3. Section one hundred and fifty-six of the Public Health Act, 1875, is, save as herein-after mentioned, hereby repealed, and in lieu thereof it is hereby enacted that it shall not be lawful in any urban district, without the written consent of the urban authority, to erect or bring forward any house or building in any street, or any part of such house or building, beyond the front main wall of the house or building on either side thereof in the same street, nor to build any addition to any house or building beyond the front main wall of the house or building on either side of the same. Buildings not to be brought forward.

Any person offending against this enactment shall be liable to a penalty not exceeding forty shillings for every day during which the offence is continued after written notice in this behalf from the urban authority.

Provided that the repeal by this Act enacted shall not affect anything duly done or suffered, or any right or liability acquired, accrued, or incurred, or any security given under the section hereby repealed, or any penalty, forfeiture, or punishment incurred in respect of any offence committed against such section, or any investigation, legal proceeding, or remedy in respect of any such right, liability, security, penalty, forfeiture, or punishment as aforesaid; and any such investigation, legal proceeding, and remedy may be carried on as if this Act had not been passed.

CHAPTER 53.

An Act to authorise the application of Funds of Municipal Corporations and other Governing Bodies in Ireland in certain Cases. [24th December 1888.]

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:

1. This Act may be cited for all purposes as the Borough Funds (Ireland) Act, 1888. Short title.

2. The term "governing body" in this Act shall mean the council of any municipal borough, the urban sanitary authority, town or township commissioners, or other body acting under any general or local Act of Parliament for the management, improvement, cleansing, paving, lighting, and otherwise governing places or districts; the term "district" shall mean the borough, place, township, or district within which the governing body may for the time being have jurisdiction; the term "Local Government Board" shall mean the Local Government Board for Ireland; and the term "Chief Secretary" shall mean the Chief Secretary for the time being to the Lord Lieutenant of Ireland. Interpretation of terms.

3. When in the judgment of a governing body in any district it is expedient for such governing body to promote or oppose any local and personal Bill or Bills in Parliament, or to prosecute or Costs of promoting or opposing parliamentary

and other proceedings for benefit of inhabitants to be charged on borough and local funds, except in certain cases.

defend any legal proceedings necessary for the promotion or protection of the interests of the inhabitants of the district, it shall be lawful for such governing body to apply the borough fund, borough rate, or other the public funds or rates under the control of such governing body, to the payment of the costs and expenses attending the same; and when there are several funds or rates under the control of the governing body, such governing body shall determine out of which fund or funds, rate or rates, such expense shall be payable, and in what proportions: Provided that nothing contained in this Act shall authorise any governing body to promote any Bill in Parliament for the establishment of any gas or water works to compete with any existing gas or water company established under any Act of Parliament: Provided also that no powers contained in this section shall apply in any case where the promotion of or opposition to a Bill by a governing body has been decided by a Committee of either House of Parliament to be unreasonable or vexatious.

No payment to member of governing body to be so charged.

4. No payment to any member of a governing body for acting as counsel or agent in promoting or opposing any such Bill shall be charged as aforesaid.

Costs of promoting or opposing Bills to require sanction of special meetings, and Local Government Board or Chief Secretary.

5. No expense in relation to promoting or opposing any Bill or Bills in Parliament shall be charged as aforesaid unless incurred in pursuance of a resolution of an absolute majority of the whole number of the governing body at a meeting of the governing body, after ten clear days notice by public advertisement of such meeting and of the purpose thereof in some newspaper published or circulating in the district; such notice to be in addition to the ordinary notices required for summoning such meeting: nor unless such resolution shall have been published twice in some newspaper or newspapers circulating in the district, and shall have received, in respect of matters within the jurisdiction of the Local Government Board the approval of such Board, and in respect of other matters the approval of the Chief Secretary; and in case of the promotion of a Bill in Parliament no further expense shall be incurred or charged as aforesaid after the deposit of the Bill, unless the propriety of such promotion shall be confirmed by such absolute majority at a further special meeting to be held in pursuance of a similar notice not less than fourteen days after the deposit of the Bill in Parliament. In submitting a resolution to the Local Government Board or the Chief Secretary, the governing body shall supply all such information concerning the matters in question as may appear necessary to the Local Government Board or the Chief Secretary, as the case may be.

Provision as to approval of Local Government Board, &c.

6. The approval of the Local Government Board, or of the Chief Secretary, as the case may be, shall not be given to any such resolution as aforesaid until the expiration of seven days after the second publication thereof as provided by this Act, and in the meantime any person qualified to vote at the election of the governing body of such district may give notice in writing to the Local Government Board, or the Chief Secretary, objecting to such approval.

Provided always that such approval shall be given within one calendar month after the expiration of the said seven days, unless where the Local Government Board or Chief Secretary, as the case may be, shall deem it expedient, before giving such approval, to direct a local inquiry to be held as herein-after provided, in which case such direction shall be given within the said calendar month; and in the event of a local inquiry being directed the Local Government Board or Chief Secretary, as the case may be, shall by the order directing such inquiry limit the time within which such approval shall be given or withheld.

Vote of the electors.

7. No expense of promoting or opposing any Bill in Parliament shall be charged as aforesaid, unless such promotion or opposition shall have been approved by a special resolution of the persons qualified to vote at an election of the members of the governing body of such district, to be passed at a meeting summoned as herein-after mentioned.

A meeting for the purpose of passing any special resolution for the purposes of this Act shall be summoned by the mayor or chairman for the time being of the governing body of the district, and a month's previous notice of the summoning of such meeting, stating the time and place where the same is to be held, shall be given in some newspaper or newspapers circulating in the district, and by causing notices of the same to be posted in the places in which notices of such governing body are usually posted.

The mayor or chairman of the governing body of such district, or in case of his absence some one of the governing body of such district appointed with the consent of the majority of the persons present at such meeting, shall be chairman of such meeting. Such chairman shall propose to the meeting the resolution for the application of the funds of the district in promoting or opposing the Bill in question, and the meeting shall decide by a majority of the persons present at the meeting and qualified to vote at the election of members of the governing body of such district, and voting for or against such application: Provided always, that if five persons present at the meeting and qualified to vote as aforesaid shall demand that the application of the funds of the district in promoting or opposing the Bill in question shall be decided by a poll, such poll shall be taken of the persons qualified as aforesaid in the way and subject to the conditions prescribed in Schedule I. to this Act.

Where a special resolution is passed by any such meeting, and no poll is demanded, or where a poll is demanded and the demand is withdrawn at the instance of the persons making the same, the chairman shall make and sign a declaration to that effect, and shall transmit the same to the Local Government Board in Dublin.

All expenses properly and necessarily incurred in giving the notices and in convening and holding the meetings required by this section, and all expenses properly and necessarily incurred in taking a poll, if a poll is taken, shall, whether the proposed Bill is proceeded with or not, be chargeable upon the funds or rates upon which the expenses of promoting or opposing such Bill are made chargeable under this Act.

Costs to be examined.

8. All costs, charges, and expenses incurred under the provisions of this Act shall, before the same become chargeable, be examined and allowed by an auditor of the Local Government Board.

Provision respecting local inquiry.

9. The Local Government Board or Chief Secretary shall have power to direct a local inquiry to be held upon any application under this Act, by any person or persons whom they may respectively nominate for the purpose, and to require security to be given by the governing body for the costs and expenses of such local inquiry.

Saving.

10. Nothing in this Act shall extend or be construed to alter or affect any special provision which is or shall be contained in any other Act for the payment of the costs, charges, and expenses intended to be provided for by this Act, or to take away or diminish any rights or powers now possessed or enjoyed by any governing body, or which are or shall be vested in or exerciseable by the inhabitants of any district under general or special Act.

Repeal of 10 & 11 Vict. c. 34. s. 142.

11. The one hundred and forty-second section of the Towns Improvement Clauses Act, 1847, is hereby repealed so far as the same is inconsistent with the provisions of this Act.

Limitation of Act.

12. The provisions of this Act shall not extend to applications for any Bill in Parliament for any object which would, for the time being, be attainable by Provisional Order.

SCHEDULES.

Section 7.

SCHEDULE I.

RULES FOR TAKING A POLL.

1. The presiding officer, for the purpose of taking the poll, shall be the mayor or chairman of the governing body of the district, or in case of his absence the chairman of the meeting at which the poll was demanded, and all powers and duties by this Act vested in or imposed on the presiding officer, and all other duties requisite to be performed by him in relation to such taking the poll, shall be exercised by such mayor or chairman as aforesaid.

2. If the office of mayor or chairman of the governing body is vacant at the time when any such power or duty must be exercised or performed, or if the mayor or chairman of the governing body, or the chairman of the said meeting, as the case may be, from illness or other sufficient cause, is unable to exercise or perform such powers or duties, or is absent or refuses to act, some other person shall be appointed by the governing body to exercise or perform such powers and duties.

3. The governing body shall before or during the poll appoint a competent number of persons to assist the presiding officer in conducting and completing the same.

4. The presiding officer shall within three days after the meeting at which the poll was demanded, but not less than seven days before the day appointed for the collection of the voting papers, publish a notice signed by him and specifying the date and place of the said meeting, the resolution proposed thereat, the facts that a poll was demanded and will be taken, the

day or days on which the voting papers will be delivered and the day on which they will be collected, and the place for the examination and casting up of the votes; and shall also cause copies of such notice to be affixed on the usual place or places for affixing notices in the district.

5. The poll shall be taken by voting papers in the form in Schedule II. to this Act; and the presiding officer shall cause voting papers in the said form to be prepared, and shall insert therein the resolution upon which the poll is to be taken, and the date and place of the meeting at which such resolution was proposed, and the day and time when the voting papers are to be collected.

6. The presiding officer, three days at least before the day of collection of the voting papers, shall cause one of such voting papers to be delivered, by persons appointed by him for that purpose, at the address stated in the register or list for the time being of each person qualified to vote at an election of the members of the governing body of the district.

7. Each voter shall write his initials in the voting paper delivered to him under the heading "in favour of" or "against," according as he votes for or against the resolution, and shall sign such voting paper.

8. Any voter unable to write shall affix his mark at the foot of the voting paper in presence of a witness, who shall attest and write the name of the voter against the mark, as well as the initials of such voter, under the heading "in favour of" or "against," according as such voter intends to vote for or against the resolution.

9. The presiding officer shall cause the voting papers to be collected on the day of collection by such persons as he may appoint.

10 No voting paper shall be received or admitted unless the same has been delivered at the address of the voter as aforesaid, nor unless the same is collected by the persons appointed for that purpose: Provided that—

(*a.*) If any person entitled to receive a voting paper has not received a voting paper as aforesaid, he shall, on personal application before the day of collection to the presiding officer, be entitled to receive a voting paper from him, and to fill up the same in his presence, and then and there to deliver the same to him:

(*b.*) If any voting paper duly delivered has not been collected through the default of the presiding officer or the persons appointed to collect the same, the voter in person may deliver the same to the presiding officer before twelve o'clock at noon on the day appointed for the examination and casting up of the votes.

11. The presiding officer shall on the day immediately following the day of the collection of the voting papers, and on as many days immediately succeeding as may be necessary, attend at the place appointed for the examination and casting up of the votes, and ascertain the validity of the votes by an examination of the register or list for the time being of the persons qualified to vote at an election of the members of the governing body of the district, and by examining such persons as he may see fit. He shall cast up such of the votes as he finds to be valid, and to have been duly given, collected, or received, and shall ascertain the number of such votes in favour of and against the adoption of the resolution respectively.

Any three of the persons who demanded the poll may themselves attend or appoint an agent to attend the examination and casting up of the votes; any person so attending who obstructs or in any way interferes with the examination and casting up of the votes, may, by order of the presiding officer, be forthwith removed from the place appointed for that purpose, and if so removed shall not be permitted to return.

12. The presiding officer shall forthwith make and sign a declaration of the result of the poll and transmit the same to the Local Government Board in Dublin.

13. If the presiding officer refuses or neglects to comply with any of the provisions of this Schedule relating to the taking of the poll, he shall be liable to a penalty not exceeding fifty pounds, and any person employed for the purpose of the poll, by or under the presiding officer, who is guilty of any such neglect or refusal shall be liable to a penalty not exceeding five pounds, such penalties to be recovered in a summary manner.

14. Any person who—

Fabricates in whole or in part, or alters, defaces, destroys, abstracts, or purloins any voting paper, or

Personates any person entitled to vote at any poll, or

Falsely assumes to act in the name or on the behalf of any person so entitled to vote, or

Interferes with the delivery or collection of any voting papers, or

Delivers any voting paper under a false pretence of being lawfully authorised so to do,

shall be liable to a penalty not exceeding twenty pounds, or, in the discretion of the court, to imprisonment, with or without hard labour, for any period not exceeding three months, such offence to be prosecuted and penalty to be recovered in a summary manner.

SCHEDULE II.

FORM OF VOTING PAPER FOR POLL TAKEN UNDER SCHEDULE I.

VOTING PAPER NO. (.)

At a meeting held on the day of 18 , at in the of , it was agreed that the following resolution should be proposed to the persons qualified to vote at an election of the members of [*insert the description of the governing body of the district*] of

[*Set out the resolution*]

——	In favour of.	Against.
Do you vote in favour of or against the adoption of the above resolution?		

(Signed)_____

or the mark of_____

Witness to the mark_____

DIRECTIONS TO THE VOTER.

The voter must write his initials under the heading "in favour of" or "against," according as he votes for or against the resolution, and must subscribe his name and address at full length.

Any voter unable to write shall affix his mark at the foot of the voting paper in presence of a witness, who shall attest and write the name of the voter against the mark, as well as the initials of such voter, under the heading "in favour of" or "against" according as such voter intends to vote for or against the resolution.

This paper will be collected on the day of between the hours of and .

CHAPTER 54.

An Act for the Regulation of the Sea Fisheries of England and Wales. [24th December 1888.]

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:

Establishment of sea fisheries districts and local fisheries committees.

1.—(1.) The Board of Trade may from time to time on the application of a county council or borough council, by order,

(*a*) create a sea fisheries district comprising any part of the sea within which Her Majesty's subjects have by international law the exclusive right of fishing, either with or without any part of the adjoining coast of England and Wales; and

(*b*) define the limits of the district, and the area chargeable with any expenses under this Act; and

(*c*) provide for the constitution of a local fisheries committee for the regulation of the sea fisheries carried on within the district;

and may from time to time on like application by subsequent order vary any order made under this section, or unite two or more districts or parts of districts into a separate district, or dissolve any district that may have been formed.

(2.) The local fisheries committee for a sea fisheries district shall be a committee of a county council or borough council, or, if two or more councils appear to be interested, a joint committee of those councils, with the addition in each case of such members representing the fishing interests of the district, including members representing any board of salmon conservators having jurisdiction within the district, as may be directed by the order creating the district, such number of fishery members not being in the aggregate less than the number of members of the county or borough councils provided by the order creating the district. The fishery members shall hold office for the same time as the members appointed by the county or borough council or councils, and any vacancy amongst the fishery members which may arise in the interval shall be filled up by a representative of the fishing interest in respect of which it occurs. The members representing a board of salmon conservators shall be appointed by that board.