appeal, appeal therefrom to any of the Superior Courts of Common Law at *Westminster;* subject to this Restriction, that no such Appeal shall be made by any District Surveyor except with the Consent of the Justice before whom the Case is tried, and that no such Appeal shall be made by any other Party to the Case except upon giving such Security for Costs, and, if the Case requires it, in addition thereto, such Undertaking in respect of desisting in the meantime from any Works complained of, or in respect of any other Matter or Thing arising in the Case, as the Justice thinks fit.

Form of Appeal.

CVII. Any Appeal so made shall be in the Form of a Special Case, to be agreed on by both Parties, or, if the Parties cannot agree, to be settled by the Justice from whose Decision the Appeal is made; and such Case shall be transmitted by the Appellant to the Rule Department of the Master's Office in the Court in which the Appeal is to be brought, and be heard in manner provided by the Practice of such Court.

Notice of Action.

CVIII. No Writ or Process shall be sued out against any District Surveyor or other Person for anything done or intended to be done under the Provisions of this Act until the Expiration of One Month next after Notice in Writing has been delivered to him, or left at his Office or usual Place of Abode, stating the Cause of Action, and the Name and Place of Abode of the intended Plaintiff, and of his Attorney or Agent in the Cause; and upon the Trial of any such Action the Plaintiff shall not be permitted to go into Evidence of any Cause of Action which is not stated in such last-mentioned Notice; and unless such Notice is proved the Jury shall find for the Defendant; and every such Action shall be brought or commenced within Six Months next after the Accrual of the Cause of Action, and not afterwards, and shall be laid and tried in the County or Place where the Cause of Action occurred, and not elsewhere; and the Defendant shall be at liberty to plead the General Issue, and give this Act and all Special Matter in Evidence thereunder.

PART V.

REPEAL OF FORMER ACTS AND TEMPORARY PROVISIONS.

PART V. *Repeal of former Acts, and Temporary Provisions.*

REPEAL.

Repeal of 8 & 9 Vict. c. 84., except ss. 54. to 63., and 9 & 10 Vict. c. 5.

CIX. From and after the Commencement of this Act, the following Acts, that is to say, an Act passed in the Eighth Year of the Reign of Her present Majesty, Chapter Eighty-four, and intituled *An Act for regulating the Construction and the Use of Buildings in the Metropolis and its Neighbourhood*, with the Exception of the Sections relating to dangerous and noxious Businesses, and numbered respectively Fifty-four, Fifty-five, Fifty-six, Fifty-seven, Fifty-eight, Fifty-nine, Sixty, Sixty-one, Sixty-two, and Sixty-three, and an Act passed in the Ninth Year of the Reign of Her present Majesty, Chapter Five, and intituled *An Act to amend an Act for regulating the Construction and Use of Buildings in the Metropolis and its Neighbourhood*, are throughout the Limits of this Act and elsewhere hereby repealed, subject to the following Provisions; that is to say,

1. That such Repeal shall not affect any Proceedings authorized to be taken by the said Acts or either of them in respect of any Act, Omission, Penalty, Matter, or Thing, and pending before the Official Referees or any other Tribunal at the Time of the Commencement of this Act:
2. That in Cases where any Act, Omission, or Thing has occurred previously to the Time of the Commencement of this Act, in respect of which, if this Act had not passed, Proceedings might have been taken under the said Acts or either of them, then Proceedings in respect of such Act, Omission, or Thing may be had under this Act in manner following; that is to say, if the Matter in question is anything relating to the Rights of Building and Adjoining Owners in respect of Party Structures, Proceedings may be had in the County Court, but if the Matter in question relates to the Recovery of any Penalty or to any other Thing, Proceedings may be had before any Justice of the Peace:
3. That so much of the Act of the Fourteenth Year of King *George* the Third, Chapter Seventy-eight, as was excepted from the Operation of the said Act of the Eighth Year of Her present Majesty, Chapter Eighty-four, (that is to say,) the Sections numbered respectively Seventy-four, Seventy-five, Seventy-six, Seventy-seven, Seventy-eight, Eighty, Eighty-one, Eighty-two, Eighty-three, Eighty-four, Eighty-five, and Eighty-six, shall continue in full Force.

As to Contracts made previously to passing of Act.

CX. Any Contract made previously to the passing of this Act for the Erection of a new Building shall be carried into effect in the same Manner as if this Act had been passed at the Time of the making thereof, and the necessary Deviations from the Terms of such Contract may be made accordingly; and if any Dispute arises in respect of any Loss sustained by any Party to such Contract by reason of such necessary Deviation, such Dispute shall be determined by the County Court; and whenever any Costs or Expenses have been paid by any Owner in pursuance of this Act, then as to any Structure held under any Lease or Agreement made previously to the Commencement of this Act it shall be lawful for such Owner to recover the same from the Persons hitherto liable by Law, or by such existing Lease or Contract, to maintain or repair the Structure in respect of which such Costs and Expenses have been incurred.

Certain Liabilities not to be affected.

CXI. Nothing herein contained shall vary or affect the Rights or Liabilities as between Landlord and Tenant under any Contract between them.

As to Iron Buildings constructed before this Act comes into operation.

CXII. In Cases where any Iron Building has been constructed or is in the Progress of Construction previously to the Time at which this Act comes into Operation, and Doubts are entertained whether such Building is permitted by Law, any Person interested in such Building may make an Application to the Commissioners of Works and Buildings, to signify their Approval of such Building; and the Commissioners of Works and Buildings, upon being satisfied of the Stability of such Building, may approve of the same, and upon such Approval being given such Building shall be deemed to have been constructed in manner permitted by Law, and this Section shall come into operation immediately after the passing of this Act.

CXIII. The

Compensation to Official Referees and Registrar.

CXIII. The Official Referees and Registrar of Metropolitan Buildings may, within Six Months from the Time at which this Act comes into operation, apply to the Commissioners of Her Majesty's Treasury for Compensation in respect of the Loss they have sustained by reason of the Abolition of their Offices; and the Commissioners shall take any such Application into consideration, and award such Compensation, either by way of a gross Sum or annual Payment, as they think just, having regard to the Nature of the Office, the Time during which the Applicant has held the same, and generally to the special Circumstances of each Case; and any Compensation so given shall be paid out of Monies to be provided by Parliament; and such Compensation, when made by annual Payment, shall be subject to this Proviso, that if any such Official Referee or Registrar is at any Time thereafter appointed to any Public Office in respect of which he receives a Salary, the Payment of the Compensation awarded to him under this Act shall be suspended so long as he receives such Salary, if the Amount thereof is greater than such Compensation, or if not shall be diminished by the Amount of such Salary.

Compensation to Clerks in Office of Metropolitan Buildings.

CXIV. Any Person, except the said Official Referees and Registrar, who at the Time when this Act comes into operation is employed in the Office of Metropolitan Buildings may within Six Months from such Time apply to the Metropolitan Board of Works for Employment, and such Board shall thereupon take such Application into consideration, and they shall either employ the Applicant at a Salary not less in Amount than that which he enjoyed when in the said Office of Metropolitan Buildings, or at a less Salary awarding to him Compensation in respect of such Diminution of Salary, or they shall award to him such Compensation, if any, as they, or in the event of the Applicant feeling aggrieved with their Decision, as the Commissioners of the Treasury, think just, having regard to the Nature of the Office, the Time during which it has been held by the Applicant, and generally to the special Circumstances of the Case; and any Expenses incurred by the said Board in carrying into effect this Section shall be deemed to be Expenses incurred in the Execution of the said Act for the better Local Management of the Metropolis, and be raised accordingly; nevertheless, if any such Clerk or Servant as aforesaid at any Time thereafter is appointed to any Public Office, or to any Office under the said Metropolitan Board, in respect of which he receives a Salary, the Payment of the Compensation awarded to him under this Act shall be suspended so long as he receives such Salary, if the Amount thereof is greater than the Amount of such Compensation, or if not shall be diminished by the Amount of such Salary; but, notwithstanding anything herein contained, the Metropolitan Board may, in the event of their employing any Person mentioned in this Section, dismiss him, with the Consent of the Treasury.

FIRST SCHEDULE.

PRELIMINARY.

Structure of Buildings.

1. Every Building shall be enclosed with Walls constructed of Brick, Stone, or other hard and incombustible Substances, and the Foundations shall rest on the solid Ground, or upon Concrete or upon other solid Substructure.

Construction of Walls of Brick, Stone, &c.

2. Every Wall constructed of Brick, Stone, or other similar Substances shall be properly bonded and solidly put together with Mortar or Cement, and no Part of such Wall shall overhang any Part underneath it, and all Return Walls shall be properly bonded together.

Extra Thickness of certain Stone Walls.

3. The Thickness of every Stone Wall in which the Beds of the Masonry are not laid horizontally shall be One Third greater than the Thickness prescribed for Stone Walls in the Rules herein-after contained.

Thickness of Walls

4. The Thickness of every Wall as herein-after determined shall be the minimum Thickness.

Height of Story.

5. The Height of every topmost Story shall be measured from the Level of its Floor up to the under Side of the Tie of the Roof, or up to Half the vertical Height of the Rafters, when the Roof has no Tie; and the Height of every other Story shall be the clear Height of such Story exclusive of the Thickness of the Floor.

Height of External and Party Walls.

6. The Height of every External and Party Wall shall be measured from the Base of the Wall to the Level of the Top of the topmost Story.

7. Walls

Length of Walls.

7. Walls are deemed to be divided into distinct Lengths by Return Walls, and the Length of every Wall is measured from the Centre of one Return Wall to the Centre of another; provided that such Return Walls are External, Party, or Cross Walls of the Thickness herein-after required, and bonded into the Walls so deemed to be divided.

Footings of Walls.

8. The Projection of the Bottom of the Footing of every Wall, on each Side of the Wall, shall be at least equal to One Half of the Thickness of the Wall at its Base; and the Diminution of the Footing of every Wall shall be formed in regular Offsets, and the Height from the Bottom of such Footing to the Base of the Wall shall be at the least equal to One Half of the Thickness of the Wall at its Base.

PART I.

RULES FOR THE WALLS OF DWELLING HOUSES.

Thickness of Walls of Dwelling Houses.

1. The External and Party Walls of Dwelling Houses shall be made throughout the different Stories of the Thickness shown in the following Table, arranged according to the Heights and Lengths of the Walls, and calculated for Walls up to One hundred Feet in Height, and supposed to be built of Bricks not less than Eight and a Half Inches and not more than Nine and a Half Inches in Length, the Heights of the Stories being subject to the Condition herein-after given.

2. TABLE.

I.	II.	III.	IV.
Height up to 100 Feet.	Length up to 45 Feet. Two Stories, 21½ Inches. Three Stories, 17½ Inches. Remainder, 13 Inches.	Length up to 80 Feet. Two Stories, 26 Inches. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 30 Inches. Two Stories, 26 Inches. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.
Height up to 90 Feet.	Length up to 45 Feet. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length up to 70 Feet. One Story, 26 Inches. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 30 Inches. Two Stories, 26 Inches. One Story, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.
Height up to 80 Feet.	Length up to 40 Feet. One Story, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length up to 60 Feet. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 26 Inches. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.
Height up to 70 Feet.	Length up to 40 Feet. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length up to 55 Feet. One Story, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 26 Inches. Two Stories, 21½ Inches. One Story, 17½ Inches. Remainder, 13 Inches.
Height up to 60 Feet.	Length up to 30 Feet. One Story, 17½ Inches. Remainder, 13 Inches.	Length up to 50 Feet. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.
Height up to 50 Feet.	Length up to 30 Feet. Wall below the Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	Length up to 45 Feet. One Story, 17½ Inches. Rest of Wall below Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	Length unlimited. One Story, 21½ Inches. One Story, 17½ Inches. Remainder, 13 Inches.
Height up to 40 Feet.	Length up to 35 Feet. Wall below Two Topmost Stories, 13 Inches. Two Topmost Stories, 8½ Inches. Remainder, 8½ Inches.	Length unlimited. One Story, 17½ Inches. Rest of Wall below Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	
Height up to 30 Feet.	Length up to 35 Feet. Wall below Two Topmost Stories, 13 Inches. Two Topmost Stories, 8½ Inches. Remainder, 8½ Inches.	Length unlimited. Wall below Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	
Height up to 25 Feet.	Length up to 30 Feet. From Base to Top of Wall, 8½ Inches.	Length unlimited. Wall below Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	

Explanation of Tables.

3. In using the above Table the Height of the Wall is to be reckoned on the First vertical Column on the Left Hand of the Table, and the Length of the Wall on the corresponding horizontal Column. The Thickness of the Wall in each Story is given in Inches, and begins with the Wall from the Base upwards.

Qualification in case of certain Walls.

4. If any External or Party Wall, measured from Centre to Centre, is not more than Twenty-five Feet distant from any other External or Party Wall to which it is tied by the Beams of any Floor or Floors, other than the Ground Floor, or the Floor of any Story formed in the Roof, the Length of such Wall is not to be taken into consideration, and the Thickness of the Wall will be found in the Second vertical Column in the above Table.

Condition in respect of Stories exceeding a certain Height.

5. If any Story exceeds in Height Sixteen Times the Thickness prescribed for the Walls of such Story in the above Table, the Thickness of each External and Party Wall throughout such Story shall be increased to One Sixteenth Part of the Height of the Story; but any such additional Thickness may be confined to Piers properly distributed, of which the collective Widths amount to One Fourth Part of the Length of the Wall.

Restriction in case of certain Stories.

6. No Story enclosed with Walls less than Thirteen Inches in Thickness shall be more than Ten Feet in Height.

Thickness of Walls built of Materials other than such Bricks as aforesaid.

7. The Thickness of any Wall of a Dwelling House, if built of Materials other than such Bricks as aforesaid, shall be deemed to be sufficient if made of the Thickness required by the above Tables, or of such less Thickness as may be approved by the Metropolitan Board, with this Exception, that in the Case of Walls built of Stone in which the Beds of the Masonry are not laid horizontally no Diminution shall be allowed in the Thickness required by the foregoing Rules for such last-mentioned Walls.

Rule as to Buildings not being Public Buildings or Buildings of the Warehouse Class.

8. All Buildings, excepting Public Buildings, and such Buildings as are herein-after defined to be Buildings of the Warehouse Class, shall, as respects the Thickness of their Walls, be subject to the Rules given for Dwelling Houses.

PART II.

RULES FOR THE WALLS OF BUILDINGS OF THE WAREHOUSE CLASS.

Definition of Warehouse Class.

1. The Warehouse Class shall comprise all Warehouses, Manufactories, Breweries, and Distilleries.

Thickness at Base.

2. The External and Party Walls of Buildings of the Warehouse Class shall at the Base be made of the Thickness shown in the following Table, calculated for Walls up to One hundred Feet in Height, and supposed to be built of Bricks not less than Eight and a Half Inches and not more than Nine and a Half Inches in Length.

3. TABLE.

I.	II.	III.	IV.
Height up to 100 Feet.	Length up to 55 Feet. — Base, 26 Inches.	Length up to 70 Feet. — Base, 30 Inches.	Length unlimited. — Base, 34 Inches.
Height up to 90 Feet.	Length up to 60 Feet. — Base, 26 Inches.	Length up to 70 Feet. — Base, 30 Inches.	Length unlimited. — Base, 34 Inches.
Height up to 80 Feet.	Length up to 45 Feet. — Base, 21½ Inches.	Length up to 60 Feet. — Base, 26 Inches.	Length unlimited. — Base, 30 Inches.
Height up to 70 Feet.	Length up to 30 Feet. — Base, 17½ Inches.	Length up to 45 Feet. — Base, 21½ Inches.	Length unlimited. — Base, 26 Inches.
Height up to 60 Feet.	Length up to 35 Feet. — Base, 17½ Inches.	Length up to 50 Feet. — Base, 21½ Inches.	Length unlimited. — Base, 26 Inches.
Height up to 50 Feet.	Length up to 40 Feet. — Base, 17½ Inches.	Length up to 70 Feet. — Base, 21½ Inches.	Length unlimited. — Base, 26 Inches.
Height up to 40 Feet.	Length up to 30 Feet. — Base, 13 Inches.	Length up to 60 Feet. — Base, 17½ Inches.	Length unlimited. — Base, 21½ Inches.
Height up to 30 Feet.	Length up to 45 Feet. — Base, 13 Inches.	Length unlimited. — Base, 17½ Inches.	
Height up to 25 Feet.	Length unlimited. — Base, 13 Inches.		

4. The

4. The above Table is to be used in the same Manner as the Table previously given for the Walls of Dwelling Houses, and is subject to the same Qualifications and Conditions respecting Walls not more than Twenty-five Feet distant from each other. Explanation of Table.

5. The Thickness of the Walls of Buildings of the Warehouse Class at the Top, and for Sixteen Feet below the Top, shall be Thirteen Inches; and the intermediate Parts of the Wall between the Base and such Sixteen Feet below the Top shall be built solid throughout the Space between straight Lines drawn on each Side of the Wall, and joining the Thickness at the Base to the Thickness at Sixteen Feet below the Top, as above determined; nevertheless in Walls not exceeding Thirty Feet in Height the Walls of the Topmost Story may be Eight Inches and a Half Thick. Thickness at Top of Walls and through Intermediate Space.

6. If in any Story of a Building of the Warehouse Class the Thickness of the Wall, as determined by the Rules herein-before given, is less than One Fourteenth Part of the Height of such Story, the Thickness of the Wall shall be increased to One Fourteenth Part of the Height of the Story; but any such additional Thickness may be confined to Piers properly distributed, of which the collective Widths amount to One Fourth Part of the Length of the Wall. Condition in respect of Stories exceeding a certain Height.

7. The Thickness of any Wall of a Building of the Warehouse Class, if built of Materials other than such Bricks as aforesaid, shall be deemed to be sufficient if made of the Thickness required by the above Tables, or of such less Thickness as may be approved by the Metropolitan Board, with this Exception, that in the Case of Walls built of Stone in which the Beds of the Masonry are not laid horizontally no Diminution shall be allowed in the Thickness required by the foregoing Rules for such last-mentioned Walls. Thickness of Walls built of Materials other than such Bricks as aforesaid.

MISCELLANEOUS.

1. The Thickness of a Cross Wall shall be Two Thirds of the Thickness herein-before required for an External or Party Wall of the same Dimensions, and belonging to the same Class of Buildings, but never less than Eight and a Half Inches, and no Wall subdividing any Building shall be deemed to be a Cross Wall unless it is carried up to Two Thirds of the Height of the External or Party Walls, and unless the Recesses and Openings therein do not exceed One Half of the vertical Surface of the Wall in each Story. Cross Walls.

2. The Thickness of every Stone Wall in which the Beds of the Masonry are not laid horizontally shall be One Third greater than the Thickness prescribed in the Rules aforesaid. Extra Thickness of certain Stone Walls.

3. Buildings to which the preceding Rules are inapplicable require the special Sanction of the Metropolitan Board of Works.

SECOND SCHEDULE.

FEES PAYABLE TO DISTRICT SURVEYORS.

PART I.

Fees for New Buildings.

	s.	d.
For every Building not exceeding Four hundred Square Feet in Area, and not more than Two Stories in Height - - - - - -	30	0
For every additional Story - - - - - - -	5	0
For every additional Square of 100 Feet or Fraction of such Square - -	2	6
But no Fee shall exceed Ten Pounds.		
And for every Building not exceeding Four hundred Square Feet in Area, and of One Story only in Height, the Fees shall be - - - - -	15	0

Fees for Additions or Alterations.

	s.	d.
For every Addition or Alteration made to any Building after the Roof thereof has been covered in, the Fee shall be Half of the Fee charged in the Case of a new Building.		
For inspecting the Arches or Stone Floors over or under public Ways - -	10	0
For inspecting the Formation of Openings in Party Walls - - -	10	0

PART II.

For inspecting dangerous Structures, by Direction of the Commissioners of Police or Sewers - - - - - - - - -	20	0

N.B.—In this Schedule "Area" shall include the Area of any attached Building.

CAP. CXXIII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland;* to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers. [14th *August* 1855.]

'WHEREAS it is necessary that Provision should be made for defraying the Charge 'of the Pay, Clothing, and contingent and other Expenses of the Regular Militia, 'and of the Miners of *Cornwall* and *Devon*, when disembodied, in *Great Britain* and '*Ireland*, and for making in certain Cases Allowances of Retired Pay to Subaltern Officers 'and Surgeons Mates and Assistant Surgeons of the Regular Militia, and of the Miners of '*Devon* and *Cornwall*, and Allowances to Adjutants, Paymasters, Surgeons, Quartermasters, 'and Serjeant Majors of the Regular Militia who have been allowed to retire, and to 'Adjutants, Surgeons, and Quartermasters disabled after long Service:' 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-at-War to issue the Money for Pay of Regular Militia.

I. The Secretary-at-War for the Time being shall cause to be issued and paid the whole Sum required for the Regular Militia of *Great Britain* and *Ireland* (when disembodied), in the Manner and for the several Uses herein-after mentioned; (that is to say,) for the Pay of the said Regular Militia at the daily Rates following; (that is to say,)

Rates of Pay.

For each Adjutant of Infantry, Eight Shillings, and of Artillery, Nine Shillings:

For each Serjeant Major of Infantry, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Tenpence, and of Artillery, Three Shillings:

For each Quartermaster Serjeant and Paymaster Serjeant (in Corps whose Establishment exceeds Four Companies) of Infantry, One Shilling and Eightpence, and of Artillery, Two Shillings and Sixpence; and to the Serjeant performing the Duty of both Quartermaster Serjeant and Paymaster Serjeant (in Corps consisting of Four Companies or less) of Infantry, One Shilling and Eightpence, and of Artillery, Two Shillings and Sixpence:

For each Serjeant of Infantry, One Shilling and Sixpence, and of Artillery, Two Shillings and Twopence:

For each Drummer, Trumpeter, or Bugler above Sixteen Years of Age, One Shilling, and under Sixteen Years of Age, Tenpence:

Rates of Pay when absent on Furlough.

Provided always, that when any Serjeant Major or Serjeant shall be absent on Furlough or Licence he shall during such Absence receive Sixpence *per Diem* less than the above-mentioned Rates respectively:

And