



Metropolitan Fire Brigade Act 1865

1865 CHAPTER 90

Miscellaneous

22 Power to turn discharged Officers or Men out of Houses provided for them.

Where any Chief Officer, or other Person who has been employed by the Board in any Capacity under this Act, and has been discharged therefrom, continues to occupy any House or Building that may be provided for his Use, or any Part thereof, after One Week's Notice in Writing from the Board to deliver up Possession thereof, it shall be lawful for any Police Magistrate, on the Oath of One Witness, stating such Notice to have been given, by Warrant under his Hand to order any Constable to enter into the House or Building occupied by such discharged Chief Officer or other Person as aforesaid, and to remove him and his Family and Servants therefrom, and afterwards to deliver the Possession thereof to the Board, as effectually, to all Intents and Purposes, as the Sheriff having Jurisdiction within the Place where such House or Building is situate might lawfully do by virtue of a Writ of Possession or a Judgment at Law.

23 Penalty where Chimneys are on fire.

If the Chimney of any House or other Building within the Metropolis is on fire, the Occupier of such House or Building shall be liable to a Penalty not exceeding Twenty Shillings; but if such Occupier proves that he has incurred such Penalty by reason of the Neglect or wilful Default of any other Person, he may recover summarily from such Person the whole or any Part of the Penalty he may have incurred as Occupier.

24 Recovery of Penalties.

All Penalties imposed by this Act, or by any Byelaw made in pursuance thereof, and all Expenses and other Sums due to the Board in pursuance of this Act, in respect of which no Mode of Recovery is prescribed, may be recovered summarily before Two Justices in manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three, or any Act amending, the same, and when so recovered shall be paid to the Treasurer of the

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Board, notwithstanding any Police Act or other Act of Parliament directing a different Appropriation of such Monies.

25 Summary-Proceedings for determining certain Matters.

Any Dispute or other Matter which is by this Act directed to be determined summarily by Two Justices shall be deemed to be a Matter in respect of which a Complaint is made upon which they have Authority by Law to make an Order for Payment of Money within the Meaning of the said Act of the Session holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three, or any Act amending the same.

26 Extension of Powers given to Two Justices.

Any Act, Power, or Jurisdiction hereby authorized to be done or exercised by Two Justices may be done or exercised by the following Magistrates within their respective Jurisdictions; that is to say, by any Metropolitan Police Magistrate sitting alone at a Police Court or other appointed Place, or by the Lord Mayor of the City of *London*, or any Alderman of the said City, sitting alone or with others at the Mansion House or Guildhall.

27 Audit of Accounts, and Report by Board.

The Accounts of the Board in respect of Expenses incurred by them under this Act shall be audited in the same Manner as if they were Expenses incurred under the said Metropolis Local Management Acts, and the Board shall in each Year make a Report to One of Her Majesty's Principal Secretaries of State of all Acts done and Expenditure incurred by them in pursuance of this Act, and that Report shall be laid before Parliament within One Month after the Commencement of the Session.

28 Power to delegate Powers of Board to a Committee.

The Board may delegate any Powers conferred on them by this Act to a Committee of their Body ; and such Committee shall, to the Extent to which such Powers are delegated, be deemed to be the Board within the Meaning of this Act.

29 Establishment of Salvage Force by Insurance Offices.

If the Companies insuring Property within the Metropolis, or any such Number of them as may in the Opinion of the said Board be sufficient, establish a Force of Men charged with the Duty of attending at Fires and saving insured Property, it shall be the Duty of the Fire Brigade, with the Sanction of the Board, and subject to any Regulations that may be made by the Board, to afford the necessary Assistance to that Force in the Performance of their Duties, and, upon the Application of any Officer of that Force, to hand over to their Custody Property that may be saved from Fire ; and no Charge shall be made by the said Board for the Services thus rendered by the Fire Brigade.

30 Brigade when employed beyond the Metropolis, or on special Services.

It shall be lawful for the Board, when Occasion requires, to permit any Part of the Fire Brigade Establishment, with their Engines, Escapes, and other Implements, to proceed beyond the Limits of the Metropolis for the Purpose of extinguishing Fires. In

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such Case the Owner and Occupier of the Property where the Fire has occurred shall be jointly and severally liable to defray all the Expenses that may be incurred by the Fire Brigade in attending the Fire, and shall pay to the Board a reasonable Charge for the Attendance of the Fire Brigade, and the Use of their Engines, Escapes, and other Implements. In case of Difference between the Board and the Owner and Occupier of such Property, or either of them, the Amount of the Expenses, as well as the Propriety of the Fire Brigade attending such Fire (if the Propriety thereof be disputed), shall be summarily determined by Two Justices. In default of Payment, any Expenses under this Section may be recovered by the Board in a summary Manner.

The Board may also permit any Part of the Fire Brigade Establishment to be employed on special Services upon such Terms of Remuneration as the said Board may think just.

31 Board to send Information of Fires to Offices.

The Metropolitan Fire Brigade shall in the Morning of each Day, with the Exception of Sundays, send Information, by Post or otherwise, to all the Insurance Offices contributing for the Purposes of this Act, of all Fires which have taken place within the Metropolis since the preceding Return, in such Form as may be agreed upon between the Board and the said Companies.

32 Transfer to Board of Powers of Parishes as to Fireplugs.

All the Powers now exercised by any Local Body or Officer within the Metropolis as respects Fireplugs shall henceforth be exercised by the Board, and the Board shall be entitled to receive Copies or Extracts of all Plans kept by any Water Company under the Provision of the Act of the Session of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Eighty-four; and every such Water Company shall provide at the Expense of the Board in any Mains or Pipes within the Metropolis Plugs for the Supply of Water in case of Fire at such Places, of such Dimensions, and in such Form as the Board may require, and the Fire Brigade shall be at liberty to make such Use thereof as they may deem necessary for the Purpose of extinguishing any Fire ; and every such Company shall deposit Keys of all their Fireplugs at such Places as may be appointed by the Board, and the Board may put up on any House or Building a public Notice in some conspicuous Place in each Street in which a Fireplug is situated, showing its Situation.

33 Definition of "Owner".

"Owner" in this Act shall mean the Person for the Time being receiving the Rackrent of the Premises in connexion with which the Word is used, either on his own Account or as Agent or Trustee for some other Person, or who would receive the same if the Premises were let at Rackrent.