CHAPTER 32.

An Act to prevent the use of Barbed Wire for Fences in Roads, Streets, Lanes, and other Thoroughfares.

[27th July 1893.]

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:

Short title.

1. This Act may be cited for all purposes as the Barbed Wire Act, 1893.

Interpretation.

2. In this Act—

The expression "barbed wire" means any wire with spikes or jagged projections; and the expression "nuisance to a highway," as applied to barbed wire, means barbed wire which may probably be injurious to persons or animals lawfully using such highway:

In England and Wales the expression "local authority" means any county council, any urban sanitary authority, any sanitary authority in London, any highway board, and any other local authorities existing, or that may be hereafter created by Parliament, having control over highways:

In Scotland the expression "local authority" means the burgh local authority within the meaning of the Roads and Bridges (Scotland) Act, 1878, the county council, or a district committee thereof; and the expression "court of summary jurisdiction," means the sheriff or sheriff substitute: 41 & 42 Vict. c. 51.

In Ireland the expression "local authority" means the county surveyor, or the city engineer, or the borough surveyor, as the case may be, or some person duly appointed to act for any such surveyor or engineer.

Removal of barbed wire where nuisance to highway.

3.—(1.) Where there is on any land adjoining a highway within the county or district of a local authority a fence made with barbed wire, or in or on which barbed wire has been placed, and such barbed wire is a nuisance to such highway, it shall be lawful for such local authority to serve notice in writing upon the occupier of such land requiring him within a time therein stated (not to be less than one month nor more than six months after the date of the notice) to abate such nuisance.

(2.) If on the expiration of the time stated in the notice the occupier shall have failed to comply therewith, it shall be lawful for the local authority to apply to a court of summary jurisdiction, and such court, if satisfied that the said barbed wire is a nuisance to such highway, may by summary order direct the occupier to abate such nuisance; and on his failure to comply with such order within a reasonable time the local authority may do whatever may be necessary in execution of the order, and recover in a summary manner the expenses incurred in connexion therewith.

(3.) In Ireland, sections one hundred and twelve, one hundred and fourteen, one hundred and fifteen, and two hundred and sixty-

41 & 42 Vict. c. 52.

nine of the Public Health (Ireland) Act, 1878, shall apply, with the necessary modifications, where an order is made by a court of summary jurisdiction under this section, in like manner as if that order were an order under the said section one hundred and twelve.

Proceedings where local authority is occupier of the land.

4. Where the local authority are the occupiers of the land, proceedings under this Act may be taken by any ratepayer within the district of the local authority, and a notice to the local authority to abate the nuisance shall be deemed to be properly served if it is served upon the clerk of the local authority, and any ratepayer taking proceedings may do all acts and things which a local authority is empowered to do.

Expenses of local authority.

5. Any expenses incurred by a local authority in the execution of this Act shall be defrayed in like manner as the expenses of the local authority incurred in respect of any highways.

CHAPTER 33.

An Act to remove certain doubts as to the application of Part III. of the Housing of the Working Classes Act, 1890, to certain authorities in Ireland.

[24th August 1893.]

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:

Application of 41 & 42 Vict. c. 52. ss. 237 to 246 and 53 & 54 Vict. c. 70. s. 83 to borrowing for the purpose of 53 & 54 Vict. c. 70. Part III.

1.—(1.) It is hereby declared that sections two hundred and thirty-seven to two hundred and forty-three, and section two hundred and forty-six of the Public Health (Ireland) Act, 1878, and section eighty-three of the principal Act, apply and have always applied to the borrowing by any local authority in Ireland for the purpose of the execution of Part III. of the principal Act, in like manner as if that purpose were specified in those sections, and the local rate were the fund or rate there specified, and the local authority were a sanitary authority, and that the Commissioners of Public Works in Ireland have, and have always had, power to lend accordingly.

(2.) All expenses incurred by town commissioners in the execution of Part III. of the principal Act shall be defrayed out of the local rate, and the town of any town commissioners shall be a district within the meaning of Parts III. and VI. of the principal Act, and section eighty-four of the principal Act shall apply as if the town commissioners were a sanitary authority.

2. This Act shall be construed as one with the Housing of the Working Classes Act, 1890 (in this Act referred to as the principal Act), and that Act and this Act may be cited together as the Housing of the Working Classes Acts, 1890 and 1893, and this Act may be cited separately as the Housing of the Working Classes Act, 1893.