the said recited Acts, shall (subject to the before-mentioned Advances in aid of the Costs and Expences attending the making, forming, and completing the said Street to *Clerkenwell Green*, the Street between *Southwark* and *Westminster Bridge*, and the Communication between the Houses of Parliament and *Buckingham Palace*, in case the Lord High Treasurer, or the Commissioners of Her Majesty's Treasury, or any Three or more of them, shall, in the Exercise of their Discretion, think fit and proper to consent to such Advances being made by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings,) be also applied by the said Commissioners, in the first place, in the Repayment of such Sum or Sums of Money as may be borrowed on the Credit of the Land Revenues of the Crown, and the Interest thereof as aforesaid, or of so much thereof as shall remain due; and, subject as aforesaid, all and singular the Monies which by any Means whatsoever shall come to the Hands of the said Commissioners by virtue of the said recited Acts or of this Act shall be applied, as directed by the said several herein-before recited Acts, in such and the like Manner as if this Act had not been passed: Provided always, that nothing in this Act contained shall authorize the levying or raising by the Means aforesaid any Sum or Sums of Money for any other Purpose than for the Purpose of executing the aforesaid Improvements, and other the Purposes aforesaid.

Mortgages exempted from Stamp Duty.

VII. And be it enacted, That no such Mortgage or Security which may be made or executed as aforesaid shall be subject or liable to any *ad valorem* or other Stamp Duty whatsoever imposed by any Act or Acts of Parliament now in force, or to be imposed by any future Act or Acts of Parliament, unless the same be specially subjected to and specifically charged therewith in and by such future Act and Acts.

Public Act.

VIII. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

CAP. XLI.

An Act to provide for the Payment of Debts, Charges, and Incumbrances affecting Houses of Industry and Workhouses, and of Advances made, conformably with previous Usage, for the lawful Purposes of such Houses of Industry and Workhouses, in certain Cases, in *Ireland*. [21st *June* 1841.]

'WHEREAS by an Act passed in the Parliament of *Ireland* in the Eleventh and Twelfth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for badging such Poor as shall be found unable to support themselves by Labour, and otherwise providing for them, and for restraining such as shall be found able to support themselves by Labour or* 11 & 12 G. 3. c. 30. (I.)

'*Industry from begging*, Provision was made for the Establishment 'of Houses of Industry for the several Counties, Counties of 'Cities and Counties of Towns, in *Ireland*, and for the Main- 'tenance and Support thereof, by means of Presentments to be 'made by the respective Grand Juries of such Counties, Coun- 'ties of Cities and Counties of Towns: And whereas by another
27 G. 3. c. 44. (I.) 'Act passed in the said Parliament of *Ireland* in the Twenty- 'seventh Year of the Reign of His said Majesty King *George* 'the Third, to explain and amend the said first-recited Act, 'it was enacted, that whenever any County should not have 'provided a House of Industry in such County it should be 'lawful for the Grand Jury of such County to make Present- 'ments for the Purposes of the House of Industry in the next 'adjoining County of a City or County of a Town, as if such 'House of Industry was situate in the said County at large, 'and that during such Time as the said Presentments should be 'made and paid such House of Industry should be considered 'to all Intents and Purposes the House of Industry for the 'Use of the said County as well as of the said County of a City 'or County of a Town: And whereas divers Houses of Industry 'were accordingly established, and Presentments made by the 'Grand Juries of certain Counties at large for the Purposes 'of Houses of Industry situate in certain adjoining Counties of 'Cities and Towns: And whereas by an Act passed in the First 'and Second Years of the Reign of Her present Majesty, inti-
1 & 2 Vict. c. 56. § 34. 'tuled *An Act for the more effectual Relief of the Destitute Poor* '*in* Ireland, it was enacted, that, when any Union should have 'been declared, every House of Industry, Workhouse, and 'Foundling Hospital which had been either wholly or in part 'supported by Parliamentary Tax, Grant, Grand Jury Aid, or 'by any compulsory Rate or Contribution, situate within the 'Limits of such Union, and all Lands, Tenements, and Here- 'ditaments, and Real Property, and Chattels Real, and the 'Produce of any Tax of and belonging thereto, should vest 'in the Poor Law Commissioners for the Time, being subject 'to the Debts, Charges, and Incumbrances affecting the same 'respectively, and to the Repayment of any Advances which, 'conformably with previous Usage, had been made for the 'lawful Purposes of any such House of Industry, Workhouse, 'or Foundling Hospital; and it was thereby further enacted, 'that it should be lawful for the said Poor Law Commissioners 'for the Time being, when they should so think fit, to sell any 'Lands, Tenements, or Hereditaments which might become 'vested in them by or under the Authority of the said Act now 'in recital, and that the Purchase Money should be applied 'in the Purchase of other Premises, to be held on the like 'Trusts as those sold, or in such Manner as the said Commis- 'sioners should think advisable for the Benefit of the Union 'or Institution for the Benefit or Purposes of which the said 'Hereditaments had been holden: And whereas under the 'Provisions of the said last-recited Act, and the Acts amending 'the same, Unions for the Relief of the Poor have been or may

'be

'be declared, consisting of Portions of Counties of Cities and 'Counties of Towns, together with Portions of adjoining 'Counties at large, and other Unions have been or may be 'declared, consisting of Portions of Counties at large: And 'whereas it is expedient that Provision should be made for 'the immediate Payment of all Debts and Charges affecting 'such Houses of Industry, and of such Advances as shall have 'been made for the lawful Purposes thereof, conformably with 'previous Usage:' Be 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, That it shall be lawful for the Poor Law Commissioners, or such Assistant Commissioner as they shall appoint for that Purpose, to inquire into and ascertain all Debts, Charges, and Incumbrances affecting any House of Industry or Workhouse, which was heretofore established or supported by virtue of the said Two first-recited Acts or any of them, and which has been or shall be declared or appropriated as or for a Workhouse, under the said Act of the First and Second Years of the Reign of Her present Majesty, and also all Advances which shall have been made for the lawful Purposes of such House of Industry or Workhouse up to the Time of such Declaration or Appropriation; and the said Commissioners, or such Assistant Commissioner, shall, by a Certificate in Writing, certify the Nature and Amount of such Debts, Charges, Incumbrances, and Advances, and the several Items composing the same, when and where the same were created or made, and to whom the same may be due, and shall also thereby, according to the Nature of the Case, apportion and specify the Proportions in which the Amount so certified shall be defrayed by all the several Unions or Parts of Unions comprised within the County or County of a City or County of a Town respectively wherein such House of Industry or Workhouse may be situate, or, where any House of Industry has been used for the Purposes of any County at large as well as of any County of a City or County of a Town, then by all the several Unions or Parts of Unions comprised as well within such County as within such County of a City or County of a Town; and in making such Apportionment they shall have regard to the Proportions in which such County and County of a City or County of a Town comprising such Unions or Parts of Unions respectively shall have been theretofore respectively contributory to the Purposes of such House of Industry, whether by Parliamentary Tax, Grant, Grand Jury Aid, or by any compulsory Rate or Contribution; and the said Poor Law Commissioners, or such Assistant Commissioner, shall, within One Week after the Receipt of such Certificate, transmit or cause to be transmitted a Duplicate thereof to the Clerk of the Guardians of the Poor of every Union by which or any Part of which it is proposed by such Certificate that the Amount therein specified, or any Proportion thereof, shall be defrayed; and such Clerk

Poor Law Commissioners, or Assistant Commissioner appointed by them, to inquire into and certify the Amount of Debts, &c. affecting any House of Industry, &c., and to specify the Proportion in which they shall be paid by the several Unions.

Certificate to be transmitted to the Clerk of the Guardians of the Poor.

Clerk shall endorse on such Certificate the Date of the Receipt thereof, and shall publish and notify the Receipt thereof in such Manner as the Guardians shall direct, and shall permit any Rate-payer of such Union at all reasonable Times to inspect the same, and to make any Extract or Copy therefrom without Fee or Reward.

Twenty Rate-payers of any Union may appeal to the Assistant Barrister against such Certificate.

II. And be it enacted, That it shall be lawful for any Twenty or more Rate-payers of each or any such Union, within Twenty Days after the Duplicate of such Certificate shall be so received by the Clerk of such Union as aforesaid, to appeal against such Certificate on the Ground of any Matter contained therein or being omitted therefrom, to the Assistant Barrister having Civil Bill Jurisdiction within the County, County of a City, or County of a Town within which such House of Industry or Workhouse shall be situate, by depositing with the said Clerk of the Guardians, within such Period of Twenty Days, a Notice of Appeal, in the Form specified in the Schedule to this Act annexed, or to the like Effect, specifying the Grounds of such Appeal; and the said Clerk of the Guardians shall transmit every such Notice of Appeal to such Assistant Barrister, and he shall have Power and Authority to hear and determine such Appeal, and to quash, confirm, or alter or amend such Certificate, and such Assistant Barrister shall in and about such Appeal exercise all such and the like Powers, Authorities, and Jurisdiction as may be exercised in relation to the Accounts of Treasurers by the Officer who shall be from Time to Time by Warrant authorized by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to audit and declare the Accounts of the several Treasurers of Counties, and Counties of Cities and Towns, under and by virtue of the Provisions of an Act passed in the Session of Parliament holden in the First Year of the Reign of Her present Majesty, intituled *An Act to provide more effectual Means to make Treasurers of Counties and Counties of Cities in* Ireland *account for public Monies, and to secure the same*, or of any Act or Acts amending the same; and such Assistant Barrister shall have Power to order the Costs of such Appeal, or such Costs as he shall deem just, to be paid by or to the Party so appealing, or by or to any Party resisting or opposing such Appeal; and any Order so made for such Costs shall have the Force of a Civil Bill Decree of such Assistant Barrister, and the Amount thereof may be recovered and levied accordingly, or the Amount thereof may be recovered by Civil Bill before any Assistant Barrister within whose Jurisdiction any Party liable to such Costs shall reside; and such Certificate, if not appealed from as aforesaid, or if so appealed from, then as the same shall be altered or amended by such Assistant Barrister, shall be final and conclusive to all Intents and Purposes.

Assistant Barrister to have Power to hear the Appeal and give Costs.

7 W. 4. & 1 Vict. c. 54.

Sums specified in such Certificate to be a Charge upon the Poor Rates.

III. And be it enacted, That the several Sums specified in such Certificate so made as aforesaid, or so amended or altered on Appeal, as the Proportions to be defrayed by or charged upon the several Unions or Parts of any Union or Unions specified therein, shall be a Charge upon the Poor Rates levied or

to be levied on such Unions, or Parts of an Union or Unions respectively; and the Guardians of every such Union are hereby authorized and required to assess, raise, and levy such Sum or Sums of Money specified in such Certificate as the said Poor Law Commissioners shall from Time to Time direct as Part of the Poor Rate, and shall pay the same to such Bank or Banks for or to be paid over to the respective Parties entitled under such Certificate to such Debts, Charges, Incumbrances, or Advances respectively according to Directions to be given for that Purpose by the said Poor Law Commissioners.

Proceeds of Sale of Houses of Industry, &c. to be paid to Guardians of Unions, and carried to the Credit of the several Parishes, &c.

IV. And be it enacted, That when and so soon as the said Commissioners shall, under the Provisions of the said last-recited Act, think fit to sell and dispose of such Houses of Industry, and other Property vested in them as aforesaid, then and thereupon the Proceeds and Produce of such Sale shall be by the said Commissioners paid to and amongst the Guardians of the respective Unions which shall have contributed to the Payment of the said Debts, Charges, and Incumbrances, to be by them carried to the Credit of the several Parishes or Town Lands, or other Divisions or Districts, in such and the same Proportions as they shall have contributed to the Payment thereof.

Poor Law Commissioners empowered to appoint a Barrister as Assessor upon the Inquiry.

V. And be it enacted, That it shall be lawful for the said Poor Law Commissioners, if it shall seem expedient to them so to do, to appoint a Barrister of not less than Six Years standing to act as Assistant or Assessor with the Poor Law Commissioners or such Assistant Commissioner upon such Inquiry; and in such Case every such Certificate shall be signed as well by such Barrister as by the Poor Law Commissioners or such Assistant Commissioner respectively.

Remuneration to Barrister.

VI. And be it enacted, That it shall be lawful for the said Poor Law Commissioners to pay to each Barrister nominated by them as aforesaid to act with them or with an Assistant Poor Law Commissioner for the Purposes of this Act, a Sum not exceeding Five Guineas for every Day that he shall be so employed, and to pay the other necessary Expences attendant on carrying this Act into effect, including the Expences of Witnesses, if any; and the said Commissioners shall direct the Sum so paid by them to each such Barrister, and the other Expences of such Inquiry, to be added to the Amount specified in a Certificate herein-before mentioned; and the said Sum or Sums shall be defrayed by the several Unions or Parts of Unions in the same Manner and in the like Proportions as the Amount so specified in the said Certificate, and shall be assessed, raised, and levied as a Poor Rate together therewith, and in addition to and as Part thereof, and paid over to such Person or Persons as the said Poor Law Commissioners shall direct.

Power to examine Witnesses, and to call for Papers, &c. upon Oath.

VII. And be it enacted, That the said Poor Law Commissioners, and every Assistant Poor Law Commissioner and Barrister who shall be deputed and nominated to make the Inquiry herein-before directed to be made, shall have for the Purposes thereof all and every the Powers and Authorities of summoning Witnesses, and administering Oaths, and receiving Declarations

Declarations in lieu thereof, and of remunerating Witnesses, and of requiring and enforcing the Production upon Oath of Books, Contracts, Agreements, Accounts, and Writings, which by and under the Provisions of the said recited Act the Poor Law Commissioners are invested with for the Purposes thereof.

Act may be amended, &c.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULE to which this Act refers.

County of } WE, the undersigned Rate-payers of the Union
to wit. } of do hereby give you Notice that we appeal from the Certificate of [*here insert the Name or Names of the Poor Law Commissioner or Assistant Poor Law Commissioner, and Barrister,*] made in pursuance of an Act passed in the Fourth Year of the Reign of Her Majesty Queen Victoria, intituled "An Act to provide for the Payment of Debts, Charges, and Incumbrances affecting Houses of Industry and Workhouses, and of Advances made, conformably with previous Usage, for the lawful Purposes of such Houses of Industry and Workhouses, in certain Cases, in Ireland," to the Assistant Barrister of upon the following Causes or Grounds; that is to say [*here state the Grounds of Appeal*].

Witness our Hands, this Day of One thousand eight hundred and .

(Signed)

To
Clerk of the Guardians of the Poor of the Union of .

CAP. XLII.

An Act to remove Doubts as to the Division of the Parish of *Winterbourne* in the County of *Gloucester* into Two Parishes. [21st *June* 1841.]

58 G. 3. c. 45.

'WHEREAS by an Act of Parliament passed in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for building and promoting the building of additional Churches in populous Parishes*, it was enacted, that in every Case in which the Commissioners acting in the Execution of the said Act should be of opinion that it would be expedient to divide any Parish into Two or more distinct and separate Parishes for all Ecclesiastical Purposes whatever, it should be lawful for the said Commissioners, with the Consent of the Bishop of the Diocese in which such Parish was locally situated, signified under his Hand and Seal, to apply to the Patron or Patrons of the Church of such Parish for his Consent to make such Division, and for such Patron or Patrons to signify his or their Consent thereto under his Hand and Seal; and the said Commissioners should,

upon