CHAPTER lxxxviii.

An Act to empower the mayor aldermen and burgesses of the borough of Cambridge to construct a street improvement to provide for the extinction of the Lammas rights in respect of certain lands in the borough to confer further powers upon the Corporation with regard to commons and open spaces and the health local government and improvement of the borough to amalgamate the parishes and consolidate the rates of the borough and for other purposes. [4th August 1922.] A.D. 1922.

WHEREAS the borough of Cambridge is a municipal borough under the management and local government of the mayor aldermen and burgesses of the borough of Cambridge (in this Act called "the Corporation") and the Corporation acting by the council are the urban sanitary authority for the borough:

And whereas it is expedient to empower the Corporation to construct the street improvement in this Act referred to:

And whereas the Corporation are or claim to be seized of the inheritance of the fee simple of and in the soil and freehold of certain lands in the borough which are referred to in this Act and over which it is claimed that certain Lammas rights are exerciseable and it is expedient to authorise the Corporation to acquire certain other lands in the borough over which it is claimed that similar rights exist:

[*Price* 4*s.* 6*d. Net.*]

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And whereas the said Lammas rights are only exercised to a small extent at the present time and it is expedient to make provision for the extinction of those rights in manner provided by this Act:

And whereas the Corporation are or claim to be the owners in fee of certain commons and open spaces within the borough and powers for the improvement management and regulation of such commons and open spaces were conferred upon the Corporation by the Cambridge University and Corporation Act 1894 and it is expedient to make further provision with regard to such commons and also with regard to other commons open spaces parks and pleasure or recreation grounds in the borough:

And whereas the Corporation are the owners of the markets within the borough and it is expedient to confer further powers upon the Corporation and to make further provision with regard to such markets and also with regard to slaughter-houses within the borough:

And whereas it is expedient to make further and better provisions with regard to the health local government and improvement of the borough and that the powers of the Corporation with regard thereto should be enlarged as is provided in this Act:

And whereas the borough at present comprises the parish of Cambridge (for which a separate board of guardians is elected) and the parishes of Chesterton and Cambridge Without (both in the Chesterton Union) and it would be of public and local advantage to consolidate those parishes into one parish for all purposes other than ecclesiastical purposes:

And whereas it is expedient to make provision for the consolidation of the rates levied in the borough:

And whereas it is expedient that the other provisions contained in this Act be enacted:

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

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed:

And whereas plans and a section showing the line and level of the street improvement authorised by this Act and the lands required or which may be taken for

the purposes or under the powers of this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands were duly deposited with the clerk of the peace for the county of Cambridge which plans section and book of reference are in this Act respectively referred to as the deposited plans section and book of reference:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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.

Preliminary.

Short title.

1. This Act may be cited as the Cambridge Corporation Act 1922.

Division of Act into Parts.

2. This Act is divided into Parts as follows (that is to say):—

Part	I.	Preliminary.
Part	II.	Street improvement and lands.
Part	III.	Lammas lands commons and open spaces.
Part	IV.	Markets and slaughter-houses.
Part	V.	Streets buildings sewers and drains.
Part	VI.	Infectious disease and sanitary provisions.
Part	VII.	Amalgamation of parishes.
Part	VIII.	Rating provisions
Part	IX.	Financial provisions.
Part	X.	Miscellaneous provisions.

Incorporation of Acts.

3. The Lands Clauses Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act with the following exception and modification (namely):—

(*a*) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act:

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(*b*) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section.

Interpretation.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts have the same respective meanings unless there be something in the subject or context repugnant to such construction.

(2) In this Act unless the subject or context otherwise requires—

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

"The borough" means the borough of Cambridge;

"The council" means the council of the borough;

"The town clerk" "the surveyor" "the treasurer" "the medical officer" and "the sanitary inspector" mean respectively the town clerk the surveyor the treasurer the medical officer of health and any sanitary inspector of the borough and respectively include any person duly authorised to discharge temporarily the duties of those offices;

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

"Infectious disease" means any infectious disease to which the Infectious Disease (Notification) Act 1889 is for the time being applicable within the borough;

"Daily penalty" means a penalty for each day on which an offence is continued by a person after conviction;

"The parish" means the parish of Cambridge constituted by this Act;

"The overseers" means the overseers of the poor of the parish;

"The poor rate" means the poor rate for the parish;

"The tribunal" means the tribunal to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919;

"Statutory borrowing power" means any 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 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 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 stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

"Revenues of the Corporation" includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation;

"The Act of 1894" means the Cambridge University and Corporation Act 1894;

"The conservators" means the conservators for the time being of the River Cam.

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PART II.

STREET IMPROVEMENT AND LANDS.

Power to construct street improvement.

5.—(1) Subject to the provisions of this Act the Corporation may make and maintain in the line and according to the level shown on the deposited plans and section relating thereto the street improvement hereinafter mentioned together with all necessary or proper junctions connections approaches walls fences culverts sewers drains works and conveniences connected therewith or incident thereto and may enter on take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the construction of such street improvement or for the purpose of providing space for the erection of buildings adjoining or near thereto or for other the purposes of this Part of this Act.

(2) The street improvement hereinbefore referred to and authorised by this Act will be situate in the borough and is a widening and improvement of the corner of Park Terrace and Parker Street.

Subsidiary works.

6.—(1) Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the Corporation may in connection with the street improvement authorised by this Part of this Act and for the purposes thereof make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the said street improvement and may make diversions widenings or alterations of the lines or levels of any existing streets for the purpose of connecting the same with such street improvement and may alter divert or stop up all or any part of any drain sewer channel or gas or water main or pipe or electricity or telephone wire or apparatus within the said limits the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer or of any gas or water in any main or pipe or of electricity or telephonic communication in any wire or apparatus and making compensation for any damage done by them in the execution of the powers of this section.

(2) Provided that the Corporation shall not alter divert or otherwise interfere with any telegraphic line

(as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the said Act.

Limits of deviation.

7. In constructing the street improvement authorised by this Part of this Act the Corporation may deviate from the line thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and they may deviate vertically from the levels of the said street improvement as shown on the deposited section to any extent not exceeding three feet.

Temporary stoppage of streets.

8.—(1) The Corporation during the execution of the powers of this Part of this Act may break up and also temporarily stop up divert and interfere with any street for the purpose of executing such powers and may for any reasonable time 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.

(2) The Corporation shall provide reasonable access for foot passengers bonâ fide going to or returning from any such house.

Owners may be required to sell patrs only of certain premises.

9.—(1) Whereas in the construction of the works authorised by this Part of this Act or otherwise in the exercise by the Corporation of the powers of this Act it may happen that a portion only of the premises in the parish of Cambridge numbered 2 on the deposited plans will be sufficient for the purposes of the Corporation and that such portion or some other portion less than the whole can be severed from the remainder of the said premises without material detriment thereto Therefore the following provisions shall have effect:—

(*a*) The owner of and persons interested in the said premises are hereinafter in this section included in the term "the owner";

(*b*) If for twenty-one days after the service of notice to treat in respect of a specified portion of the said premises the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the said premises without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to

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purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise;

(*c*) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the said premises specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed;

(*d*) If the tribunal determine that the portion of the said premises specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal;

(*e*) If the tribunal determine that the portion of the said premises specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner;

(*f*) If the tribunal determine that the portion of the said premises specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether

or not they shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice ;

(*g*) If the tribunal determine that the portion of the said premises specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

(2) The provisions of this section shall be in force notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 and nothing contained in or done under this section shall be held as determining or as being or implying an admission that the said premises or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 (Parties not to be required to sell part of a house &c.) of the Lands Clauses Consolidation Act 1845.

(3) The provisions of this section shall be stated in or indorsed on any notice given thereunder to sell and convey any part of the said premises.

Compensation in case of recently acquired interest.

10. For the purposes of determining any question of disputed compensation payable in respect of lands taken under the powers of this Act the tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the land created after the sixteenth day of November nineteen hundred and twenty-one if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

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Correction of errors in deposited plans and book of reference.

11. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county of Cambridge for the correction thereof and if it appear to the justices that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Cambridge and a duplicate thereof shall also be deposited with the town clerk and such certificate and duplicate respectively shall be kept by such clerk of the peace and town clerk respectively with the other documents to which the same relate and thereupon the deposited plans or book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with such certificate.

Period for compulsory purchase of lands.

12. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Persons under disability may grant easements &c.

13. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Extinction of private rights of way.

14.—(1) All private rights of way over any lands which the Corporation are authorised by this Act to acquire compulsorily shall as from the date of the acquisition of such lands by the Corporation be extinguished.

(2) Provided that the Corporation shall make full compensation to all persons interested in respect of any such rights and such compensation shall be settled in manner provided by law with reference to the taking of lands otherwise than by agreement. A.D. 1922.

Power to retain sell &c. lands.

15. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Corporation may retain hold and use for such time as they may think fit or may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest therein acquired by them under this Act or any other local Act for the time being in force in the borough and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interests therein and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

Proceeds of sale of surplus lands.

16.—(1) So long as any lands remain to be acquired by the Corporation under the authority of this Act they may so far as they consider necessary apply any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this Act in the purchase of lands so remaining to be acquired but as to capital moneys so received and not so applied the Corporation shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment provided by this Act except to such extent and upon such terms as may be approved by the Minister of Health.

(2) Provided that—

(*a*) the amount to be applied in the purchase of lands under this section shall not exceed the amount for the time being unexhausted of the borrowing powers conferred by or under this Act for the purpose of such purchase;

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(*b*) the borrowing powers conferred by or under this Act for the purpose of such purchase shall be reduced to the extent of the amount applied in the purchase of lands under the provisions of this section.

(3) Any capital moneys received by the Corporation under the last preceding section on the re-sale or exchange of or by leasing any lands acquired under any local Act other than this Act shall be applied in the same manner as capital moneys received under that Act are applicable or in such other manner as may be approved by the Minister of Health.

PART III.

LAMMAS LANDS COMMONS AND OPEN SPACES.

Definition of Lammas lands.

17. In this Part of this Act the expression "the Lammas lands" means the lands or enclosures numbered 359 396 397 410 and 411 on the $\frac{1}{2500}$ scale Ordnance map of the borough of Cambridge (edition of 1901) sheet XLVII–2 which said lands or enclosures are shown upon the deposited plans.

Power to acquire certain Lammas lands.

18. Subject to the provisions of this Act and subject to any Lammas rights thereover the Corporation may enter on take and use the lands in the borough being enclosure numbered 359 on the $\frac{1}{2500}$ scale Ordnance map of the borough of Cambridge (edition of 1901) sheet XLVII–2.

As to Lammas rights.

19.—(1) The Corporation may from time to time by resolution (but in the case of the lands referred to in the section of this Act of which the marginal note is "Power to acquire certain Lammas lands" only after they shall have acquired the same) declare as regards all or any part of the Lammas lands that as from a date to be specified in such resolution all Lammas rights over the same shall be extinguished.

(2) The Corporation shall pay or make such compensation (if any) for the Lammas rights extinguished in pursuance of any such resolution as may be determined in manner hereinafter provided and any compensation so determined shall be paid or made in manner similarly provided.

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(3) The Corporation shall within three months after the date of any such resolution as is referred to in subsection (1) of this section convene a meeting of the persons entitled to exercise Lammas rights over the said lands in respect of which they have resolved to extinguish the Lammas rights in the same manner as if those rights were commonable rights within the meaning of section 102 (A meeting of the parties interested to be convened) of the Lands Clauses Consolidation Act 1845.

(4) Such meeting shall proceed to the appointment of a committee in manner provided by section 103 (Meeting to appoint a committee) of the Lands Clauses Consolidation Act 1845 and in the event of such committee and the Corporation being unable to agree upon a sum of money or other compensation to represent the value of such rights over the said Lammas lands the question shall be determined and compensation shall be paid in manner provided by sections 99 and 101 to 107 inclusive of the Lands Clauses Consolidation Act 1845 for the determination and payment of compensation for the commonable and other rights referred to in those sections.

(5) As from the date upon which the Lammas rights in respect of any of the Lammas lands are extinguished the said lands shall be deemed to be a pleasure ground or pleasure grounds and the Corporation may exercise in regard thereto the powers conferred upon them by the section of this Act of which the marginal note is " Powers as to parks commons &c." and the Corporation may also exercise in regard to the said lands as from the same date the powers of the following sections of the Act of 1894 as if the said lands were commons within the meaning of those sections respectively The sections of the Act of 1894 hereinbefore referred to are :—

Section 18 (Use of Midsummer and Butt Greens for agricultural and other shows);
Section 19 (Powers of Corporation over commons);
Section 20 (Power to make byelaws in respect of commons); and
Section 21 (Apprehension of offenders whose name and residence cannot be ascertained).

(6)—(*a*) Without prejudice to any other provisions in this Act the Corporation may enter into make and carry

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out agreements with any person or persons who have or possess and are capable of exercising any Lammas rights in over or affecting the Lammas lands or any part thereof and do all other acts which shall be necessary or desirable for the acquisition by the Corporation of any such rights;

(*b*) Every such agreement may be in consideration of such sum or sums in gross or such modified or substituted rights and upon such terms and conditions as may be agreed upon between the Corporation and the owners of such rights and the expenses from time to time incurred by the Corporation in and with respect to the making and execution of any such agreement and in and with respect to the fulfilment of the same shall be charged upon and paid out of the borough fund and the provisions of the Lands Clauses Acts so far as the same are applicable to the purchase of lands by agreement shall apply to any agreement so to be made and entered into.

(7) Within three months after the final determination of the compensation payable in respect of any Lammas rights extinguished by any resolution of the Corporation under the provisions of this section or the date of such extinction (whichever shall be the later) or within three months after the acquisition by the Corporation of any Lammas rights by agreement the Corporation shall produce to the Commissioners of Inland Revenue a copy of such resolution or the instrument providing for such acquisition by agreement (as the case may require) duly stamped with the ad valorem stamp duty payable upon an instrument (as defined by the Stamp Act 1891) effecting the release upon sale of such rights and in default of any such production as aforesaid the duty with interest thereon at the rate of five per centum per annum from the date of such final determination of the compensation or of such extinction or in the case of acquisition by agreement from the date of such acquisition shall be a debt due from the Corporation to His Majesty.

Powers as to parks commons &c.

20.—(1) In addition to any powers conferred upon them under the provisions of any general or local Act the Corporation shall have the following powers with reference to any public park or pleasure or recreation ground provided by them or under their management and control

and in respect of any common within the borough namely:— A.D. 1922.

(*a*) To set apart such parts of such park or pleasure or recreation ground or common as they think fit for the purpose of games and recreation and to lay out and adapt the same for those purposes;

(*b*) To erect and maintain pavilions buildings works and conveniences thereon or in connexion therewith;

(*c*) To make such reasonable charges as they think fit for the use of or access to parts so set apart and such pavilions buildings works and conveniences;

(*d*) To let the parts so set apart and such pavilions buildings works and conveniences on lease or otherwise to any club or person upon and subject to such terms and conditions as may be agreed and to authorise the lessee or tenant to make reasonable charges for the use thereof and for access thereto;

(*e*) To exclude the public and animals from the parts so set apart and from such pavilions buildings works and conveniences;

(*f*) To make byelaws with reference to the user of the parts so set apart and of such pavilions buildings works and conveniences and for the preservation of order and good conduct among persons resorting thereto:

Provided that not more than one half of the total area of Butt Green Jesus Green and Midsummer Common shall be so set apart at one and the same time and parts of the said public parks pleasure or recreation grounds and commons (other than Butt Green Jesus Green and Midsummer Common) comprising not less than fifty acres shall at all times be open to the free use of the public.

(2) The Corporation shall carry to the credit of the borough fund all moneys received by them under the provisions of this section after the payment thereout of all expenses incurred thereunder other than expenses defrayed out of borrowed money.

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Power to close Christ's Piece.

21.—(1) The Corporation may from time to time close to the public the whole or any part of the lands in the borough known as "Christ's Piece" together with the footpaths thereover for such period not exceeding six days as the Corporation may determine Provided that the said lands shall not be closed for more than a total of twelve days in any one year.

(2) During any period in which the said lands are closed to the public in accordance with the provisions of this section the Corporation may—

(*a*) Let the said lands to or permit the use of the said lands by any association society or person for the purposes of any agricultural horticultural or other show or for any entertainment or for any other public purpose of a temporary nature and authorise such association or person to make charges for the use thereof or for access thereto; or

(*b*) Use the said lands for the purposes aforesaid and make such charges as they think fit for access thereto.

Weigh-bridges and weighing machines on commons &c.

22.—(1) The Corporation may take down and remove the weigh-bridge or weighing machine and office in connexion therewith which are situate on lands in the borough which formerly formed part of the old Hay Market and may re-erect and maintain such weigh-bridge or weighing machine and office on the portion of Butt Green which is adjacent to Maids Causeway and Victoria Avenue or on any other common open space or public place in the borough.

(2) The Corporation may erect and maintain on any common or open space or public place adjoining any highway in the borough such weigh-bridges or weighing machines and offices in connexion therewith as they may consider necessary or desirable for the use of the public.

(3) The Corporation may make such reasonable charges as they may determine for and in respect of the use of any such weigh-bridge or weighing machine.

(4) Any person shall on payment of the proper charges in respect thereof be entitled to use any of the weigh-bridges or weighing machines re-erected or erected by the Corporation under the provisions of this section.

(5) No common or commonable land shall be inclosed under the powers conferred upon the Corporation by this section except with the consent of the Minister of Agriculture and Fisheries. A.D. 1922.

Part IV.

Markets and Slaughter-houses.

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

23.—(1) Any animal brought to any cattle market of the Corporation at which animals intended for the food of man are in fact sold shall (unless the contrary be proved) be deemed to be deposited for the purpose of sale and intended for the food of man within the meaning of sections 116 to 119 (relating to unsound meat &c.) of the Public Health Act 1875 and the provisions of those sections shall respectively apply to any such animal The provisions of the section of this Act of which the marginal note is "Extension of powers of veterinary inspector to section 116 of Public Health Act 1875" shall extend and apply accordingly.

(2) Any person knowingly causing directing or permitting any animal which is diseased or unsound or unwholesome or unfit for the food of man to be brought to any such market of the Corporation and any person (including any auctioneer) who offers for sale or sells any such animal knowing it to be diseased or unsound or unwholesome or unfit for the food of man as well as the persons mentioned in section 117 of the Public Health Act 1875 shall be liable to a penalty as mentioned in the said section 117.

(3) The veterinary inspector the market keeper any officer of the market the sanitary inspector or any constable may detain for a reasonable period not exceeding twelve hours any emaciated or diseased animal brought to any cattle market of the Corporation and any person wilfully obstructing or impeding any officer in so doing shall be liable to a penalty not exceeding five pounds.

Removal and exclusion from market of animals not fit for food

24. The market keeper any officer of the market the sanitary inspector or any constable may remove and exclude from any market of the Corporation any old emaciated or diseased animal which in the opinion of a duly registered veterinary surgeon or of the medical officer is unfit for human food and any animal which

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or suspected of tuberculosis.

after inspection by a duly registered veterinary surgeon shall be suspected by such surgeon to be affected with tubercular disease.

Power to close slaughter-houses if injurious to public health.

25.—(1) (*a*) The Corporation may by written notice to the owner and occupier of any registered slaughter-house within the borough which from its situation or construction is in the opinion of the Corporation injurious or dangerous to the public health require that the premises shall cease to be used as a slaughter-house on and after such date (not being less than six months from the service of such notice) as may be specified in the notice and no person shall after such date slaughter in the way of trade any cattle horse sheep or pig on the said premises.

(*b*) Provided that not less than three months before making any such requirement in the case of any slaughter-house which from its construction is in their opinion injurious or dangerous to the public health the Corporation shall give notice in writing to the owner or occupier thereof specifying the respects in which such slaughter-house is in their opinion so injurious or dangerous and also specifying their requirements in regard thereto and if within the said period of three months the owner or occupier of such slaughter-house or either of them shall have removed the grounds of objection thereto no such written notice as is first above mentioned shall be given to them by the Corporation.

(*c*) Provided also that any such owner or occupier may within one month after receiving any such notice in writing from the Corporation object thereto on the ground that the requirements contained therein are unreasonable and unnecessary in the interests of public health and any such objection shall failing agreement between the Corporation and the owner or occupier making the same be determined on appeal to the Minister of Health by that Minister and unless and until that Minister shall have determined that the said requirements are reasonable and necessary no such written notice as is first above mentioned shall be given to the owner or occupier of the slaughter-house in question.

(2) The Corporation shall make compensation to the owner and occupier of any registered slaughter-house who shall be injuriously affected by any requirement of the Corporation under subsection (1) of this section such

compensation in case of difference to be settled in manner provided by the Public Health Act 1875 Provided always that in the case of a slaughter-house which is defective or otherwise open to objection on sanitary grounds the arbitrator shall have regard thereto in settling the amount of compensation (if any) which shall be awarded in pursuance of this section.

(3) If any person acts in contravention of the provisions of subsection (1) of this section he shall be liable for each offence to a penalty not exceeding five pounds.

Byelaws as to slaughter-houses.

26.—(1) The powers contained in section 169 of the Public Health Act 1875 and the enactments incorporated therewith to make byelaws with respect to slaughter-houses shall extend to and include the making and enforcement of byelaws—

(*a*) For preventing the slaughter of animals in any pound pen lair or pining-house forming part of any registered or licensed premises;

(*b*) For preventing the slaughter of any animal within public view or within the view of any other animal; and

(*c*) For preventing the carcase of any slaughtered animal intended for the food of man from being contaminated during such time as the same shall be hung or remain in any slaughter-house.

(2) Nothing in any byelaw made under this section shall affect the operation of the Diseases of Animals Acts 1894 to 1914 or of any order licence or act of the Minister of Agriculture and Fisheries made granted or done thereunder.

PART V.

STREETS BUILDINGS SEWERS AND DRAINS.

Power to define future line of existing streets.

27.—(1) Where any street or road repairable by the inhabitants at large or any part of such street or road is in the opinion of the Corporation narrow or inconvenient or without any sufficiently regular line of frontage or where in their opinion it is necessary or desirable that the line of frontage should be altered the Corporation may from time to time prescribe and define what shall thereafter be the line of frontage to be observed

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on either side of such street or road The line which in any case the Corporation propose to prescribe and define shall be distinctly marked and shown on a plan to be signed by the town clerk and deposited with the surveyor and such plan shall be at all reasonable times thereafter open for the inspection of the public without charge and one month at least before the Corporation formally prescribe and define the line they shall give notice in writing of the deposit of the said plan and of the liabilities imposed by this section to every occupier and to every owner interested whose name and address they can ascertain and in cases where such name and address cannot be ascertained by affixing such notice to or on the premises No new building erection excavation or obstruction (being of a permanent character) shall be made or placed nearer to the centre of the street or road than such line.

(2) The Corporation may and if required so to do by the owner shall purchase and the owner shall if required so to do by the Corporation sell the land for the time being unbuilt upon lying between any line prescribed by them as aforesaid and the street or road and the same when purchased shall vest in the Corporation as part of the street or road and the amount of purchase money shall in case of difference be settled by arbitration under the Lands Clauses Acts.

(3) Whenever in any of the above cases the Corporation shall require the said line to be observed and kept they shall make full compensation to the owner and other persons interested in any land for any loss or damage which he or they may sustain in consequence of the line of frontage being set back and the Corporation shall also make to the owner of any adjoining land or building and to all other persons interested in any such adjoining land or building full compensation in respect thereof for all damage loss or injury (if any) sustained by them to such land or building by reason of the Corporation requiring the said line to be observed and kept.

(4) In estimating the amount of compensation or purchase money to be paid by the Corporation under this section the benefits accruing to the person to whom the same shall be paid by reason of the widening or improvement of the street or road shall be fairly estimated and shall be set off against the said compensation or purchase money.

(5) If after any such line has been defined and prescribed as aforesaid any person offends against the provisions of this section he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(6) The provisions of this section shall not extend or apply to any building construction erection or lands belonging to a railway company and held by them for the purposes of their railway under any Act of Parliament.

Lopping of trees overhanging highways.

28.—(1) Where any tree hedge or shrub overhangs any street or footpath so as to obstruct or interfere with the light from any public lamp or to interfere with vehicular traffic or with the free passage or comfort of passengers the Corporation may serve a notice on the owner of the tree hedge or shrub or on the occupier of the premises on which such tree hedge or shrub is growing requiring him to lop the tree hedge or shrub within fourteen days so as to prevent such obstruction or interference and in default of compliance the Corporation may themselves carry out the requisition of their notice doing no unnecessary damage.

(2) Any person aggrieved by any requirement of the Corporation under this section may appeal to a court of summary jurisdiction within fourteen clear days after the service of such notice provided he gives written notice of such appeal and the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs such costs to be recoverable as a civil debt Notice of the right to appeal shall be endorsed on every requirement of the Corporation under this section.

Sanitary conveniences for workmen engaged on buildings.

29.—(1) The contractor or builder engaged in or upon the construction re-construction or alteration of any building or of any works in the borough shall where practicable provide to the reasonable satisfaction of the Corporation and until the completion of any such construction re-construction or alteration such water or other closets and urinals in or in connexion with such building or works as may be sufficient for the accommodation of the workmen employed.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

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Closet accommodation in houses occupied by more than one family.

30.—(1) The power of making and enforcing byelaws under section 90 of the Public Health Act 1875 shall be deemed to include the making of byelaws for requiring the provision in every building constructed or re-constructed by way of conversion so as to comprise two or more separate or self-contained flats or tenements of closet accommodation adequate for the use of and readily accessible to the persons occupying each such flat or tenement and where necessary for securing separate accommodation as aforesaid for every part of such building which is occupied as a separate dwelling.

(2) The provisions of subsections (2) (3) and (4) of section 26 (Byelaws respecting houses divided into separate tenements) of the Housing and Town Planning &c. Act 1919 shall apply with any necessary modifications as if the same were set out in this section.

Powers on inspection.

31. In exercising any powers of entry upon and inspection of any building or works in course of construction the surveyor and his assistants shall have from the builder of or contractor for such building or works free of expense all reasonable use and assistance of ladders scaffolding and plant in and about such building or works Any person who shall refuse such use and assistance as aforesaid or shall obstruct the surveyor or his assistants in the use of such ladders scaffolding and plant as aforesaid shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

As to cleansing of gullies in private streets.

32.—(1) The Corporation may by notice in writing require the owner of any street in the borough which is a highway not repairable by the inhabitants at large or the owners of the premises abutting upon such street to cleanse the gullies in such street within such reasonable time as may be specified in the notice.

(2) In the event of such owner or owners neglecting or refusing to comply with any requirement of the Corporation under this section the Corporation may themselves cleanse the gullies in such street and may recover the expense incurred by them in so doing from such owner or owners.

(3) Nothing contained in this section shall apply to any street for the time being belonging to and forming

part of or the approach to any station or depôt of a railway company. A.D. 1922.

Corporation may order houses to be drained by a combined drain.

33.—(1) If it appears to the Corporation that two or more houses may be drained more economically or advantageously in combination than separately and a sewer of sufficient size already exists or is about to be constructed within one hundred feet of any part of the premises the Corporation may when the drains of such houses are first laid order that such houses be drained by a combined drain to be constructed either by the Corporation if they so decide or by the owners in such manner as the Corporation shall direct and the costs and expenses of such combined drain and of the repair and maintenance thereof shall be apportioned between the owners of such houses in such manner as the Corporation shall determine and if such drain is constructed by the Corporation such costs and expenses may be recovered by the Corporation from such owners subject to a right of appeal under subsection (4) of this section.

(2) Any combined drain constructed in pursuance of this section shall for the purposes of the Public Health Acts be deemed to be a drain and not a sewer.

(3) Provided that the Corporation shall not except by agreement with the owners exercise the powers conferred by this section in respect of any house for the drainage of which plans shall have been previously approved by them.

(4) Any person deeming himself aggrieved by the amount of any costs and expenses proposed to be recovered by the Corporation under this section or the amount to be borne and paid by him may appeal to a petty sessional court provided that such appeal be made within two months from the date of the service of notice by the Corporation intimating the amount payable or their apportionment thereof On any such appeal the petty sessional court may and is hereby empowered to make such order in the premises and on such terms and conditions as to the court shall seem just The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the petty sessional court may direct.

Provision in lieu of section 19 of Public

34.—(1) Where two or more houses or premises are connected with a single private drain which conveys their drainage into a public sewer or into a cesspool or

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other receptacle for drainage the Corporation shall have all the powers conferred by section 41 (Examination of drains privies &c. on complaint of nuisance) of the Public Health Act 1875 and the Corporation may recover any expenses incurred by them in executing any works under the powers conferred on them by that section from the owners of the houses in such proportions as shall be settled by the surveyor or (in case of dispute) by arbitration under the Public Health Act 1875 or by a court of summary jurisdiction and such expenses shall be recoverable summarily as a civil debt or the Corporation may declare them to be private improvement expenses and may recover them accordingly.

(2) Section 19 of the Public Health Acts Amendment Act 1890 shall cease to be in force within the borough.

(3) For the purposes of this section the expression "drain" includes a drain used for the drainage of more than one building whether owned or occupied by the same person or not.

Saving as to railway companies.

35. The provisions of this Part of this Act shall not extend or apply to any building (not being a dwelling-house) belonging to or used or occupied by a railway company as part of or in connexion with their railway undertaking under any Act of Parliament.

PART VI.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

Power to close Sunday schools to prevent spread of disease &c.

36.—(1) If the Corporation or any committee of the council acting on the advice of the medical officer with the view of preventing the spread of infectious disease in the borough require the closing of any Sunday school or any department thereof or the exclusion of certain children therefrom for a specified time or the exclusion of children from places of public entertainment or assembly for a specified time such requirement shall be at once complied with.

(2) Any person responsible for the conduct or management of any school or any department thereof or place of public entertainment or assembly wilfully failing to comply with any such requirement shall for

every such failure be liable to a penalty not exceeding twenty shillings. A.D. 1922.

Restriction on attendance of children at Sunday schools &c. when infectious disease prevails.

37.—(1) No person being the parent or having the care or charge of a child who is or has been attending any school or any part thereof which for the time being is closed by order of the Corporation or of the education committee of the council with the view of preventing the spread of infectious disease or of a child who is suffering from an infectious disease or who with the view of preventing the spread of infectious disease has been prohibited from attending school by the medical officer or school medical officer shall permit such child to attend any Sunday school or place of public entertainment or assembly in the borough without having procured from the medical officer a certificate (which if granted shall be granted free of charge upon application) that in his opinion such child may attend such Sunday school or place of public entertainment or assembly without undue risk of communicating disease to others.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding forty shillings.

Special provisions to prevent spread of infectious diseases.

38. Any parent or guardian having personal charge of a child in attendance at a school who is aware of or has reason to suspect the occurrence of any infectious disease in any member of the family and who fails forthwith to notify such occurrence to the head teacher of the school shall be liable to a penalty not exceeding twenty shillings.

Extended meaning of "infectious disease" for certain purposes.

39. For the purposes of the foregoing provisions of this Part of this Act the expression "infectious disease" includes measles German measles whooping cough chicken-pox and influenza.

Corporation may supply antidotes against infectious disease.

40. The Corporation may provide and supply (with or without charge therefor) to any medical practitioner antidotes and remedies against infectious disease.

For regulating manufacture and sale of ice-cream &c.

41.—(1) Any person being a manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity who within the borough—

(*a*) causes or permits ice-cream or any similar commodity or any materials used in the manufacture thereof to be manufactured sold or stored in any sleeping room or in any cellar

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room or place which is in a condition likely to render such commodity injurious to health or in which there is an inlet or opening to a drain; or

(*b*) in the manufacture sale or storage of any such commodity does any act or thing likely to expose such commodity to infection or contamination or omits to take any proper precaution for the due protection of such commodity from infection or contamination; or

(*c*) omits on the outbreak of any infectious disease amongst the persons employed or resident in any premises occupied by him to give notice thereof to the medical officer;

shall be liable to a penalty not exceeding forty shillings.

(2) In the event of any persons so employed or resident suffering from any infectious disease the medical officer or the sanitary inspector or any other officer who is duly authorised by the Corporation in that behalf may seize and destroy all ice-cream or similar commodity or materials for the manufacture of the same in any of the premises and the Corporation shall compensate the owner of the ice-cream or similar commodity or materials so destroyed.

(3) Every dealer in ice-cream or other similar commodity vending his wares from any cart barrow or other vehicle or stand must have his name and address legibly painted or inscribed on such cart barrow vehicle or stand and any person who shall fail to comply with this subsection shall be liable to a penalty not exceeding forty shillings.

(4)—(*a*) The medical officer and the sanitary inspector and any other officer who is duly authorised by the Corporation in that behalf shall at all reasonable times have the same power of entry into and inspection of the premises of any manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity for the purpose of inspecting such premises and the materials or commodities or articles of food therein and any cart barrow or stand in or on which the same are offered for sale as an officer of the Corporation would have under section 102 (Power of entry of local authority) of the Public Health Act 1875 in the cases therein mentioned.

(*b*) Any person refusing entry into or inspection of such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings. A.D. 1922.

Compensation to persons ceasing employment.

42. If any person shall at the request of the Corporation or of the medical officer stop his employment for the purpose of preventing the spread of infectious disease the Corporation may make compensation to him for any loss he may sustain by reason of such stoppage.

Prohibiting use of inedible fats in food.

43. Any person taking or introducing or causing to be taken or introduced any fats which are unfit for the food of man into any premises in which any food for man into the composition of which fat enters is manufactured or prepared for sale or into any premises directly or indirectly connected by a passage pipe or in any other way with any such premises (except so far as such passage pipe or other connexion as the case may be are required or used for sanitary or other similar purposes and not in connexion with the manufacture or preparation hereinbefore mentioned) shall for each offence be liable to a penalty not exceeding five pounds unless he can prove that such fats were not taken or introduced into such premises for the purpose of being used and have not been used as an ingredient in the manufacture or preparation of any food for man.

Byelaws for places used for preparation of food.

44. The Corporation may from time to time make byelaws for securing cleanly and sanitary conditions in places used for the preparation or manufacture of cooked or prepared food for the purpose of sale and intended for the food of man Provided that before confirming any byelaws made as regards any business carried on in any factory or workshop to which the Factory and Workshop Acts apply the Minister of Health shall consult the Secretary of State.

Sanitary regulations for premises where food is deposited for sale.

45.—(1) From and after the passing of this Act the following provisions shall apply to any room shop or other part of a building within the borough in which any article whether solid or liquid intended or adapted for the food of man is sold or exposed for sale or deposited for the purpose of sale or of preparation for sale or with a view to future sale :—

(*a*) No urinal watercloset earth-closet privy ashpit or other like sanitary convenience shall be

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within such room shop or other part of a building or shall communicate therewith except through the open air or through an intervening ventilated space:

(*b*) No cistern for supplying water to such room shop or other part of a building shall be in direct communication with and directly discharge into any such sanitary convenience:

(*c*) No drain or pipe for carrying off fæcal or sewage matter shall have any inlet or opening within such room shop or other part of a building:

(*d*) No such room shop or other part of a building shall be used as a sleeping place and so far as may be reasonably necessary to prevent risk of the infection or contamination of any such article as aforesaid no sleeping place shall adjoin such room shop or other part of a building and communicate therewith except through the open air or through an intervening ventilated space:

(*e*) Refuse or filth whether solid or liquid shall not be deposited or allowed to accumulate in any such room shop or other part of a building except so far as may be reasonably necessary for the proper carrying on of trade or business:

(*f*) Due cleanliness shall be observed in regard to such room shop or other part of a building and all articles apparatus and utensils therein and shall be observed by persons engaged in such room shop or other part of a building.

(2) If any person occupies or lets or knowingly suffers to be occupied any such room shop or other part of a building wherein any of the conditions prohibited by this section exist or does or knowingly permits any act or thing therein in contravention of this section he shall be liable to a penalty not exceeding for a first offence twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings.

(3) The provisions of this section shall not apply to any factory within the meaning of the Factory and Workshop Act 1901.

Provisions as to retailers of milk.

46. The provisions of section 34 (Power for Privy Council to make orders relative to dairies cowsheds and milkshops) of the Contagious Diseases (Animals) Act 1878 and of the Dairies Cowsheds and Milkshops Order 1885 made thereunder and of any other order made or to be made under the said section or relating to dairies cowsheds and milkshops and of any regulatons made or to be made by the council under any such order for securing the cleanliness of milk vessels used for containing milk for sale shall apply to all vessels used within the borough for the reception measurement storage or delivery of milk by persons selling milk by retail in the streets.

Prohibition of blowing or inflating carcases.

47. It shall not be lawful to blow or inflate the carcase or any part of the carcase of any animal slaughtered within or brought into the borough and any person so blowing or inflating any carcase or part of a carcase or exposing or depositing for sale within the borough a carcase so blown or inflated or any part thereof shall be liable to a penalty not exceeding five pounds.

Public notice to be given of provisions of this Part of Act.

48.—(1) Public notice of the foregoing provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the borough and by a notice affixed outside the town hall and by the distribution of handbills amongst persons affected or likely to be affected so far as such persons can reasonably be ascertained.

(2) Copies of the newspapers containing the advertisements shall be sufficient evidence that the provisions of this section have been complied with.

Byelaws as to conveyance of meat &c. through streets.

49.—(1) The Corporation may from time to time make byelaws requiring the covering over of meat or other articles intended for the food of man while being conveyed through or along any street and for securing the cleanliness of any cart vehicle or receptacle in which such articles are so conveyed.

(2) Before making any byelaws under this section which are applicable to the collection and delivery by the Great Eastern Railway Company the Great Northern Railway Company the London and North Western Railway Company or the Midland Railway Company

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or their respective contractors or agents of meat or other articles of food at from or to any railway station or depôt of any such company the Corporation shall give not less than one month's notice to such company of their intention to make such byelaws and such notice shall be accompanied by a copy of the draft byelaws.

Extension of powers of veterinary inspector to section 116 of Public Health Act 1875.

50. Every veterinary inspector of the Corporation may exercise the powers of section 116 (Power of medical officer of health to inspect meat &c.) of the Public Health Act 1875 in the same manner as the medical officer or the sanitary inspector and the Public Health Acts shall apply within the borough as if such veterinary inspector were mentioned in the said section in addition to the medical officer and the sanitary inspector.

Houses infested with vermin to be cleansed.

51.—(1) If the medical officer or the sanitary inspector has reasonable cause to believe that any house is infested with vermin he may enter into such house and may inspect and examine the same and any articles therein for the purpose of ascertaining whether such house is infested with vermin.

(2) Where on the certificate of the medical officer or sanitary inspector it appears to the Corporation that any house is infested with vermin the Corporation shall give notice in writing to the occupier of such house or if the same be vacant to the owner thereof requiring him within a period to be specified in such notice to cleanse such house or the portion thereof specified in the notice and any articles therein and if so required in the notice to remove the wallpaper or other covering from the walls of such house or the portion thereof specified in the notice and to take such other steps for the purpose of destroying and removing vermin as the case may require.

(3) If the person to whom such notice is given fails to comply therewith within the time therein specified he shall be liable to a penalty not exceeding ten shillings for every day during which he makes default in complying with the requirements of such notice and the Corporation may if they think fit at any time after the expiration of the period specified in the notice themselves do any work required by the notice to be done and all reasonable costs and expenses incurred by the Corporation in so doing shall (subject as hereinafter provided) be recoverable from the person making the default.

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(4) Every person who shall wilfully obstruct any authorised officer or servant of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(5) Upon any proceedings under this section the court may inquire as to whether any requirements contained in any notice given or any work done by the Corporation was reasonable and as to whether the costs and expenses incurred by the Corporation in doing such work or any part thereof ought to be borne wholly or in part by the person to whom notice was given and the court may make such order concerning such costs and expenses or their apportionment as appears to the court to be just and equitable under the circumstances of the case.

(6) For the purposes of this section the word "house" includes any tent van shed or similar structure used for human habitation or any boat lying in any river canal or other water within the borough and used for the like purpose.

Cleansing of children and their clothing.

52.—(1) The medical officer or any person provided with and if required exhibiting the authority in writing of the medical officer may within the borough examine the person and clothing of any child (other than children in boarding schools including reformatory and industrial schools) and if on examination the medical officer or any such authorised person as aforesaid shall be of opinion that the person or clothing of any such child is infested with vermin or is in a foul or filthy condition the medical officer may give notice in writing to the parent or guardian or other person who is liable to maintain or has the actual custody of such child requiring such parent guardian or other person to cleanse properly the person and clothing of such child within twenty-four hours after the receipt of such notice.

(2) If the person to whom any such notice as aforesaid is given fails to comply therewith within the prescribed time the medical officer or some person provided with and if required exhibiting the authority in writing of the medical officer may remove the child referred to in such notice and may cause the person and clothing of such child to be properly cleansed in suitable premises and

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with suitable appliances and if necessary for that purpose may without any warrant other than this Act convey to such premises and there detain such child until such cleansing is effected.

(3) Where after the person or clothing of a child has been cleansed under the provisions of this section the parent or guardian or other person liable to maintain the child allows him to get into such a condition that it is again necessary to proceed under this section the parent guardian or other person shall on summary conviction be liable to a fine not exceeding ten shillings.

(4) The examination or cleansing of females under this section shall only be effected either by a person duly qualified as a medical practitioner or by a female person being a member of the staff of the medical officer.

(5) Any notice required to be given under this section shall be deemed to be properly served by giving it to the person to whom it is addressed or leaving it for him with some inmate of his residence or by sending the same by post in a registered letter to his usual or last known residence In any such notice it shall be sufficient to designate the person to be served as the parent guardian or other person liable to maintain or having the actual custody of the child whose person or clothing requires to be cleansed.

(6) For the purposes of this section the expression "child" means a person under the age of fourteen years.

Cleansing of verminous persons.

53.—(1) The Corporation may from time to time provide free of charge temporary shelter or house accommodation with any necessary attendants and apparatus for cleansing and freeing from vermin the person and clothes of any person who shall be certified by the medical officer to be infested with vermin or in a foul or filthy condition or suffering from any contagious or infectious disease of the skin and may on the certificate of the medical officer cause any such person who consents to leave his house or whose parent or guardian (where the person is a child) consents to his leaving the house to be removed therefrom to such temporary shelter or house accommodation for the purpose of disinfecting and cleansing his person and clothing and in the like case and on the like certificate may cause any such person who or (where the person is a child) whose parent

or guardian does not consent to his leaving the house to be removed therefrom to and detained in any such temporary shelter or house accommodation where two justices on the application of the Corporation and on being satisfied of the necessity of the removal and detention make an order for the removal and detention subject to such conditions (if any) as are imposed by the order The Corporation shall in every case cause the removal and detention to be effected and the condition of any order satisfied without charge to the person removed or to the parent or guardian of that person.

(2) Any person who wilfully disobeys or obstructs the execution of an order under this section shall be liable to a penalty not exceeding five pounds.

(3) If any person at the request of the Corporation or under an order of such justices shall cease his employment in order to comply with such order the Corporation may and in case of an order of the justices shall make compensation to him for any loss he may suffer thereby.

(4) For the purposes of this section the word "house" includes any tent van shed or similar structure used for human habitation or any boat lying in any river canal or other water within the borough and used for the like purpose.

(5) This section shall not apply to any child as defined in the section of this Act of which the marginal note is "Cleansing of children and their clothing."

Part VII.

Amalgamation of Parishes.

Amalgamation of parishes.

54.—(1) As from the thirty-first day of March nineteen hundred and twenty-three (in this Part of this Act referred to as "the commencement of this Part of this Act") the parish of Cambridge shall be extended so as to include in addition to that parish the parishes of Chesterton and Cambridge Without and the parish of Cambridge as so extended shall continue to be called "the parish of Cambridge."

(2) The parishes of Chesterton and Cambridge Without shall cease to form part of the Chesterton Union.

(3) Subject to the provisions of section 60 of the Local Government Act 1894 the parish of Cambridge

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shall for the purposes of the election of guardians be divided into fifteen wards which wards shall be respectively co-terminous with the wards of the borough and shall respectively elect guardians as follows :—

The Castle Ward - - -	3 guardians.
The Bridge Ward - - -	3 guardians.
The Market Ward - - -	4 guardians.
The St. Andrew's Ward - -	3 guardians.
The Fitzwilliam Ward - - -	3 guardians.
The New Town Ward - - -	4 guardians.
The Romsey Ward - - -	3 guardians.
The Petersfield Ward - - -	4 guardians.
The St. Matthew's Ward - -	4 guardians.
The Abbey Ward - - - -	3 guardians.
The West Chesterton Ward - -	2 guardians.
The North Chesterton Ward -	2 guardians.
The South Chesterton Ward -	2 guardians.
The East Chesterton Ward - -	2 guardians.
The Cambridge Without Ward -	4 guardians.

(4) The persons who represent as guardians the several wards of the existing parishes of Cambridge and Chesterton and the parish of Cambridge Without immediately before the commencement of this Part of this Act shall continue to hold office as guardians for the corresponding wards of the parish until they would go out of office in the ordinary course.

(5) Subject to the provisions of this Act and of the enactments applied thereby as to adjustments all property (other than such as may be held for charitable or ecclesiastical purposes) debts and liabilities of the existing parishes of Cambridge Chesterton and Cambridge Without including all property held under any trust for any of such parishes (in this Act referred to collectively as "the existing parishes") or the inhabitants or parishioners thereof shall become the property debts and liabilities of the parish and in case of property held in trust as aforesaid shall be held in trust for the parish or for the inhabitants or parishioners thereof for the same purpose as heretofore.

(6) All arrears of rates made by the overseers of the poor for the existing parishes respectively which on the commencement of this Part of this Act are due or owing in respect of hereditaments in those parishes shall be collected and recovered by the overseers of the parish

and when collected and recovered shall be applied (so far as may be necessary) towards the discharge of any precept or order in respect of expenses incurred prior to that date and which are in force at that date and are not satisfied and (subject to the foregoing) all balances and any other moneys in the hands of the overseers of the existing parishes on the same date shall be handed over by them to the overseers of the parish.

(7) All rate books books of account minutes of proceedings deeds papers and writings belonging to the existing parishes shall be deposited in the Guildhall in the borough or at some office or place appointed by the Corporation and be there kept and preserved by the town clerk or some officer to be appointed by the Corporation and the ratepayers shall at all times have the same right of inspecting and making extracts from such books and minutes as they would have had if they had continued to be ratepayers of the existing parishes:

Provided always that the guardians of the poor of the Chesterton Union shall be entitled to retain all rate books books of account minutes of proceedings deeds papers and writings belonging to them and relating to the existing parishes of Chesterton and Cambridge Without until the conclusion of the audit of their accounts which shall be held by the district auditor next after the commencement of this Part of this Act but the said guardians shall after such commencement and so long as they retain the same allow the Corporation and their officials at all reasonable times to inspect the same and to make extracts therefrom.

(8) All valuation lists in relation to hereditaments and premises in the existing parishes and in force on the appointed day shall until new valuation lists are made be and be deemed to be part of the valuation list for the parish.

(9) All precepts and orders for moneys to be raised by way of rates in the borough for any period ending on any date after the commencement of this Part of this Act shall not be served until that date and shall then be served upon the overseers of the parish.

(10) Notice of the provisions of this section shall be given by the Corporation to the overseers of the several parishes in question and to the Cambridge County Council

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the guardians of the existing parish of Cambridge and the guardians of the Chesterton Union.

Transfer to Corporation of powers of vestry.

55. As from the commencement of this Part of this Act all and every right custom privilege or power other than in matters ecclesiastical vested in or exerciseable by the parishioners ratepayers or inhabitants in vestry assembled of any of the existing parishes shall cease to be so vested or exerciseable and every such right custom privilege or power shall for and within the parish be vested in and exerciseable by the Corporation.

Appointment of overseers and assistant overseers and other officers.

56.—(1) Subject to the provisions of any order which the Minister of Health may hereafter make the provisions of the orders heretofore made by the Local Government Board and conferring upon the council of the borough the power of appointing overseers and of appointing and revoking the appointment of assistant overseers of the existing parishes shall extend and apply to the appointment by the council of overseers and to the appointment and revocation of the appointment by that council of assistant overseers of the parish.

(2) The overseers of the existing parishes shall go out of office at the commencement of this Part of this Act.

(3) Notwithstanding anything to the contrary in any Act or Order contained the Corporation may appoint such number of overseers not exceeding seven for the parish as they think fit.

(4) The Corporation may appoint and remove such officers as they deem necessary to assist the overseers of the parish in the discharge of their duties and may fix the remuneration to be paid to such officers.

(5)—(*a*) All officers appointed or to be appointed by the Corporation to assist in the discharge of the duties of the overseers of the parish and any assistant overseer appointed by the Corporation shall give such security to the Corporation for the due performance of their duties as may be required by the Corporation and the district auditor appointed by the Minister of Health shall report thereon annually to the Corporation and such securities shall be deposited with the Corporation and not with the board of guardians:

(*b*) Assistant overseers appointed by the Corporation shall not be required to give security to the guardians

of the union under section 61 of the Poor Law Amendment Act 1844. A.D. 1922.

(6) The first appointment of overseers for the parish shall be made in the month of March nineteen hundred and twenty-three and the overseers shall come into office on the first day of April in that year.

(7) Any person holding at the commencement of this Part of this Act the office of assistant overseer for any of the existing parishes shall after the commencement of this Part of this Act hold and perform the duties of the office of assistant overseer of the parish The remuneration to which at the commencement of this Part of this Act any such assistant overseer is entitled for performing the duties of his office shall be paid out of the poor rates of the parish and any such assistant overseer shall continue to hold office by the same tenure and upon the same terms and conditions as heretofore and while performing the same duties shall receive not less remuneration than heretofore.

Ecclesiastical divisions and charities.

57. Nothing in this Act shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment which now is applicable for the benefit of any of the existing parishes affected by this Act.

Settlement and removal of poor.

58. For any purposes connected with the settlement and removal of the poor in relation to cases affected by this Act the following provisions shall have effect (that is to say):—

Every person who at the commencement of this Part of this Act has acquired or is in the course of acquiring a settlement in any of the existing parishes by reason of any residence completed or in course of completion or of any act or thing done or in course of being done or of any status condition right or privilege acquired or created or in course of acquirement or creation in any of the existing parishes shall be deemed to have acquired or to be in course of acquiring a settlement in the parish:

Every person who at the commencement of this Part of this Act is recorded in the books of the guardians of the Chesterton Union as having acquired a settlement in the existing parish of Chesterton

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shall in the absence of proof to the contrary be deemed to have acquired a settlement in that parish and every person who at the commencement of this Part of this Act is recorded in the said books as having acquired a settlement in the existing parish of Cambridge Without shall in the absence of proof to the contrary be deemed to have acquired a settlement in that parish.

County rate basis.

59. Subject to any future revision the basis or standard of the county rate for the county shall be altered—

(*a*) By the omission therefrom of the amount appearing therein as the total annual value of the property in the existing parishes ;

(*b*) By the insertion therein as the total annual value of the property in the parish of the amount appearing therein as the total annual value of the property in the existing parishes.

Saving for existing lists of Parliamentary voters &c.

60. For the purposes of the registers of persons entitled to vote at an election of members of Parliament of the registers of parochial electors and of jury lists the parishes affected by this Act shall be deemed to continue unaltered until the new registers and lists come into operation.

Saving for contribution orders.

61. Notwithstanding the alterations effected in the existing parishes by this Act and subject to the foregoing provisions of this Act all contribution orders made by the guardians of the poor of the parish of Cambridge and of the Chesterton Union before the commencement of this Part of this Act shall be as valid in law as if this Act has not been passed.

Saving for Minister of Health.

62. Nothing in this Act shall be deemed to restrict any power conferred upon the Minister of Health by any Act of Parliament relating to the relief of the poor and passed before the commencement of this Part of this Act.

Compensation to existing officers.

63.—(1) Every officer or servant of or paid by the guardians of the Chesterton Union who by virtue of this Part of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary and for whose compensation no other provision is made by any enactment for the time being in force and

applicable to his case shall be entitled to have compensation paid to him by the guardians of the poor of the parish for that pecuniary loss and in determining the said compensation regard shall be had to the conditions and other circumstances required by subsection (1) of section 120 of the Local Government Act 1888 to be had in regard in cases of compensation under that section and the compensation shall not unless the said guardians otherwise agree exceed the limit therein mentioned and shall be paid out of the poor rate of the parish and the provisions of subsections (2) to (7) of the said section shall apply with such modifications (including the substitution of the Minister of Health for the Treasury) as may be required Provided that the non-acceptance of any office shall not be a bar to the right of any officer to compensation.

(2) For the purposes of subsection (1) of this section any officer or servant to whom that subsection applies and whose services are dispensed with or whose salary is reduced within five years from the commencement of this Part of this Act because his services are not required or his duties are diminished in consequence of this Part of this Act and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Act.

(3) No person shall be entitled to claim or receive both compensation for any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

(4) If any compensation is payable otherwise than by way of an annual sum the payment of that compensation shall be a purpose for which the guardians of the parish may borrow money.

Provisions as to adjustment.

64. Section 62 of the Local Government Act 1888 and the Local Government (Adjustments) Act 1913 shall (with any necessary modifications) apply to the provisions of this Part of this Act as if this Act were an order made in pursuance of that Act and—

(*a*) as if in subsections (5) (6) and (7) thereof the expression "council" included any board of guardians affected by this Act or anything done in pursuance of this Act ; and

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(*b*) as if the said subsection (6) empowered such board of guardians to borrow any moneys required in respect of any such adjustment provided that moneys so borrowed shall be repaid within such period as the Minister of Health may sanction :

Provided that where any such board of guardians is affected by the provisions of this Part of this Act or anything done in pursuance thereof the said section 62 shall apply with the modifications specified in the First Schedule of the Poor Law (Dissolution of School Districts and Adjustments) Act 1903.

PART VIII.

RATING PROVISIONS.

Commencement of this Part of Act.

65. This Part of this Act shall come into operation as from the thirty-first day of March nineteen hundred and twenty-three.

All expenses of Corporation to be paid out of borough rate.

66.—(1) All expenses of the Corporation which if this Act had not been passed would have been payable out of and all rates charges damages penalties and other moneys which if this Act had not been passed would have been paid or carried to the credit of the district fund and general district rate or either of them shall be charged on and defrayed out of or paid and carried to the credit of the borough fund and the borough rate and in any case for which no specific provision is made in this Act any reference to the district fund or general district rate in any Act or Provisional Order in force in the borough or in any mortgage of or charge on such fund or rate granted by the Corporation in pursuance of the provisions of any such Act or Order shall be deemed to be a reference to the borough fund and the borough rate.

(2) The district fund shall be closed and any balance which on the date upon which this Part of this Act comes into operation is standing to the credit or to the debit of the district fund or the general district rate respectively shall from and after that date be transferred to the credit or the debit (as the case may be) of the borough fund and any moneys owing to the Corporation in respect of or in connexion with the district fund or

of the general district rate shall notwithstanding the provisions of this Act continue to be payable to and recoverable by the Corporation as if this Act had not been passed and when received by the Corporation shall be carried to the credit of the borough fund. A.D. 1922.

Contribution to borough rate to be paid out of poor rate.

67. The contribution of the parish to the borough rate shall be paid by the overseers out of the poor rate to be made for the parish and the provisions of section 145 (Collection of borough rate in undivided parish) of the Municipal Corporations Act 1882 shall apply to such contribution.

Poor rate to be called "the town rate."

68. The poor rate (inclusive of the contributions to the borough fund levied in pursuance of the provisions of this Act) shall be called "the town rate" but except as expressly provided by this Act that rate shall continue to be subject to all Acts passed and to be passed relating to the poor rate and to be made assessed levied and recovered as the poor rate.

Differential rate in certain cases.

69. The provisions contained in this section shall have effect with respect to the town rate to be made and levied by the overseers (that is to say):—

(1) The owner of any tithes or any tithe commutation rentcharge or the occupier of any land used as arable meadow or pasture ground only or as woodlands allotments orchards market gardens or nursery grounds and the occupier of any land covered with water or used only as a canal or towing-path for the same or as a railway constructed under the powers of any Act of Parliament for public conveyance shall be assessed to the town rate in respect of such hereditaments on the full rateable value thereof but (subject as next hereinafter provided) shall be liable to pay in each year in respect of such hereditaments a rate calculated on the basis of seven-tenths only of the amount in the pound of the rate payable in respect of hereditaments not within the provisions of this section:

(2) Provided that during the continuance of the Tithe Rentcharge (Rates) Act 1899 such Act shall have effect within the borough as if the following

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provision were substituted for section 1 thereof (that is to say):—

"The owner of tithe rentcharge attached to a benefice shall be liable to pay only four-sevenths of the amount payable under subsection (1) of the section of the Cambridge Corporation Act 1922 of which the marginal note is "Differential rate in certain cases" in respect of any rate which is assessed on him as owner of that tithe rentcharge and the remaining three-sevenths thereof shall on demand being made by the collector of the rate on the surveyor of taxes for the borough or any district therein be paid by the Commissioners of Inland Revenue out of the sums payable by them to the local taxation account on account of the estate duty grant":

(3) Provided also that during the continuance of the Agricultural Rates Act 1896 the occupier of any agricultural land as defined in that Act shall be liable to pay in each year in respect of such land a rate calculated on the basis of two-fifths only (instead of seven-tenths) of the amount in the pound of the rate payable in respect of hereditaments not within the provisions of this section:

(4) Nothing in this section shall in any way affect—

(*a*) the operation of the Agricultural Rates Act 1896 save as in this section is expressly provided or the payment of the sum certified by the Ministry of Health as the amount of the share of the annual grant payable under that Act out of the local taxation account to the spending authority; or

(*b*) the operation of the Ecclesiastical Tithe Rentcharge (Rates) Act 1920; or

(*c*) the amount of the contribution for any purposes to be made by the parish out of the poor rate; or

(*d*) the calculation of the amount in the pound of the part of the town rate levied for the purposes of the relief of the poor and other expenses of the guardians county contributions and expenses

of the overseers respectively which is required to be stated in the demand note for the town rate. A.D. 1922.

As to recovery of town rate.

70. No warrant of commitment in respect of non-payment of the town rate shall be issued against any person who shall satisfy the court that his failure to pay the said rate is due to circumstances over which he had or has no control and that he has not divested himself of means for the purpose of evading payment of the said rate.

As to section 133 of Lands Clauses Consolidation Act 1845.

71. For the purposes of section 133 of the Lands Clauses Consolidation Act 1845 the poor's rate shall be deemed to be twenty-four thirty-sevenths of the amount in the pound of the town rate.

Overseers may require returns.

72.—(1) The overseers of the parish may require the owner or occupier or reputed owner or occupier of any hereditament in the parish to send to them a return in writing in the form set forth in the First Schedule to this Act and containing the particulars therein mentioned or referred to.

(2) Any person who wilfully refuses or neglects to make a return lawfully required under this Act within fourteen days after the service of the order shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds and any person who wilfully makes or causes to be made a false return shall be liable to a penalty not exceeding ten pounds.

(3) The overseers of the parish shall whenever required by the assessment committee of the parish produce from time to time to such committee the returns or any of them obtained by the overseers under the provisions of this section.

(4) Nothing in this section shall require any railway company to include in any return which they may be required to send to the overseers particulars with respect to their running lines sidings or stations.

Amendment of town rate.

73. In addition and without prejudice to any other powers which may be exercised by them the overseers of the parish may amend the town rate of the parish by inserting therein the name of any person who ought to have been rated:

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Provided that—

(1) Any person who may feel himself aggrieved by any such amendment shall have the same right of appeal therefrom as he would have had if the matter of amendment had appeared on the rate originally made and with respect to him an amended rate shall be considered to have been made at the time when he first received notice of the amendment;

(2) An amended rate shall not be payable by any person whose name is thereby newly inserted until seven days after such notice has been given to him.

Borough rate may include working balance.

74. The purposes to which the borough fund is applicable shall include the provision of a working balance for the payment of current expenses that may be incurred by the Corporation in the exercise or performance of the powers and duties the cost of which is charged on the borough fund and the Corporation may (in estimating the amount sufficient for those purposes and in ordering the borough rate to be made) include such a sum as they may consider to be necessary for the provision of such working balance.

PART IX.

FINANCIAL PROVISIONS.

Power to borrow.

75.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for paying the costs charges and expenses of this Act the sum or sums of money requisite for that purpose and they shall pay off all moneys so borrowed within the period of five years from the passing of this Act and that period is in this Act referred to as "the prescribed period."

(2)—(*a*) The Corporation may for the purposes of the section of this Act of which the marginal note is "Cor- "poration may advance money to or guarantee loans of "conservators" borrow any sum or sums not exceeding the amount of any loan advanced in accordance with that section and of any capital sum paid under any guarantee given thereunder.

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(*b*) The Corporation shall repay any money borrowed by them under this subsection within a period not exceeding sixty years and expiring not more than one year after the date upon which the conservators are required to repay the loan in respect of which the money is borrowed and that period is in this Act referred to as "the prescribed period."

(3)—(*a*) The Corporation may also with the consent of the Minister of Health borrow such further moneys as may be necessary for any of the purposes of this Act.

(*b*) Any moneys borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister of Health and that period is in this Act referred to as "the prescribed period."

(4) In order to secure the repayment of any money borrowed under this section and the payment of interest thereon the Corporation may mortgage or charge—

As regards money borrowed for the purposes mentioned in subsections (1) and (2) of this section the borough fund and borough rate;

As regards money borrowed with the consent of the Minister of Health such revenue fund or rate as may be prescribed by that Minister.

(5) The provisions of this section prescribing the revenue fund or rate which may be mortgaged or charged shall not limit the powers conferred upon the Corporation by the section of this Act of which the marginal note is "Power to use one form of mortgage for all purposes."

Application of money borrowed.

76. All moneys borrowed by the Corporation under the powers of this Act shall be applied only to the purposes for which they are authorised to be borrowed and to which capital is properly applicable.

Corporation may advance money to or guarantee loans of conservators.

77.—(1) The Corporation may advance by way of loan to the conservators such sums of money as the conservators are for the time being authorised to borrow and are desirous of borrowing from the Corporation and every loan so advanced shall be for a period not exceeding the period for which the conservators are authorised to borrow or re-borrow the same.

(2) The Corporation may guarantee the repayment of and the payment of interest upon money borrowed or to be borrowed by the conservators in such manner as may be agreed between the Corporation and the conservators.

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Section 234 of Public Health Act 1875 not to apply.

78. The powers of borrowing money given by this Act shall not be restricted by any of the regulations contained in section 234 (Regulations as to exercise of borrowing powers) of the Public Health Act 1875 and in calculating the amount which the Corporation may borrow under that Act any sums which they may borrow under this Act shall not be reckoned.

Mode of raising money.

79.—(1) The Corporation may raise all or any moneys which they are authorised to borrow under this Act by mortgage or by the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in another or others.

(2) Provided that the provisions of this Act relating to sinking funds shall apply to sinking funds formed for the repayment of moneys borrowed under the Local Loans Act 1875 instead of the provisions of section 15 (Discharge of loan by sinking fund) of that Act.

Provisions of Public Health Act 1875 as to mortgages to apply.

80. Subject to the provisions of the section of this Act whereof the marginal note is "Power to use one form of mortgage for all purposes" the following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act (that is to say):—

Section 236 (Form of mortgage);
Section 237 (Register of mortgages);
Section 238 (Transfer of mortgages).

Mode of payment off of money borrowed.

81. The Corporation shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within one year or when the money is repaid by half-yearly instalments or by half-yearly payments to the sinking fund within six months from the date of borrowing.

Rate of accumulation of annual payments to sinking fund for repayment of loans.

82. Notwithstanding anything contained in the Acts or regulations governing the same the rate of accumulation of the annual payments to every accumulating sinking fund which has been formed by the Corporation for any purpose shall be three pounds ten shillings per

centum per annum or such other rate as the Minister of Health may from time to time approve. A.D. 1922.

Sinking fund.

83.—(1) If the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Act such fund shall be formed and maintained either—

(*a*) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is hereinafter called a "non-accumulating sinking fund"; or

(*b*) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds ten shillings per centum per annum or such other rate as the Minister of Health may from time to time approve will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed A sinking fund so formed is hereinafter called an "accumulating sinking fund."

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(4) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the moneys for the repayment of which the fund is formed Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part

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thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)—(*a*) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Corporation.

(*b*) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Corporation in addition to the payments provided for by this Act.

(7) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose Provided that if it appears to the Minister of Health that any such increase is necessary the Corporation shall increase the payments to such extent as the Minister of Health may direct.

(8) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister of Health be more than sufficient to repay within the prescribed period the

moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Minister of Health be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister of Health be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may with the consent of the Minister discontinue the annual payments to such sinking fund until the Minister shall otherwise direct.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Minister of Health may determine.

Receipt in case of persons not sui juris.

84. If any moneys are payable to a mortgagee or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Corporation.

Corporation not to regard trusts.

85. The Corporation shall not be bound to see to the execution of any trust whether express 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 of mortgages or books of the Corporation shall 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 a transfer of such loan or security or any part thereof or interest thereon not entered in their register or books 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.

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Appointment of receiver.

86.—(1) Any mortgagee of the Corporation by virtue of this Act may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver The amount of arrears of principal due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than one thousand pounds in the whole.

(2) The application for the appointment of a receiver shall be made to the High Court.

Power to re-borrow.

87.—(1) The Corporation shall have power—

(*a*) to borrow for the purpose of paying off any moneys previously borrowed under any statutory borrowing power which are intended to be forthwith repaid; or

(*b*) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(*a*) by instalments or annual payments; or

(*b*) by means of a sinking fund; or

(*c*) out of moneys derived from the sale of land; or

(*d*) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Protection of lender from inquiry.

88. A person lending money to the Corporation shall not be bound to inquire as to the observance by the Corporation of any provisions of any Act relating to the Corporation or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent or of any part thereof.

Power to invest all sinking funds in statutory securities.

89. When under the provisions of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a sinking fund for the payment off of moneys borrowed or payable by them they may (in addition to any other powers for the time being vested in them) invest such sinking fund and the interest on the investments of such sinking fund in statutory securities.

Expenses of execution of Act.

90. Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made shall be defrayed by the Corporation out of the borough fund.

Power to use one form of mortgage for all purposes.

91.—(1) Where the Corporation have for the time being any statutory borrowing power they may for the purpose of exercising such power grant mortgages in pursuance of the provisions of this section.

(2) Every mortgage granted under this section shall be by deed truly stating the consideration and the time or the mode of ascertaining the time and the place of payment and shall be sealed with the corporate seal of the Corporation and may be made in the form contained in the Second Schedule to this Act or to the like effect.

(3) All mortgages granted under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other ground whatsoever.

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this section shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation.

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(5) Nothing in this section contained shall alter or affect the obligation of the Corporation to provide for the repayment of the sums secured by mortgages granted under this section and all such sums shall be repaid within the periods by the means and out of the funds rates or revenues within by and out of which they would have been repayable respectively if this section had not been enacted.

(6) Nothing in this section contained shall alter or affect the obligation of the Corporation to provide for the payment of interest upon the sums secured by mortgages granted under this section and the interest upon such sums shall be paid out of the funds rates or revenues out of which such interest would have been payable respectively if this section had not been enacted.

(7) There shall be kept at the office of the Corporation a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed Every such register shall be open to public inspection during office hours at the said office without fee or reward and the town clerk or other the person having the custody of the same refusing to allow such inspection shall be liable to a penalty not exceeding five pounds.

(8) Any mortgagee or other person entitled to any mortgage granted under this section may transfer his estate and interest therein to any other person by deed duly stamped truly stating the consideration and such transfer may be according to the form contained in the Second Schedule to this Act or to the like effect.

(9) There shall be kept at the office of the Corporation a register of the transfers of mortgages granted under this section and within thirty days after the date of every deed of transfer if executed within the United Kingdom or within thirty days after its arrival in the United Kingdom if executed elsewhere the same shall be produced to the town clerk who shall on payment of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of transfer and until such entry is made the Corporation shall not be in any manner responsible to the transferee.

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(10) On the registration of any transfer the transferee his executors or administrators shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby and any transferee may in like manner transfer his estate and interest in any such mortgage and no person except the last transferee his executors or administrators shall be entitled to release or discharge any such mortgage or any moneys secured thereby.

(11) If the town clerk wilfully neglects or refuses to make in the register any entry by this section required to be made he shall be liable to a penalty not exceeding twenty pounds.

Power to use sinking fund instead of borrowing.

92.—(1) Where the Corporation are authorised by any statutory borrowing power to raise moneys for any purpose they may instead of exercising such borrowing power by the issue of any fresh security in respect thereof exercise the said power and raise the said moneys either wholly or partially by using for such purpose so much of any moneys for the time being forming part of a sinking fund as shall be available for the repayment of—

(*a*) a loan which is secured by a charge on the same rate fund or revenue as would be specifically chargeable as the security for the repayment of a loan under the statutory borrowing power if the same were raised by the issue of a fresh security and which is not shown by the deed to be raised in exercise of a particular borrowing power specified therein; or

(*b*) moneys borrowed and charged upon all revenues of the Corporation in manner provided by the section of this Act whereof the marginal note is "Power to use one form of mortgage for all purposes" and not shown by the deed to be raised in exercise of a particular borrowing power specified therein.

(2) The Corporation when exercising the powers conferred on them by this section shall—

(*a*) withdraw from the sinking fund a sum equal to the amount of the statutory borrowing power proposed to be exercised by the user of moneys from such sinking fund;

(*b*) credit such sinking fund with the repayment of an amount of the principal moneys for the

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repayment of which the fund is established equal to the sum withdrawn from the sinking fund and thereupon the amount so credited shall be deemed to be principal moneys discharged by application of the sinking fund;

(c) debit the account of the statutory borrowing power proposed to be exercised with an amount of the principal moneys equal to the sum withdrawn from such sinking fund and thereupon the statutory borrowing power shall be deemed to have been exercised as fully as if the said amount had been raised by the issue of a fresh security and the provisions of any enactment as to the repayment and re-borrowing of sums raised under the statutory borrowing power shall apply thereto accordingly.

(3) The provisions of this section shall not apply to any sinking fund formed under the Local Loans Act 1875.

(4) The Corporation shall furnish all such information (if any) to the Minister of Health with regard to the exercise of the powers contained in this section as that Minister shall require.

Returns to Minister of Health as to sinking fund.

93.—(1) The town clerk shall within forty-two days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to the sinking fund in respect of any of the moneys raised by the Corporation in pursuance of any statutory borrowing power and not raised by the issue of stock and at any other time when the Minister of Health may require such a return to be made transmit to the Minister of Health a return in such form as may be prescribed by that Minister and if required by the said Minister verified by a statutory declaration of the town clerk showing for the year next preceding the making of such return or for such other period as the Minister may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities

upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year together with such further information (if any) as the Minister shall require and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister of Health out of the High Court.

(2) If it appears to the Minister of Health by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for the sinking fund (whether such instalment or annual payment or sum is required by the Act in pursuance of which the moneys are raised or by the Minister of Health in virtue thereof to be paid appropriated or set apart) or have applied any portion of the sinking fund to any purposes other than those authorised that Minister may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of mandamus to be obtained by the Minister of Health out of the High Court.

Audit of accounts.

94. The provisions of the Municipal Corporations Act 1882 relating to the keeping and auditing of accounts and the accounts kept of sums of money received and paid under that Act shall extend to the keeping and auditing of accounts and to the accounts kept of sums of money received and paid under this Act.

PART X.

MISCELLANEOUS PROVISIONS.

Power to grant gratuities in certain cases.

95.—(1) The Corporation may if they think fit in cases not within the Workmen's Compensation Act 1906 or the School Teachers' (Superannuation) Act 1918 grant

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a gratuity of any sum (not exceeding two years' pay) to any of their officers or servants who may be disabled or injured in their service or may become incapacitated through age sickness or other infirmity or to the widow or family of any such officer or servant who may die in their service.

(2) Every such gratuity shall be charged on and paid out of the fund or funds on or out of which the salary wages or emoluments of such officer or servant would have been charged or been paid if he had continued in his office or service.

(3) In and for the purposes of this section the expression "officers or servants" shall include any teacher who at the date of the passing of this Act is or shall thereafter be permanently and exclusively employed by the Corporation as the local education authority for the borough or permanently and exclusively employed in any public elementary school in the borough (whether provided by the Corporation as the local education authority or not so provided) or permanently and exclusively employed in any school college or hostel provided by the Corporation as the local education authority for the purposes of Part II. of the Education Act 1902.

Improvement of bathing places.

96.—(1) In addition to any powers conferred upon them by any general or local Act in force in the borough the Corporation may from time to time deepen and improve the River Cam at and for the purposes of any bathing place provided thereon by the Corporation and may provide and maintain all such accommodation appliances and conveniences for bathers as they may consider necessary or desirable at any such bathing place.

(2) The words "and may be constructed of wood" shall be substituted for the words "and shall be constructed of wood" in paragraph (*d*) of section 19 (Power of Corporation over commons) of the Act of 1894.

Byelaws as to bathing places.

97.—(1) The provisions of section 69 of the Town Police Clauses Act 1847 and section 92 of the Public Health Acts Amendment Act 1907 shall extend to enable the Corporation to make byelaws both with regard to public bathing places provided or equipped by them and with regard to any portions of the rivers and waters

within the borough which are used with the sanction or approval of the Corporation for the purposes of bathing for all or any of the following purposes (namely):—

(*a*) For preventing the throwing placing or deposit by any person of bottles broken glass or other sharp substances therein;

(*b*) For requiring the wearing of suitable and sufficient apparel by persons resorting thereto and for preventing any indecent exposure of the person therein or thereat;

(*c*) For preventing the removal or destruction of wearing apparel or other articles belonging to persons frequenting the same;

(*d*) For preventing the destruction or injury of buildings fences gates paths furniture fittings or conveniences constructed provided or used in upon or in connexion therewith or of trees or plants existing therein;

(*e*) For prohibiting persons from causing or allowing dogs to enter or remain in or upon any part thereof;

(*f*) Generally for regulating the user thereof and the conduct of persons resorting thereto.

(2) Nothing in this section nor in any byelaw made thereunder shall diminish take away or prejudicially affect the rights or privileges (if any) vested in the Cambridge University and Town Waterworks Company at the passing of this Act in relation to the stream known as the Paper Mills Brook or the Cherryhinton Brook.

Regulations for controlling traffic in certain areas.

98.—(1) The Corporation may from time to time make regulations prescribing within the central area the routes to be taken by all vehicles or by any particular class or description of vehicles either generally or during particular hours.

(2) No regulation made under this section shall come into operation except with the approval of the Minister of Transport and the said Minister may approve the same with or without modifications or may disallow the same Provided that before considering any regulation the said Minister shall direct a local inquiry to be held in accordance with the provisions of section 20 of the Ministry of Transport Act 1919 and the Corporation

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shall pay to the said Minister any expenses incurred by him in relation to any such inquiry including the expenses of any witnesses summoned by the person holding the inquiry and a sum to be fixed by the said Minister for the services of such person.

(3) Such regulations shall take effect as approved by the Minister of Transport and shall come into force on a date to be fixed by him.

(4) The Corporation shall cause to be given at least fourteen days' notice of the intention to hold such local inquiry together with particulars of any proposed regulations by advertisement in a newspaper published or circulating in the borough.

(5) The Minister of Transport in considering any regulation under this section shall have all proper regard to the necessities of through locomotive traffic and of persons who own or use locomotives and shall consider any representations made to him.

(6) Any person who shall contravene any such regulation after warning given by word or signal by a police constable stationed in the street to direct the traffic shall be liable to a penalty not exceeding forty shillings.

(7) The Corporation shall cause notice to be given of all regulations approved under this section by advertisement in a newspaper published or circulating in the borough and otherwise in such manner as may be prescribed by the Minister of Transport.

(8) A copy of any regulations approved under this section purporting to be signed by the town clerk and certified by him to be a true copy and to have been duly approved shall be evidence until the contrary is proved in all legal proceedings of the due making approval and existence of such regulations without further or other proof.

(9) For the purposes of this section the central area means the area of the borough bounded by the roads known as Abbey Road East Road Gonville Place Lensfield Road Trumpington Road and Coe Fen Lane (including those roads) and the River Cam from Coe Fen to Abbey Road.

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Prevention of nuisances from smoke.

99.—(1) Section 98 of the Public Health Act 1875 shall in its application to the borough be read and have effect as if the sum of five pounds were referred to therein instead of the sums of ten shillings and twenty shillings.

(2) If any fireplace or furnace employed or to be employed within the borough after the passing of this Act (not being a fireplace or furnace in any steam road wagon or traction engine or other mechanically propelled road vehicle)—

(*a*) in the working of engines by steam; or

(*b*) in any building used for the purposes of trade or manufacture; or

(*c*) in baths or washhouses (although a steam engine be not used or employed therein)

shall not be so constructed as to consume or burn the smoke arising from such fireplace or furnace the owner or occupier of the premises on which such fireplace or furnace shall be situated shall be liable to a penalty not exceeding five pounds.

(3) Every person being the owner or occupier of the premises or being a foreman or other person employed by such owner or occupier who shall after the passing of this Act use any such fireplace or furnace which shall not be so constructed as aforesaid or shall so negligently use any fireplace or furnace if it has been so constructed as aforesaid that the smoke arising therefrom shall not be effectually consumed or burnt shall be liable to a penalty not exceeding ten pounds and to a further penalty of five pounds for every day after the date of the imposition of any such penalty as last aforesaid during any part of which such fireplace or furnace shall be so used and continued Provided that in every case where one or more fireplaces or furnaces shall communicate with a single chimney the names of the several owners and occupiers of the premises on which such fireplaces or furnaces shall be situated and the several foremen or other persons having the control or management of such fireplaces or furnaces may be included in one summons and the justice may in his discretion apportion the penalty amongst such persons in such proportion as he may see fit or may impose the payment of such penalty on one or more of such persons in exclusion of the others.

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Preventing nuisance caused by emission of grit from chimneys.

100. The provisions of section 91 of the Public Health Act 1875 shall extend to and be applicable in respect of the emission from any chimney (other than the chimney of any steam road wagon or traction engine or other mechanically propelled road vehicle) of any grit or gritty particles as if such grit or gritty particles were smoke arising from furnaces.

For protection of railway companies.

101. The provisions of the sections of this Act whereof the marginal notes respectively are "Prevention of nuisances from smoke" and "Preventing nuisance caused by emission of grit from chimneys" shall not apply to any locomotive steam engine used on the railway of any railway company incorporated by Act of Parliament.

Penalty on occupier refusing execution of Act.

102. If the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Corporation under Part V. (Streets buildings sewers and drains) and Part VI. (Infectious disease and sanitary provisions) of this Act or under any byelaw made thereunder then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding two pounds and during the continuance of his refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such work.

Power to enter premises.

103. The provisions of section 102 (Power of entry of local authority) and section 103 (Penalty for disobedience of order) of the Public Health Act 1875 shall extend and apply to the purposes of Part V. (Streets buildings sewers and drains) and Part VI. (Infectious disease and sanitary provisions) of this Act as if those purposes had been mentioned in the said section 102.

Consent of Corporation to be in writing.

104. All consents given by the Corporation under the provisions of this Act or of any local Act order byelaw or regulation for the time being in force within the

borough shall be given in writing and unless otherwise prescribed shall be given under the hand of the town clerk or other duly authorised officer of the Corporation.

In executing works for owner Corporation liable for negligence only.

105. 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 or do any act or thing in default or at the request of the owner occupier or other person required to do such work act or thing the Corporation shall not as between themselves and such owner occupier or other person in the absence of any negligence on the part of the Corporation or the surveyor or of any contractor or other person employed by them or him be liable to pay any damages penalties costs charges or expenses for or in respect of or consequent upon the executing re-executing or altering of such work or the doing of such act or thing and any such damages penalties costs charges or expenses paid by the Corporation in the absence of negligence as aforesaid shall be deemed to be part of the expenses payable by such owner occupier or other person and shall be recoverable accordingly.

General provisions as to byelaws.

106. The provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to byelaws authorised to be made by the Corporation under the powers of this Act.

Apportionment of expenses in case of joint owners.

107. Where under the provisions of this Act or any local Act in force in the borough the Corporation shall construct or do any works for the common benefit of two or more buildings belonging to different owners the expenses which under those Acts or any of them are recoverable by the Corporation from the owners shall be paid by the owners of such buildings in such proportions as shall be determined by the surveyor or in case of dispute by a court of summary jurisdiction.

Evidence of appointments authority &c.

108. Where in any legal proceedings taken by or on behalf of or against the Corporation or any officer servant solicitor or agent of the Corporation or any committee of the council under this Act or under any general or local Act for the time being in force in the borough it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Corporation or of any committee of the council or to

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prove any resolution or order of the council or any resolution order or report of any committee of the council a certificate of such appointment authority resolution order or report purporting to be authenticated by the signature of the mayor or of the town clerk shall be primâ facie evidence of such appointment authority resolution order or report without further proof of the holding of any meeting or the production of any minute book or other record or document.

Authentication and service of notices &c.

109.—(1) Where any notice or demand under this Act or under any local Act Provisional Order or byelaw for the time being in force within the borough requires authentication by the Corporation the signature of the town clerk or other duly authorised officer of the Corporation shall be sufficient authentication.

(2) Notices demands orders and other documents required or authorised to be served under this Act or under any local Act Provisional Order or byelaw for the time being in force within the borough may be served in the same manner as notices under the Public Health Act 1875 are by section 267 (Service of notices) of that Act authorised to be served Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post addressed to the secretary of the company at their registered office or at their principal office or place of business.

Application of section 265 of Public Health Act 1875.

110. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall with any necessary modifications extend and apply to the purposes of this Act as if the same were re-enacted herein.

As to breach of conditions of consent of Corporation.

111. Where under this Act or under any general or local Act for the time being in force in the borough the Corporation give their consent to the execution of any work or the doing of any act or thing subject to any terms or conditions which they are authorised to impose any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required consent.

Informations by whom to be laid.

112. Save as herein expressly provided all informations and complaints under or for the breach of any of the provisions of this Act or of any byelaws made

thereunder may be laid and made by any officer of the Corporation duly authorised in that behalf or by the town clerk or by any police officer acting for or within the borough.

Recovery of penalties &c.

113. Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Damages and charges to be settled by court.

114. 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 court before whom any offender is convicted.

Recovery of demands.

115. Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

As to appeal.

116. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence consent or approval of or by the Corporation or of or by any officer of the Corporation under the provisions of Part IV. (Markets and slaughter-houses) Part V. (Streets buildings sewers and drains) or Part VI. (Infectious disease and sanitary provisions) of this Act or by any conviction or order by a court of summary jurisdiction under the said provisions may if no other mode of appeal is provided by this Act appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts and in regard to any such order made by a court of summary jurisdiction the Corporation may in like manner appeal.

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Inquiries by Minister of Health.

117.—(1) The Minister of Health may direct any inquiries to be held by his inspectors which he may deem necessary in regard to the exercise of any powers conferred upon him or the giving of any consents under this Act and the inspectors of the Minister of Health shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Minister under the Public Health Act 1875.

(2) The Corporation shall pay to the Minister of Health any expenses incurred by that Minister in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Minister not exceeding five guineas a day for the services of such inspector.

Compensation may be in land.

118. The Corporation when they are required by any provisions of this Act or any general or local Act 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 but in the case of land for the alienation of which the consent of any public department is required only with such consent.

Compensation how to be determined.

119. 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 by the Public Health Acts.

Powers of Act cumulative.

120. 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 rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Corporation or such committee as the case may be may exercise such other powers and be entitled to such other rights and remedies 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.

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Saving for indictment &c.

121. 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 Provided that nothing in this Act shall make a person liable to be punished more than once for the same offence.

Judges not disqualified.

122. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate.

Crown rights.

123. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Costs of Act.

124. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act 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 borough fund and borough rate or out of moneys to be borrowed under this Act for that purpose.

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The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

RETURN OF RENT OR ANNUAL VALUE AND OF OTHER PARTICULARS TO BE RENDERED UNDER THE CAMBRIDGE CORPORATION ACT 1922.

1. Name of the street or road &c. in which the property is situate - Number of the house - - - (If not numbered state the name by which known.) Whether occupied with or without stables or other premises as part of the same property - - The quantity of land (if any) and how used - - - - -	
2. Full Christian name and surname of occupier - - - - -	
3. Name and address of owner or immediate lessor - - - (If not known state the name and address of the agent or person to whom the rent is paid.)	
4. Whether the property is occupied— (*a*) Wholly as a private residence - - - - -	(*a*)
or (*b*) Partly as a dwelling-house and partly for trade or business purposes - -	(*b*)
or (*c*) Solely for trade or business purposes with no person residing on the premises other than a caretaker - (Number of rooms set apart for the use of the caretaker (if any) and on which floor.)	(*c*)
(*d*) Nature of the business (if any) -	(*d*)
5. If the occupation is in respect of part only of a house or premises state the extent and on which floor or floors - - - -	

6. Amount of rent - - - - - *or* if ground rent only is paid state its amount - - - - -	£ per £ per
7. Whether the property is held under lease or agreement for a period of years - - - - - - *or* By the year quarter month or week - - - - - -	
8. (*a*) Date of commencement of term of lease or agreement - -	(*a*)
(*b*) Term of years for which granted	(*b*)
(*c*) Whether granted for any consideration in money in addition to the rent or upon any condition as to laying out money in building rebuilding or improvements - - - - - (If none insert "None.")	(*c*) Amount paid for lease £
9. If the occupier is the owner or has purchased the lease the full annual value should be stated *i.e.* the amount at which the property is worth to be let by the year the owner keeping it in repair - - - - - -	Annual Value £
10. (*a*) Amount of land tax (if any) -	(*a*) £ . Borne by the
(*b*) Amount of tithe rentcharge or of any rate or assessment in lieu of tithes paid in the year 19 - (State in each case whether borne by the landlord or tenant.)	(*b*) £ . Borne by the
11. Whether all usual tenant's rates and taxes are paid and borne by the occupier in addition to the rent - - - - - - -	
12. Whether the landlord or the tenant undertakes to bear the cost of repairs insurance and other expenses necessary to maintain the property - - - - - (If each undertakes to bear part only of the cost of repairs state the particulars.)	

Declaration.

I declare that the foregoing particulars are in every respect fully and truly stated to the best of my judgment and belief.

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THE SECOND SCHEDULE.

(Referred to in the section of this Act of which the marginal note is "Power to use one form of mortgage for all purposes.")

FORM OF MORTGAGE.

BOROUGH OF CAMBRIDGE.

By virtue of the Cambridge Corporation Act 1922 and of other their powers in that behalf them enabling the mayor aldermen and burgesses of the borough of Cambridge (hereinafter referred to as "the Corporation") in consideration of the sum of pounds (hereinafter referred to as "the principal sum") paid to the treasurer of the borough by (hereinafter referred to as "the mortgagee") do hereby grant and assign unto the mortgagee (his) executors administrators and assigns such proportion of the revenues of the Corporation in the said Act defined as the principal sum doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee (his) executors administrators and assigns from the day of the date of these presents until the principal sum shall be fully paid and satisfied with interest for the same (subject as hereinafter provided) at the rate of per centum per annum from the day of nineteen hundred and until payment of the principal sum such interest to be paid half-yearly on the day of and the day of in each year And it is hereby agreed that the principal sum shall be repaid at the Guildhall in the said borough [(subject as hereinafter provided) on the day of nineteen hundred and] [by]:

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be agreed upon between the Corporation and the mortgagee and mentioned in an endorsement to be made hereon under the hands of the town clerk and treasurer of the borough for the time being and that upon any such endorsement being made whether relating to extension of time only or to extension of time with alteration of rate of interest the provisions thereof shall be incorporated

herewith and shall operate and take effect as though they had been originally inserted herein. A.D. 1922.

In witness whereof the Corporation have caused their corporate seal to be hereunto affixed this day of nineteen hundred and .

THE ENDORSEMENT WITHIN REFERRED TO.

The within-named consenting the within-mentioned time for repayment of the within-mentioned principal sum of is hereby extended to the day of nineteen hundred and [and the interest to be paid thereon on and from the day of nineteen hundred and is hereby declared to be at the rate of per centum per annum].

Dated this day of nineteen hundred and .

FORM OF TRANSFER OF MORTGAGE.

I (the within-named) of in consideration of the sum of pounds paid to me by of (hereinafter referred to as "the transferee") do hereby transfer to the transferee (his) executors administrators and assigns (the within-written security) (the mortgage number of the revenues of the mayor aldermen and burgesses of the borough of Cambridge bearing date the day of) and all my right and interest under the same subject to the several conditions on which I hold the same at the time of the execution hereof and I the transferee for myself my executors administrators and assigns do hereby agree to take the said mortgage security subject to the same conditions.

Dated this day of nineteen hundred and .

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