CHAPTER lxxviii.

An Act to confer further powers on the Mayor Aldermen and Burgesses of the borough of Ashton-under-Lyne for the improvement and good government of the borough and for other purposes. [25th June 1886.]

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WHEREAS the borough of Ashton-under-Lyne in the county palatine of Lancaster is a municipal borough subject to the Acts relating to municipal corporations and the mayor aldermen and burgesses of the said borough (in this Act called "the Corporation") acting by the council are the urban sanitary authority for the district thereof:

And whereas the following local and personal Acts and provisional orders are in force within the said borough (that is to say):

The Ashton-under-Lyne Improvement Act 1849; 12 & 13 Vict. c. xxxv.

The Local Government Supplemental Act 1869 No. 2 (confirming a provisional order for the alteration of the Ashton-under-Lyne Improvement Act 1849); 32 & 33 Vict. c. cl.

The Ashton-under-Lyne Improvement Act 1877; 40 & 41 Vict. c. clxxi.

The Local Government Boards Provisional Orders Confirmation (Ashton-under-Lyne &c.) Act 1879; 42 Vict. c. xliii.

The Local Government Boards Provisional Orders Confirmation (No. 6) Act 1882 (confirming a provisional order for the alteration of the Ashton-under-Lyne Improvement Act 1877); 45 & 46 Vict. c. lxiii.

which Acts are in this Act referred to collectively as "the recited Acts" and each of them separately as an Act of the year in which the same was passed:

And whereas it is expedient that the Corporation should be empowered to close a certain street near the works of the Ashton Gas Company (herein-after called "the gas company") known as Water Street and to provide in substitution therefor a new street herein-after described and to acquire lands and buildings for that purpose:

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And whereas plans and sections showing the situation and level of the said new street and books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken under the powers of this Act were duly deposited with the clerk of the peace for the county palatine of Lancaster and are herein-after referred to as "the deposited plans sections and books of reference":

And whereas by an indenture bearing date the twelfth day of July one thousand eight hundred and seventy-two and expressed to be made between the Right Honourable George Harry Earl of Stamford and Warrington of the first part Henry Thomas Darnton of the second part and certain persons therein appointed as trustees to carry into execution the trusts of the said indenture of the third part certain lands in the parish of Ashton-under-Lyne were conveyed to the said trustees their heirs and assigns upon trust to permit and suffer the same to be used and enjoyed as a public park or place for the recreation and amusement of the town of Ashton-under-Lyne and the neighbourhood thereof with full power to make from time to time such rules and regulations for and in respect of the use and enjoyment of the said park and the management of the said trust or purpose as they think best and most conducive to the objects aforesaid:

And whereas by an indenture bearing date the sixteenth day of December one thousand eight hundred and eighty and expressed to be made between the said Earl of Stamford and Warrington of the one part and the then trustees for executing the trusts of the last recited indenture of the other part certain other lands adjoining the last-mentioned lands were conveyed (subject as to the whole to the rights of the said earl to running waters and to the mines and minerals thereunder and as to certain parts thereof to certain life leases) to the said trustees their heirs and assigns upon the same trusts as the lands in the last recital referred to:

And whereas under the Stalybridge Extension and Improvement Act 1881 the corporation of Stalybridge are empowered jointly with the Corporation if and when the Corporation are empowered for that purpose to accept and hold the said lands (now known as "Stamford Park") as a public park: And whereas the said trustees in whom the said lands are now vested are willing to transfer the same to the two corporations but it is doubtful whether they have power to do so without the authority of Parliament first had and obtained for that purpose: And whereas it is expedient that powers should be conferred on the said trustees and on the Corporation

accordingly and that provisions with reference thereto and to the management and regulation of the said park should be made as herein-after set forth:

And whereas the Corporation have established a public library and reading room under the provisions of the Public Libraries Acts and the Corporation have for the purposes thereof lent certain rooms in the Town Hall but the same are inadequate for the purpose and are moreover now required for other municipal purposes and it is expedient that the Corporation be authorised to provide a building for the purposes of their said library and reading room and to provide branch libraries and reading rooms in various parts of the borough:

And whereas the rate authorised to be levied under the Public Libraries Acts (in this Act called "the library rate") is insufficient for the purpose and it is expedient that the amount thereof be increased:

And whereas there are certain highways within the borough in this Act referred to as "declared highways" a portion of which became vested in the Corporation at the time of their incorporation in the year one thousand eight hundred and forty-seven and were at that time insufficiently made up and the remainder of which were formed and declared public highways under the powers of the Act of 1849 having been constructed as public relief works at the time when relief works were being executed under the powers of the Public Works (Manufacturing Districts) Act 1863 by distressed operatives in Lancashire and the said last-mentioned highways were formed for the most part by unskilled labour and with inferior materials and it has become necessary to reinstate some of the said highways and in consequence of the great increase of traffic within the borough to reform flag and pave all of them with granite setts and it is expedient that the Corporation should be empowered to borrow money for that purpose:

And whereas it is expedient that further powers be granted to the Corporation for the improving and better governing of the borough and that the recited Acts be in divers particulars altered and amended and the powers thereof extended and that other provisions should be made as in this Act set forth:

And whereas the purposes aforesaid cannot be effected without the authority of Parliament:

And whereas estimates have been prepared by the Corporation for the purchase of land for and the execution of the following

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works by this Act authorised and such estimates are as follows (namely):

For the purchasing of land and buildings for the purposes of a public free library branch libraries and public reading rooms - - - - -	£5,000
For providing a refuse destructor - - -	£4,000
For the reinstating reforming flagging and paving with granite setts the declared highways - -	£80,000

And whereas the several works included in such estimates are permanent works within the meaning of the two hundred and thirty-fourth section of the Public Health Act 1875:

And whereas an absolute majority of the whole number of the council of the borough at a meeting held on the twenty-third day of December one thousand eight hundred and eighty-five after ten days clear notice by public advertisement of such meeting and of the purposes thereof in the "Ashton-under-Lyne Reporter" a local newspaper published and circulating in the borough (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on and paid out of the funds and rates at the disposal of the council:

And whereas such resolution was published twice in the said "Ashton-under-Lyne Reporter" and has received the approval of the Local Government Board in respect of matters within the jurisdiction of that Board:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the thirteenth day of January one thousand eight hundred and eighty-six being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the borough by resolution in the manner provided by Schedule 3 of the Public Health Act 1875 consented to the promotion of the Bill for this Act:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

PART I.

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Preliminary.

Short title.

1. This Act may be cited for all purposes as the Ashton-under-Lyne Improvement Act 1886 and the Act of 1849 the Act of 1877 and this Act may be cited together as the Ashton-under-Lyne Improvement Acts 1849 to 1886.

Act divided into parts.

2. This Act is divided into parts as follows (that is to say):—
Part I. Preliminary;
Part II. Street Works &c.;
Part III. Stamford Park;
Part IV. Libraries;
Part V. Provisions as to Buildings;
Part VI. Streets and Highways &c.;
Part VII. Apportionment Collection and Recovery of New Street and Improvement Expenses;
Part VIII. Sanitary Provisions;
Part IX. Provisions as to Infectious Diseases;
Part X. Sewerage &c.;
Part XI. Markets Fairs and Slaughter-houses &c.;
Part XII. Hackney Carriages &c.;
Part XIII. Telegraph Wires;
Part XIV. Traction Engines;
Part XV. Employment of Children;
Part XVI. Police Regulations &c.;
Part XVII. Fires;
Part XVIII. Rates and Finance;
Part XIX. Corporation Stock;
Part XX. Miscellaneous Provisions as to Legal Proceedings Bye-laws &c.

Limits of Act.

3. This Act except where otherwise expressly provided shall apply exclusively to the borough.

Incorporation of Lands Clauses Acts.

4. The Lands Clauses Consolidation Acts 1845, 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 (in this Act referred to as "the Lands Clauses Acts") so far as the same are applicable for the purposes of and are not varied by or inconsistent with this Act are incorporated with and form part of this Act.

Interpretation of terms.

5. In construing this Act the following words and expressions have the meanings hereby assigned to them respectively unless there be something in the subject or context repugnant to such construction (that is to say):—

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"The borough" means the municipal borough of Ashton-under-Lyne;

"The Corporation" means the mayor aldermen and burgesses of the borough;

"The improvement rate" means the improvement rate levied by the Corporation under section 31 of the Act of 1849 as extended by this Act;

"The ancient highway rate" means the highway rate levied by the Corporation under the Highway Act 1835;

"The highway rate" means the highway rate levied by the Corporation under section 25 of the Act of 1849 as extended by this Act;

"The council" means the town council of the borough;

"The town clerk" "the treasurer" "the borough accountant" "the surveyor" "the medical officer of health" "the inspector of nuisances" respectively mean the town clerk the treasurer the borough accountant the surveyor the medical officer of health and the inspector of nuisances of the borough;

"The corporation of Stalybridge" means the mayor aldermen and burgesses of the borough of Stalybridge;

"The two corporations" means the Corporation and the corporation of Stalybridge;

"The borough fund" and "the borough rate" mean respectively the borough fund and the borough rate of the borough;

"Corporation stock" means Ashton-under-Lyne Corporation redeemable stock created by the Corporation under the provisions of this Act;

"Statutory borrowing power" means and includes every power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under this Act or under any Act of Parliament public or local passed or to be passed or under any provisional order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

"Statutory security" means and includes any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock Corporation

stock annuity rentcharge rent or other security authorised by or under any Act of Parliament passed or to be passed of any municipal corporation including the Corporation or of any other local authority within section thirty-four of the Local Loans Act 1875;

"Street" applies to and includes any highway and any road public bridge (not being a county bridge) lane footway square court alley passage whether a thoroughfare or not and whether made before or after the commencement of this Act but shall not apply to or include the approach road to any railway station;

"Owner" means the person who for the time being receives the rackrent of the lands with reference to which that term is used whether on his own account or under or by virtue of any mortgage or charge or as agent or trustee for any other person or who would so receive the same if the lands were let at a rack-rent;

"Rackrent" means rent which is not less than two thirds of the full net annual value of the property out of which the rent arises and the full net annual value shall be taken to be the rent at which the property might reasonably be expected to let from year to year after deducting therefrom all usual tenants rates and taxes and tithe commutation rentcharge (if any) and the probable average annual cost of the repairs insurance and other expenses (if any) necessary to maintain the same in a state to command such rent;

"Food" includes every article other than water used for food or drink by man;

"Infectious disease" means and includes small-pox cholera typhus typhoid scarlet relapsing continued and puerperal fever scarlatina and diphtheria and such other disease as the Corporation under the provisions and for the purposes of this Act may from time to time declare to be infectious;

"Daily penalty" means a penalty to accrue for each day any offence shall continue after conviction;

"Summary Jurisdiction Acts" means the Summary Jurisdiction Act 1848 and the Summary Jurisdiction Act 1879 and any Act amending either of those Acts;

"Court of summary jurisdiction" means any justice or justices of the peace stipendiary or other magistrate or officer by whatever name called to whom jurisdiction is given by or who is or are authorised to act under the Summary Jurisdiction Acts or any of such Acts;

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"The Public Health Acts" means the Public Health Act 1875 and any Act amending the same;

"The Municipal Corporations Acts" means the Municipal Corporations Act 1882 and any Act amending the same or otherwise relating to municipal corporations in England;

"The Public Libraries Acts" means the Public Libraries Act 1855 and any Act amending the same;

"Carriage" means any vehicle used for the conveyance of persons;

"Omnibus" means any carriage (other than a tramway car) used for the conveyance of passengers paying separate and distinct fares and used for the taking up and setting down of passengers upon its route or for the conveying such passengers to or from any place within the borough or to or from the borough from or to any place without the same;

"Velocipede" includes bicycle tricycle and every like mechanical contrivance;

"Cattle" includes horse mare gelding foal filly ass mule ram ewe wether-lamb goat kid swine bull ox cow steer heifer and calf;

Words to which meanings are assigned in enactments incorporated with this Act or which have therein special meanings have in this Act the same respective meanings unless there be something in the subject or context repugnant to such construction.

In this Act and for the purposes of this Act in the Acts incorporated with this Act—

The expression "court of competent jurisdiction" or other like expression shall have effect as if the debt or demand with respect to which that expression is used were a common simple contract debt and not a debt or demand created by statute and shall include any court of competent jurisdiction..

Act to be executed by council.

6. Subject to the provisions of this Act this Act shall be carried into execution by the Corporation acting by the council.

PART II.

Street Works &c.

Power to make works.

7. Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands shown on the deposited plans and described in the deposited books of reference and according to the levels shown on the deposited sections a new street commencing on the east side of Oldham Road

and terminating at the point where Gas Street now joins Water Street And they may for that purpose and subject as aforesaid enter upon and take the lands delineated on the deposited plans and described in the deposited books of reference.

Closing street.

8. When the Corporation shall have completed and opened the said new street they may close up and discontinue the street known as Water Street shown on the deposited plans as intended to be stopped up and discontinued.

Limits of lateral and vertical deviation.

9. Subject to the provisions of this Act the Corporation in the construction of the said new street may deviate laterally from the lines thereof as shown on the deposited plans to the extent of the limits of lateral deviation indicated thereon and they may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet.

Power to make subsidiary works.

10. Subject to the provisions of this Act and within the limits defined on the deposited plans the Corporation for the purposes of the said new street may make junctions and communications with any existing streets which may be intersected or interfered with and may raise lower or alter any vault arch cellar or area under or adjoining any roadway or footway and may alter any existing street for the purpose of connecting the same with the said new street. Provided always that the Corporation shall make to the owners and occupiers of and all other parties interested in any lands or houses injuriously affected by the exercise of the powers of this section full compensation for all damage so sustained by them respectively.

Power to alter pipes &c.

11. In making the said new street the Corporation may raise sink or otherwise alter the position of any sewer drain water pipe or gas pipe belonging to or connected with any building adjoining or near to the site of the work and also any pipe tube wire or apparatus laid down or used for telegraphic or other purposes and may remove any other obstruction causing as little detriment and inconvenience as circumstances admit and making reasonable compensation for damage caused by the execution of the powers of this enactment.

Provided that the Corporation shall not raise sink or otherwise alter the position of any pipe tube wire or apparatus laid down or used for telegraphic or other purposes and belonging to Her Majesty's Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

Provided also that nothing in this section shall extend to or authorise any interference with any works of any undertakers

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within the meaning of the Electric Lighting Act 1882 to which the provisions of section 15 of the said Act apply.

Temporary stoppage of streets.

12. The Corporation may during the execution and for the purposes of any work by this Act authorised from time to time stop up any street road or court and prevent all persons other than those bonâ fide going to or returning from any house in the street from passing along and using the same for any reasonable time.

Streets disused vested in Corporation.

13. Where any street or ground abutting on any street and dedicated to public use becomes in consequence of the making of the said new street by the Corporation no longer required for public use or for approach to any property adjoining the same the same is hereby vested in the Corporation freed and discharged from the public use thereof. Provided that if any land be injuriously affected by such street or ground being so vested in the Corporation they shall make to the owner and occupier of such land compensation therefor.

Cost of street works to be repaid by gas company.

14. The Corporation shall keep separate accounts of all moneys expended by them for the purposes of and in connexion with the said new street and works connected therewith by this Act authorised including the costs of and incidental to the acquisition of lands for the purposes thereof and such a reasonable proportion of the costs and expenses of and incidental to the passing of this Act as in default of agreement between the gas company and the Corporation may be determined by the taxing officer of the House of Lords and the gas company shall and they are hereby required from time to time to repay to the Corporation the expenses so incurred by the Corporation.

Provided that before the amount be repaid by the gas company to the Corporation credit shall be given for all sums of money from time to time paid to the Corporation under the provisions of this Act on account of the street works whether arising from the sale of materials or the sale or letting of lands.

Restriction as to houses of labouring classes.

15. (1.) The Corporation shall not under the powers by this Act granted purchase or acquire ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until:

(*a.*) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem

necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(*b.*) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced.

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4.) Any conditions subject to which the Local Government Board may have approved of any scheme under this section or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the Queen's Bench Division of the High Court of Justice.

(5.) If the Corporation acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court of Justice and shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section the Corporation may appropriate any lands for the time being belonging to them or which they have power to acquire.

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Provided that nothing in this section shall relieve the Corporation from the necessity of obtaining the approval of the Commissioners of Her Majesty's Treasury for such appropriation or use of their corporate land as would require such approval under the Municipal Corporations Act 1882 or any other general Act.

(7.) Subject to the provisions of this section the Corporation and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them under the Public Health Act 1875 in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act.

Provided that all lands on which any buildings have been erected or provided by the Corporation in pursuance of any scheme under this section shall for a period of twenty-five years from the passing of this Act be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment.

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions if any as they may see fit.

(8.) The Corporation shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any provisional order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(9.) For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

PART III.

Stamford Park.

As to transfer of Stamford Park to the two corporations.

16. Subject to the provisions of this Act the said trustees may transfer Stamford Park to the two corporations and the two corporations may accept the said transfer and shall hold the same upon and subject to the trusts in the said indentures of conveyance contained so far as the same are applicable or capable of taking effect and for all the estate and interest therein of the said trustees and upon such terms and conditions as may be agreed upon between the said two corporations on the one hand and the said trustees on the other hand.

Appointment of joint committee.

17. As soon as conveniently may be after Stamford Park shall have been conveyed to or vested in the two corporations a joint committee shall be appointed for the management and regulation of Stamford Park.

Members of joint committee.

18. Subject to the provisions of the next succeeding section

(1.) The joint committee shall consist of seven persons or such other number as may be agreed between the two corporations;

(2.) The two corporations respectively shall be entitled to appoint members of the joint committee in proportion to the rateable value of property in each borough such value to be ascertained according to the valuation list in force for the time being;

(3.) The expenses of the joint committee shall be defrayed out of a common fund to be contributed by the two corporations in proportion to the rateable value of the property in each borough ascertained as aforesaid.

As to joint committee if expenses contributed equally.

19. If at any time after the passing of this Act the corporation of Stalybridge shall serve notice in writing on the Corporation to the effect that they the corporation of Stalybridge are desirous to contribute equally with the Corporation to the expenses of the joint committee then the following provisions shall have effect in substitution for those contained in the last preceding section:

(1.) The joint committee shall consist of six or such other number as may be agreed between the two corporations not being less than four nor more than eight who shall be the joint committee for the purposes of this part of this Act;

(2.) Each of the two corporations shall be entitled to appoint an equal number of members of the joint committee;

(3.) The expenses of the joint committee as from the commencement of the current year in which such notice as aforesaid shall

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have been given shall be defrayed out of a common fund to be contributed by the two corporations equally.

General provisions as to joint committee.

20. The following provisions shall apply to the joint committee:—

(1.) Notwithstanding anything contained in section 25 of the Stalybridge Extension and Improvement Act 1881 the members of the joint committee whom the two corporations may respectively appoint need not be all members of the council by whom they are appointed;

(2.) The members of the joint committee first appointed shall hold office until the ninth day of November next succeeding the date of their appointment and on that day and on every subsequent ninth day of November a new joint committee shall be appointed all retiring members being eligible for reappointment;

(3.) Any member of the joint committee may be removed by the Corporation by whom he was appointed;

(4.) A vacancy among the members of the joint committee or in the office of chairman caused by death resignation removal disqualification or otherwise shall be filled up by the Corporation by whom the vacating member or chairman was appointed;

(5.) All appointments and removals of members of the joint committee shall be made by writing under the common seal of the Corporation appointing or removing;

(6.) The joint committee shall hold their first meeting at the Town Hall in the borough of Ashton-under-Lyne within one month after their appointment at five o'clock in the afternoon;

(7.) The times and places of the second and other meetings of the joint committee and of their annual meeting shall be such as the joint committee from time to time appoint;

(8.) The chairman of the joint committee shall be appointed in all cases on the same day on which the joint committee is appointed and by the Corporation and by the corporation of Stalybridge alternately and the first chairman shall be so appointed by the Corporation;

(9.) If at any meeting of the joint committee the chairman be absent at the time appointed for holding the meeting the joint committee shall appoint one of their members to be the chairman of that meeting;

(10.) The chairman or any two or more members of the joint committee may require a special meeting to be held;

(11.) The quorum of the joint committee shall be three;

(12.) If at any meeting of the joint committee there is an equal division of votes on any question the chairman shall not have a second or casting vote and the question shall stand referred to the standing arbitrator;

(13.) The accounts of the joint committee shall at all reasonable times be open to inspection and transcription without payment by any alderman or councillor of either of the said two boroughs;

(14.) The accounts of the joint committee shall be audited by an auditor to be appointed by them;

(15.) The accounts of the joint committee as audited shall be sent by the joint committee to each of the two corporations.

Appointment powers and duties of standing arbitrator.

21. If the two corporations appoint an equal number of members on the joint committee there shall be a standing arbitrator (in this Act called the "standing arbitrator") appointed and acting as follows (that is to say):

(1.) The two corporations shall before the thirtieth day of November in each year by writing under their respective common seals appoint a standing arbitrator and fix the remuneration (if any) to be paid to him and in case they fail to do so a standing arbitrator shall in or after the month of December next following that failure be from time to time on the application of either of the corporations appointed by the Local Government Board by writing under the hand of their secretary and the Local Government Board shall fix the remuneration to be paid to the arbitrator appointed by them which remuneration shall be paid by the joint committee;

(2.) The standing arbitrator may be removed from his office by the two corporations jointly by writing under their respective common seals or on the representation of either of them by the Local Government Board by writing under the hand of their secretary;

(3.) If a standing arbitrator in his year of office dies or resigns or is removed from office the two corporations shall in manner aforesaid within one month after notice of his death or resignation or after the removal appoint another person to be standing arbitrator in his place and in default a standing arbitrator shall be appointed by the Local Government Board in manner aforesaid;

(4.) A standing arbitrator appointed to supply a casual vacancy shall continue in office as long only as the person in whose place he is appointed would have been entitled to continue in office;

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(5.) If any difference respecting any matter connected with the execution of any of the powers of this part of this Act at any time arises between the two corporations or if there be an equal division of votes on any question at any meeting of the joint committee the difference or question shall stand referred to the standing arbitrator and the standing arbitrator shall proceed with the reference on the request in writing of either of the two corporations;

(6.) If any reference is pending before a standing arbitrator at the time when he goes out of office by effluxion of time it shall on the request in writing of either of the two corporations made within one month thereafter be proceeded with by him and his decision shall have the like effect as if he had not gone out of office and otherwise every reference pending before a standing arbitrator when he goes out of office in any manner shall be deemed to be discontinued;

(7.) The decision of the standing arbitrator on any question referred to him by or under this Act shall be final and binding;

(8.) The standing arbitrator for the time being shall on the request in writing of either of the two corporations review any previous decision of any standing arbitrator but any alteration of a previous decision shall have a prospective operation only and shall not affect anything done or suffered under the decision reviewed.

Management of park.

22. The joint committee shall subject to any conditions contained in the deed or other instrument under which they shall hold Stamford Park have the management and regulation thereof and may make byelaws with respect to the maintenance regulation and management thereof the preservation of order therein and otherwise in relation thereto and may impose any reasonable penalty not in any case exceeding five pounds for the breach of any such byelaw.

Meetings and proceedings of joint committee.

23. Subject to the foregoing provisions the meetings of the joint committee shall be held and the proceedings thereat shall be conducted as nearly as may be in accordance with the rules as to meetings and proceedings of a joint board under the Public Health Act 1875.

Stamford Park for police purposes to be deemed to be within the two boroughs.

24. Stamford Park shall for all purposes of police be deemed to be within and form part of the borough of Ashton-under-Lyne and also to be within and form part of the borough of Stalybridge.

PART IV.

Libraries.

Free libraries &c.

25. The Corporation may purchase or acquire by agreement any lands or buildings within the borough for the purpose of providing a public free library branch libraries or public reading rooms and may erect or provide buildings for those purposes but they shall not under the powers of this Act be entitled to expend for that purpose any greater sum of money than five thousand pounds.

PART V.

Provisions as to Buildings.

Definition of buildings.

26. For the purposes of this part of this Act and of the Public Health Act 1875 the expression "building" (including "new building" as defined by the next following section) shall include any erection or construction of a permanent character (not being a sewer or drain) whether of masonry brickwork wood iron or other materials and whether under or above the natural ground level and whether intended for human habitation or for trade or any other purpose whatever and shall include bridges viaducts aqueducts and other such works but this part of this Act shall not apply to any building (not being a dwelling-house) used by a railway or canal company as a part of or in connexion with their railway or canal nor to any bridges viaducts aqueducts and other such works which belong to or are to be maintained by any railway or canal company.

New buildings.

27. For the purposes of this Act and of the Public Health Act 1875 and of the byelaws now in force within the borough and any alteration or amendment thereof the expression "new building" shall include any building the erection whereof is begun after the commencement of this Act and the re-erecting wholly or partially of any building pulled or burnt down to within twelve feet of the surface of the adjoining ground or any building of which only the framework is left down to the ground floor and any addition to or external alteration of any existing building so far as regards such addition or alteration and the conversion into a dwelling-house of any building not originally constructed for human habitation and

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the conversion into more than one dwelling-house of a building originally constructed as one dwelling-house only shall be deemed the erection of a new building.

Buildings abutting on streets.

28. For the purposes of this Act and the Acts of 1849 and 1877 buildings and lands shall be deemed to be in a street when they abut upon such street or when they have an access covered or uncovered to such street or when only some forecourt yard or garden or a strip of waste or unoccupied ground open to the passage of the public intervenes between the front of any such buildings or lands and such street.

Provided always that any building or land used by a railway or canal company as a part of or in connexion with their railway or canal and not having any communication with any street on which such building or land may wholly or in part abut shall not be deemed to be a building or land within the meaning of this section.

Deposit of plan to be void after certain interval.

29. Deposit with the Corporation of any plan of any building shall be null and void if the execution of the work specified in such plan be not commenced within the following periods (that is to say):—

As to plans deposited after the passing of this Act within one year from the date of such deposit; and

As to plans deposited before the passing of this Act within one year from the passing of this Act;

and at the expiration of those respective periods fresh notice and deposits shall unless the Corporation otherwise determine be requisite.

Level of the ground floor.

30. The level of every part of the ground floor of every new dwelling-house shall be at least six inches above the level of the edge of the footway or street adjoining such dwelling-house whether there be a cellar to such dwelling-house or not. Provided always that no person shall proceed with the erection of any new building above the floor-line until the Corporation or the surveyor shall have certified in writing that such floor-line is in accordance with the plans approved of. Provided also that such certificate shall be given within seven days after receipt of notice of completion to the floor-line if the building up to the level of the floor-line shall have been constructed to the satisfaction of the Corporation.

Elevation of buildings erected on front land to be sub-

31. All buildings or parts of buildings erected on the site of any building or on any land which site or land in consequence of any improvement made by the Corporation becomes front land or on any land purchased or taken by the Corporation before or after the

commencement of this Act shall be erected according to such elevation as the Corporation approve and if the owner lessee or occupier of any building or land which on the making of any such improvement acquires a frontage to the street makes any door or entrance opening upon or communicating with the street or any wall or fence by the side of the street every such owner lessee or occupier shall make the building wall or fence in a line with and the elevation thereof fronting to or towards the street in accordance with a plan approved by the Corporation and in case the Corporation for the space of six weeks after any plan or drawing of such elevation is submitted to them neglect to notify their determination in writing with reference thereto they shall be deemed to have approved thereof.

Subject to approval of Corporation.

The Corporation shall pay or tender compensation to the owner or lessee of any building or land for any loss or damage he may suffer by reason of the setting back or bringing forward of such building wall or fence.

32.—(1.) It shall not be lawful without the written consent of the Corporation to build or to bring forward the main outer face of any external wall beyond the building line in any street or to construct build make place or fix any projection beyond the building line in any street or over or upon the surface thereof except in accordance with the following regulations (that is to say):

Restrictions on projections and projecting buildings in streets.

(A.) In any street having the available width between the building lines specified in the first column of the following table the jambs pilasters or architraves of any doorway or window (including any bases or plinths of such jambs or pilasters) and any window in the ground storey of any shop for the sale of goods by retail (including any name plate or signboard at or near the sill of such window) may project to any extent not exceeding that specified in the second column of the same table and the cornice or stringcourse of any storey (such cornice or stringcourse being at least ten feet above the ground) may project to any extent not exceeding that specified in the third column of the same table and any balcony or window sill above the ground storey and any cornice or eaves of a bay window or oriel window above the ground storey may project to any extent not exceeding that specified in the fourth column of the same table and the body of any bay window or oriel window above the ground storey may project to any extent not exceeding that specified in the fifth column of the same table;

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Where available Width of Street between building line	Projection of Jambs &c. not to exceed	Projection of Cornice &c. not to exceed	Projection of Balcony &c. not to exceed	Projection of body of Bay or Oriel Window not to exceed
	Inches.	Inches.	Inches.	Inches.
Does not exceed 30 feet -	2	12	12	6
Exceeds 30 feet but not 40 feet - -	3	15	15	9
Exceeds 40 feet but not 50 feet - -	3	18	18	12
Exceeds 50 feet but not 60 feet - -	4	21	21	15
Exceeds 60 feet - -	4	21	24	18

(B.) The amount of the projection as aforesaid of any such jamb pilaster cornice stringcourse eaves balcony window sill bay window or oriel window shall be measured to the outermost portion of the same;

(C.) Every balcony and the body of every bay window or oriel window as aforesaid shall be placed at a distance from the middle of the nearest party wall not less than the distance to which such balcony or window projects;

(D.) No such bay window or oriel window projecting as aforesaid shall extend upwards through more than one storey without the written consent of the Corporation nor shall any two such windows in any storey of the same building be at a less distance apart than twenty feet without the written consent of the Corporation;

(E.) Water pipes small architectural dressings and sliding doors or gates may project three inches and no more in any street having an available width of not more than thirty feet and in any street having an available width of more than thirty feet they may project four inches and no more;

(2.) Notwithstanding the foregoing provision as to the consent of the Corporation in no case shall the jambs pilasters or architraves of any doorway or window project beyond the building line in any street to a greater extent than one foot and in no case shall any bay window or oriel window as aforesaid project to a greater extent than two feet and in no case shall any balcony or window sill or any cornice or eaves of a bay window or oriel window as aforesaid project to a greater extent than three feet;

Provided that in any case where the corner of any building at the junction of any two streets is cut off or set back so as to increase

the available width of such streets it shall be lawful for the Corporation to consent to the construction of any overhead projection at such corner;

(3.) In any external wall of any building the faces of any two or more external jambs pilasters or columns which do not form the sides of any doorway or window or which extend throughout the height of more than one storey shall be deemed to be the main outer face of such external wall;

(4.) Every projection beyond the main outer face of any external wall shall be constructed built made placed and fixed in every respect to the satisfaction of the surveyor;

(5.) It shall not be lawful without the written consent of the Corporation to construct place fix or hang any door shutter trap platform shoot sign cathead crane hoist or other apparatus or thing in connexion with any building or structure so as to project over the surface of any street at any time or so as to allow any suspended load to hang over the surface of any street at any time;

(6.) Any consent under this section may be given by the Corporation subject to such terms and conditions as they may deem expedient;

(7.) Every person offending against this section shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding twenty shillings.

Privies &c. for manufactories.

33. Every building used as a workshop manufactory or school shall be provided with at least one privy or water-closet and one urinal for every fifty males or fractional part thereof employed therein or attending thereat and with at least one privy or water-closet for every thirty females or fractional part thereof employed therein or attending thereat.

Defining "ash-pit" in Public Health Act 1875.

34. The term "ash-pit" in the Public Health Act 1875 shall for the purposes of the execution within the borough of that Act and of this Act include any ash-tub or other proper receptacle for the deposit of ashes fæcal matter refuse or sewage.

As to pail-closets &c.

35. In any case where the Corporation are authorised to require the provision of a water-closet earth-closet privy or ash-pit the Corporation may authorise or require the use of a pail-closet tub-closet or ash-closet and ash-pit or any of them respectively and they may if they think fit require the closet or privy and ash-pit to be constructed in combination and may from time to time prescribe the size and materials of which any such closet or privy or ash-pit shall be constructed and the times and mode of removing cleansing preserving and replacing of the fittings and appliances of any such

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closet. The provisions of this Act and subject thereto the provisions of the Public Health Act 1875 with respect to the providing of privies water-closets and earth-closets and ash-pits shall apply mutatis mutandis in the case of closets privies and ash-pits the use of which may be so required or ordered by the Corporation and the Corporation may if they think fit from time to time provide and maintain and charge for the use of pail-closets tub-closets ash-closets ash-pits and any pails tubs fittings and appliances or any or either of them or any part or parts thereof respectively and may recover such charges summarily. In cases where the Corporation authorise or require the use of an earth pail or tub closet they may require that urinals be provided.

Regulation pails and tubs for privies &c.

36. The owner of every dwelling-house in which pails or tubs are used in the privies shall if so required by the Corporation obtain the regulation size pails or tubs from the Corporation who shall from time to time determine the cost to be paid for the same and in case the owner of any dwelling-house use any pail or tub not obtained from the Corporation he shall for every such offence be subject to a penalty not exceeding twenty shillings and to a daily penalty not exceeding twenty shillings.

Height of rooms.

37. In every new building (unless the Corporation otherwise allow) every room used as a dwelling or sleeping room below or partly below the level of the ground shall be in every part thereof eight feet six inches in height at least from the floor to the ceiling and every other room so used except rooms in or partly in the roof shall be in every part nine feet in height at least from the floor to the ceiling and every room in or partly in the roof so used shall be at least eight feet in height from the floor to the ceiling through not less than one half the area of the room.

Buildings to be used as hotels &c. to have sufficient means of ingress and egress.

38. Every building which after the passing of this Act is intended to be used as an hotel public-house inn beershop coffee-shop tavern church chapel school lecture hall or room assembly room theatre or any place of public amusement or entertainment shall be provided with ample and convenient means of ingress and egress regard being had to the purposes for which such building is intended to be used and the number of persons likely to be assembled at the same time therein and it shall not be lawful for the owner or occupier or person in charge of such building to allow the same to be used for any such purpose as aforesaid unless and until he has obtained a certificate under the hand of the town clerk or surveyor that the Corporation are satisfied with the sufficiency of the means of ingress and egress provided at such building and any person who being the proprietor or occupier of such building shall permit the same to be

used for any such purpose as aforesaid without having previously obtained such certificate shall for every such offence be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding ten pounds.

Stands &c. not to be used until approved by surveyor.

39. No person shall permit to be used any stand platform or other erection of a temporary nature (not included within any building and not being a platform forming part of a railway or railway station) into or upon which it is intended that the public should be admitted until the same shall have been approved in writing by the surveyor.

Wooden buildings to be removed.

40. If the Corporation by resolution declare that any wooden building existing at the passing of this Act is likely to cause danger to adjoining buildings they may order the same to be removed within one year from the making of the order and if any such wooden building be not so removed the owner thereof shall in each case be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding ten pounds. Provided that if any such building not in the occupation of the owner thereof be so removed the lessee and the occupier thereof shall be entitled to a remission or in case the building form part of a holding to a reduction of the rent payable by him in respect of such building or holding. The amount of such remission or reduction to be settled in case of difference by the surveyor. The Corporation shall make compensation to the owner of any such building so removed provided the same was lawfully existing at the passing of this Act.

Hoards to be set up during progress of buildings &c.

41. Every person intending to build or take down any building or to alter or repair the outward part of any building in any street or court shall before beginning the same unless the Corporation otherwise consent in writing cause close boarded hoards or fences to the satisfaction of the Corporation to be put up in order to separate the building from the street or court with (if the Corporation so require) a convenient covered platform and handrail to serve as a footway for passengers outside of such hoard or fence and shall continue such hoard or fence with such platform and handrail as aforesaid standing and in good condition to the satisfaction of the Corporation during such time as the public safety or convenience requires and shall when required by the Corporation in order to prevent accidents cause the same to be sufficiently lighted during the night and shall remove the same when required by the Corporation.

Raising of chimneys &c.

42. In case any building is after the commencement of this Act erected or raised to a greater height than the adjoining building and any flues or chimneys of the adjoining building are against or in

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the outer or party wall against the building so erected or raised the person erecting or raising such building shall at his own expense build up those flues and chimneys so that the top thereof may be of the same height as the tops of the chimneys of the building so erected or raised.

Flues to be painted on buildings adjoining vacant land.

43. In all cases where party walls shall hereafter be built adjoining to vacant land with chimney openings and flues on the inner side thereof the outside courses and situations of all such chimney openings or flues shall be distinctly marked with paint in lines not less than three inches wide upon the outer side of such party walls and every person who shall hereafter build any such party wall without causing such openings and flues to be so marked shall for every such offence forfeit a sum not exceeding five pounds.

Height of chimneys.

44. With respect to the height of chimneys the following provisions shall have effect (that is to say) :—

(1.) All chimneys hereafter erected for carrying any smoke from the furnace of any mill factory brewery sizing-house gasworks corn-mill foundry or buildings used for manufacturing purposes or for the conveying away of any noisome or deleterious gases or effluvia from any such buildings shall be raised to the height of sixty-three feet at least from the level of the centre of the street nearest thereto and in all cases where any chimney serves the furnace of a steam engine the chimney shall be raised to an additional height from such level adapted to the power of such engine according to the following scale (that is to say) if such steam engine be of more than thirty horse-power and do not exceed forty horse-power the height of such chimney shall not be less than one hundred feet and if such steam engine be of more than forty horse-power the height of such chimney shall not be less than one hundred and twenty feet;

(2.) No portable steam engine shall after the passing of this Act be erected or used within sixty-three feet of any occupied dwelling-house unless connected with a chimney of such height not less than thirty feet as the Corporation may in each case prescribe but the Corporation may not in any such case prescribe a greater height than one hundred feet;

(3.) All steam ejected from any fixed steam engine or the boiler thereof and all spent or ejected steam arising or produced in any trade or business shall be discharged into the chimney flue so as not to be an annoyance to the public;

(4.) The foregoing provisions of this section shall not apply to locomotives used upon any railway or tramway or to portable

steam engines in use for agricultural purposes or to steam rollers or fire engines;

(5.) Any person who shall offend against any provision of this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Power to enter buildings to inspect &c. chimneys &c.

45. Any person appointed by the Corporation may enter in the daytime into any mill factory brewery sizing-house gaswork or other building used for manufacturing purposes or any part thereof and may there inspect and examine the condition and measure and ascertain by all proper means the height of any chimney and the power of any steam engine used in connexion therewith and every person who prevents obstructs or hinders any person so appointed from entering any such building or making such inspection or examination or measuring or ascertaining the height of such chimney or the power of such steam engine shall for every such offence be liable to a penalty not exceeding ten pounds.

Certificate that houses fulfil certain requirements.

46. No building not already occupied as a dwelling-house shall be so occupied until the drainage thereof has been made and completed nor until a certificate has been granted by the surveyor to the owner that such house is in every respect in accordance with the requirements for the time being in force within the borough. Provided that if the surveyor fail to give such certificate within fourteen days after a written application for it shall have been made to him by the owner of such building and shall not in the meantime specify to such owner which of the aforesaid requirements have not been complied with with respect to such building then such building may be thereupon occupied as a dwelling-house. If any building is occupied contrary to the provisions of this section the owner of such building occupying the same or allowing the same to be so occupied and every person wilfully occupying the same shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Buildings described as lock-up shops not to be used as dwellings.

47. Where in the plan of a building deposited with the Corporation such building is described as a lock-up shop workshop shed or place of business the use of such building or any part thereof for the purposes of habitation by any person other than the person placed therein to take care thereof and the family of such person shall be an offence against this Act and shall be deemed to be committed on the day when such user is made known to the Corporation. Every person wilfully so using such building or permitting the same to be used shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

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Penalties.

48. Every person offending against this part of this Act whether he be the owner agent architect builder contractor workman labourer servant or other person employed in or about any works shall in all cases where a penalty is not expressly provided be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings. Provided always that if any such agent architect builder contractor workman labourer servant or other person has acted in relation to any such offence with the privity or consent of the owner or person causing or directing the work to be done he shall not be liable to any penalty under this part of this Act.

PART VI.

Streets and Highways &c.

Back passages to be laid out.

49. In order to afford access to and from the backs of houses erected in any new street and which do not abut on some other public street the following provisions shall have effect unless otherwise agreed on in writing under the hand of the borough surveyor that is to say:

(1.) Every house in any new street not being a detached or semi-detached house shall have at the back thereof a communication (not less than four feet wide throughout) with a public street. Such communication may be effected either by a transverse or longitudinal passage communicating with a public street or by a passage communicating with such transverse or longitudinal passage or with a public street;

(2.) Every detached and semi-detached house in any new street shall have within its own curtilage an access for carts from a public street to the back of such house;

(3.) Provided that in lieu of such passages in all cases where the line of houses is continuous and the line of the new street is not already fixed by any building erected on a plot of ground of not sufficient depth to admit thereof there shall be at the back of such houses a continuous back passage or road open from the ground upwards and not less than ten feet wide throughout and communicating at each end by a passage of equal width with a public street;

(4.) Every such passage or road shall be properly drained and except so far as it is wholly within the curtilage of the house

shall be metalled flagged paved or otherwise made good to the reasonable satisfaction of the Corporation by and at the cost of the owners of the respective premises abutting thereon.

Continuation of streets to be deemed new streets.

50. Every continuation of an existing street shall be deemed a new street.

Powers to vary direction level &c. of new streets.

51. The Corporation may by order vary or alter the intended position or direction of any intended new street for the purpose of causing it to communicate in a direct line with any other street adjoining or leading thereto. The Corporation shall make compensation to all persons injuriously affected by the execution of the provisions of this section.

Corporation may declare where new streets begin and end.

52. The Corporation may from time to time by order declare the points or limits at or within which any new street is for the purposes of this Act or the Act of 1849 or the Act of 1877 to be taken as beginning or ending.

Gardens forecourts &c. to be fenced off from streets.

53. Whenever the person erecting any building shall be desirous of leaving any opening or placing any steps or other projections in any forecourt area or space left in front of such building such forecourt area or space shall be well and sufficiently fenced off from the footpath or street by a railing or parapet or dwarf wall and palisades or in such other manner as the corporation may approve but where such garden forecourt area or space is free from any steps or other projections the extent of the same or such portion thereof as the person erecting the building may not wish to give to the street may be defined by the owner if he desire so to do instead of constructing a fence by a line of stones or other suitable material three inches or thereabouts wide by twelve inches or thereabouts deep laid flush with the surface of the footpath the object of this enactment being that footpaths shall be freed from objectionable obstructions and the owner of the building secured of his full rights over any land he may wish to retain in front of his building.

As to repair of vaults &c. under streets.

54. All vaults arches and cellars at any time subsisting under any street within the borough and all openings into such vaults arches or cellars in the surface of any such street and all cellar heads gratings lights and coal-holes existing in the surface of any such street and all landings flags or stones of the path or street supporting the same respectively shall be by the owners or occupiers of the same or of the houses or buildings to which the same respectively belong kept in substantial repair and in good and proper condition and so as not to occasion any injury to the street or to the passengers therein and in default thereof the Corporation may after

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twenty-four hours notice in that behalf cause the same respectively to be repaired and put in good order and the expenses of so doing shall be settled by the surveyor and be deemed private improvement expenses.

Section 31 of 10 & 11 Vict. c. 34 extended to vaults under footways.

55. The provisions of section thirty-one of the Towns Improvement Clauses Act 1847 shall extend to all vaults arches and cellars to be made within the borough whether made under the carriageway or under the footway of any street.

Removal of projections over streets.

56. Sections sixty-nine and seventy of the Towns Improvement Clauses Act 1847 incorporated with the Public Health Act 1875 shall with respect to the borough extend and apply to any crane or apparatus for hoisting or lowering goods and any other like projections from or at any building and whether erected before or after the passing of this Act.

Courts and passages to be flagged and channelled.

57. Every street within the borough which is only a court or passage and is not a public thoroughfare repairable by the inhabitants at large shall be well and sufficiently formed paved or flagged kerbed channelled and sewered and kept in good repair by the owner or owners of the house or houses buildings and lands abutting thereon and having the right to the use thereof and if any such court or passage be not so well and sufficiently paved or flagged kerbed channelled and drained and kept in good repair the Corporation may cause the same to be paved flagged kerbed channelled sewered and repaired and the expenses attending the same shall be settled by the surveyor and apportioned by him among the owners of the buildings and lands abutting on such court or passage and having the use thereof in such proportion as he shall deem equitable having regard to the rateable value of such buildings and lands and the other circumstances of the case.

Crossings for horses or vehicles over footways.

58. Every person desirous of forming a communication for horses or vehicles across any kerbed footpath so as to afford access to any premises from a street shall first give notice in writing of such desire to the Corporation and shall if so required by them submit to them for their reasonable approval a plan of the proposed communication showing where it will cut the footpath and what provision (if any) is made for kerbing for gullies and for a paved crossing and the dimensions and gradients of necessary works and shall execute the works at his own expense under the supervision and to the reasonable satisfaction of the surveyor and in case a plan shall have been required then in accordance with the plan so approved and not otherwise and if any person drives or permits or

causes to be driven any horse or vehicle across any footway unless and until such a communication as aforesaid has been so made he shall for each such offence be liable to a penalty not exceeding forty shillings.

Corporation may require certain streets to be repaired and recover expenses thereof.

59. The Corporation in cases where temporary repairs only are required of any street not having been declared to be a public highway under the Act of 1849 may from time to time by notice served on the owners of the lands or buildings adjoining to or abutting on any such street require such temporary repairs to be executed in and upon such street as shall be specified in such notice and such repairs shall be thereupon executed in and upon such street by the owners of the lands and buildings adjoining thereto or abutting thereon and in default thereof the Corporation may themselves execute such repairs and works and the expenses thereof so far as they are incurred in respect of so much of the street as has not been so declared to be a public highway shall be deemed private improvement expenses and may be recovered from such owners accordingly. Provided always that if three fourths in number of the owners of premises fronting adjoining or abutting upon the street in which such temporary repairs are required shall within fourteen days of the service of such notice upon them respectively give notice in writing to the Corporation that they wish the said street to be sewered levelled paved metalled flagged channelled and otherwise completed under the provisions of the said Act and the expenses of any works made chargeable as therein provided the Corporation shall not execute such temporary repairs but may cause such street or any part thereof to be sewered levelled paved metalled flagged channelled and otherwise completed under the provisions of the said Act accordingly and thereupon the street shall be declared by the Corporation to be a public highway and shall be repairable by them at the cost of the highway rate.

Materials in streets sewered and paved, &c.

60. The Corporation may remove appropriate sell use and dispose of any old materials existing in any street at the time of the execution by the Corporation of any works in such street unless the owners of buildings and lands in such street within twenty-four hours after notice so to do served on them by the surveyor remove such materials or their respective proportions thereof and the Corporation may if they think fit allow such sum as the surveyor may fix to be the reasonable value thereof to such owners for any materials which have been re-used or removed by the Corporation.

Recovery of damages caused to

61. If the footway of any street belonging to or under the management of the Corporation be injured by or in consequence of

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footways by excavations.

any excavations on lands adjoining thereto the Corporation may repair or replace the footway injured and all damages and expenses of or arising from such injury and repair or replacement shall be repayable to the Corporation by the owner of the lands on which such excavation has been made and may be recovered summarily or as a debt from such owner in any court of competent jurisdiction.

Waste land to be fenced.

62. If the owner or occupier of any land adjoining any street whereon there shall exist any reservoir pond excavation or anything which may be considered to be a nuisance annoyance or danger to the public allows the same to remain unfenced or the fences thereof to remain out of repair after the expiration of fourteen days notice from the surveyor the Corporation may cause the same to be fenced or may cause the fences to be repaired in such manner as they think fit and the expenses thereby incurred shall be recoverable from such owner or occupier summarily or as a debt from such owner in any court of competent jurisdiction.

Power to alter names of streets and names to be put up and houses to be numbered &c.

63. The Corporation may name any street or any part of a street which is without a name or which bears two names and may from time to time alter the name of any street or of any part of a street and may from time to time paint engrave or otherwise describe and place the name of any street or of any part of a street on a conspicuous part of any building or other erection at or near each end corner or entrance thereof and number every building or other erection therein on the door thereof or otherwise as they think proper and if any person wilfully or without sufficient reason destroys obliterates defaces removes or without the consent of the Corporation alters any such name or number or any part thereof he shall be liable to a penalty not exceeding forty shillings.

Deposits of building materials or excavations not to be placed without consent.

64. It shall not be lawful for any person without the consent of the Corporation first obtained which consent shall not be unreasonably withheld to lay any building materials rubbish or other thing or make any excavation on or in any street and when with such consent any person lays any building materials rubbish or other thing or makes any excavation on or in any street open for public use he shall at his own expense (unless the Corporation otherwise permit) cause the same to be sufficiently fenced and a sufficient light to be fixed in a proper place on or near the same and to be continued every night from sunset to sunrise and shall remove such materials rubbish or thing or fill up such excavation (as the case may be) when required by the Corporation and if any person fail to comply in any respect with the requirements of this enactment he shall be liable to a penalty not exceeding five pounds and to a daily

penalty not exceeding forty shillings and the Corporation may remove any such materials rubbish or things or fill up such excavation (as the case may be) and recover the expenses from the offender summarily.

PART VII.

Apportionment Collection and Recovery of New Street and Improvement Expenses.

Apportionment of "new street expenses."

65. For the purpose of apportioning new street expenses as defined in the Act of 1877 among the owners of the buildings or lands in the street to which they relate the expenses of the whole work including so much thereof as will be opposite any other streets intersecting or adjoining the street to which the expenses relate shall be apportioned among the owners in proportion to the frontage of their land to the street exclusive of any portion of such land as forms part of any side or cross street.

Extending time for repayment of new street expenses.

66. Notwithstanding anything in section seventeen of the Act of 1877 contained the Corporation may in respect of any new street expenses or any other expenses by this Act or by the Acts of 1849 or 1877 made payable by or recoverable from the owner or occupier of any buildings or lands and whether incurred before or after the commencement of this Act allow to the owners or occupiers or any of them time (not exceeding twelve years) for the payment thereof or of any part thereof.

Meaning of private improvement expenses.

67. The expression "private improvement expenses" shall mean and include all private improvement and new street expenses expressly so called for the repayment whereof the owner of the building or lands in respect whereof such expenses may have been or may be incurred is liable under any enactment or any order or notice of the Corporation made thereunder or under any agreement with or by reason of any application of such owner together with the interest chargeable thereon and supervision costs.

Occupier in default of owner may execute works and deduct expense from his rent.

68. Whenever default is made by the owner of any building or lands in the execution of any work required by any enactment or byelaw for the time being in force within the borough the occupier of such building or lands may with the consent of the Corporation cause such work to be executed and the expense thereof shall be repaid to such occupier by such owner or such occupier may deduct the

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amount of such expense from the rent from time to time becoming due from him to such owner.

Value of existing sewer and streets to be allowed for.

69. In ascertaining the proportion to be paid by any owner of the expenses of freeing from obstruction sewering draining levelling paving or macadamising any street or any part thereof or in doing any of such works the value and efficiency of any such work theretofore done by such owner or by any preceding owner shall be taken into consideration and the surveyor may make such allowance as he may think fit to any such owner and the decision of the surveyor in every such case shall be binding and conclusive on all parties.

Private improvement expenses to be a charge on lands as if mortgaged.

70. All private improvement expenses notwithstanding that any rate shall have been made for the payment thereof shall also be a charge on the building or lands to which the same relate from the time when the works are begun and the Corporation shall have the like rights and remedies in respect of such charge as if they were mortgagees with power of sale of such building or lands for the amount of such charge.

Power to enter into possession &c. where owner fails to pay his private improvement expenses.

71. If the owner of any building or lands so charged with any private improvement expenses fails for the space of six months after the same become recoverable from him to fully pay the same or if any such owner is or becomes bankrupt or is after diligent inquiry unknown to the Corporation or cannot be found by them then and in every such case and as often as the same happens the Corporation (by way of additional remedy and whether any action or suit or other proceeding against such owner has been brought by them or not) may on or at any time and from time to time after the expiration of one month from service of a notice on such owner or in the case where such owner is unknown or cannot be found after the expiration of one month from the affixing of a notice on some conspicuous part of the said building or land of their intention to put in force the powers of the present section proceed as follows (namely):—

(1.) The Corporation may enter into receipt of and demand and receive from tenants and occupiers and persons liable the rents and profits of such building or lands and in case of non-payment may use all or any such lawful remedies by way of distress or otherwise for recovering and obtaining payment of the same or any part thereof as may be used by landlords in ordinary cases and may do all things necessary or expedient for recovering and receiving the rents and profits as if they were the owners of the building or lands and the tenants occupiers and persons liable

shall pay the rents and profits to the Corporation and the receipt of the treasurer or of any officer of the Corporation appointed in that behalf shall be and shall alone be an effectual discharge for the same;

(2.) Where any such building or lands is or are unoccupied or unproductive at the time when the Corporation would be entitled under this Act to enter into the receipt of the rents and profits thereof (if any) or at any time afterwards while the claim of the Corporation is unsatisfied then and in every such case and as often as the same happens the Corporation may enter into possession of the building or lands and may occupy inclose and use the same or any part thereof;

(3.) The Corporation may in order to recover any private improvement expenses from time to time let from year to year or for any shorter period any such unoccupied or unproductive building or lands or any part thereof and receive the rents and profits thereof as if they were the owners thereof.

Application of rents and profits received.

72. All rents and profits received in respect of any such building or lands as aforesaid shall be applied in the manner and in the order following (namely):—

(1.) There shall be paid any chief rent payable in respect of the building or lands;

(2.) There shall be retained on behalf of the Corporation the amount which the owner is at the time of the commencement of such receipt by the Corporation liable to pay on account of such private improvement expenses as aforesaid and interest in respect of the same building or lands;

(3.) There shall be paid thereout all taxes rates assessments expenses of repairs and other outgoings properly payable by the owner in respect of the building or lands (except any chief rent) and all expenses incurred by the Corporation in relation thereto by reason or in consequence of the failure of the owner thereof to pay any such private improvement or other expenses as aforesaid;

(4.) The surplus (if any) shall be paid to the owner his representatives or assigns.

Upon satisfaction of the private improvement expenses and all moneys payable under this section the Corporation shall cease (if in occupation) to hold possession of such building or lands and if the same be let shall forthwith give due legal notice to determine the tenancy thereof.

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Right of Corporation to rents to exclude that of owner &c.

73. Whenever the Corporation so enter into the receipt of the rents and profits or into possession of any such building or lands then for and in respect of the period during which their claim against the owner is unsatisfied as well after the termination of that period as during its continuance the owner of the building or lands shall not have any right to receive any rents or profits of the building or lands or have any interest therein except under the provisions of this Act directing the application of rents and profits received by the Corporation and for and in respect of the period aforesaid as well after its termination as during its continuance every or any such right shall as against any lessee of the building or lands or other person taking through or under the Corporation be by virtue of this Act absolutely extinguished.

Persons having partial interests may raise expenses by mortgage.

74. All owners of buildings or lands being tenants for life only and all committees of the estates of lunatics and all trustees seized possessed or entitled to any estate or interest either at law or in equity in any buildings or lands for or on behalf of any person or charity (all of whom are in this section included in the expression "mortgagor") may charge such buildings or lands with such sum as may be necessary to defray the whole or any part of any private improvement expenses which the owners of such buildings or lands for the time being are liable to pay and the expenses of making such charge and for securing the repayment of such sum with interest may mortgage such buildings or lands for the term of twenty years unto or in trust for any person who shall advance such moneys but so that every such mortgage be made with a condition to cease and be void or with an express trust to be surrendered or assigned when the money to be thereby secured with all interest thereon shall have been fully paid and satisfied and so that in every such mortgage there be contained a covenant by the mortgagor to pay and keep down the interest of the money to be secured during his life or the continuance of his interest therein as the case may be and to set aside during such life or continuance as the case may be yearly and every year following the execution of such mortgage one-twentieth part at least of the whole original sum secured by such mortgage in such manner that no person afterwards becoming possessed of such buildings or lands or of any estate or interest therein shall be subject or liable to pay any larger arrear of interest than for six months previous to the time when his title to possession shall accrue or commence or any greater proportion of the original sum secured by such mortgage than the unexpired term of such mortgage doth or shall bear to the whole term mentioned

and the amounts annually set aside under the covenants of such mortgage shall be invested in Exchequer bills or other Government securities in the joint names of the mortgagor and the mortgagee and shall accumulate until the whole amount secured by such mortgage can be paid off or until the sum so accumulated shall be accepted by the mortgagee in discharge of the like amount of the principal sum secured by such mortgage and every such mortgagee and his representatives and assigns shall have the like remedies in case of non-payment of the moneys thereby secured as in the case of other mortgages of the like nature. If the mortgagor shall advance or pay the whole amount of the moneys so repayable as aforesaid he shall be deemed to be a mortgagee in respect thereof and shall have the same rights and priority as a mortgagee would have under this section and a certificate of such advance or payment under the hands of the treasurer shall be conclusive proof of the rights of such mortgagee to the extent of the amount certified for under this section.

Power to apply borough fund in executing works for private owners.

75. Whenever the Corporation are by virtue of any enactment or any byelaw for the time being in force within the borough authorised to execute re-execute or alter any work act or thing in default of the owner occupier or other person required to do the same and whenever the Corporation execute any works upon the application of or by agreement with the owner of the lands houses or other property for or in respect of which the same are to be executed the Corporation may apply the borough fund or any fund provided under this Act for the purpose of private improvement expenses in or towards the executing re-executing or altering of such work act or thing but this section shall not affect the liability of any such owner occupier or other person to repay the moneys expended by the Corporation.

Penalty on occupiers refusing execution of Act.

76. In case the occupier of any house or part of a house prevents the owner thereof from carrying into effect in respect thereof any notice given by the Corporation under any enactment or byelaw for the time being in force within the borough then after notice of this provision given by the owner to the occupier any justice upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by such notice to be done and if after the expiration of seven days from the service of such order the occupier continues to refuse to permit the owner to execute the said works such occupier shall for every day during which he so continues to refuse be liable to a penalty not exceeding five pounds and during the continuance of such refusal the owner shall be discharged from any penalties to which he might

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otherwise have become liable by reason of his default in executing such works.

Cost of executing works in default by Corporation to be part of private improvement expenses.

77. Whenever the Corporation or the surveyor under any enactment or byelaw for the time being in force within the borough execute re-execute or alter any work act or thing in default of the owner required to do such work act or thing and in the absence of negligence on their or his part or on the part of any contractor or person employed by them are required to pay any damages penalties costs charges or expenses for or in respect of or consequent upon the executing re-executing or altering such work act or thing the amount thereof when paid shall be added to and be deemed to be part of the private improvement expenses payable by such owner.

Corporation may charge supervision in addition to costs.

78. Whenever under any enactment or byelaw for the time being in force within the borough the Corporation either on the application or in consequence of the default of the owners or occupiers of any premises execute any work the cost of which is payable by such owners or occupiers the Corporation may if they see fit in addition to the actual cost of such works charge and recover in respect of plans sections measuring supervision and all other matters an amount not exceeding five per centum of the amount of the actual cost of such works in this Act referred to as supervision costs.

Mortgagees in possession may recover moneys paid by them for sewering &c. in same way as principal and interest.

79. Where any building or land shall be in the possession of any mortgagee or other person having in his own right any charge or incumbrance thereon such mortgagee or other person shall have and may exercise the same powers and remedies for the recovery of any moneys paid by him in respect of charges and expenses recoverable as aforesaid from the owner of such building or land as he has or may exercise for the recovery of the principal money secured by such mortgage or the interest thereof.

Railways abutting but not communicating with streets not to be chargeable with expenses under this Act.

80. No railway or canal company shall be deemed to be an owner or occupier for the purposes of this part of this Act in respect of any land of such company upon which any street as defined in this Act shall wholly or partially front or abut and which shall be used by such company solely as a part of their line of railway canal sidings stations or works and shall have no communication with such street and the expenses which but for this provision such railway or canal company would be liable to pay under the powers of this part of this Act shall be paid by the Corporation and in the event of such railway or canal company subsequently making a communication with such street they shall notwithstanding such payment as last

aforesaid pay to the Corporation the expenses which but for the foregoing provision such railway or canal company would in the first instance have been liable to pay. But this section shall not apply to any street (as defined in this Act) existing at the date of the passing of this Act. A.D. 1886.

PART VIII.

Sanitary Provisions.

Power to provide convertors &c.

81. For the purpose of destroying night-soil dung ashes and other filth and rubbish the Corporation may provide furnaces convertors destructors and other things but nothing in this section shall authorise the Corporation to create a nuisance.

Provision as to access to premises for scavenage.

82. Where the privy or ash-pit of any new building has no sufficient means of approach for the purposes of scavenage and the Corporation have not approved of such new building they may by notice signed by the surveyor or inspector of nuisances require the owner of such privy or ash-pit within a time to be named in such notice to make sufficient means of approach thereto to the satisfaction of the surveyor or inspector of nuisances and such notice shall specify the works to be executed for the purposes of this section. Every person failing within a reasonable time to comply with such notice shall be subject to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Pipes from slopstone to be disconnected from sewers.

83. Every pipe from any slopstone in a building erected before as well as after the passing of this Act shall where practicable be carried through the external wall of such building and be constructed so as to discharge in the open air on the outside of such building over a channel leading to a gulley grating at a suitable distance and every gulley grating or other inlet to the drains shall be properly trapped. Provided always that with respect to a building erected before the passing of this Act any penalty for an offence against the provisions of this section shall not be enforced unless default has been made for fourteen days in complying with a notice from the Corporation or the inspector of nuisances requiring the owner or occupier of such building to comply with the provisions of this section.

Corporation may agree as to disposal of sewage

84. The Corporation may make and carry into effect agreements with the owners or occupiers of any manufactories or works within the borough for or with reference to the purification and disposal of

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&c. of manufactories.

sewage matter and refuse produced on or arising from such manufactories or works.

Urinals attached to public-houses &c.

85. The Corporation may order the occupier of any theatre concert room inn public-house beer-house eating-house cook-shop or other place of public entertainment built before or after the commencement of this Act to provide and maintain upon or adjoining such premises and in a situation to be indicated in the said order a urinal or urinals to the satisfaction of the Corporation and if any person fails in any respect to comply with the provisions of this section he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings and the Corporation may order the owner and occupier of any building or lands to remove any urinal belonging thereto where it appears so situated or constructed as to be a nuisance or offensive to public decency.

Power to order privies &c. to be filled up.

86. When any building shall be provided with a suitable water-closet or earth-closet or sanitary-pan or pan-closet or ash-tub or other like accommodation to the satisfaction of the Corporation they may order that any existing privy or ash-pit shall be filled up by the owner or occupier of the building and if such owner or occupier do not within one month next after notice of such order comply with the same he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings and in case of default the Corporation may if they think fit execute the works necessary for carrying out the order and the expenses incurred by them in so doing shall be repaid to them by such owner or occupier and shall be recoverable as a penalty under this Act is recoverable.

Provision as to filling up cesspools &c.

87. If it appears to the Corporation by the report of the surveyor or inspector of nuisances or medical officer of health that any cesspool used at or at any time after the commencement of this Act as a receptacle for excreta or for the whole or any part of the drainage of any house or part of a house within the borough or any ash-pit belonging to any such house or part of a house is prejudicial to health or is inconveniently situated or is ill-constructed or is not water-tight or that for other sanitary reasons it is desirable that the same should be filled up or removed then in any such case if the said house or part of a house can be otherwise properly sewered and drained in accordance with the provisions of any Act then in force within the borough the Corporation may if they think fit by written notice require the owner or occupier of such house or part of a house within a reasonable time to be specified in such notice to

cause such cesspool or ash-pit to be filled up or removed and any drain communicating with such cesspool to be effectually disconnected destroyed and taken away and in cases where it appears by such report that any cesspool or ash-pit is used in common by the occupiers of two or more houses or parts of houses such notice for the filling up or removal of such common cesspool or ash-pit may be served on any one or more of the owners or occupiers respectively who have the right to use the same cesspool or ash-pit and the cost of filling up or removing such last-mentioned cesspool or ash-pit shall be defrayed by the owners thereof in such proportion as the Corporation shall determine.

Prevention of nuisances.

88. If any middenstead ash-pit urinal privy or water-closet within the borough used in common by the inmates of any premises used as a separate dwelling and also by any other persons or the approaches to or the walls floors seats or fittings of any middenstead ash-pit privy or water-closet or any of them is or are in the opinion of the Corporation or of the inspector of nuisances or medical officer of health in such a state or condition as to be a nuisance or annoyance to any inhabitant of the borough for want of the proper cleansing thereof that one of the persons having the use thereof in common as aforesaid who is in default or in the absence of proof satisfactory to the justices as to which of them is in default each of such persons shall be liable to pay a penalty not exceeding ten shillings and to a daily penalty not exceeding five shillings.

Summary power to provide sinks and drains for dwelling-houses.

89. In addition to all powers vested in the Corporation the Corporation may if the surveyor or inspector of nuisances shall report in writing to the Corporation that any house or building is not provided with a proper sink or drain or other necessary appliances for carrying off refuse water from such house or building by notice require the owner of such house or building in the manner and within the time to be specified in such notice to provide such sink drain or other appliances. If any such owner shall neglect to comply with such notice within the time therein appointed he shall be liable for every such offence to a daily penalty not exceeding five pounds and a further penalty of forty shillings and the Corporation may if they think fit themselves provide such drain sink or other appliances and recover the cost thereof from the owner in a summary way.

Cleansing watercourses &c. forming boundaries of borough.

90. In case any watercourse brook ditch drain pool reservoir or other accumulation of water is or forms part of the boundary line between the borough and any adjoining township or place and in the opinion of the Corporation or of the local authority of such

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township or place requires to be drained cleansed scoured deepened widened straightened covered over or otherwise improved the Corporation and the local authority of such township or place may enter into an agreement for the execution of such works and for the payment of the expenses of and incident to the same and if no agreement is made the Corporation or such local authority may summon the other of them to appear before two justices not being members of the council to show cause why an order should not be made by such justices for executing such permanent or other structural works in relation to the watercourse brook ditch drain pool reservoir or accumulation of water as may appear to the justices necessary and such justices after hearing the parties or ex parte in case of the default of any of them to appear may make such order with reference to the execution of such works and may determine by whom the same shall be executed and by whom and in what proportion the expenses of the execution thereof (such expenses to include compensation to any person for any damage he may sustain in or by reason of the execution of such works) shall be paid and also the amount time and mode of payment of such expenses and the same shall be paid accordingly and in default of payment such sum may be levied upon the goods and chattels of the Corporation or such local authority as the case may be by distress and sale thereof or may be recovered with full costs of suit in any court of competent jurisdiction.

Entrances to courts &c. not to be closed &c. without consent of Corporation.

91. The entrance to any court or place not being a highway repairable by the inhabitants at large shall not at any time after the commencement of this Act be closed or narrowed or built over or the height or headway thereof lowered without in each case the consent of the Corporation in writing.

Power to supply houses or courts with privies &c.

92. The Corporation for the purpose of supplying a court or place with a privy water-closet earth-closet pan-closet sanitary-pan ash-pit ash-tub or other sanitary accommodation may from time to time take by agreement any building and remove the same and execute all consequent structural and other works and the owner or owners of such houses in the court or place benefited thereby shall be liable to pay the expenses incurred by the Corporation in the execution of this section and the amount thereof shall be apportioned among those owners by the surveyor in such proportion as he shall deem equitable having regard to the rateable value of the property held by them in such court or place and the other circumstances of the case and the amount apportioned to each owner shall be payable and recoverable as private improvement expenses.

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Rooms over privies or ash-pits not to be used as dwelling or sleeping rooms.

93. No room built before or after the commencement of this Act any portion of which extends immediately over any privy cesspool midden or ash-pit or immediately over any stable cow-byre or other place in which horses or cattle are kept and which is not effectually separated from such room to the satisfaction of the Corporation shall be occupied as a dwelling or sleeping or work room and no person shall after the expiration of one month after the commencement of this Act knowingly occupy or suffer to be occupied as a dwelling or sleeping or work room any such room. Any person offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

Regulating the burning of bricks &c.

94. Every person who shall within fifty yards of any dwelling-house situate within or near any street burn any bricks tiles or lime except in a brickyard or limekiln existing at the passing of this Act shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Extension of sections 116 to 119 inclusive of Public Health Act 1875.

95. The provisions contained in sections one hundred and sixteen to one hundred and nineteen (both inclusive) of the Public Health Act 1875 shall extend and apply to all articles intended for the food of man sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale within the borough.

Power to medical officer of health and inspector of nuisances to open boxes &c. containing provisions.

96. For the purpose of enabling the medical officer of health or inspector of nuisances to effectually inspect and examine under the provisions of section one hundred and sixteen of the Public Health Act 1875 any article sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale within the borough and intended for the food of man such medical officer of health or inspector of nuisances may subject to the provisions of section three hundred and eight of the Public Health Act 1875 open any box or other receptacle in which any such article may be contained and any person who shall obstruct any such officer or inspector in the execution of this section shall be liable to a penalty not exceeding ten pounds.

Extending powers as to unwholesome food.

97. Section one hundred and seventeen (power of justice to order destruction of unsound meat &c.) of the Public Health Act 1875 shall extend and apply to every diseased unsound or unwholesome article intended for the food of man sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale whether such article be or be not seized and carried away to be dealt with by any justice or ordered by any

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justice to be destroyed or disposed of as mentioned in such section. Provided that the justice before whom any complaint with respect to such article of food is made be satisfied on the evidence laid before him that such article of food was diseased or unsound or unwholesome or unfit for the food of man.

PART IX.

Provisions as to Infectious Diseases.

Corporation shall provide temporary accommodation during disinfection of dwellings.

98. The Corporation shall from time to time provide temporary shelter or house accommodation for the members of any family in which any infectious disease has appeared and who have been compelled by the Corporation to leave their dwellings for the purpose of enabling such dwellings to be disinfected.

Corporation may provide nurses &c.

99. The Corporation may provide or contract with any person or persons to provide nurses for attendance upon persons suffering from infectious disease within the borough and may charge a reasonable sum for the service of any nurse provided by them.

Notice to be given of persons suffering from infectious disease.

100. In order to secure that due notice be given to the Corporation of any inmate of any building used for human habitation who is suffering from any infectious disease the following provisions shall have effect (that is to say) :—

1. If any such inmate be suffering from any infectious disease the occupier or the person having the charge management or control of such building (or if such occupier or person be prevented by reason of such disease then the person in charge of such inmate) shall as soon as he shall become aware of the existence in any such inmate of any such disease forthwith give notice thereof to the medical officer of health at his office;
2. If such inmate be not a member of the family of such occupier or person the head of the family (resident in such building) to which such inmate belongs or if there be no such head or if such head be prevented by illness then such inmate (unless prevented by reason of such disease or of youth) shall on becoming aware of the existence in such inmate or in his own person as the case may be of such disease forthwith give notice thereof to such occupier or person;
3. The Corporation shall provide and supply gratuitously to every legally qualified medical practitioner resident or practising in the borough who shall apply for the same forms for the certificate or declaration to be made by such medical practitioner

of the particulars herein-after mentioned in relation to such cases according to the form set forth in the First Schedule to this Act;

4. Every medical practitioner attending on or called in to visit such inmate shall on becoming aware that such inmate is suffering from any infectious disease forthwith fill up sign and deliver or send to the medical officer of health at his office a certificate or declaration stating according to the form so prescribed the name of such inmate the situation of such building the name of such occupier or person and the nature of the infectious disease from which in the opinion of such medical practitioner such inmate is suffering;
5. The Corporation shall pay to every legally qualified medical practitioner who shall in pursuance of this section duly make and give any such certificate or declaration a fee of two shillings and sixpence for each such certificate or declaration in respect of cases occurring in his private practice and a fee of one shilling for each such certificate or declaration in respect of cases occurring in his practice as a medical officer to any public body or institution;
6. And any person who shall wilfully offend against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Other diseases may be declared to be within the foregoing provision.

101. The Corporation may from time to time by resolution on the report of the medical officer of health and approved by the Local Government Board order that any infectious disease other than those specifically mentioned in this Act shall be deemed to be an infectious disease within and subject to the provisions of this Act:—

1. Any such order of the Corporation may be permanent or temporary only and if temporary the period during which it is to continue in force shall be specified therein and the Corporation shall give public notice of the order by publishing the same by advertisement in two or more of the local newspapers circulating in the borough and after such public notice has been given the provisions of this Act shall so long as the order continues in force apply to the disease specified therein in like manner in all respects as if the disease were an infectious disease specifically mentioned in this Act;
2. The production of the newspapers containing a copy of the resolution shall be conclusive evidence that public notice of the order has been so given;
3. The Corporation shall immediately after any such order shall have been made send a copy thereof to each legally qualified

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medical practitioner residing in the borough but the omission to send any such copy shall not affect the validity of such order.

Cowkeepers and others to furnish lists of customers in certain cases.

102. Whenever it shall be certified to the Corporation by the medical officer of health or other legally qualified medical practitioner that the spread of infectious disease is in the opinion of such medical officer of health or medical practitioner attributable to the milk supplied by any cowkeeper purveyor of milk or occupier of a dairy milk-store or milk-shop the Corporation may require such cowkeeper purveyor of milk or occupier to furnish to them within a time to be fixed by them a full and complete list of the names and addresses of all his customers within the borough and such cowkeeper purveyor of milk or occupier shall furnish such list accordingly and the Corporation shall pay to him for every such list after the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed two shillings and every person who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding five shillings.

Further powers in relation to disinfection of premises.

103. Where the Corporation are of opinion on the certificate of the medical officer of health or of any other legally qualified medical practitioner that the cleansing and disinfecting of any house or part thereof and of any articles therein likely to communicate any infectious disease or to retain infection would tend to prevent or to check infectious disease and that such cleansing and disinfection would more effectually be carried out by the Corporation than by the owner or occupier of such house or part thereof the Corporation without requiring such owner or occupier to carry out such cleansing and disinfection as aforesaid may if they think fit but at their own cost themselves cleanse and disinfect such house or part thereof and articles and may for that purpose remove any such articles and shall make compensation to such owners or occupiers for all property or articles destroyed or injured by the exercise of the provisions of this section. And any person who shall obstruct any duly authorised officer of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Penalty on persons ceasing to occupy houses without previous dis-

104. Every person who shall cease to occupy any house room or part of a house in which any person has within six weeks previously been suffering from any infectious disease without having such house room or part of a house and all articles therein liable to retain infection disinfected to the satisfaction of a legally qualified medical

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practitioner as testified by a certificate signed by him or without first giving to the owner of such house room or part of a house notice of the previous existence of such disease and every person ceasing to occupy any house room or part of a house and who on being questioned by the owner thereof or by any person negotiating for the hire of such house room or part of a house as to the fact of there having within six weeks previously been therein any person suffering from any infectious disease knowingly makes a false answer to such question shall be liable to a penalty not exceeding ten pounds.

Infection or giving notice to owner or making false answers.

105. No person shall without the sanction in writing of the medical officer of health or of a legally qualified medical practitioner retain unburied elsewhere than in a mortuary for more than forty-eight hours the dead body of any person who has died of any infectious disease and any person offending against this enactment shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings.

Prohibiting the retention of dead bodies in certain cases.

106. If any person shall die from any infectious disease in any hospital or place of temporary accommodation provided by the Corporation and the medical officer of health certifies that in his opinion it is desirable in order to prevent the risk of communicating any infectious disease or spreading infection that the dead body shall not be removed from such hospital or place except for the purpose of being forthwith buried it shall not be lawful for any person or persons to remove such dead body from such hospital or place except for the last-mentioned purpose and when the dead body is taken out of such hospital or place for that purpose it shall be forthwith carried or taken directly to some cemetery or place of burial and shall be forthwith there buried and any person wilfully offending against this section shall be liable to a penalty not exceeding fifty pounds.

Bodies of persons dying in hospital &c. of infectious diseases to be removed only for burial.

107. Where the dead body of any person who has died of any infectious disease remains unburied elsewhere than in a mortuary for more than forty-eight hours after death without the sanction of the medical officer of health or of a legally qualified medical practitioner or is retained in a room in which persons live or sleep or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or of any adjoining or neighbouring house or building and there shall be a certificate thereof signed by a legally qualified medical practitioner any justice may order the body to be removed at the cost of the Corporation to any mortuary provided by the Corporation and

Justices may in certain cases order dead bodies to be buried.

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direct the same to be buried within a time to be limited in the order or may in the case of the body of a person who has died of any infectious disease or in any case in which he shall consider immediate burial necessary direct such body to be so buried without requiring the same to be removed to a mortuary and unless the friends or relatives of the deceased undertake to bury and do bury the body within the time limited by such order it shall be the duty of the relieving officer to bury such body at the expense of the poor rate but any expense so incurred may be recovered by the relieving officer in a summary manner from any person legally liable to pay the expense of such burial. Any person obstructing the execution of an order made by a justice under this section shall be liable to a penalty not exceeding five pounds.

Corpses not to be carried in public conveyances.

108. Any person who hires or uses a public conveyance other than a hearse for the conveyance of the corpse of a person who has died from any infectious disease without previously notifying to the owner or driver of such public conveyance that the person whose corpse is or is intended to be so conveyed has died from infectious disease and any owner or driver of a public conveyance (other than a hearse) which has been used for conveying the corpse of a person who has died from infectious disease who shall not immediately afterwards provide for the disinfection of such conveyance shall be liable to a penalty not exceeding five pounds.

Penalties only recoverable by Corporation.

109. No penalty under this part of this Act shall be recoverable except on the information or complaint of the Corporation.

Saving for Acts relating to dairies animals &c.

110. Nothing in or done under this Act shall interfere with the operation or effect of the Contagious Diseases (Animals) Act 1878 or of any order license or act of Her Majesty's Privy Council made granted or done or to be made granted or done thereunder or of any order regulation license or act of a local authority made granted or done or to be made granted or done under any such order of the Privy Council or exempt the dairies milk-stores milk-shops slaughter-houses or knackers' yards to which this Act relates or any building or thing whatsoever or any body or person from the provisions of any general Act relating to dairies milk or animals already passed or to be passed in this or any future session of Parliament.

Power of entry for purposes of sections 120 and 121 of the Public Health Act 1875.

111. For the purpose of carrying into effect the provisions of sections 120 and 121 of the Public Health Act 1875 or either of those sections the Corporation may by any officer appointed in that behalf enter on any premises between the hours of ten o'clock in the forenoon and six o'clock in the afternoon.

Power to make bye-laws for sanitary purposes.

112. The Corporation may from time to time make and enforce byelaws for all or any of the following purposes (that is to say) :—

For preventing infectious rubbish or vegetable or animal refuse being thrown into ash-pits or ash-tubs;

For prescribing the times for the removal or carriage through the streets of any fæcal offensive or noxious matter or liquid and the construction and manner of using of any vessel or vehicle used therefor and to compel the cleansing of any place whereon such matter or liquid shall have been dropped or spilt in such removal or carriage.

PART X.

Sewerage &c.

Power to construct drain for house if built in contravention of section 25 of the Public Health Act 1875.

113. Where any person has been convicted of causing a house to be erected or rebuilt or any drain to be constructed in contravention of section twenty-five of the Public Health Act 1875 the Corporation may cause such drain or drains to be laid relaid or amended or re-made as the case may require and may recover the expenses incurred by them in so doing from the owner of the house as private improvement expenses.

Refuse and other injurious matters not to pass into sewers.

114. It shall not be lawful for any person to throw or to permit or suffer to be thrown or to pass into any drain or sewer any matter or substance which would interfere with the free flow of the sewage or surface or storm water or which would be injurious to the construction of the drains or sewers or produce corrosion or decay in the materials thereof or generate noxious or offensive gases or injure or prejudicially affect the grass herbage crops or vegetation of any sewage lands for the time being held by the Corporation and every person offending against this enactment shall for every such offence forfeit and pay a sum not exceeding fifty pounds to be recoverable by the Corporation with full costs of suit in any court of competent jurisdiction.

Intercepting tanks for manufactories.

115. In the case of hat works dye works bleach works print works soap works sizeing-house gas works foundries chemical works tanneries breweries or other mills or manufactories which may be lawfully connected with the sewers of the Corporation the drains shall be intercepted by a tank to be constructed upon the premises and at the expense of the owner and in such situation and of such dimensions and with such strainers as the Corporation may from time to time and in each case determine.

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Steam &c. not to be turned into sewers.

116. Every person who having had notice from the Corporation of the provisions of this section shall at any time after the expiration of seven days from the service of such notice turn or knowingly permit to enter into any sewer or drain communicating therewith any waste steam condensing water or heated water from any boiler or other receptacle used with any steam engine or for any manufacturing or trade purpose (such water being of a higher temperature than one hundred and ten degrees of Fahrenheit) shall be liable for every such offence to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds. The Corporation or any of their officers may enter into any premises for the purpose of examining whether the provisions of this section are being contravened and if such admission be refused any justice on complaint thereof on oath by any officer of the Corporation (made after reasonable notice in writing of such intended complaint has been given to the person having custody of the premises) may by order under his hand require such person to admit the officer of the Corporation into the premises and any such order shall continue in force until the offence shall have ceased or the works necessary to prevent the recurrence thereof shall have been executed.

PART XI.

Markets Fairs and Slaughter-houses &c.

Power to take possession of stalls &c. for non-payment of rent &c.

117. If any tenant or occupier of any shop stall shed standing station or any other market premises of the Corporation shall on demand thereof after the same shall have become due and payable make default in the payment of any stallage rent or toll for any such market premises as aforesaid the Corporation may enter upon and take possession thereof and re-let the same without prejudice to any other remedy for the recovery of such stallage rent or toll.

Power to lease slaughter-houses &c.

118. The Corporation may from time to time let slaughter-houses weighing-houses or weighing-places and weighing-machines or any of them for not exceeding three years on such terms (pecuniary or otherwise) and conditions as the Corporation and the lessees mutually agree on.

License for sale out of markets.

119. The Corporation may from time to time if they think fit grant to any person a license to sell or expose for sale from door to door any article in respect of the sale or exposure for sale whereof in any market-place or market-house or in respect of the user of any

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stall or other convenience for the sale or exposure for sale whereof in any market-place or market-house any toll is leviable by or payable to the Corporation every such license being granted on such terms and conditions as the Corporation think fit and to endure for a period not exceeding twelve months and to be revocable in such cases as the Corporation prescribe and the Corporation may demand and take for every such license any sum not exceeding ten shillings and if any person does any act for which such a license is required without having obtained such a license or does any act in contravention of or omits to do anything required by a license granted to him he shall be liable for every such offence to a penalty not exceeding forty shillings.

Saving for pedlars and horse dealers.

120. Nothing in this Act nor any byelaw thereunder shall interfere with the lawful exercise of their calling by pedlars duly certificated under any Act relating to such calling or by horse dealers.

Forfeiture of articles left in markets.

121. Every animal or article brought into any market or fair and left therein after the hour of closing (except such as may be left in charge of the superintendent or inspector of the market or fair) may be taken possession of by the superintendent or inspector and if the same being of a perishable nature be not claimed within one hour after the closing or not being of a perishable nature be not claimed within seven days thereafter then and in every such case the same may be sold by the Corporation who shall return the surplus proceeds of such sale after deducting any unpaid tolls due in respect thereof and the expenses of detention and sale to the owner on demand if made within one month after the sale but if the demand be not so made the proceeds of the sale shall be forfeited to the Corporation.

Slaughtering prohibited except in Corporation slaughter-houses.

122. After the Corporation shall have provided public slaughter-houses no person shall except with the consent of the Corporation slaughter any animal for sale or dress any carcase in any place within the borough except in such slaughter-houses and if any person acts in any respect in contravention of this section he shall be liable for each offence to a penalty not exceeding five pounds. The Corporation shall make compensation to the owners and occupiers of any slaughter-house lawfully existing at the date of such provision by the Corporation who shall be injuriously affected by the exercise of the prohibition in this section contained.

Corporation may revoke slaughter-house license

123. If the occupier of any building licensed by the Corporation to be used as a slaughter-house shall after the commencement of this Act be convicted of selling or exposing for sale or for having in

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if occupier convicted of selling &c. diseased meat.

his possession or on his premises the carcase of any animal or any piece of meat or any flesh diseased or unsound or unwholesome or unfit for the use of man the Corporation may if they think fit by order revoke the license to use such building as a slaughter-house and they may thereafter refuse if they think fit to grant a license for the use as a slaughter-house of any building belonging to or occupied by or which they may reasonably believe is intended to be occupied by the person so convicted.

Corporation may erect retiring rooms &c.

124. The Corporation may in connexion with their markets and fairs erect and maintain one or more lodges for the residence of the superintendent inspector or inspectors thereof and may also erect and maintain in any place or situation within the borough where they may deem the same to be necessary or desirable retiring rooms lavatories and urinals and such other accommodation as may be necessary for the convenience of the persons frequenting the said markets and fairs and slaughter-houses and of the public generally and may acquire land for that purpose and may from time to time demise such rooms lavatories and urinals for any period not exceeding three years.

PART XII.

Hackney Carriages &c.

Application to omnibuses of provisions as to hackney carriages.

125. The term "hackney carriage" in this Act and the terms "hackney carriage" or "carriages" whenever used in sections 37, 39 to 52 (both included) 58 and 60 to 68 (both included) of the Town Police Clauses Act 1847 as incorporated with the Public Health Act 1875 shall (anything in section 38 of the Town Police Clauses Act 1847 notwithstanding) be deemed to include omnibuses and all carriages licensed by the Corporation for the conveyance of passengers or used for the conveyance at gross or separate fares of passengers within the borough and the provisions of such sections shall apply to the proprietors and drivers of such carriages. Provided always that nothing in this Act or in the Town Police Clauses Act 1847 shall extend to or empower the Corporation in any way to interfere with any tramcar or with any carriage belonging to or hired or used by any railway company for conveying passengers and their luggage to or from any railway station or to or with the drivers or conductors thereof unless such carriage plies for hire in like manner as an ordinary hackney carriage.

Penalty for fraudulent use of num-

126. If any person fraudulently or with intent to deceive does either of the following things (namely) :—

(1.) Affixes or places on any carriage or cart any figure or number to resemble any figure or number appointed by the Corporation to be affixed to any hackney carriage; or

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bers and badges.

(2.) Affixes or carries on his person any badge figure or number to resemble any badge figure or number appointed by the Corporation to be carried by a licensed driver or conductor;

he shall be liable to a penalty not exceeding forty shillings.

Powers of inspector of hackney carriages.

127. The inspector of hackney carriages and any police constable of the borough may from time to time examine all public vehicles plying for hire within the borough and shall see that the laws and byelaws relating to such public vehicles are duly observed. If any proprietor driver or conductor or other person shall obstruct or hinder such police constable or inspector in the execution of his duties or shall refuse to comply with any lawful order or direction of such inspector or police constable he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

PART XIII.

Telegraph Wires.

As to telegraph wires &c. over streets.

128. With respect to the fixing placing or attaching of wires tubes or other apparatus across over or along but not under any public street for telegraphic telephonic or any electrical purpose (all and every of which are and is in this section included under the word "apparatus") the following provisions shall have effect (that is to say):

(1.) No such apparatus shall be so fixed placed or attached as to cross over or pass along any public street except with the previous license in writing of the Corporation under the hand of the town clerk which license shall not be unreasonably refused and subject to such terms and conditions as they may from time to time prescribe so as to prevent danger annoyance or obstruction to passengers or traffic passing over or along or being in or upon such street. Any person who offends against this enactment or who fails to observe and perform any of such terms and conditions shall be liable for each offence to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings for every day the offence shall continue after notice in writing under the hand of the town clerk of the breach of this enactment and the Corporation may cause such apparatus

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to be removed or altered and may recover the expense of and incidental thereto in any court of competent jurisdiction;

No license granted as aforesaid shall be revocable except by notice in writing under the hand of the town clerk and upon some ground in the interest of the public to be stated in the notice.

(2.) Where such apparatus has been placed over or along a street before the passing of this Act or in pursuance of a license under this Act the following provisions shall have effect (that is to say):—

(*a.*) The owner or lessee of such apparatus shall always keep the same in repair and good condition and in default thereof the Corporation may serve notice on him to put the same into repair and good condition and if he fail to do so the Corporation may remove the same and may recover from him the expense of so doing;

(*b.*) If in the opinion of the Corporation any such apparatus is so placed as to be or to have become or to be likely to become a cause of danger obstruction or annoyance to passengers or traffic in the street the Corporation may serve notice on the owner or lessee thereof to remove the same and if he fails to do so the Corporation may remove the same subject to the appeal herein-after provided and may recover from him the expenses of so doing.

(3.) If the Corporation refuse the application for such license or attach thereto any terms or conditions which the applicant deems unreasonable or revoke any license for any reason which the licensee deems to be not in the interest of the public or to be unreasonable or where the Corporation serve notice on the owner or lessee of such apparatus to remove the same in cases in which such apparatus has been placed over or along a street before the passing of this Act or in pursuance of a license under this Act or in any case in which any question shall arise whether any or if any what amount of compensation should be paid in respect of such removal the applicant or licensee or such owner or lessee or the Corporation as the case may be may apply to a court of summary jurisdiction under the Summary Jurisdiction Acts for an order in the premises including any order for a license or for a modification of the terms or conditions upon which the license has been granted or against the revocation of the license or against the removal of the apparatus (as the case may be) and the court may make such order thereon as they think fit and may direct by whom the cost of the application and of such removal shall be borne.

If the order be for a modification of the terms or conditions upon which a license has been granted the license shall continue in force until lawfully revoked in accordance with this section subject only to the modified terms and conditions specified in the order. If the order be against the revocation of a license the revocation shall be to all intents and purposes null and void.

(4.) The Corporation may from time to time upon giving reasonable notice to the owner or lessee thereof inspect and examine any such apparatus in order to ascertain whether it is so fixed placed or attached and is generally of such description and in such condition as not to be productive of such danger annoyance or obstruction.

(5.) The Corporation by their officers and servants may at all reasonable times (but in case of an occupied building only between the hours of nine in the morning and four in the afternoon and after twelve hours notice to the occupier of such building) enter upon any lands or buildings in upon or to which any such apparatus is for the time being fixed placed or attached for the purpose of making such examination and inspection or of doing or executing any work under this section without being deemed trespassers or liable to any action indictment or other proceeding on account thereof.

(6.) Any expenses or compensation payable under the provisions of this section may be recovered summarily or in a county court or any court of competent jurisdiction.

(7.) The foregoing provisions of this section shall not apply to or include any apparatus which shall belong to any railway or canal company or which shall be used by them in connexion with their business and which now is or hereafter shall be fixed upon posts or supports upon any railway or the towing-path of any canal provided such apparatus do not project or be not stretched or placed beyond such railway or towing-path over any public street or be not stretched or placed over any public street crossing over such railway.

(8.) This section shall not apply to any apparatus or property of Her Majesty's Postmaster-General.

(9.) Nothing in this section shall extend to any works of any undertakers within the meaning of the Electric Lighting Act 1882 to which the provisions of the said Act apply.

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PART XIV.

Traction Engines.

Traction engines.

129. The following provisions with respect to the use of traction engines in the borough shall have effect (that is to say) :—

(1.) The Corporation may from time to time prescribe the streets or classes of streets along or across which alone traction engines shall pass and in the case of streets in which any tramway is laid the part of the street to be traversed by such engines and the owner and person in charge of any such engine who shall knowingly and without reasonable cause pass therewith along or across any street not so prescribed or traverse any part of such last-mentioned street other than the part thereof so prescribed shall be liable for every such offence to a penalty not exceeding ten pounds in addition to the cost of repairing any damage to such street which may arise by reason of such offence ;

(2.) If any damage be caused to any street by any traction engine passing along or over the same the Corporation may repair the same and recover summarily or in a court of competent jurisdiction the cost of such repair from the owner of such engine ;

(3.) The Corporation may require any person who desires to use a traction engine in any street to deposit with them such sum of money not exceeding one hundred pounds as they may deem reasonable to recoup them the cost of repairing any damage which may be caused to any street by any such engine passing along or over the same and in case of any such damage they may repair the same and apply such deposit to meet as far as it will extend the cost of such repair and may recover summarily or in a court of competent jurisdiction the balance of such cost or the whole of such cost when no such deposit as aforesaid has been made from such person and so from time to time ;

(4.) If the Corporation require any person to make such deposit and such deposit shall be made accordingly they shall pay interest to such person on the amount of the deposit for the time being in the hands of the Corporation not so applied as aforesaid after the same rate as the Bank of England rate of discount for the time being ;

(5.) No person using or conducting any such engine shall supply the same with water from any public fountain trough well or receptacle for water situate in any street within the borough except with the consent in writing of the Corporation and upon

such terms as to payment and otherwise as shall be stated therein and any person offending against this provision shall for every such offence be liable to a penalty not exceeding five pounds.

PART XV.

Employment of Children.

Restriction on casual employment of children.

130. After the passing of this Act no child under the age of fourteen years shall unless he has obtained a certificate of ability to read and write and of a knowledge of elementary arithmetic in terms of section 5 of the Elementary Education Act 1876 be employed in any casual employment within the borough after nine o'clock at night from the first day of April to the thirtieth day of September or after seven o'clock at night from the first day of October to the thirty-first day of March.

Definition of term "casual employment."

131. Casual employment shall mean employment for purposes of gain in streets or other places in vending or exposing for sale any article whatsoever.

Penalty for employing a child in contravention of Act.

132. Every person who takes a child into his employment in contravention of this Act shall be liable on summary conviction to a penalty not exceeding forty shillings.

Definition of employment in case of parent.

133. A parent of a child who employs such child in any labour exercised by way of trade or for the purposes of gain or who permits such child to be engaged in any such labour on its own behalf shall be deemed for the purposes of this Act to take such child into his employment.

Enforcement of Act by school board.

134. The provisions of this Act respecting the employment of children shall be enforced by the school board of the borough.

PART XVI.

Police Regulations &c.

County byelaws regulating the use of velocipedes extended to the borough.

135. The byelaws for the time being in force for regulating the use of velocipedes and made by the justices of the peace or other the county authority for the time being of the county palatine of Lancaster shall extend and apply mutatis mutandis for regulating the use of velocipedes in the borough the justices of the peace for

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and the police constables of the borough being respectively substituted for the justices of the peace for and the police constables of the said county.

Prohibition of obscene bills &c.

136. If any person affixes to or inscribes on any house building wall gate fence pillar post board or convenience or on any pavement or delivers or exhibits to any inhabitant or passenger in or near to any street any bill or printed or written paper (whether enclosed in a sealed or other envelope or not) of an obscene or indecent nature or referring to any disease of a loathsome or secret kind or to any cure for any such disease he shall for every such offence be liable to a penalty not exceeding forty shillings or in the discretion of the justice before whom he is convicted to imprisonment for any term not exceeding one month with or without hard labour.

Indecent shows &c.

137. If any person exhibits any indecent show or exhibition in any street or in any place to which admission is obtained by payment of money he shall for every such offence be liable to a penalty not exceeding forty shillings or in the discretion of the justices before whom he is convicted to imprisonment for any term not exceeding one month with or without hard labour.

Penalty on persons obstructing footpaths.

138. If three or more persons shall be assembled together in any street or market-place at any time of the day or night for the purpose of assaulting insulting or annoying foot passengers and if any such person shall not comply with the direction or request of any constable to move away so as to leave the footway clear and unobstructed or shall assault insult or annoy any foot passenger he shall be liable to a penalty not exceeding forty shillings.

Prohibition of persons assembling in streets for purpose of betting.

139. Any three or more persons assembled in any part of any street or in any market-place for the purpose of betting shall be deemed to be obstructing the street or market-place and each of such persons shall be liable to a penalty not exceeding forty shillings.

Street musicians to depart when required to do so.

140. Any householder personally or by his servant or by any constable may require any street musician or singer to depart from the neighbourhood of the house of such householder and every person who shall sound or play upon any musical instrument or sing in any street near or within hearing of such house after being so required to depart shall be liable to a penalty not exceeding forty shillings.

Power for Corporation to provide

141. The Corporation may with the consent in writing of the owner and occupier of the land or building whereon the same are to

be placed or affixed provide and maintain in such places as they think fit boards or conveniences for the reception of advertisements placards and bills to be affixed thereto and may from time to time make regulations respecting the use of any such board or convenience and they may make such charges as they think reasonable for the use of any space on any such board or convenience and if any person uses any such board or convenience without paying the charge payable in respect of the use thereof he shall for every such offence be liable to a penalty not exceeding five pounds without prejudice to any remedy of the Corporation for the recovery of the charge.

advertising places.

142. If any person destroys pulls down injures or defaces any boards or conveniences for the reception of advertisements or any advertisement placard or bill affixed thereto or any placard or notice issued and put up by or under the direction of the Corporation or any notice of the position of a fire-plug or hydrant or any board provided by the Corporation on which any byelaw or part of a bye-law of the Corporation is painted or placed he shall for every such offence be liable to a penalty not exceeding forty shillings.

Penalty on pulling down notice boards.

143. Every person delivering coal not exceeding in quantity two hundredweight to any one purchaser shall carry with the vehicle employed by him in such delivery proper and sufficient weights and scales or balance steelyard or some efficient weighing-machine whereby the purchaser may have his coals weighed and the coal shall on request of the purchaser be weighed accordingly by the person delivering the same.

Any person delivering coal as aforesaid and not provided with weights and scales or balance steelyard or some efficient instrument for weighing or not weighing the coal when requested by the purchaser so to do or failing to give just weight or using his weights and scales or instruments for weighing in other than a proper state to weigh accurately shall be liable to a penalty for every such offence not exceeding forty shillings.

Control of coal dealers.

144. (1.) Any constable may take possession of any dog found in any street or market or other public place in the borough and not apparently under the control of any person and may detain such dog until the owner has claimed the same and paid all expenses incurred in connexion with such detention;

(2.) When any dog has been so taken possession of notice thereof with a short description of the dog shall be publicly announced by handbill or by advertisement in some newspaper or newspapers published and circulating in the neighbourhood and if such dog be

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not claimed within five days from the issuing or giving of such notice the same may be destroyed or sold and if sold the moneys arising from such sale after satisfying the expenses incurred shall be paid over to the borough fund. Provided that if any dog so taken possession of wears a collar with the name and address thereon of the owner the chief constable of the Corporation shall send a letter to the owner at such address stating that the dog may be claimed within five days from the date of the letter on payment of the expenses incurred.

PART XVII.

Fires.

Power to enter and break open premises in case of fire.

145. Any constable of the borough or member of the fire brigade of the Corporation or any officer of the Corporation may enter and if necessary break into any building in the borough being or reasonably supposed to be on fire or into any building or lands adjoining or near thereto without the consent of any owner or occupier thereof respectively and may do all such acts and things as he may deem necessary for extinguishing fire in any such building or for protecting the same or rescuing any person or property therein from fire.

Captain of fire brigade to have control of operations.

146. The chief constable or in his absence the officer of the fire brigade of the Corporation for the time being in charge of the engine or other apparatus for extinguishing fires attending at any fire in the borough shall from the time of his arrival and during his presence thereat have the sole charge or control of all operations for the extinguishment of such fire whether by the borough or any other fire brigade including the fixing of the positions of fire-engines and apparatus the attaching of hose to any water pipes or water supply and the parts of the building on fire or of adjoining buildings against which the water is to be directed. Any person wilfully disobeying any order of any such officer of the Corporation or of the fire brigade shall be liable to a penalty not exceeding five pounds.

PART XVIII.

Rates and Finance.

Expenses of execution of recited Acts and this Act.

147. All expenses incurred by the Corporation in carrying into effect the provisions of this Act (except such of them as are to be paid out of borrowed money) shall be paid as follows (that is to say):

Expenses incurred for the lighting scavenging prevention of nuisances the preservation of the health and the general improvement of the borough out of the improvement rate;

Expenses incurred with respect to streets being declared highways and with respect to sewers out of the highway rate;

Expenses incurred with respect to other streets and highways out of the ancient highway rate;

Expenses incurred for the purposes of public libraries and reading rooms out of the library rate;

All other expenses out of the borough fund and borough rate.

Power to increase highway rate and improvement rate respectively leviable under the Act of 1849.

148. Section 25 (providing for highway rate) and section 31 (power to council to levy improvement rates) of the Act of 1849 shall be respectively read and construed as if two shillings had been inserted in each of those sections instead of one shilling as the maximum rate to be levied thereunder respectively in any one year.

Increase of public library rate.

149. Notwithstanding anything contained in the Public Libraries Act 1855 the rate to be levied in the borough in any one year for the purposes of that Act and the Acts amending the same may for the purpose of providing a public free library branch libraries and reading rooms be of any amount not exceeding the sum of twopence in the pound.

Corporation may collect borough rate and watch rate.

150. (1.) The Corporation may if they think fit by resolution of the council determine to make assess levy collect and recover the borough rate and watch rate in the same manner as and with and under the same provisions (except as to exemptions from and reductions in the assessment) with which they make levy assess collect and recover the improvement rate and they may so make assess levy collect and recover the same rates either as separate rates or together.

(2.) Any such rate or rates so made may be in the forms given in the Second Schedule to this Act or to the like effect and the demand note for the same may include all rates leviable by the Corporation.

(3.) The Corporation may employ and pay such clerks collectors and other persons as may be required for the purpose and the Corporation and persons so employed shall have the like powers rights and remedies for and be subject to the like obligations as to notice with respect to the making levying collection and recovery of the borough rate and watch rate as overseers have or are subject to by law in relation to poor rates and the obligations and duties of the overseers and their collectors shall as from the before-

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mentioned determination of the council cease in relation to the making levying and collection of a borough rate and watch rate within the borough.

(4.) Nothing in this section contained shall prejudice or affect the collection and recovery by the overseers of any borough rate or watch rate made before such resolution.

(5.) Nothing in this section shall be construed to require any borough rate or watch rate to be allowed by justices.

Buildings erected since last valuation list may be valued and rated.

151. (1.) If after the making of the valuation list or if there be none then after the making of the last poor rate and before the making of the next borough or improvement rate by the Corporation any building be newly erected which would be assessable to the poor rate the Corporation may cause such building to be valued by a competent valuer and the Corporation may in making the assessment for such borough and other rate leviable by the Corporation include such building therein;

(2.) For the purpose of every such valuation the valuer with his assistants may at all reasonable hours until the same is completed enter and survey all and every part of the property to be valued and do any act or thing necessary for the making of such valuation and the valuer may accept any valuation tendered to him which he may consider just and true;

(3.) If any person think himself aggrieved by any rate made on the basis of such valuation he may at the first meeting of the Corporation held after the publication of such rate or as regards any railway or canal company at the first meeting of the Corporation held not earlier than twenty-one clear days after notice in writing to such company of the publication of such rate after giving three days notice in writing to the Corporation apply to the Corporation for relief and they may grant such relief as they may think right and may amend such rate accordingly and if any such person think himself aggrieved by the determination of the Corporation he may appeal to the next practicable court of quarter sessions under and according to the provisions of section 269 of the Public Health Act 1875 as amended by the Summary Jurisdiction Acts.

Rating of owners instead of occupiers in certain cases.

152. The Corporation may by resolution declare that the owners instead of the occupiers of such rateable hereditaments as are mentioned in section 3 of the Poor Rate Assessment and Collection Act 1869 shall be rated to the borough rate and watch rate and thereupon the enactments contained in that section shall be deemed to apply to rating to the borough rate and watch rate with the same incidents conditions powers liabilities and remedies as if the borough rate and watch rate were the poor rate.

Exemption for railways and canals.

153. The provisions contained in section 32 of the Act of 1849 (rating of railways and canals) shall be incorporated with and shall form part of this Act and shall apply to any rate or rates or any increase of any rate or rates levied made or effected under the authority of this Act.

Power to levy rates by instalments.

154. The Corporation may levy any rate they are for the time being authorised to make either in one sum or payment or by any number of instalments of such amounts and payable at such times within the period in respect of which the rate is levied as they shall from time to time fix and determine at the time of making such rate and in the case of a rate payable by instalments the demand note shall in addition to other requisite particulars state the time appointed for payment of such instalments and all the powers and remedies of the Corporation and of their officers for the levying and recovering of any such rate shall extend and apply to each instalment thereof as if the same were a separate rate.

Owner may be rated without stating his name.

155. Where the name of any owner liable to be rated to any rate is not known to the officer of the Corporation by whom the rate book is made it shall be sufficient to rate such owner in the rate book as the owner of the property to be rated by the designation of "the owner" without stating his name.

Power to borrow.

156. The Corporation may from time to time in addition to any moneys they are now authorised to borrow or which they may be authorised to borrow under the provisions of the Public Health Acts or any public general Act borrow at interest on the following securities and for the following purposes the following sums (that is to say) :—

On the security of the borough fund and borough rate :—

For paying the expenses of this Act as herein-after defined and of and in relation to the paying off and re-borrowing of moneys under the powers of this Act the sum requisite for the purpose;

On the security of the library rate :—

For the purchase of land and buildings for and for other the purposes of public libraries and reading rooms five thousand pounds;

On the security of the improvement rate :—

For providing a refuse destructor with the necessary appliances four thousand pounds;

On the security of the highway rate :—

For the reinstating reforming flagging and paving with granite setts of the declared highways eighty thousand pounds;

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And in calculating the sum the Corporation may borrow under any other enactment any sums they may borrow under this Act shall not be reckoned and the powers of the Corporation as to borrowing and re-borrowing under this Act shall not be restricted by any of the provisions of the Public Health Acts.

Mode of borrowing.

157. Subject to the provisions of this Act the Corporation may effect such borrowing under and according to the provisions of the Local Loans Act 1875 except that the Corporation shall not issue any debenture stock otherwise than under and according to the provisions of this Act.

Corporation may repay borrowed moneys by instalments or sinking funds.

158. The Corporation shall repay any moneys borrowed under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest or by means of sinking funds or partly by such instalments and partly by sinking funds.

And the sinking funds shall be provided as follows:—

The Corporation in every year shall appropriate and set apart out of the funds and rates on the security of which such moneys shall have been borrowed such a sum as will with the accumulation thereof by way of compound interest at the rate of three and a half per centum per annum be sufficient to pay off the whole of the principal moneys borrowed on such security within the following periods—

As to moneys borrowed for the payment of the expenses of this Act and of the costs of borrowing and re-borrowing of moneys within ten years from the date of the borrowing of the same;

As to moneys borrowed for a refuse destructor within ten years from the date of the borrowing of the same;

As to moneys borrowed for the reinstating reforming flagging and paving with granite setts of declared highways within twenty-five years from the date of the borrowing thereof;

As to moneys borrowed for all other purposes within forty years from the date of the borrowing thereof.

The appropriation for the sinking funds shall in each case commence on the twenty-fifth day of March next following the date of the borrowing of the moneys.

The Corporation may at any time apply the whole or part of any sinking fund set apart by them in or towards the repayment of the borrowed moneys for the repayment of which such sinking fund was set apart in such order and manner as they deem proper. Provided that in such case they pay into such sinking

fund in each year afterwards and accumulate as herein-before prescribed until the whole of the borrowed moneys to which such sinking fund is applicable are discharged a sum equal to the interest produced by the sinking fund or part thereof so applied. Provided also that whenever and so long as the yearly income arising from the sinking fund shall be equal to the annual interest of such borrowed moneys then outstanding the Corporation may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to such sinking fund of the yearly sums required to be so paid thereto.

Investment of sinking funds.

159. The yearly sums to be appropriated and set apart by the Corporation for the creation of any sinking fund for the time being required to be created by the Corporation shall be invested from time to time and accumulated in the way of compound interest by investing the same respectively in or on any statutory security other than securities of the Corporation.

For appointment of a receiver.

160. Every provision of the recited Acts for the appointment of a receiver is hereby repealed without prejudice to any appointment made or proceedings taken thereunder prior to the passing of this Act and the mortgagees of the Corporation may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. The provisions of the section in Part XIX. of this Act the marginal note whereof is "Receiver" shall extend and apply mutatis mutandis to and in relation to the appointment of such receiver. Provided that in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than five thousand pounds in the whole.

Annual return to Local Government Board with respect to sinking funds.

161. Section 39 (annual return to Local Government Board with respect to sinking funds) of the Act of 1877 is hereby repealed and in lieu thereof the following provisions shall have effect:—

The treasurer shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid under any enactment for the time being in force within the borough transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration of the treasurer if so required by that Board showing the amount which has been paid as an instalment or invested for the purposes of such sinking fund during the year next preceding the

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making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of any wilful default in making such return the treasurer shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act. If it appears to the Local Government Board by such return or otherwise that the Corporation have failed to pay any such instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any other purposes than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested or applied by the Corporation as part of the sinking fund and any such order may be enforced by Mandamus to be obtained by the Local Government Board out of the Queen's Bench Division of the High Court of Justice and the provisions of this section shall apply mutatis mutandis to appropriations and annual repayments.

Power to re-borrow.

162. If the Corporation pay off any moneys borrowed by them under any statutory borrowing power otherwise than by means of equal yearly or half-yearly instalments appropriations or annual repayments or out of a sinking fund or the proceeds of the sale of surplus lands or out of any fines or premiums on leases or other moneys received on capital account they may re-borrow the same and so from time to time. Provided that the time for the repayment of any moneys so re-borrowed shall not be extended beyond the unexpired portion of the term in that behalf by this Act prescribed and that for the purpose of repayment the moneys re-borrowed and the moneys originally borrowed shall be deemed the same loan.

Corporation not to regard trusts.

163. The Corporation shall not be bound to see to the execution of any trust whether expressed or implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register book of the Corporation shall from time to time be a sufficient discharge to the Corporation in respect thereof notwithstanding any trusts to which such loan or security may be subject

and whether or not the Corporation have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered on their register and the Corporation shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application of any such money.

PART XIX.

Corporation Stock.

Interpretation in this part of this Act.

164. (1.) In this part of this Act—

"Rate" includes water rents and charges for supply of water;

"The Bank of England" means the Governor and Company of the Bank of England;

"Statutory declaration" means declaration under the Statutory Declarations Act 1835;

"Person" includes Corporation;

"Schedule" means the schedule to this Act relating to this part of this Act.

(2.) The provisions of this part of this Act referring to interest apply to and include instalments of an annuity and half yearly or other payments of or in respect of a rentcharge rent or other statutory security.

Creation and Charge of Stock.

Creation of Corporation stock.

165. (1.) Where the Corporation have for the time being any statutory borrowing power then subject and according to the provisions of this part of this Act the Corporation may from time to time by resolution of the council exercise the power by creation of redeemable stock to be from time to time issued for such amount within the limit of the power at such price to bear such half yearly or other dividends and to be so transferable that is to say in books or by deed as the Corporation by the resolution direct. Provided that all stock at any time and from time to time so created shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock.

(2.) All stock at any time and from time to time so created shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power

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or in the date of creation of any portion of stock or in the date of issue of any portion of stock or on any other ground whatsoever and shall also rank equally with all other securities of the Corporation at any time after the date of the first issue of Corporation stock granted by the Corporation in pursuance of any statutory borrowing power.

(3.) The resolution for the first creation of Corporation stock shall provide that such stock shall be redeemable by the Corporation at par that is to say at the rate of one hundred pounds sterling for every nominal amount of one hundred pounds stock issued at such time and in such manner as the Corporation by that resolution declare.

(4.) Each resolution for creation of stock shall specify that the stock thereby created is redeemable.

(5.) Stock so created shall be designated by the Corporation as Ashton-under-Lyne Corporation Redeemable Stock.

Borrowing power to be exerciseable for actual sum raiseable.

166. Each statutory borrowing power of the Corporation shall be construed to authorise the Corporation to create and issue Corporation stock from time to time to such nominal amounts as in the aggregate will according to the price of issue produce the actual amount of money for the time being lawfully raiseable by the Corporation under that power or some portion of that actual amount or (as the case may be) the actual amount of money properly payable by the Corporation as consideration on payment off or redemption by the Corporation of any mortgage bond debenture debenture stock annuity rentcharge rent or other security granted or created by the Corporation.

Charge of Corporation stock.

167. (1.) All Corporation stock for the time being issued and the dividends thereon shall be and the same are by virtue of this Act charged indifferently on the whole revenues of the Corporation from time to time arising from the land undertakings and other property for the time being of the Corporation and on the borough fund and borough rate and on the highway rate and on the improvement rate and on all other funds and rates established and leviable by the Corporation as a municipal body for municipal purposes or as a sanitary authority for sanitary purposes.

(2.) The dividends for the time being payable on all Corporation stock shall rank equally with the interest on all other securities at any time after the date of the first issue of Corporation stock granted or created by the Corporation in pursuance of any statutory borrowing power and the same dividends and interest shall subject to all charges existing at that date be the first charge on the revenues and rates aforesaid and on the revenues of the funds afore-

said (all which revenues and rates are comprised in the term "the Corporation revenues" when hereafter used in this part of this Act). A.D. 1886.

LOANS FUND.

Corporation loans fund.

168. For payment of dividends on all Corporation stock and for redemption and extinction or purchase and extinction of all Corporation stock there shall be established and formed a fund called the "Ashton-under-Lyne Corporation Loans Fund" (in this part of this Act referred to as "the loans fund").

Contributions to loans fund for dividends.

169. (1.) In each year the Corporation shall pay into the loans fund a sum or sums equal to the aggregate amount of all dividends payable in that year on the several portions of Corporation stock issued in exercise of the respective statutory borrowing powers of the Corporation and remaining outstanding.

(2.) They shall provide the sum or sums aforesaid by contributions from the several Corporation revenues if any specifically made liable to provide the same by or under any Act of Parliament or by any resolution of the Corporation having reference to those respective statutory borrowing powers and if as regards any statutory borrowing powers there is no such specific liability then from the several Corporation revenues out of which interest would have been payable on money borrowed by the Corporation under that power if that money had been raised and remained secured otherwise than by Corporation stock and in default thereof or subject thereto they shall provide the same out of the borough fund and borough rate or out of the highway rate or out of the improvement rate as the Corporation having regard to the provisions of this part of this Act and to the objects for which the statutory borrowing power was exercised may consider equitable.

(3.) The amounts of those several contributions (subject to any payment in reduction thereof authorised by this part of this Act) shall be the sums ascertained to be required in that behalf by apportionment of that aggregate amount of dividends among those several Corporation revenues according to the amount of stock the dividends whereon are properly payable thereout respectively.

Contributions to loans fund for extinction of stock.

170. (1.) In each year the Corporation shall pay into the loans fund a sum or sums equal to the aggregate amount of all sums payable in that year for redemption and extinction or purchase and extinction of the several portions of Corporation stock issued in exercise of the respective statutory borrowing powers of the Corporation and remaining outstanding.

(2.) They shall provide the sum or sums last aforesaid by contributions from the several Corporation revenues if any specifically made

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liable to provide the same by or under any Act of Parliament or by any resolution of the Corporation having reference to those respective statutory borrowing powers and if as regards any statutory borrowing power there is no such specific liability then from the several Corporation revenues out of which any yearly or other sums would have been payable towards a sinking fund for discharge or towards payment off by instalments appropriations annual repayments or otherwise of money borrowed by the Corporation under that power if that money had been raised and remained secured otherwise than by Corporation stock and in default thereof or subject thereto they shall provide the same out of the borough fund and borough rate or out of the highway rate or out of the improvement rate as the Corporation having regard to the provisions of this part of this Act and the objects for which the statutory borrowing power was exercised may consider equitable.

(3.) The amounts of those several contributions (subject to any payment in reduction thereof authorised by this part of this Act) shall be the same amounts as would in the same respective cases have been payable towards a sinking fund or towards payment off as aforesaid those contributions to be subject to accumulation if and as in the same respective cases accumulation was prescribed.

(4.) The Corporation shall from time to time by investment on statutory securities of the sums paid into the loans fund in respect of those several contributions or of proper parts thereof and by like investment of the interest and annual proceeds arising from those securities make and maintain such accumulations as are in this section referred to.

(5.) But if the extinction of any portion of Corporation stock or any part thereof is accelerated by the application to such extinction of any part of the loans fund required by this part of this Act to be applied to the making and maintenance of those accumulations then a sum or sums equal to the dividends on the stock so extinguished shall thenceforth in every year during the residue of the period expressly or by implication limited for the continuance of any loan by or under the statutory borrowing power in exercise whereof that portion of stock is issued be paid into the loans fund out of the Corporation revenues chargeable with payment of the dividends on that portion of stock.

Raising of contributions to loans fund.

171. (1.) The Corporation shall from time to time in order to raise the amounts of the several contributions of the two kinds aforesaid out of the several Corporation revenues do all such acts exercise all such powers collect all such money and make and levy all such rates as they lawfully can or ought to do exercise collect make and

levy for the purposes of or in relation to the respective statutory borrowing powers in exercise whereof the several portions of Corporation stock are issued.

(2.) If by reason of any limit of a rate or for any other reason there is a deficiency on any Corporation revenue in respect of any required contribution the Corporation shall advance the amount of the deficiency out of the borough fund and borough rate or highway rate or improvement rate as the Corporation having regard to the provisions of this part of this Act and the objects for which the statutory borrowing power was exercised may consider equitable.

(3.) The amount so advanced shall be a debt due from the Corporation revenue on which the deficiency existed to the fund or rate out of which the advance is made and interest shall be payable thereon at the rate of three and a half per centum per annum until repayment and the same debt and interest shall as soon as in the judgment of the Corporation reasonably may be be raised and paid out of the Corporation revenue on which the deficiency existed.

Payment of sale money rents &c. to loans fund.

172. (1.) The Corporation shall pay into the loans fund and shall carry to the proper separate account forming part of the general account of the loans fund all such money being capital or in the nature of capital and not being otherwise wholly or in part appropriated or made applicable by law or by valid contract as shall from time to time arise from any sale lease or other disposition of land or other property of the Corporation on the revenues whereof any Corporation stock is charged.

(2.) The Corporation shall pay into the loans fund and shall carry to the proper separate account forming part of the general account of the loans fund the rents and profits of any land and other property of the Corporation acquired by them for the purposes of any undertaking or purpose for or in respect of which any statutory borrowing power is exercised by them by the issue of stock and not otherwise wholly or in part appropriated or made applicable by law or by valid contract.

(3.) The Corporation before making any payment into the loans fund under this section may deduct from the money or the rents and profits to which this section applies any costs and expenses properly incurred by the Corporation in or about any sale lease or other disposition or the collection and receipt of any rents and profits.

Application of loans fund.

173. The Corporation shall from time to time apply the loans fund first in paying the dividends on all Corporation stock and next

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in redeeming Corporation stock according to the terms of issue and purchasing for extinction Corporation stock.

Extinction of stock redeemed or purchased.

174. All Corporation stock redeemed by the Corporation or purchased by the Corporation for extinction shall not be sold or re-issued but shall be forthwith cancelled by the Corporation and on such cancellation the same and all dividends thereon (not already accrued) shall be and the same are by virtue of this Act extinguished.

Account of loans fund.

175. (1.) As parts of the general account of the loans fund the Corporation shall keep separate accounts relative to—

(*a.*) Each undertaking or purpose for or in respect of which any statutory borrowing power is exercised by them by the issue of stock; and

(*b.*) Each statutory borrowing power so exercised.

(2.) Those separate accounts shall distinguish and show—

(*c.*) The portions of Corporation stock for the time being unextinguished and chargeable to each undertaking or purpose and respectively attributable to the exercise of the several statutory borrowing powers if more than one relating to that undertaking or purpose; and

(*d.*) The amounts of those several portions of Corporation stock redeemed or purchased by means of the loans fund and cancelled and extinguished.

(3.) Those separate accounts shall further distinguish and show in relation to each undertaking or purpose—

(*e.*) All money being capital or in the nature of capital arising from any sale lease or other disposition of land or other property of the Corporation paid into the loans fund and in the judgment of the Corporation properly attributable to that undertaking or purpose and the securities on which that money or any part thereof is from time to time invested; and

(*f.*) All money from time to time received as interest and annual proceeds of the last-mentioned money and securities; and

(*g.*) All money from time to time received as rents and profits of any land and other property of the Corporation so as aforesaid acquired and not otherwise appropriated or made applicable; and

(*h.*) All money and securities transferred to the loans fund as having formed part of a sinking fund and all money from time to time received as interest and annual proceeds of the last-mentioned money and securities or of securities wherein the

same interest and annual proceeds are from time to time invested by way of accumulation; and

(*j*.) All money paid into the loans fund as contributions from the Corporation revenues in respect of dividends on the several portions of Corporation stock chargeable to that undertaking or purpose; and

(*k*.) All money paid into the loans fund as contributions from the Corporation revenues in respect of redemption and extinction or purchase and extinction of those several portions of Corporation stock.

Application of income in reduction of contributions.

176. (1.) Where any money is standing on a separate account in the loans fund being money paid into the loans fund as rents and profits of the land and other property of the Corporation or being money paid into the loans fund as interest on cash balances received by the Corporation or being other money paid into the loans fund but not being capital or in the nature of capital and not being required by this part of this Act to be applied to the making and maintenance of such accumulations as are prescribed by this part of this Act the Corporation may deal with the same as in this section provided.

(2.) Where any money is standing on a separate account in the loans fund being money required by this part of this Act to be applied to the making and maintenance of such accumulations as are prescribed by this part of this Act the Corporation after providing for the making and maintenance of those accumulations may if they think fit from time to time invest that money or any part thereof in statutory securities and deal with the interest and annual proceeds of those securities as in this section provided.

(3.) The Corporation may if they think fit from time to time apply the money described in paragraph (1) of this section and the last-mentioned interest and annual proceeds to either of the purposes following or to both of those purposes in such proportions as the Corporation from time to time may consider equitable and expedient (that is to say):

(*a*.) In reduction of such contributions out of the Corporation revenues as are payable into the loans fund in respect of dividends on the portions of Corporation stock comprised in the separate account on which the money or interest and annual proceeds is or are standing;

(*b*.) In reduction of such contributions out of the Corporation revenues as are payable into the loans fund for redemption

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and extinction or purchase and extinction of those portions of stock.

Determination as to charge of stock.

177. For the purposes of any contribution or account under this part of this Act the Corporation if they think fit having regard to all the circumstances of the case and subject to the terms on which any loan of the Corporation was contracted or any Corporation stock was issued may from time to time determine and declare on which of the Corporation revenues any loan of the Corporation or any portion of Corporation stock is or shall be deemed to be primarily or collaterally charged or determine and declare that any loan of the Corporation or any portion of Corporation stock shall be apportioned as regards the charge thereof between or among any of the Corporation revenues and every such determination and declaration shall be effectual to all intents.

EXISTING SECURITIES.

Payment off or substitution for existing securities.

178. (1.) Where any mortgage bond debenture debenture stock annuity rentcharge or other security granted or created before or after the passing of this Act by the Corporation under any statutory borrowing power is outstanding or payable and the Corporation have power with the consent of the holder of that security or otherwise to pay off the amount thereby secured or represented or to redeem the same they may pay off or redeem the security accordingly with money raised by the Corporation or they may with the consent of the holder thereof issue Corporation stock in substitution for the security.

(2.) The Corporation may in every such case make such reasonable payment as they may think fit to the holder of any security for his consent or for otherwise compensating him for the payment off or redemption of or substitution for his security and any such payment may be either in money or Corporation stock or partly in one and partly in the other.

(3.) The Corporation may create and issue Corporation stock to such amount as may be requisite for the purposes of this section and that stock shall be deemed to be created and issued and any money raised thereby shall be deemed to be raised by virtue of the statutory borrowing power under which the security was granted or created and any money so raised shall be applied in payment off or redemption of the security.

(4.) In every such case of payment off redemption or substitution the Corporation shall pay and transfer into the loans fund the whole or a proportionate part (as the case may require) of any

money and securities forming part of any sinking fund applicable to the discharge of the security.

(5.) Where the holder of the security is one of the persons described in section seven of the Lands Clauses Consolidation Act 1845 and by that Act enabled to sell land thereunder that person may consent to payment or redemption of or substitution for the money secured or represented by that security and may accept money for giving that consent as if the person so consenting were the absolute owner of that security and that person is hereby indemnified for so doing and his receipt shall be a good discharge for the same.

(6.) Money received by the holder of any security as authorised by this section and Corporation stock issued to him in substitution for any security shall be subject to the same trusts powers testamentary and other dispositions provisions and incumbrances as the money secured or represented by the security was subject to immediately before the payment off redemption or substitution and every deed or other instrument or testamentary or other disposition shall take effect with reference to the whole or a proportionate part of the money or stock received or substituted as the case may be.

Effect on Borrowing Powers.

Extinction or suspension of power.

179. On the issue of any portion of Corporation stock the statutory borrowing power in exercise whereof that stock is issued shall be affected as follows (namely) :—

(*a.*) If the stock is issued for the whole term limited for the continuance of any loan or for the continuance of payment of or in respect of any mortgage bond debenture debenture stock annuity rentcharge rent or other security granted or created by the Corporation under that statutory borrowing power then that power to the extent of the money raised by that stock shall be and the same is by virtue of this Act extinguished ; but

(*b.*) If the stock is issued for part only of that term then so much of the money raised by that stock as has not been paid off out of the loans fund may be re-borrowed by the Corporation for the residue of that term or any part thereof and so from time to time.

Application of Money Raised.

General application of money from Corporation stock.

180. Money raised by Corporation stock shall be applied for purposes for which money raiseable under the statutory borrowing power in exercise whereof the stock is issued ought by law to be applied and not otherwise.

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Temporary investment of money raised by stock.

181. (1.) The Corporation may from time to time invest temporarily on statutory securities (other than statutory securities of the Corporation and other than stock certificates to bearer) money raised by Corporation stock and not for the time being applied to or required for the undertaking or purpose for which it is raised and shall from time to time pay the interest and annual proceeds of those securities into the loans fund.

(2.) The Corporation may if they think fit from time to time apply the interest and annual proceeds aforesaid or any part thereof in reduction of such contributions out of the Corporation revenues as are payable into the loans fund in respect of dividends on the respective portions of Corporation stock by the issue whereof that money is raised.

REGISTRATION AND CERTIFICATE.

Appointment of registrar.

182. (1.) The Corporation may if they think fit and on and subject to such terms and instructions not inconsistent with any provision of this part of this Act as they think expedient appoint and keep appointed an officer of the Corporation or other person or the Bank of England or any other bank or a banker as registrar for all or any of the purposes of this part of this Act (in this part of this Act referred to as the registrar).

(2.) The Corporation in relation to the provisions of this part of this Act and the registrar shall respectively be deemed a banker within the Bankers Books Evidence Act 1879.

Corporation stock register.

183. (1.) The Corporation or the registrar shall keep books in which shall be entered the names and addresses of holders from time to time of Corporation stock and the amounts held by them (in this part of this Act referred to as the Corporation stock register).

(2.) The Corporation stock register shall be primâ facie evidence of any matter entered therein in accordance with this part of this Act and of the title of the persons entered therein as holders of stock.

Certificates of proprietorship of stock.

184. (1.) On demand of a holder of Corporation stock the Corporation may if they think fit give to him a certificate of the proprietorship thereof under their common seal specifying the amount of Corporation stock to which he is entitled (in this part of this Act referred to as a stock certificate).

(2.) A stock certificate shall be primâ facie evidence of the title of the person therein named his executors administrators successors or assigns to the stock therein specified but the want of a stock certificate if such want be accounted for to the satisfaction of the

Corporation shall not prevent the holder of stock from disposing of and transferring the same.

(3.) If a stock certificate is worn out or damaged the Corporation on production thereof may cancel it and give a similar stock certificate to the party in whom the property in the stock certificate and in the stock therein specified is then vested.

(4.) If a stock certificate is lost or destroyed the Corporation on proof thereof to their satisfaction may give a similar stock certificate to the party entitled to the certificate lost or destroyed.

(5.) An entry of the issue of a stock certificate or a substituted certificate as the case may be shall be made in the Corporation stock register.

TRANSFER.

Power for stockholder to transfer.

185. Subject to the provisions of this part of this Act every Corporation stockholder may transfer all or any part of his stock in books or by deed.

Transfer in books.

186. (1.) If and where the resolution for creation of any portion of Corporation stock makes the same transferable in books and not by deed the provisions of this section shall apply and have effect but not otherwise.

(2.) The Corporation or the registrar shall keep books wherein transfers of Corporation stock so transferable shall be entered (in this part of this Act referred to as the Corporation stock transfer books).

(3.) Every such entry shall be conceived in proper words for the purpose of transfer and shall be signed by the party making the transfer or if he is absent by his agent thereunto lawfully authorised in writing under his hand attested by a witness.

(4.) Where the Bank of England are the registrar they may if they think fit require that the agent be so authorised by power of attorney under the hand and seal of the party making the transfer attested by two or more credible witnesses.

(5.) The person to whom a transfer is made may if he thinks fit underwrite his acceptance thereof.

(6.) Except as otherwise provided by some other Act of Parliament and subject to the provisions of this part of this Act respecting any portion of Corporation stock which the resolution for creation thereof makes transferable by deed and not in books no mode of transferring Corporation stock other than that prescribed in this section shall be good in law.

Transfer by deed.

187. (1.) If and where the resolution for creation of any portion of Corporation stock makes the same transferable by deed and not

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in books the provisions of this section shall apply and have effect but not otherwise.

(2.) Every transfer of Corporation stock so transferable shall be by deed.

(3.) The deed of transfer shall relate only to the transfer and shall not contain any recital trust power or proviso whatsoever.

(4.) The deed of transfer when duly executed shall be delivered to and kept by the Corporation or the registrar and the Corporation or the registrar shall enter a memorial thereof in a book to be called the register of transfers of Corporation stock and shall indorse on the deed of transfer a notice of that entry.

(5.) The Corporation or the registrar shall on demand and on delivery up of the old stock certificate or on proof satisfactory to the Corporation of its absence deliver a new stock certificate to the purchaser or shall at the option of the purchaser make an indorsement of the transfer on the existing stock certificate which indorsement being signed by direction of the Corporation or by the registrar shall be equivalent to a new stock certificate.

(6.) Until the deed of transfer has been so delivered to the Corporation or the registrar the Corporation or the registrar shall not be affected thereby and the purchaser of the stock shall not be entitled to receive any dividend thereon.

Evidence on transfer.

188. (1.) The Corporation or the registrar before allowing any transfer of stock may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming the right to make the transfer.

(2.) That evidence shall be a statutory declaration of one or more competent persons or of such other nature as the Corporation or the registrar with the approval of the Corporation may require.

Closing of transfer books.

189. (1.) The Corporation or the registrar with the approval of the Corporation may as regards any portion of Corporation stock close the Corporation stock transfer books or the register of transfers of Corporation stock (as the case may be) on any day in the month next before that in which dividends on that portion of Corporation stock are payable but so that the books be not at any time kept closed for more than fifteen days.

(2.) The persons who on the day of such closing are inscribed as Corporation stockholders shall as between them and their transferees of Corporation stock be entitled to the dividend next payable thereon.

Stamp duty on transfers.

190. Unless the Corporation have compounded for stamp duty all stock issued by the Corporation shall notwithstanding anything

in any resolution of the Corporation be transferable by deed and not in books and every deed of transfer of stock transferable by deed shall be duly stamped and the consideration shall be truly stated therein.

Transmission.

Transmission on death.

191. (1.) The interest in Corporation stock of a stockholder dying shall be transferable by his executors or administrators notwithstanding any specific bequest thereof.

(2.) The Corporation or the registrar shall not be required to allow any executors or administrators to transfer any stock until the probate of the will of or the letters of administration to the deceased has or have been left with the Corporation or the registrar for registration and may require all the executors who have proved the will to join in the transfer.

Transmission on marriage &c.

192. (1.) If the interest in any Corporation stock has become transmitted in consequence of the bankruptcy of a stockholder or the marriage of a female stockholder or by any lawful means other than a transfer in books or by deed or than the death of a stockholder that transmission shall be authenticated by a statutory declaration of one or more competent persons or in such other manner as the Corporation or the registrar require.

(2.) The declaration shall state the manner in which and the party to whom the stock has been transmitted and shall be left with the Corporation or the registrar.

(3.) If the transmission is in consequence of the marriage of a female stockholder the declaration shall if the Corporation or the registrar so require set forth a copy of the register of the marriage or other particulars of the celebration thereof and declare the identity of the wife with the holder of the stock.

(4.) The name of the person entitled under the transmission shall be entered in the Corporation stock register.

(5.) Until the transmission has been so authenticated the Corporation or the registrar shall not be affected thereby and no person claiming by virtue thereof shall be entitled to receive any dividend on the stock.

(6.) In this section the term "transmission" includes any case of apparent transmission in consequence of the change of name of the stockholder although the actual ownership of the stock may remain unaltered.

DIVIDENDS.

Payment of dividends.

193. The Corporation may pay by the registrar the dividends on Corporation stock.

Dividends to executors &c.

194. The Corporation or the registrar shall not be required to allow any executors or administrators to receive any dividend on Corporation stock held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the Corporation or the registrar for registration.

Evidence of title.

195. The Corporation or the registrar before allowing the receipt of any dividend on any Corporation stock may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming a right to receive the dividend and that evidence shall be a statutory declaration of a competent person or of such other nature as the Corporation or the registrar may require.

Dividends to joint holders.

196. (1.) Where more persons than one are registered as joint holders of any Corporation stock any one of them may give an effectual receipt for any dividend thereon unless notice to the contrary has been given to the Corporation or the registrar by any other of them.

(2.) Where Corporation stock is standing in the name of an infant or person of unsound mind jointly with any person not under legal disability a letter of attorney for receipt of the dividends on the stock shall be sufficient authority in that behalf if given under the hand and seal of the person not under disability attested by two or more credible witnesses but the Corporation or the registrar before acting on the letter of attorney may if they or he think fit require proof to their or his satisfaction of the alleged infancy or unsoundness of mind by a statutory declaration of one or more competent persons.

Dividend warrants by post.

197. (1.) Where a Corporation stockholder desires to have his dividends sent to him by post he may make a request for that purpose to the Corporation or the registrar in writing signed by him in a form approved by the Corporation and shall give to the Corporation or the registrar an address in the United Kingdom or in the Channel Islands or the Isle of Man to which the letters containing the warrants are from time to time to be sent.

(2.) The posting by the Corporation or the registrar of a letter containing a dividend warrant addressed to a stockholder at his request at the address so given by him shall as respects the liability

of the Corporation and of the registrar be equivalent to the delivery of the warrant to the stockholder himself.

(3.) Every warrant so sent by post shall be deemed a cheque and the Corporation and the registrar shall in relation thereto be deemed a banker within the Bills of Exchange Act 1882.

Stock Certificates with Coupons to Bearer.

Provisions respecting stock certificates with coupons to bearer.

198. (1.) On demand of a Corporation stockholder the Corporation or the registrar may if they think fit issue to the stockholder a Corporation stock certificate to bearer that is to say a certificate of title to his stock or any part thereof entitling the bearer to the stock therein specified and transferable by delivery with coupons entitling the bearer of the coupons to the dividends on the stock but so that in case of redeemable stock no such certificate or coupons shall give a title to dividends beyond the time limited for redemption.

(2.) A Corporation stock certificate to bearer shall not be issued in respect of any sum of stock other than ten pounds or a multiple of ten pounds.

(3.) Notwithstanding anything in this Act a trustee shall not apply for purchase take or hold a Corporation stock certificate to bearer unless he is in express words authorised to do so by the instrument creating his trust and any contravention of this provision by a trustee shall be deemed a breach of trust but this provision shall not impose on the Corporation or the registrar an obligation to inquire or to take notice whether a person applying for or holding a stock certificate to bearer is or is not a trustee or subject the Corporation or the registrar to any liability in case of their or his with or without notice issuing to a trustee a stock certificate to bearer or invalidate any stock certificate so issued.

(4.) Where a Corporation stock certificate to bearer is outstanding the stock represented thereby shall cease to be transferable in books or by deed under and according to the provisions of this part of this Act.

(5.) The bearer of a Corporation stock certificate to bearer may on delivery up to the Corporation or the registrar of the certificate and of all unpaid coupons belonging thereto require to be entered in the Corporation stock register as the holder of the stock described in the certificate under which he derives title and thereupon the stock shall be re-entered in the register as transferable and shall become and again be transferable in the Corporation stock transfer books or by deed as the case may require and shall as regards the mode of payment of the dividends thereon be in the like condition

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as if no stock certificate to bearer had been issued in respect thereof.

(6.) The coupons issued with a Corporation stock certificate to bearer shall comprise the dividends to be paid in respect of the stock therein specified for such period as the Corporation approve.

(7.) At the end of that period fresh coupons may be issued for such further period as the Corporation approve and so for successive periods during the continuance in force of the stock certificate but the Corporation or the registrar may in lieu of issuing fresh coupons in respect of any stock certificate give in exchange a fresh stock certificate with coupons.

(8.) Payment to the bearer of a coupon of the amount expressed therein shall be a full discharge to the Corporation and to the registrar from all liability in respect of that coupon and the dividend represented thereby.

(9.) Where the Bank of England are the registrar coupons shall be payable at the chief establishment of the bank at the expiration of three clear days from the day of presentation and at any branch establishment of the bank situate more than ten miles from the chief establishment at the expiration of five clear days from the day of presentation.

(10.) If a Corporation stock certificate to bearer or coupon is worn out or damaged the Corporation or the registrar on production and delivery up thereof may cancel it and issue a new certificate or coupon.

(11.) If a Corporation stock certificate to bearer or coupon is lost or destroyed the Corporation or the registrar may issue a new certificate or coupon on receiving indemnity to the satisfaction of the Corporation against the claims of all persons deriving title under the certificate or coupon lost or destroyed.

(12.) All coupons issued under this Act in respect of any Corporation stock certificate to bearer shall for the purposes of the Acts relating to stamp duties be deemed to have been attached to and issued with such stock certificate.

(13.) Corporation stock specified in a stock certificate to bearer shall be charged on the same securities and be subject to the same powers of redemption if any and other powers and save as regards the mode of transfer and of payment of dividends thereon and save so far as a stock certificate to bearer is a negotiable instrument shall be subject to the same incidents in all respects as if that stock had continued to be registered in the Corporation stock register as transferable in books or by deed.

GENERAL.

Nature of Corporation stock; notice of trusts.

199. (1.) Corporation stock is personal property.

(2.) Corporation stock is not liable to foreign attachment by the custom of London or otherwise.

(3.) No notice of any trust express implied or constructive in respect of any Corporation stock or of any Corporation stock certificate to bearer or coupon shall be entered in the Corporation stock register or in any other book kept by the Corporation or the registrar or be receivable by the Corporation or the registrar or affect the Corporation through the registrar or otherwise.

Receiver.

200. (1.) If at any time the Corporation for two months after demand in writing fail to pay any dividend due on any Corporation stock the person entitled thereto may apply to Her Majesty's High Court of Justice in the Chancery Division for a receiver and the court may if it thinks fit appoint a receiver on such terms as it thinks fit.

(2.) The receiver shall have the like power of collecting receiving recovering and applying all money which ought to be paid under this part of this Act into the loans fund and of assessing making and recovering all rates for the purpose of obtaining the same as the Corporation or any officer thereof would or might have and such other powers and such duties as the court thinks fit and shall apply all money so collected after payment of expenses and costs as the court directs for purposes of this part of this Act.

(3.) The court may at any time discharge the receiver and shall have full jurisdiction over him and all persons interested in his acts.

Holding of Corporation stock by trustees.

201. (1.) Trustees or other persons for the time being authorised to invest money in the mortgages debentures or debenture stock of any railway or other company shall unless the contrary is provided by the instrument authorising the investment have the same power of investing that money in Corporation stock (other than stock for the time being represented by a stock certificate to bearer) as they have of investing it in the mortgages debentures or debenture stock aforesaid.

(2.) Provided that where two or more persons are or may under the instrument creating the trust become successively interested in trust money no investment thereof shall be made in Corporation stock at a price exceeding the redemption value of the stock.

Protection of holders of Corporation stock.

202. A person taking or holding Corporation stock shall not be concerned to inquire or to take notice whether the creation or issue thereof was or was not within any statutory borrowing power of the

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Corporation or otherwise in accordance with this part of this Act or whether or not the council or any meeting thereof was properly constituted or convened or whether or not the proceedings at any meeting of the council were legal or regular or to see to the application of any money raised by Corporation stock or be answerable for any loss or misapplication thereof.

Annual return to Local Government Board.

203. (1.) Once in every year at a time appointed by the Local Government Board the Corporation shall send to that Board an abstract of the accounts of the Corporation relating to Corporation stock and the loans fund in a form prescribed by that Board and verified by a statutory declaration of the treasurer or the borough accountant if required by that Board.

(2.) In case of wilful default therein by the Corporation the Corporation shall on each occasion be liable to a fine not exceeding two hundred pounds and in case of wilful default therein by the treasurer or the borough accountant the treasurer or the borough accountant as the case may be shall on each occasion be liable to a fine not exceeding twenty pounds and every fine under this section shall be recoverable summarily on the prosecution of the Local Government Board and not otherwise.

(3.) If by any such abstract or otherwise it appears to that Board that the Corporation have failed to comply with any requisition of this part of this Act in relation to any payment application or investment or otherwise in relation to Corporation stock or the loans fund that Board may notwithstanding any proceeding for the recovery of any fine or any other proceeding taken by that Board by order require the Corporation to make good the default within a time therein limited.

Unclaimed dividends.

204. (1.) If at any time any dividend on any Corporation stock is unclaimed at the time for payment thereof the same shall nevertheless on demand at any subsequent time whatsoever be paid to the person showing his right thereto but without interest in the meantime.

(2.) Where any dividend remains unclaimed for five years from the time for payment thereof the Corporation shall cause notice thereof to be sent by post in a registered letter addressed to the stockholder named in their books by the description and at the address therein appearing and so at the expiration of three other successive periods of five years.

(3.) At the end of every successive period of five years from the day when the first dividend becomes payable on Corporation stock first issued after the passing of this Act the Corporation shall publish an advertisement in a newspaper circulating in the borough

stating what if any dividends on Corporation stock other than those falling due at the then last half-yearly or other day of payment are then unclaimed and the names and addresses appearing in the Corporation stock register of the holders of the stock on which the dividends are unclaimed.

(4.) At the end of every successive period of ten years from the day when the first dividend becomes payable on Corporation stock first issued after the passing of this Act the Corporation unless it has been otherwise agreed between them and the registrar may require the registrar to repay to them all dividends unclaimed during that period and then in his hands and the Corporation shall pay the same into the loans fund and may deal therewith as they are by this part of this Act empowered to deal with money paid into the loans fund as interest on cash balances received by them without prejudice nevertheless to the rights of any person to those dividends.

Saving for power to borrow otherwise.

205. Nothing in this part of this Act shall affect any power of the Corporation to raise otherwise than by Corporation stock any money which they do not think fit to raise by Corporation stock but whenever from time to time after the date of the first issue of Corporation stock the Corporation raise money otherwise than by Corporation stock they shall cause to be given to each lender of money so raised notice in writing signed by the town clerk or other authorised officer of the Corporation of the equality of charge which Corporation stock has by virtue of this part of this Act.

Saving for power of revocation.

206. Notwithstanding anything in this part of this Act the council may revoke at any time in whole or in part any resolution for creation of Corporation stock theretofore passed by the council if and as far as the same has not been acted on by the issue of stock thereunder.

Saving for other obligations.

207. Except as in this part of this Act expressly provided nothing in this part of this Act shall relieve the Corporation from any obligation imposed on them in relation to any statutory borrowing power by any Act of Parliament under or by which that power for the time being exists or is regulated.

Saving for power to sell lands &c.

208. (1.) Nothing in this part of this Act shall affect any power or duty of the Corporation to sell mortgage lease or otherwise dispose of any land or property of the Corporation or to apply any purchase money or other money arising thereby in discharge of any charge on that land or property or the revenues thereof other than the charge of Corporation stock or affect any claim of any person under such first-mentioned charge.

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(2.) That land or property shall in the hands of the purchaser or other person taking the same under the sale mortgage lease or other disposition be by virtue of this Act absolutely freed from the charge of Corporation stock and he shall not be concerned to see to the application of that purchase money or other money or be answerable for any loss or misapplication thereof.

Saving for existing securities.

209. Nothing in or done under this part of this Act shall affect any security or charge created or granted or payable by the Corporation before and subsisting at the date of the first issue of any Corporation stock and the Corporation shall whenever required by the holder of any security or charge aforesaid apply all such money do all such acts exercise all such powers collect all such money and make and levy all such rates as they would or ought to have applied done exercised collected made and levied for his benefit and security if this part of this Act had not been enacted.

Forgery.

210. (1.) Corporation stock shall be deemed capital stock of a body corporate within the Act of the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty (chapter ninety-eight) "to consolidate and amend the Statute Law of "England and Ireland relating to indictable offences by forgery."

(2.) A Corporation stock certificate to bearer and a coupon connected therewith shall be deemed a stock certificate and coupon within the Forgery Act 1870.

Orders of Local Government Board.

211. Any order of the Local Government Board under this part of this Act may contain such directions as the Board think necessary or proper for giving effect thereto and shall be enforceable by writ of Mandamus to be obtained by the Board out of Her Majesty's High Court of Justice and may be from time to time cancelled or varied by the Board as the circumstances of the case may require but the Board shall not make any such order without first hearing the Corporation if desirous of being heard which hearing may be in the form of a public inquiry with or without a published report or in such other form as the Board having regard to the circumstances think just and expedient and sections 294 and 296 of the Public Health Act 1875 shall apply to hearings inquiries and other proceedings to which this section relates.

Bank of England may make regulations.

212. Where the Bank of England are the registrar they may with the sanction of the Corporation from time to time issue any forms that may be required for carrying into effect the provisions of this part of this Act and may also from time to time make any regulations that are not inconsistent with this part of this Act relative to the following things and when made may alter vary or

repeal any such regulations and make other regulations instead thereof or in addition thereto and any such regulations for the time being in force shall be duly observed:—

(*a.*) The period for which coupons are to be given;

(*b.*) The mode in which the Bank are to act in issuing stock certificates to bearer or entering in the transfer books the bearers of stock certificates to bearer;

(*c.*) The mode of proving the title of or identifying any person applying for a stock receipt or stock certificate or stock certificate to bearer;

(*d.*) With respect to anything necessary for carrying into effect the provisions of this part of this Act which relate to or affect the Bank.

Forms.

213. The forms given in the Third Schedule to this Act may if the Corporation think fit be used for the purposes therein indicated and the same or forms to the like effect with such variations or additions as circumstances require (the stock being in every case described as Ashton-under-Lyne Corporation Redeemable Stock) shall be effectual for those purposes.

Fees.

214. (1.) Fees not exceeding those specified in the said Schedule may be taken by or on behalf of the Corporation in the cases therein mentioned.

(2.) The proceeds of fees shall be paid by the Corporation into the loans fund and shall be applied in reduction of contributions out of the Corporation revenues payable into the loans fund in respect of dividends on such portions of Corporation stock as the Corporation having regard to the cases in which the fees are paid determine.

Expenses.

215. (1.) The expenses incurred by the Corporation in or about the creation and issue of any portion of Corporation stock including any sum paid by them for composition for stamp duty thereon and any other expenses being in their judgment properly chargeable to capital shall be deemed money raiseable under the statutory borrowing power in exercise whereof that portion of stock is issued.

(2.) Expenses of book-keeping and management and other current expenses from time to time incurred by the Corporation in the execution of this part of this Act shall be defrayed as the ordinary expenses of the Corporation as a municipal body or as a sanitary authority are or may be defrayed.

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PART XX.

Miscellaneous Provisions as to Legal Proceedings Byelaws &c.

Form and service of notices by Corporation.

216. Any instrument or document (including any notice order resolution declaration adjudication requisition consent approval disapproval demand determination appointment list roll register return form paper or other document) made given delivered or served under this or any other Act or under any byelaw made by the Corporation or by the clerk to the justices may be either in print or in writing (including lithograph) or partly in print and partly in writing (including lithograph) and shall be sufficiently authenticated by the signature of the town clerk or other duly authorised officer of the Corporation being affixed thereto or stamped thereon by him and a copy thereof respectively so authenticated shall be receivable in evidence without the production of the original and it shall be sufficient in all cases where any such instrument is required to be given to or served on the owner or occupier of any property to address it to such owner or occupier by his description as owner or occupier (as the case may be) of the property (naming it) in respect of which it is given or served without further name or description and any such instrument may be addressed to owners or occupiers of any number of adjoining or neighbouring properties collectively and when so addressed may be served on more owners or occupiers than one (so that separate copies be served on the respective owners and occupiers of the several properties concerned) and any such instrument or document may be served on any owner occupier or other person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last-known place of abode or business or by delivering the same to some inmate of his last-known or usual place of abode or business or in case of an occupier of such property (being a building) to any inmate of such building or if the place of abode of the person to be served is after diligent inquiry unknown it shall be sufficient to affix it or a copy thereof upon some conspicuous part of such property. Any instrument so served by post as aforesaid shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of the post and in proving such service it shall be sufficient to prove that the instrument or document was properly addressed and posted. Provided always that in the case of a railway company any such instrument or document shall be delivered or sent by post addressed

to the secretary to the company at their principal office or place of business. A.D. 1886.

General provisions as to byelaws.

217. All byelaws from time to time made by the Corporation or by the joint committee under the powers of this Act shall be made under and according to the provisions with respect to byelaws contained in sections 182 to 187 (inclusive) of the Public Health Act 1875 except so much thereof as relates to byelaws of a rural sanitary authority. Provided that all byelaws may be in print or in writing (including lithograph) or partly in print and partly in writing including lithograph.

As to appeal.

218. Any person deeming himself aggrieved by any order judgment determination assessment or requirement or the withholding of any certificate consent or approval of or by the Corporation or of or by any officer or valuer of the Corporation or by any conviction or order made by a court of summary jurisdiction under any provision of this Act may appeal (but in cases where application for relief is authorised to be made to the Corporation then only after such application) to the next practicable court of quarter sessions under and according to the provisions of section 269 of the Public Health Act 1875 as amended by the Summary Jurisdiction Acts.

Damages and charges in case of dispute to be settled by justices.

219. Where any damages expenses or charges are directed or authorised to be paid or recovered in addition to any penalty for any offence in this Act mentioned the amount of such damages expenses or charges in case of dispute respecting the same may be settled and determined by the justices before whom any offender is convicted and may be levied by distress.

Compensation how to be determined.

220. When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided for by the Public Health Acts.

Compensation may be in land &c.

221. The Corporation when they are required by any enactment to make compensation to any person interested in any lands may by agreement with such person make such compensation wholly or partly in works land or money.

Penalty.

222. Any person offending against any of the preceding provisions contained in this Act or any byelaw made under this Act shall except as otherwise provided forfeit and pay for every such offence a penalty not exceeding five pounds and in case of a continuing offence a daily penalty not exceeding forty shillings.

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Several sums in one summons.

223. Any summons or warrant issued for any purpose of this part of this Act may contain in the body thereof or in a schedule thereto several names and several sums.

Penalties to be paid over to the treasurer &c.

224. All penalties recovered under this Act or any byelaw thereunder shall be paid to the treasurer and be by him carried to the credit of the borough fund or to the police superannuation fund as the Corporation direct.

Saving for indictments &c.

225. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act.

Act not to sanction nuisances.

226. Nothing in this Act shall be construed to render lawful any act or thing which but for this Act would be deemed to be a nuisance.

Powers of Act cumulative.

227. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers conferred on them by Act of Parliament charter law or custom and the Corporation may exercise such other powers as if this Act had not been passed. Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

Saving rights of Corporation.

228. Nothing in this Act shall take away abridge or prejudicially affect any right power authority estate or interest of the Corporation under any former Act or the Public Health Acts or the Municipal Corporations Acts or otherwise and every such right power authority estate and interest may be had enjoyed and exercised by the Corporation as fully and effectually as if this Act had not been passed.

Expenses of Act.

229. The costs charges and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act including the costs charges and expenses preliminary to and of and connected with the obtaining of the resolution of owners and ratepayers aforesaid as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the funds and rates under the control of the Corporation or out of moneys borrowed on the security thereof under the powers of this Act.

FIRST SCHEDULE.

BOROUGH OF ASHTON-UNDER-LYNE.

Certificate of Disease, &c.

Ashton-under-Lyne Improvement Act 1886.

To the Corporation of the borough of Ashton under-Lyne. Pursuant to the above-mentioned Act I hereby certify and declare that in my opinion the undermentioned person is suffering from an infectious disease within the terms of such Act.

Dated the day of 18 .

Signed .

Name of person suffering from the disease
Situation of the building wherein such person is - - - -
Name of occupier or other person having the charge management or control of the building or room - - -
Nature of disease - - - -

NOTE.—This certificate must (under penalty of forty shillings in case of neglect) be forthwith sent to the medical officer of health of the Corporation at his residence or office.

SECOND SCHEDULE.

FORM OF RATE.

An assessment to rates under the Ashton-under-Lyne Improvement Acts 1849 to 1886 and other Acts in force within the borough of Ashton-under-Lyne made the day of one thousand eight hundred and

Number of Assessment.	Name of the Person to be rated.		Description of Property rated.	Number of Door.	Situation of Property.	Rateable Value.	Reduced Rateable Value on Land Railways &c.	Total Rates in the £ made up as follows,— Borough - - Watch - - Highways - - Declared highways Improvement - Library - - Total in the £	Total Rate to be collected.
	Owner.	Occupier.							

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THE THIRD SCHEDULE.

Forms.

(A.)

Resolutions on Creation of Stock.

Borough of Ashton-under-Lyne.

[29th September 188 .]

At a meeting of the council of the borough of Ashton-under-Lyne holden on [Wednesday the 29th day of September 188] at [eleven o'clock in the forenoon] in the [Council Chamber within the] Town Hall [as a special council].

Present:

[A.B.] Mayor and an absolute majority of the council.

Resolved first—

That under the authority and subject to the provisions of the Ashton-under-Lyne Improvement Act 1886 the Corporation acting by the council do hereby in exercise of their several statutory powers create stock to be called Ashton-under-Lyne Corporation Redeemable Stock and to be issued to an amount which shall be sufficient for the following purposes but not exceeding [state the sum]:—

A. For raising the following sums (amounting in the aggregate to the sum of pounds which has not been raised) that is to say:—

(1.) The sum of pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [ ] Acts for the purchase money for [ ] and the cost of reconstruction of portions thereof:

(2.) The sum of pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [ ] Acts for the cost of construction of [ ]:

(3.) The sum of pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [ ] Acts for the construction of [ ]:

(4.) The sum of pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [ ] Acts for the purposes of [sewering and paving within the borough].

B. For raising instead of re-borrowing the sum of pounds required by the Corporation for the purpose of paying off when due sums amounting to pounds which will fall due before the [1st January 188] being a portion of their debts now subsisting on the security of outstanding securities granted by the Corporation for raising money for the purposes of the following Acts (that is to say):—

and which sums the Corporation are under those Acts authorised to re-borrow.

C. For raising the sum of pounds for repaying the amount temporarily borrowed by the Corporation from [the Bank of England] in order to enable the Corporation to meet sums which amount to pounds being a portion of their debt secured on outstanding securities granted by the Corporation for raising money for the purposes of the following Acts (that is to say) :—

and which sums the Corporation are under those Acts authorised to re-borrow.

D. For raising the sum of pounds for paying off or redeeming statutory securities granted by the Corporation under the following Acts and now outstanding (that is to say) :—

E. For the purpose of issuing stock in substitution for statutory securities granted by the Corporation under the following Acts and now outstanding (that is to say) :—

Resolved secondly—

That such stock shall be issued at the price and shall bear the dividends and be transferable in the manner herein-after specified (that is to say) :—

A. The minimum price of issue to be [ ] per cent. the first dividend to be payable on the [1st January 188].

B. Tenders for stock to be made to the Bank of England. A deposit of 5 per cent. on the amount of stock tendered for to be paid at the Bank of England at the time of the delivery of the tender.

C. The dates for the further payments on account of the said tenders when accepted to be as follows :—On [Wednesday the 20th day of October 188 , so much of the amount tendered and accepted as when added to the deposit will leave £75 (sterling) to be paid for each £100 of stock. On Friday the 26th day of November 188 25 per cent. On Tuesday the 11th day of January 188 25 per cent. On Tuesday the 1st day of March 188 25 per cent.] In case of default in the payment of any instalment at its proper date the deposit and instalments previously paid will be liable to forfeiture.

D. Dividends at per cent. per annum payable [quarterly].

E. Dividends on the total amount of stock (calculated from the 1st of October 188) to be payable on the 1st January 188 .

F. Scrip certificates to bearer with coupons attached for the dividends payable 1st January, 188 and 1st April 188 to be issued in exchange for the provisional receipts.

G. In the event of the receipt of tenders for a larger amount of stock than that proposed to be issued at or above the minimum price the tenders at the lowest price accepted to be subject to proportionate diminution.

H. Stock to be issued in sums of not less than £10.

J. Stock to be transferable in [books and not by deed].

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Resolved thirdly—

That such stock shall be redeemable as follows. [State terms.]

Resolved fourthly—

That subject to the approval of the Commissioners of Her Majesty's Treasury an agreement be entered into with the Commissioners of Inland Revenue for the payment to the last-mentioned Commissioners of composition under the provisions of section 53 of the Inland Revenue Act 1880 for the stamp duty on transfers of stock issued under the foregoing resolutions.

(B.)

STOCK RECEIPT.

ASHTON-UNDER-LYNE CORPORATION STOCK (£ PER CENT.)

Transfer days: Monday, Tuesday, Wednesday, Thursday, Friday. *Holidays excepted.*	RECEIVED this day of 188 of herein-after called the said transferee the sum of being the consideration for Interest or share in the ASHTON-UNDER-LYNE CORPORATION STOCK (£ per cent.), transferable at the BANK OF ENGLAND, and all my property and interest in, and right to, the same, and the dividends thereon, by this day transferred unto the said transferee Witness hand Witness

The proprietors to protect themselves from FRAUD are recommended to ACCEPT, by themselves or their attorneys, all TRANSFERS made to them.

£ *s.* *d.*

[*Indorsement.*]

NOTICE TO HOLDERS OF ASHTON-UNDER-LYNE CORPORATION STOCK.

(£ PER CENT.)

PAYMENT OF DIVIDENDS.

Dividends are due on [*the* 1*st January*, 1*st April*, 1*st July*, *and* 1*st October*,] unless the [1*st*] of either of these months falls on a Sunday, in which case the dividends will be payable on the following day.

Dividends will be paid in one of the following modes:—

I. To the stockholders personally, or to their attorneys, at the Bank of England.

N.B.—Stockholders may arrange for the receipt of their dividends, free of charge, at any of the *country* branches, on application to the agent.

II. By transmission of dividend warrants by post, at the risk of the stockholder under the following regulations:—

1. Any stockholder residing within the United Kingdom, the Channel Islands, or the Isle of Man, who desires to have his dividend warrant sent

to his address by post, must fill up a form of application to be obtained at the bank or at any of its branches.

2. In the case of joint accounts, the application must be signed by all the members of the account, directing the warrant to be sent to one of them at a given address.
3. Post dividend warrants will be crossed *& Co.* and will only be payable through a banker. They will be drawn to the order of the stockholder, and must be indorsed.

Stockholders, whose warrants are sent by post should give notice to the bank if they are *not* received on the day on which they ought to be delivered; but need not acknowledge those that arrive in due course.

STOCK CERTIFICATES TO BEARER.

Stock certificates to bearer, of the denominations of [£10, *or any multiple of* £10], with coupons for the quarterly dividends attached, may be obtained in exchange for inscribed stock.

(C.)

CORPORATION STOCK CERTIFICATE.

Borough of Ashton-under-Lyne.

Number

This is to certify that A.B. of [ ] is the proprietor of [ ] pounds of Ashton-under-Lyne Corporation Redeemable Stock subject to the Acts of Parliament relating thereto.

Given under the common seal of the mayor aldermen and burgesses of the borough of Ashton-under-Lyne this [ ] day of [ ] 18[ ].

(D.)

TRANSFER IN BOOKS.

ASHTON-UNDER-LYNE CORPORATION STOCK (£ PER CENT.).

	£	*s.*	*d.*	No.
this day of in the year of our Lord one thousand eight hundred and do assign and transfer				Entered by
interest or share in the ASHTON-UNDER-LYNE CORPORATION STOCK (£ PER CENT.), transferable at the Bank of England and all my property and interest in and right to the same and the dividends thereon unto				Witness to the identity of

Executors administrators or assigns Witness hand

Witness

do freely and voluntarily accept the above stock transferred to

Witness

A.D. 1886.

(E.)

APPLICATION FOR ISSUE OF POWER OF ATTORNEY.

BANK OF ENGLAND the day of 188

From A.B. and C.D. [the registered stockholders in the bank books]

£

ASHTON-UNDER-LYNE CORPORATION STOCK (£ PER CENT.)

To G.H. [the intended attorney]

Examined by Dr. fol. Posted by Cr. fol. Posted by Transfer book.

(F.)

POWER OF ATTORNEY FOR SALE AND TRANSFER AND FOR RECEIPT OF DIVIDENDS.

Corporate Account

ASHTON-UNDER-LYNE CORPORATION STOCK.

ACCEPTANCE, SALE OF £ AND DIVIDENDS.

We

our attorneys and attorney
for us and in our name and on our behalf—

First—to ACCEPT all transfers made or to be made to us of any sum of

ASHTON-UNDER-LYNE CORPORATION STOCK.

Secondly—to SELL and TRANSFER all or any part of the sum of said stock standing in our name in the books of the Governor and Company of the Bank of England';

Thirdly—to RECEIVE and GIVE RECEIPTS for all DIVIDENDS or PAYMENTS due, or to become due, on any sum of the said stock from time to time standing in our name in the books of the Governor and Company of the Bank of England;

and also—to do whatever is necessary or proper to be done for the purposes aforesaid, or any of them.

In witness whereof we have hereunto affixed our corporate seal this _____ day of_____ in the year of our Lord one thousand eight hundred and_____

Sealed with the corporate seal and delivered in the presence of

N.B.—The execution of this letter must be attested by [two witnesses who are] not of the corporate body, and who must be present when the corporate seal is affixed.

For further instructions see other side.

[*Indorsement.*]

INSTRUCTIONS FOR EXECUTING THE WITHIN LETTER OF ATTORNEY.

Corporate Account

The *date* must be inserted in *words* and not in figures.

The execution must be attested by [*two credible witnesses* who are] not of the corporate body and who must add [their addresses and their qualities professions or occupations].

A *witness resident in a town* must give the No. of the house as well as the name of the street.

If *clerks or servants* are witnesses they must give the names and addresses of their employers.

When a witness is a *female* she must state whether she is a *spinster wife* or *widow* and if a *wife* she must give her husband's name address and quality profession or occupation.

A *wife* is not a *valid witness* to the execution of this letter of attorney when her husband's name appears in the letter as attorney or transferee.

If any *alteration interlineation or erasure* be made in this letter of attorney it must be particularly stated in the attestation subscribed to by the witnesses that such alteration interlineation or erasure was made previously to the execution of the letter.

I demand to act by this letter of attorney, this day of 18

Witness

A.D. 1886.

(G.)

DEED OF TRANSFER.

Borough of Ashton-under-Lyne.

I A.B. of [ ] in consideration of the sum of [ ] pounds paid to me by C.D. of [ ] (herein-after called the said transferee) do hereby transfer to the said transferee the sum of [ ] pounds Ashton-under-Lyne Corporation Redeemable Stock standing [or part of the stock standing] in my name in the books of the mayor aldermen and burgesses of the borough of Ashton-under-Lyne to hold unto the said transferee his executors and administrators and assigns [*or* successors and assigns] subject to the several conditions on which I hold the same at the time of the execution hereof and I the said transferee do hereby agree to take the said stock subject to the same conditions.

As witness our hands and seals the [ ] day of [ ].

(H.)

DIVIDEND WARRANT.

ASHTON-UNDER-LYNE CORPORATION STOCK.

(£ PER CENT.)

To the CASHIERS of the BANK of ENGLAND.

Pay to bearer the sum of _____

for one quarter of a year's dividend on the sum of £ ASHTON-UNDER-LYNE CORPORATION STOCK (£ per cent.) due 188 .
Less property tax at *d.* per £

I do hereby acknowledge to have received of the BANK of ENGLAND the above-mentioned sum, in full payment of one quarter of a year's dividend, due as aforesaid.

Witness, Witness my hand this , 188 .

(I.)

Dividend Warrant by Post.

(1.)

Ashton-under-Lyne Corporation Stock (£ per Cent.)

Request for Transmission of Dividend Warrants by Post.

To the Governor and Company of the Bank of England.

A sum of £ Ashton-under-Lyne Corporation Stock (£ per Cent.) is now standing in name as follows:— Amount. "my" or "our."

_____

_____ Names, addresses, and descriptions as recorded in the bank books.

_____

_____

As the person entitled to the dividends upon the above-mentioned amount of stock hereby authorise the Accountant-General of the Bank of England, for the time being, in the name of "I" or "we." "myself" or "our *nominee*."
to draw upon the Governor and Company of the Bank of England for the amount of the half-yearly dividends due and to become due on the said amount of stock, or on the amount for the time being standing in name: "my" or "our."

And hereby request the said Accountant-General to send through the post, at risk and until further notice, the warrants so drawn to— "I" or "we." "my" or "our."

Name _____

Present address _____

_____ If the account is a sole one, insert here the name and address of the stockholder: if the account is a joint one, insert here the name and address of one of the stockholders, as *nominee*.

Sign Here.

In the case of joint stockholders, or of co-executors, all must sign.

_____

_____

_____

_____

188

A.D. 1886.

(*On second half-sheet of same Form.*)

This half sheet is to be retained by the stockholder. Reference to it will often save unnecessary correspondence.

NOTICE TO HOLDERS OF ASHTON-UNDER-LYNE CORPORATION STOCK.
(£ PER CENT.)

TRANSMISSION OF DIVIDEND WARRANTS BY POST.

Dividends upon the above-named stock may be transmitted through the post to the *stockholder* in sole accounts, and to *any one of the stockholders* in joint accounts, *at their risk*, upon a form of request being duly filled up and forwarded to the ACCOUNTANT-GENERAL, BANK OF ENGLAND. (Forms are obtainable at the BANK OF ENGLAND, and at any of its branches.)

N.B.—This arrangement does not apply to stockholders whose addresses are beyond the United Kingdom, the Channel Islands,or the Isle of Man.

Persons receiving dividends under letter of attorney cannot have the warrants for such dividends sent to them by post.

A separate form must be used for each separate holding of stock.

When forwarding a form of request, care should be taken to state the number of overdue dividends, if any.

Dividends are payable on 1*st January*, 1*st April*, 1*st July*, and 1*st October*.

When the [1*st*] happens on a Sunday, the dividends are not payable until the [2*nd*].

Forms of request may be delivered at the bank at any date, either by hand or through the post; but when received between the day on which the balance for a dividend is struck and the day on which the dividend is payable, the warrants for such *next* dividend will be forwarded as soon as possible, but the bank will not guarantee their being posted on the day before the dividend is payable.

For the dividend payable [1*st January*] the balance is struck on or about the [1*st December*].

For the dividend payable [1*st April*] the balance is struck on or about the [1*st March*].

For the dividend payable [1*st July*] the balance is struck on or about the [1*st June*].

For the dividend payable [1*st October*] the balance is struck on or about the [1*st September*].

Warrants for overdue dividends will be forwarded as promptly as possible, but not necessarily by return of post.

Any change of address of the stockholder in sole accounts, or of the nominee in joint accounts, should be notified at once to the Accountant-General. When any such notification reaches the bank less than a fortnight before the next dividend is due, there may be a delay of a few days in the delivery of the warrant for such next dividend.

In the absence of any notification to the contrary, it will be taken for granted that dividend warrants have duly reached their destinations. When they are not received on the correct day notice should be given to the Accountant-General without delay. A.D. 1886.

As postal dividend warrants are made payable to order, they must be indorsed; they are crossed in blank, and consequently are only payable on presentation by a banker. (The bank will not undertake to cross postal dividend warrants with the names of particular bankers.)

Instructions to transmit warrants by post remain in force, although the stock may have been added to, or a part sold.

Stockholders selling stock by attorney, if they wish to continue to receive their dividends through the post, should instruct their bankers, or brokers, to obtain letters of attorney for sale only.

All communications with reference to postal dividend warrants should be addressed to the Accountant-General, Bank of England, and the postage should be prepaid.

(2.)

POST DIVIDEND WARRANT.

ASHTON-UNDER-LYNE CORPORATION STOCK
(£ PER CENT.)

TO THE GOVERNOR AND COMPANY OF THE BANK OF ENGLAND, LONDON.

Pay to me or my order on demand the sum of £_____

being one quarter of a year's dividend at £ per cent. per annum, due on the 1st day of 188 , on the sum of £ Ashton-under-Lyne Corporation Stock (£ per cent.)	
Less property tax at per £	

Accepted for the GOVERNOR *and* COMPANY *of the* BANK OF ENGLAND,

Per pro

[F. MAY]

Chief Cashier. *Accountant-General.*

The person to whom this warrant is payable must sign his or her name on the back of it.

A.D. 1886.

(K.)

STOCK CERTIFICATE WITH COUPONS TO BEARER.

ASHTON-UNDER-LYNE CORPORATION STOCK CERTIFICATE TO BEARER.

DIVIDEND AT £ PER CENT. PER ANNUM.

£50. A00000

This is to certify that the bearer of this certificate is entitled to fifty pounds Ashton-under-Lyne Corporation Redeemable Stock with dividend thereon at the rate of £ per cent. per annum transferable at the Bank of England pursuant to the Ashton-under-Lyne Improvement Act 1886.

Dated 188 .

For the Governor and Company
of the Bank of England,
[F. MAY.]

Countersigned
[S. O. GRAY],
Chief Accountant,
Bank of England.

A00000 £50.

The coupons attached to this certificate are payable at the chief establishment of the Bank of England, or at any of the country branches.

When the coupons are exhausted this certificate will be exchanged on presentation at the Chief Cashier's Office, Bank of England, for a new certificate with fresh coupons attached.

[COUPONS.]

5 Div. ASHTON-UNDER-LYNE CORPORATION STOCK. Coupon for Shillings and Pence, (Less Income Tax) being Three Months Dividend at £ Per Cent. per Annum. A00000 Due [1st January 1888] on Certificate for FIFTY POUNDS ASHTON-UNDER-LYNE CORPORATION STOCK. £0. 0. 0. Payable at the Bank of England.	5 Div. ASHTON-UNDER-LYNE CORPORATION STOCK. Due [1st Jan. 1888]. A00000 £0.
4 Div. ASHTON-UNDER-LYNE CORPORATION STOCK. Coupon for Shillings and Pence, (Less Income Tax) being Three Months Dividend at £ Per Cent. per Annum. A00000 Due [1st October 1887] on Certificate for FIFTY POUNDS ASHTON-UNDER-LYNE CORPORATION STOCK. £0. 0. 0. Payable at the Bank of England.	4 Div. ASHTON-UNDER-LYNE CORPORATION STOCK. Due [1st Oct. 1887]. A00000 £0.
3 Div. ASHTON-UNDER-LYNE CORPORATION STOCK. Coupon for Shillings and Pence, (Less Income Tax) being Three Months Dividend at £ Per Cent. per Annum. A00000 Due [1st July 1887] on Certificate for FIFTY POUNDS ASHTON-UNDER-LYNE CORPORATION STOCK. £0. 0. 0. Payable at the Bank of England.	3 Div. ASHTON-UNDER-LYNE CORPORATION STOCK. Due [1st July 1887]. A00000 £0.
2 Div. ASHTON-UNDER-LYNE CORPORATION STOCK. Coupon for Shillings and Pence, (Less Income Tax) being Three Months Dividend at £ Per Cent. per Annum A00000 Due [1st April 1887] on Certificate for FIFTY POUNDS ASHTON-UNDER-LYNE CORPORATION STOCK. £0. 0. 0. Payable at the Bank of England.	2 Div. ASHTON-UNDER-LYNE CORPORATION STOCK Due [1st Apr. 1887] A00000 £0.

FEES.

	£	*s.*	*d.*
On original issue of stock receipt or stock certificate - -	0	2	6
On any new stock certificate - - - - -	0	2	6
On transfer including certificate - - - - -	0	5	0
On any issue of stock certificate to bearer in respect of every ten pounds of stock specified therein - - - -	0	0	6
On re-entry in register of stock specified in stock certificate to bearer - - - - - - - -	0	5	0

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