CHAPTER clii.

An Act to alter the names of the borough and of the Corporation of Over Darwen; to extend the limits of gas supply of the Corporation and to confer upon them further powers in relation to their water and gas undertakings; to make further provision for the improvement and good government of the borough; to authorise the creation of Corporation stock; and for other purposes. [8th August 1887.] A.D. 1887.

WHEREAS the borough of Over Darwen in the county of Lancaster is a municipal borough constituted by Royal Charter (in this Act referred to as "the charter") under the government of the mayor aldermen and burgesses of the borough (in this Act referred to as "the Corporation") and is subject to the Acts relating to municipal corporations:

And whereas by the Over Darwen Local Board Waterworks and Gasworks Act 1873 (in this Act referred to as "the Act of 1873") the undertakings of the Darwen Waterworks Company and of the Over Darwen Gaslight Company respectively were vested in the local board of health for the district of Over Darwen who are now represented by the Corporation:

And whereas the Corporation acting by the council are the urban sanitary authority for the district of the borough and they also have divers powers under the charter and under the Over Darwen Improvement Act 1879 (in this Act referred to as "the Act of 1879") which are in force within the borough:

And whereas the borough as constituted by the charter only comprised the district of Over Darwen and by the Act of 1879 the borough was extended so as to include part of the adjoining township of Lower Darwen and by the Blackburn Improvement Act 1879 the remainder of the said township of Lower Darwen was

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added to and included within the municipal limits of the borough of Blackburn:

And whereas the district included within the limits of the borough is now for postal telegraph railway and other purposes commonly called and known as Darwen and inconvenience is caused by retaining the term "Over" as a prefix to the name of Darwen and it is expedient to alter the name of the borough and of the Corporation and to make such other provision with reference thereto as is contained in this Act:

And whereas it is expedient that the limits within which the Corporation may supply gas should be extended so as to include in addition to their present limits the township of Yate and Pickup Bank and the township of Tockholes both in the county of Lancaster and that such further powers with reference to the supply of gas and water as are in this Act contained should be conferred upon the Corporation:

And whereas it is expedient that the powers of the Corporation with respect to the prevention of the spread of infectious diseases and with respect to sanitary matters be amended and extended and that further and better provision be made with respect to streets buildings sewers and sewerage:

And whereas it is expedient that the Corporation be invested with further powers to prevent divers and sundry offences and annoyances in the streets of the borough:

And whereas it is expedient to make further provision with reference to the municipal offices public library and public buildings in the borough and that the Corporation should be empowered to enlarge their cemetery and to make proper regulations for the control and management thereof and of recreation grounds belonging to the Corporation:

And whereas it is expedient that the Corporation be invested with such powers as are in this Act contained with respect to markets and fairs:

And whereas it is expedient to make further provision and confer further powers on the Corporation with reference to fires and other matters and for preventing the pollution of and for cleansing and preserving the River Darwen and other streams and watercourses in the borough:

And whereas the Corporation require further moneys to enable them to meet the increasing demand for gas and water within their districts of supply and in connexion with the extension of their limits of gas supply authorised by this Act and for the other purposes next herein-after mentioned:

And whereas estimates have been prepared by the Corporation for carrying out the several purposes of this Act which are as follows (that is to say) :—

	£	s.	d.
For providing additional land for the cemetery and for enlarging fencing and draining the same -	2,000	0	0
For extension and improvement of waterworks -	10,000	0	0
For extension and improvement of gasworks -	70,000	0	0

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

And whereas it is expedient that the Corporation be authorised to consolidate their loans and to exercise their statutory borrowing powers for the time being by the creation and issue of Corporation stock and otherwise to improve their financial and rate-levying arrangements :

And whereas a statement of the borrowing powers indebtedness and sinking funds of the Corporation existing on the thirty-first day of March one thousand eight hundred and eighty-seven is set forth in the Seventh Schedule to this Act :

And whereas the equated period within which the present payments to sinking funds of the Corporation would if continued with accumulations at three pounds per centum per annum throughout the period extinguish the present indebtedness of the Corporation is twenty-five years from the said thirty-first day of March one thousand eight hundred and eighty-seven :

And whereas an absolute majority of the whole number of the council of the borough at a meeting held on the twelfth day of November one thousand eight hundred and eighty-six after ten clear days notice by public advertisement of such meeting and of the purposes thereof in the Darwen News being a local newspaper published or circulating in the borough (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged upon the borough fund or borough rate or other public funds or rates under the control of the Corporation :

And whereas such resolution was published twice in the said Darwen News newspaper and has received the approval of the Local Government Board in respect of matters within the jurisdiction of that Board and the approval of one of Her Majesty's Principal Secretaries of State in respect of other matters :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of

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the council at a further special meeting held in pursuance of a similar notice on the tenth day of January one thousand eight hundred and eighty-seven being not less than fourteen days after the deposit of the Bill in Parliament:

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

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

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

PART I.

Preliminary.

Short title.

1. This Act may be cited for all purposes as the Darwen Corporation Act 1887 and the Act of 1873 the Act of 1879 and this Act may be cited together as the Darwen Corporation Acts 1873 to 1887.

Act divided into parts.

2. This Act is divided into parts as follows (namely):—

Part I.—Preliminary.
Part II.—Alteration of name.
Part III.—Gas and water.
Part IV.—Streets and buildings.
Part V.—Execution of works and private improvement expenses.
Part VI.—Infectious diseases.
Part VII.—Miscellaneous sanitary provisions.
Part VIII.—Fires.
Part IX.—Traction engines.
Part X.—Police.
Part XI.—River Darwen.
Part XII.—Markets and fairs.
Part XIII.—Cemetery.
Part XIV.—Municipal offices public library public buildings and recreation ground.
Part XV.—Rates and finance.
Part XVI.—Corporation stock.
Part XVII.—Miscellaneous.

Limits of Act.

3. This Act except Part III thereof and except where otherwise expressly provided shall apply exclusively to the borough.

Interpretation.

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

"The borough" means the municipal borough of Over Darwen constituted by the charter whether referred to by the name thereby assigned to it or by the name assigned to it by this Act namely "the borough of Darwen":

"The Corporation" means the mayor aldermen and burgesses of the borough incorporated by the charter whether referred to by the name thereby assigned to them or by the name assigned to them by this Act namely "the mayor aldermen and burgesses of the borough of Darwen":

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

"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:

"The mayor" "the town clerk" "the treasurer" "the surveyor" "the inspector of nuisances" and "the medical officer of health" mean respectively the mayor the town clerk the treasurer the surveyor the inspector of nuisances and the medical officer of health of the borough and include any deputy already appointed or hereafter to be appointed:

"The Municipal Corporations Act" means the Municipal Corporations Act 1882 and "the Municipal Corporations Acts" means that Act and all Acts for the time being in force amending the same or otherwise relating to municipal corporations in England:

"The Public Health Acts" means the Public Health Act 1875 and all Acts for the time being in force for amending or extending the same:

"The Burial Acts" means the Burial Acts 1852 to 1880 and all Acts for the time being in force for amending or extending the same:

"The Local Acts" means the Acts and Order enumerated in the First Schedule hereof:

"Daily penalty" means a penalty for each day on which any offence is continued after conviction thereof:

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

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"Place of public resort" means a building used or constructed or adapted to be used either ordinarily or occasionally as a church chapel or other place of public worship or as a college or school (not being merely a dwelling-house so used) or as a theatre public hall public concert room public ball room public lecture room or public exhibition room or as a public place of assembly for persons admitted thereto by tickets or by payment or used or constructed or adapted to be used either ordinarily or occasionally for any other public purpose but shall not include a private dwelling-house used occasionally or exceptionally for any of those purposes:

"Water annuity" or "water annuities" means the annuity or annuities granted by the Corporation as the consideration for the purchase of the undertaking of the dissolved Darwen Waterworks Company in pursuance of the Act of 1873:

"Gas annuity" or "gas annuities" means the annuity or annuities granted by the Corporation as the consideration for the purchase of the undertaking of the dissolved Over Darwen Gaslight Company in pursuance of the Act of 1873:

"Water annuitant" or "gas annuitant" means the person company or corporation for the time being entitled to any water or gas annuity or annuities respectively under the provisions of the Act of 1873:

"Waterworks" and "waterworks undertaking" respectively mean and include the waterworks and waterworks undertaking of the Corporation existing at the passing of this Act and any future improvements or enlargements thereof:

"Gasworks" and "gas undertaking" respectively mean and include the gasworks and gas undertaking of the Corporation existing at the passing of this Act and any future improvements or enlargements thereof:

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

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

Words to which meanings are assigned in the incorporated Acts or in the Municipal Corporations Acts or in the Public Health Acts or which have therein special meanings shall in this Act have the same respective meanings so far as may be consistent with this Act and the term "superior courts" or "court of competent jurisdiction" or any other like term shall be read and have effect as if the debt or demand with respect to which they are respectively used were a simple contract debt and not a debt or demand created by statute.

Act to be carried into execution by the council.

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

PART II.

Alteration of Name.

Changes of name.

6. On and after the passing of this Act the name of the borough shall be "the borough of Darwen" and the name and style of the Corporation shall be "the mayor aldermen and burgesses of the borough of Darwen."

Continuance of powers duties &c. and construction of Acts &c.

7.—(1) The Corporation by their new name shall have exercise enjoy and be subject to all powers rights privileges immunities exemptions duties and liabilities which at common law by charter by public or local statute by order confirmed by Parliament or otherwise they had exercised enjoyed or were subject to or would have had exercised enjoyed or been subject to by their original name whether as a municipal body or as a sanitary authority or as a burial board or in any other capacity whatsoever:

(2) All charters public and local statutes orders confirmed by Parliament byelaws regulations commissions fiats awards judgments and decrees and all bonds conveyances covenants deeds mortgages securities contracts agreements resolutions orders and notices and the grant of arms from the Heralds College and other instruments and documents relating to the borough or to the Corporation by their respective original names shall from and after the passing of this Act be read and have effect as if throughout the same respectively wherever the original name of the borough or any reference

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to the borough by its original name occurs the new name of the borough or a reference to the borough by its new name were substituted and as if wherever the original name of the Corporation or a reference to the Corporation by their original name occurs the new name of the Corporation or a reference to the Corporation by their new name were substituted.

Actions &c. not to abate.

8. Notwithstanding the changes of name effected by this Act any action arbitration prosecution or other proceeding civil or criminal which is pending by or against the Corporation by their original name immediately before the passing of this Act shall not abate or be discontinued or be prejudicially affected by the change of name of the borough or of the Corporation but on the contrary shall continue and take effect both in favour of and against the Corporation in like manner to all intents and purposes as if the same had been respectively commenced or instituted by or against the Corporation by their new name and in any notice warrant summons writ or other instrument used after the passing of this Act in or for the purposes of any such action arbitration prosecution or other proceeding as aforesaid the borough and the Corporation may be respectively described by their new names as if they had been originally constituted incorporated or called by their new names Nevertheless any such notice warrant summons writ or other instrument shall not be invalidated prejudiced or affected by reason of the borough or the Corporation being therein called by their original names respectively.

New common seal to be prepared.

9. As soon as conveniently may be after the passing of this Act a new common seal shall be obtained by the Corporation omitting the word "Over" therefrom but otherwise in all respects similar to the common seal in use at the passing of this Act and thereupon such last-mentioned seal shall be destroyed in the presence of the mayor and the town clerk and thenceforward such new seal shall be the common seal of the Darwen Corporation.

General saving.

10. Notwithstanding the changes of name effected by this Act everything before the passing of this Act done suffered or confirmed under or by virtue of any other Act shall be valid as if this Act were not passed and the changes of name effected by this Act shall accordingly be subject and without prejudice to everything so done suffered or confirmed before the passing of this Act and to all rights liabilities claims and demands then present or future which if the changes of name had not happened and this Act had not been passed would be incident to or consequent on anything so done suffered or confirmed and the Corporation by their new name may sue or be sued with respect to any such right liability claim or demand as aforesaid.

PART III.

Gas and Water.

Extension of gas limits.

11. The limits within which the Corporation may supply gas shall extend to and include in addition to their present limits of supply the township of Yate and Pickup Bank and the township of Tockholes both in the county of Lancaster and the Corporation may for the purposes of such supply exercise within such extended limits the same powers as they are by the Local Acts authorised to exercise within their present limits.

Powers as to construction and maintenance of gasworks.

12. Subject to the provisions of this Act the Corporation may from time to time maintain alter improve enlarge extend and renew or discontinue the existing gasworks upon the lands on which the same are erected or the lands adjoining thereto which have already been acquired by the Corporation or any part thereof respectively and which lands are respectively described in the first and second parts of the Second Schedule to this Act and also erect lay down provide and from time to time maintain alter improve enlarge extend and renew or discontinue additional and other gasworks retorts gasometers receivers drains sewers mains pipes tramways railways meters lamps lamp-posts burners stop-cocks machinery and other works and apparatus and conveniences and do all such acts as they may think proper for making and storing gas and for supplying gas within the gas limits and for the carriage or transport of coal coke or other materials used or manufactured in connexion therewith and may make store and supply gas accordingly and may manufacture sell provide supply and deal in coke tar pitch asphaltum sulphate of ammonia carbonate of ammonia ammoniacal oil and other products or residuum of any materials employed in or resulting from the manufacture of gas and also meters fittings tubes pipes gas stoves and gas engines and other articles and things in any way connected with gasworks or the supply of gas as they may from time to time think fit and the Corporation may purchase or otherwise acquire hold work and use any leave license or authority not being exclusive from any patentees for inventions for or relating to the manufacture of gas or residual products meters or fittings or otherwise acquire or hold use and exercise patent rights not being exclusive relating to the manufacture of gas or residual products meters and fittings.

Power to take lands by agreement.

13. In addition to the lands described in the said Second Schedule the Corporation may purchase by agreement and hold for the purposes of the gas undertaking as defined by this Act any quantity of land not exceeding three acres but no such lands shall be used

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by the Corporation for the purpose of manufacturing gas or residual products or (except with the previous consent in writing of the owner lessee and occupier of every dwelling-house situate within three hundred yards of the limits of the site where gas is intended to be stored) for the storage of gas or for the erection of any buildings other than buildings necessary for or connected with the gasworks.

Corporation not exempted from indictment.

14. Nothing in this part of this Act shall exonerate the Corporation from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them.

Corporation may continue waterworks &c.

15. The Corporation may continue maintain alter and improve their waterworks and subject to the provisions of this Act may from time to time make and maintain on lands belonging to them or authorised to be used by them for the purposes of waterworks all necessary pipes tracks sluices embankments channels of communication bye-washes filtering-beds tanks culverts engines drains floodgates and other conveniences for the effectual use and maintenance of their waterworks.

As to works affecting railways.

16. Any gas or water mains or pipes culverts or other similar works relating to gas or water which the Corporation may under the authority of the Local Acts or this Act lay down or execute under over or alongside or which may affect the railway works or property of any railway company shall be so laid down and executed and subsequently maintained and repaired under the direction and superintendence and to the reasonable satisfaction of the engineer for the time being of the railway company affected and in accordance with plans sections and specifications to be from time to time approved by such engineer and the engineer of the Corporation or in the event of difference by an engineer to be appointed by the Board of Trade on the application of either party.

Rents for domestic supply.

17. The Corporation shall at the request of the owner or occupier furnish to every occupier of a private dwelling-house or part of a dwelling-house entitled by law to demand a supply a sufficient supply of water for the domestic use of every such occupier at a rent not exceeding the rate of ten pounds per centum per annum upon the rateable value as described in the next succeeding section of this Act of the premises so supplied with water Provided nevertheless that the Corporation shall not be obliged to furnish such supply to any occupier for any less sum than ten shillings in any one year when paid in advance or twelve shillings a year when in arrear:

In the event of the revenue of the water undertaking being deficient in any year to meet the expenses chargeable against such

revenue and for so long only as such deficiency shall continue it shall be lawful for the Corporation provided they are charging the maximum rent for water supplied within and outside the borough and have made a rate within the borough towards meeting such deficiency to charge an additional rent equivalent to such rate over and above the said maximum rent for water supplied outside the borough and the aggregate amount of such additional rent for the whole of the district without the borough shall bear as nearly as may be the same proportion to the amount of such deficiency as the total rateable value of the property supplied with water for domestic purposes outside the borough bears to the total rateable value of such property and the rateable property within the borough Provided also that if in any year such additional rent shall be charged and paid and the revenue of the water undertaking shall in the next succeeding year exceed by the sum of four hundred pounds at least the expenses chargeable against such revenue the Corporation shall in the year following such succeeding year make a reduction in the rent for water supplied outside the borough and such reduction shall bear as nearly as may be the same proportion to the amount of such excess as the total rateable value of the property supplied with water outside the borough bears to the total rateable value of such property and the rateable property within the borough Provided further that except as aforesaid and except as by this Act otherwise provided the Corporation shall charge equal rents for water supplied by them both inside and outside the borough.

Valuation to be according to the assessment to the poor's rate.

18. For the purposes of this part of this Act the term "rateable value" shall mean the rateable value as ascertained by the valuation list in force for the purposes of the poor rate at the commencement of the quarter during which the water rent becomes payable:

Provided that where the water rent is chargeable on the rateable value of a part only of any hereditament entered in the valuation list such annual value shall be a fairly apportioned part of the rateable value of the whole tenement ascertained as aforesaid the apportionment in case of dispute to be determined in manner provided by the sixty-eighth section of the Waterworks Clauses Act 1847:

Provided also that if there shall be no valuation list in force at the time the owner or occupier of such dwelling-house or part of such dwelling-house shall demand a supply of water the Corporation may for the purposes of their water rent estimate the rateable value of such premises but on the assessment of such premises for poor rate purposes being entered in the valuation list the charge shall be adjusted accordingly.

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Supply of water for other than domestic purposes.

19. Section sixteen of the Act of 1879 is hereby repealed and in lieu thereof the following provisions shall have effect (that is to say):—

(1) The Corporation may charge for a supply of water to any such premises or for any such purposes as are mentioned in the Third Schedule to this Act the rents or sums specified in the same schedule and as regards the charges rents or sums specified in the first part of such schedule the same shall be in addition to the charge rent or sum which the Corporation are by this Act authorised to demand and take for a supply of water for domestic purposes and as regards the charges rents or sums specified in the second part of the said schedule the same shall be in substitution for any charge rent or sum which the Corporation are by this Act authorised to demand and take for a supply of water for domestic purposes:

(2) The Corporation may make and enter into special agreements for the supply of water for purposes other than domestic use or those specified in the said Third Schedule and either by meter or otherwise.

Rates for offices lock-up shops &c.

20. The Corporation may charge a less rate or rent than the ordinary rate or rent for domestic supply for and in respect of offices and lock-up shops which are not liable to be assessed to the inhabited house duty.

As to supply of water by meter.

21. In supplying water by meter the Corporation may stipulate that they shall be paid a minimum rate not exceeding fifteen shillings per quarter whether or not the consumer takes such a quantity of water through the meter as at the rate or rents at which such water is agreed to be supplied to him by the Corporation will equal fifteen shillings per quarter or otherwise in respect of which payment the consumer would in the quarter covered by such payment be entitled to a supply of water for trade purposes not exceeding eight thousand gallons.

Public drinking fountains.

22. The Corporation may from time to time when and as they think it expedient put up and continue and from time to time remove or discontinue drinking fountains and cattle troughs with proper conveniences for the gratuitous supply of water for drinking and for watering of cattle and horses at such fountains or troughs respectively and may furnish or discontinue such gratuitous supply (but for such drinking and watering only) in such public places as the Corporation think fit but not against or adjoining the footpath in front of any private dwelling-house warehouse counting-house

shop or other building except with the consent of the owner and occupier thereof.

For preventing the fouling of water by animals.

23. If any dog or other animal enters any stream reservoir or aqueduct or other waterworks belonging to the Corporation the owner of such dog or other animal shall be liable to the penalties provided by section sixty-one of the Waterworks Clauses Act 1847 whether such owner caused such dog or animal so to enter therein or not Provided always that this section shall not apply to cattle grazing in or upon any land adjoining to or abutting upon any such stream reservoir aqueduct or waterworks.

Corporation may require pipes &c. to be repaired.

24. The Corporation may by notice in writing under the hand of the water engineer of the borough or other duly authorised officer require any person who shall have suffered any cistern pipe cock or other apparatus to be out of repair forthwith to put the same into a proper state of repair and if such person shall not within twenty-four hours after the service of such notice so repair such cistern pipe cock or other apparatus as to prevent any waste of water therefrom the Corporation may repair the same and if the expenses of such repair be not repaid to the Corporation on demand the same may be recovered by the Corporation in manner herein-after provided for the recovery of any sum of money due to the Corporation for the supply of water or gas Pending the execution of the necessary repairs the Corporation may take such immediate action as they may consider desirable or necessary in order to prevent any such waste of water.

Regulations for preventing waste of water &c.

25. The Corporation from time to time with the approval of the Local Government Board may make byelaws for the purpose of preventing the waste misuse or contamination of water and may thereby prescribe the size nature situation and strength of the pipes cocks cisterns and other apparatus whatsoever to be used and may prohibit any arrangements and the use of any pipes cocks cisterns or other apparatus which may tend to such waste misuse or contamination as aforesaid and by any such byelaw the Corporation may impose a penalty not exceeding forty shillings for breach of any byelaw made under the powers of this section Provided always that such byelaws shall be in force only within such part of the water limits as the Corporation do in fact supply or are prepared to supply with water under constant pressure Provided also that the Corporation whether they afford a constant supply or not shall not be compellable to supply any person with water unless the apparatus or pipes provided or to be provided shall be of such material and so constructed and used as to prevent the waste or undue consumption of the water of the Corporation and the return of foul

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air or noisome or impure matter into the mains or pipes belonging to or connected with the mains and pipes of the Corporation.

Power to Corporation officer to enter buildings.

26. Any officer of the Corporation duly appointed for the purpose by them may between the hours of nine of the clock in the forenoon and six of the clock in the afternoon enter any building or place supplied with water by the Corporation in order to inspect the meters pipes fittings and apparatus for regulating the supply of water either for the purpose of ascertaining the quantity consumed or supplied or to see whether the meters pipes fittings cisterns or other apparatus provided be in good repair or whether the same have been disconnected altered or otherwise interfered with and if such officer at any such time be refused admittance into such premises for the purposes aforesaid or be prevented from making such examination the occupier shall for every such offence be liable to a penalty not exceeding five pounds.

Notice before entry.

27. The notice to be given by the Corporation previously to making any entry under the last preceding section shall be in writing under the hand of the town clerk or other officer of the Corporation and shall be given or served in manner following (that is to say):—

If such premises be occupied then by leaving the notice thereat or by delivering the same to the occupier thereof forty-eight hours at least previously to such entry:

If such premises be unoccupied and the owner thereof or his usual place of abode be in England and be known to the Corporation then by delivering the notice to such owner or by leaving the same at his usual place of abode or by sending the same by post in a registered letter addressed to him at his usual place of abode forty-eight hours at least previously to such entry:

If such premises be unoccupied and the owner thereof or his usual place of abode be not in England or be not known to the Corporation after due inquiry then by affixing the notice on some conspicuous part of such premises three days at least previously to such entry:

And for the purposes of this section any person receiving the rackrent of any such premises either on his own account or as agent or trustee for any other person shall be deemed the owner of such premises.

Power to Corporation to cut off water or gas supplied in certain cases.

28. If and whenever any person supplied with water or gas by the Corporation wilfully does or causes or suffers to be done anything in contravention of any of the provisions of this Act or the Local Acts or any regulations made or to be made thereunder by

the Corporation with respect to water supply the Corporation may on obtaining a justice's order for the purpose cut off or stop any pipe by or through which water or gas as the case may be is supplied to him and may cease to supply him with water or gas as the case may be as long as the cause of injury remains or is not remedied and also may recover in any court of competent jurisdiction from every person so offending the amount of all damage sustained by reason thereof and the remedies of the Corporation under this enactment shall be in addition to their other remedies in this behalf.

Power for Corporation to remove water pipes or gas pipes from unoccupied premises.

29. If and whenever any house building or premises which shall have been supplied with water or gas by the Corporation shall be unoccupied the Corporation their agents servants or workmen after giving twenty-four hours previous notice to the owner by serving the notice on him or sending the same by post addressed to him at his usual place of abode or business or if the owner or his usual place of abode or business be not known to the Corporation by affixing the same for three days on some conspicuous part of such house building or premises may enter into such house building or premises between the hours of nine o'clock in the forenoon and six o'clock in the afternoon and remove and carry away any pipe or other works the property of the Corporation.

Penalty for refusal to allow inspection of mines.

30. If any owner lessee or occupier of any mines lying under any of the reservoirs or buildings belonging to the Corporation or under any of their pipes or works or within forty yards therefrom respectively shall refuse to allow any person appointed by the Corporation for that purpose to enter into and inspect any such mines or the works connected therewith in manner provided by the twenty-sixth section of the Waterworks Clauses Act 1847 every person so offending shall for every such refusal be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding twenty pounds.

PART IV.

Streets and Buildings.

What to be deemed new buildings.

31. From and after the passing of this Act—

The erection of any building:

The re-erection wholly or partially on the same site of any building of which an outer wall is pulled down to or within ten feet of the surface of the adjoining ground and of any frame building so far pulled down as to leave only the framework of the ground floor storey thereof:

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The conversion into a dwelling-house of any building not originally constructed for human habitation:

The re-conversion into a dwelling-house of any building which has been discontinued as and appropriated for any purpose other than that of a dwelling-house:

The conversion into two or more dwelling-houses of any building constructed originally as one dwelling-house:

The conversion into one dwelling-house of two or more buildings constructed originally as separate dwelling-houses:

The conversion of a building which when originally erected was legally exempt from the operation of any building byelaws in force within the borough into a building which had it been originally erected in its converted form would have been within the operation of the building byelaws:

The making of any addition to an existing building by raising any part thereof or making any projection therefrom but so far as regards such addition only: and

The roofing or covering over of an open space between walls or buildings:

shall for all the purposes of this Act and of the Public Health Acts and of any byelaw made thereunder respectively be deemed to be the erection of a new building and the word "building" shall for all such purposes include an erection or building of a permanent character of whatever material constructed Provided always that any building which under any byelaws now in force is exempt from the operation of such byelaws shall not be brought within the operation of such byelaws by reason of anything in this section contained.

As to materials used for building dwelling-houses.

32. The Corporation may from time to time by byelaw prescribe the minimum size and strength of materials to be used in the construction of any dwelling-house hereafter to be built within the borough and in default of compliance with any such byelaw the builder shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Continuations of existing streets to be deemed new streets.

33. Every continuation of an existing street shall for the purposes of the Public Health Acts and of this Act and of any byelaws made thereunder and for the time being in force within the borough be deemed to be a new street and shall be of the full available width at the least of the street of which it shall be a continuation Provided always that such new street shall in no case without the consent of the Corporation be of less available width than that specified in the byelaws for the time being in force Provided also that this section of this Act shall not apply to the case of any continuation of any existing street the plan and section

of the continuation of which existing street have been approved of by the Corporation before the passing of this Act Provided further that the Corporation may allow areas or spaces below the level of the pavement covered to their approval not exceeding three feet wide.

Entrance to courts &c. not to be interfered with.

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

Every person offending against this enactment shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Buildings abutting on streets.

35. For the purposes of this Act buildings and lands shall be deemed to be in a street when they abut upon a street or when they have an access covered or uncovered to a street.

Provisions as to laying out new streets.

36. From and after the passing of this Act every person who shall intend to make or lay out any new street within the borough whether the same is intended to be used as a public way or not shall comply with the following provisions (namely) :—

(1) He shall give notice in writing thereof to the surveyor and shall furnish him with a plan of the intended new street drawn on an accurate scale of one inch to thirty-three feet and a section drawn on an accurate scale of one inch to thirty-three feet horizontally and one inch to ten feet vertically :

(2) Such plan shall show thereon the names of the owner or owners of land through or over which the new street is intended to pass and its proposed width and direction and its position relatively to the streets adjoining or leading thereto and the name and address of the person intending to lay out the new street and the correct and respective boundaries of the land owned by such person and such plan shall be signed by him or his agent :

(3) Every such section shall show thereon the level of the present surface of the ground above the Ordnance datum the level and rate of inclination of the intended new street and the level and inclination of the streets with which it will be connected :

(4) Every such plan and section shall be drawn on tracing cloth in ink and coloured and shall be signed by the person intending to make or lay out such new street or his authorised agent :

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(5) It shall not be lawful for any person to make or lay out any new street until such notice shall have been given and such plans and sections shall have been approved by the Corporation under the hand of the mayor or the town clerk or the surveyor and such approval shall not be unreasonably withheld and every notice of disapproval shall state in writing the reason why approval is withheld and it shall not be lawful for any such person in making or laying out any such new street to deviate from such approved plans and sections without the consent in writing of the Corporation signified as aforesaid:

(6) In case such plans and sections shall be approved then previous to the commencement of any building in any such street the whole length of such street shall be defined by merestones at intervals of not less than sixty yards from one another or shall be otherwise defined in some sufficient manner to indicate the line and level shown on the plan thereof approved by the Corporation and kerbstones or side datum stones (twenty-four inches by twelve inches) shall be placed along the margin of the intended footpaths for the whole length of such parts of the intended new street as are about to be built upon to the satisfaction of the Corporation or their surveyor by the owner or owners of the land through or over which the street is intended to pass Any person who shall offend against this section shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding five pounds.

Plans &c. deposited to belong to Corporation.

37. In all cases plans sections and specifications deposited with the Corporation or their surveyor under any of the provisions of this Act shall be retained by the Corporation unless the same have been supplied in duplicate when one copy shall be returned with the notice of approval or disapproval signed by the mayor or by the town clerk or by the surveyor.

Approval of plans.

38. So much of section forty-nine of the Act of 1879 as enacts that "the sanction of the Corporation to any such plans and sections "shall be null and void if the erection of the work so sanctioned "shall not have been commenced within one year after such "sanction or if commenced are not proceeded with in such manner "as the Corporation shall reasonably deem satisfactory" is hereby repealed and in lieu thereof the following provisions shall have effect (that is to say):—

The approval by the Corporation of any plan of new buildings shall be null and void if the execution of the work specified

in such plan be not commenced and bonâ fide proceeded with within the following periods:

The periods above referred to are as follow:—

As to plans approved after the passing of this Act within two years from the date of such approval: and

As to plans approved before the passing of this Act within one year from the passing of this Act:

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

The Corporation shall give notice of the provisions of this section to every person intending to erect a new building the plans for which shall have been approved before the passing of this Act but the erection of which building shall not have been commenced.

Plans of new streets.

39. The foregoing section shall apply to plans of new streets with the substitution of four years and two years for two years and one year respectively.

Recovery of damage caused to footways by excavations.

40. If the footway or kerbs of any street belonging to or under the management of the Corporation be injured by or in consequence of any excavations or other work on lands adjoining to such footway the Corporation may repair or replace the footway injured and all damages and expenses of or arising from such injury and repair or replacement shall be paid to the Corporation by the owner of the lands on which such excavation or other work has been made.

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

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

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Coal shoots &c.

42. No coal shoot area or cellar grating or opening shall be hereafter placed in the footway or carriageway of any street except with the consent of the Corporation and then only if formed of the materials and size and in the manner and in such position and with such protection as may be specified by the Corporation in each particular case and such coal shoot area or cellar grating or opening shall afterwards be kept in repair by the owner.

Power to prohibit cellars in districts liable to floods.

43. The Corporation may from time to time prohibit in any part of the borough liable to be flooded or abutting upon any stream or watercourse the construction of any cellar or basement storey in any dwelling-house and may regulate the level of the ground floor of any new building in such part of the borough.

Certain bridges to be built to the satisfaction of the Corporation.

44. All bridges (other than bridges which the inhabitants of the county palatine of Lancaster or of any hundred therein are by law liable to maintain and repair and other than bridges authorised to be made by any railway company) hereafter erected either as carriageways or footways shall be built substantially to the satisfaction of the Corporation and shall be of such width as the Corporation may approve.

As to temporary repairs to private streets.

45. The Corporation in cases where temporary repairs only are required to any street not being a highway repairable by the inhabitants at large may from time to time by notice served on the owners of the lands or buildings adjoining to or abutting on any such street require such temporary repairs to be executed in and upon such street as shall be specified in such notice and such repairs shall be thereupon executed in and upon such street by the owners of the lands and buildings adjoining thereto or abutting thereon and in default thereof the Corporation may themselves execute such repairs and works and the expenses thereof so far as they are incurred in respect of so much of the street as is not so repairable by the inhabitants at large shall be deemed private improvement expenses and may be recovered from such owners accordingly Provided always that if the owners of premises fronting adjoining or abutting upon the street in which such temporary repairs are required and representing above one half of the total length of such street shall within fourteen days of the service of such notice upon them respectively give notice in writing to the Corporation that they wish the said street to be sewered levelled paved metalled flagged channelled and lighted under the provisions of section one hundred and fifty of the Public Health Act 1875 and the expenses of any works made chargeable as therein provided the Corporation shall not execute such temporary repairs but may cause such street or any part thereof to be sewered levelled paved metalled flagged channelled

and lighted under the provisions of the Public Health Act 1875 or any Act amending the same accordingly and at the request of a like proportion of such owners and upon payment to the Corporation of the expenses of such sewering levelling paving metalling flagging channelling and lighting such street or part thereof shall be declared by the Corporation to be a public highway and shall thenceforth be repairable by them at the cost of the highway rate or general district rate.

Corporation may require footing or retaining walls to new streets carried on an embankment or in a cutting.

46. If any new street within the borough is carried on an embankment or in a cutting and it shall appear to the Corporation necessary that footing or retaining walls should be put in or erected in order to uphold or form the level of any such new street they may if they think fit require the owner of the land in or upon which the new street is to be made to erect or put in such footing or retaining walls upon such land within a reasonable time to be stated by the Corporation and if such owner shall make default in complying with such requirement the Corporation may themselves erect or put in such footing or retaining walls and may charge and recover the whole or such parts as they may deem fair of the cost of such footing or retaining walls upon and from such owner or they may include such cost as part of the expenses properly incurred by them in relation to such new street under section one hundred and fifty of the Public Health Act 1875 Provided that such costs in the event of the same being chargeable upon several owners shall be from time to time charged ascertained apportioned and settled and shall be subject to payment of interest in like manner as if the same were new street expenses incurred under the said section.

Height of buildings.

47. No new building shall without the approval of the Corporation be erected on the side of any street which shall exceed in height the distance from the front of such building to the opposite side of such street nor shall the height of any building at any time erected on the side of any street be at any time subsequently increased (without such approval as aforesaid) so as to exceed such distance In determining the height of a building the measurement shall be taken from the level of the centre of the street immediately opposite the centre of the front of the building up to the top of the parapet or to the eaves of the roof as the case may be In case of a gable facing the street the measurement shall be to a point halfway between the level of the eaves and the ridge In the case of a roof which slopes away from the street at any greater angle to the horizon than fifty degrees the measurement shall be to the ridge of the roof and not to the eaves.

Hearths to chimney openings.

48. Every fireplace opening or chimney opening in a new building shall have a sufficient hearth or horizontal slab of durable and

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incombustible material at the level of the floor extending throughout the length and depth of such opening and to a distance of at least eighteen inches beyond the face of the chimney breast and at least six inches beyond each side of the opening of the chimney piece Every such hearth shall be laid upon a bed of cement concrete brick or other compact and incombustible material having a depth of at least seven inches below the upper surface of the hearth and in no case shall the hearth be supported or rest on wood or timber.

Back yards to be paved &c.

49. The back yards of all houses to be erected after the passing of this Act shall be formed with such fall and shall for the space of at least one hundred and fifty square feet be flagged paved or asphalted with such materials as shall be satisfactory to the surveyor for the purpose of carrying off the surface water to the drains of such houses and if any back yards of such houses erected before or after the passing of this Act shall not be formed paved flagged or asphalted so as to allow of the surface water being carried off as aforesaid the owner or occupier shall within seven days after notice in writing to be given him by the surveyor or left at or affixed on such house proceed to form flag pave or asphalte the same and shall complete such several works to the satisfaction of the surveyor within twenty-one days after such notice so given left or affixed and in case any person fail to comply with the provisions of this section in any particular in which compliance may be required by the surveyor within the respective times aforesaid it shall be lawful for the surveyor to execute the requisite works without further notice and the cost of so doing shall be paid to the Corporation by such owner or occupier and recovered in a summary manner or may by order of the Corporation be declared to be private improvement expenses and be recovered accordingly.

Regulation tubs for privies &c.

50. Every owner of a dwelling-house in which tubs or pails are used in the privies shall obtain the regulation size tubs and pails from the Corporation who shall from time to time determine the reasonable cost to be paid for the same and after such owner shall have paid such cost such tubs or pails shall be from time to time repaired and new ones when necessary provided by and at the cost of the Corporation and in case the owner of any dwelling-house use any tub not obtained from the Corporation he shall for every such offence be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Charge for emptying privies &c. of rubbish &c.

51. If any privy cesspool ashpit or ashtub shall be used for the deposit of refuse of building or other materials or rubbish of a like description the Corporation may make a reasonable charge for the removal of the same which charge shall be paid to the Corporation

by the owner of the premises in respect of which the charge is made.

Penalty on injuring or fouling a privy.

52. If any person injures or improperly fouls any privy pail watercloset ashpit or ashtub used in common by the occupiers of two or more dwelling-houses or any tub or receptacle for belonging to or connected with such privy watercloset or ashpit he shall for every such offence be liable to a penalty not exceeding forty shillings.

Refuse and other injurious matters not to pass into sewers.

53. It shall not be lawful for any person to throw or to permit or suffer to be thrown or to pass into any drain or sewer any matter or substance which would interfere with the free flow of the sewage or surface or storm water or which would be injurious to the construction of the drains or sewers and every person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Steam &c. not to be turned into sewers.

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

Sewage &c. not to be drained into surface water sewers.

55. No sewage shall be drained into a surface water sewer of the Corporation or into the gutters in the public streets and no surface or rain water shall be allowed to discharge from a stack-pipe or down spout on to the surface of a footpath and no natural stream or watercourse shall be connected with or discharged into any sewer of the Corporation.

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Old drains to be laid open for examination by surveyor before communicating with sewers.

56. No drain existing at the time of the passing of this Act and then not communicating with a sewer of the Corporation shall be made to communicate with any sewer of the Corporation until the same has been laid open so far as necessary for examination by the surveyor and he has certified that such communication may properly be made If on examination it be found that such drain may properly be made to communicate with such sewer the surveyor shall cause the ground to be closed and any damage done to be made good as soon as can be and the expense of the works shall be defrayed by the Corporation But if on the other hand it be found that the communication ought not to be made or has not been made in accordance with the provisions of the Local Acts or the Public Health Acts or any byelaw thereunder the Corporation may stop remove alter or amend such drain and recover the expense thereof as private improvement expenses.

Corporation may agree to make drains at expense of owner.

57. The Corporation may agree with the owner of any premises that any sewer or drain required to be made altered or enlarged by such owner or any part of such sewer or drain shall as to so much thereof as shall be in a street be constructed made altered and enlarged by the Corporation and the cost price of making altering or enlarging such sewer or drain and also the cost of preparing the requisite plans and sections for and superintending the execution of the works as estimated or certified by the surveyor shall be paid in advance or repaid to the Corporation by the owner so agreeing.

Extension of section 41 of the Public Health Act 1875.

58. In cases where two or more houses or premises are connected with a single private drain which conveys their drainage into a public sewer the Corporation shall have all the powers conferred by section forty-one of the Public Health Act 1875 and any expenses recoverable under this section shall be charged against the owner or owners of the said premises and if there be more than one such owner the same shall be apportioned among such owners in the manner provided by the section of this Act of which the marginal note is "Power to supply courts with waterclosets privies &c."

Power to order closets &c. to be provided.

59. If at any time it appear to the Corporation on the report of the medical officer of health surveyor or inspector of nuisances that any building whether built before or after the passing of this Act is without a sufficient privy pancloset watercloset earthcloset ashpit or ashtub or other like accommodation the Corporation may give notice in writing to the owner or occupier of such building requiring him within such time as shall be specified in such notice to provide a sufficient privy pancloset watercloset earthcloset ashpit or ashtub or other like accommodation and if any such owner or occupier makes default in complying with such requirement to the satisfac-

tion of the Corporation within the time specified in such notice he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings Provided always that where in the opinion of the Corporation a privy pancloset watercloset earthcloset ashpit or ashtub or other like accommodation as aforesaid may be used in common by the inmates of two or more buildings the Corporation may if they think fit dispense with the provision of a separate privy pancloset watercloset earthcloset ashpit or ashtub or other like accommodation as aforesaid for each building Any notice under this section may either be a separate notice or may be included in or form part of a notice requiring the filling up or removal of a privy cesspool or ashpit.

Power to supply courts with waterclosets privies &c.

60. The Corporation for the purpose of supplying a court or place with a water or pailcloset privy ashpit ashtub or other sanitary accommodation may from time to time purchase by agreement any building and remove the same and execute all consequent structural and other works and the owner or owners of the houses in the court or place benefited thereby shall be liable to pay the cost of the purchase of such building and the other expenses incurred by the Corporation in the execution of this section and the amount thereof shall be apportioned among those owners by the surveyor in proportion to the rateable value of the property held by them in such court or place and the amount apportioned to each owner shall be payable by and recoverable from him in a summary manner or as private improvement expenses Provided that if any owner feels himself aggrieved as regards either the amount of such expenses or the apportionment thereof he may appeal to a court of summary jurisdiction to determine the amount or apportionment as the case may be.

Privies &c. for manufactories &c.

61. Every building used as a workshop manufactory or school whether erected before or after the passing of this Act shall be provided with sufficient privy or watercloset and urinal accommodation having regard to the number of persons employed in or in attendance at such workshop manufactory or school and all such urinals and waterclosets shall be provided with a proper water supply for flushing purposes.

Buildings used for public purposes to have sufficient means of ingress and egress.

62. Section forty-five of the Act of 1879 is hereby repealed and in lieu thereof the following provisions shall have effect (that is to say) :—

Every building which is or shall be used as a place of public resort shall be provided with ample and convenient means of ingress and egress regard being had to the purposes for which such building is

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or is intended to be used and to the number of persons likely to be assembled at any one time therein and it shall not be lawful for the proprietor or occupier or person in charge of such building to allow the same to be used for any such purpose as aforesaid unless and until the surveyor has given a certificate under his hand that the building is substantially constructed and may be safely used for the purposes mentioned in the certificate and that the Corporation are satisfied with the sufficiency of the means of ingress and egress provided at such building and before such building is used for any purpose other than that stated in such certificate a further like certificate applicable to such other purpose shall be given by the surveyor and any person who being the proprietor or occupier or person in charge of such building shall permit the same to be used for any purpose before the necessary certificate has been given shall for every such offence be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding ten pounds.

As to repair of vaults &c. under streets.

63. Section fifty of the Act of 1879 is hereby repealed and in lieu thereof the following provisions shall have effect :—

All vaults arches and cellars at any time existing under any street within the borough and all openings into such vaults arches or cellars in the surface of any such street and all cellar heads gratings lights and coal holes existing in the surface of any such street and all landings flags or stones of the path or street supporting the same respectively shall be by the owners or occupiers of the same or of the houses or buildings to which the same respectively belong kept in substantial repair and in good and proper condition and so as not to occasion any injury to the street or passengers therein and in default thereof it shall be lawful for the Corporation after twenty-four hours notice in that behalf to cause the same respectively to be repaired and put in good order and the expenses of so doing shall be settled by the surveyor and be paid to the Corporation by such owner or occupier respectively.

Fencing in of vacant land &c.

64. The Corporation may from time to time require any person being the owner or occupier of land within the borough in which any gravel pit sand pit clay pit chalk pit stone quarry pond or sheet of water is situate after notice in writing under the hand of the town clerk so to do to cause such land to be fenced in with a fence sufficient to prevent the public having access to such land except by a gate or entrance under the control of such owner or occupier And any person who shall neglect or refuse for the space of twenty-eight days after service of such notice upon him to erect such fence shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

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Extending provisions of section 75 of Towns Improvement Clauses Act 1847.

65. Section seventy-five of the Towns Improvement Clauses Act 1847 shall extend and apply to any structure which is deemed by the surveyor to be dangerous to passengers or to the occupiers of any building Provided that nothing in the said section contained shall render it incumbent upon the surveyor to cause a hoard or fence to be put up in the case of a dangerous chimney.

Safety of platforms &c. erected or used on public occasions.

66.—(1) Whenever large numbers of persons are likely to assemble on the occasion of any public procession open air meeting or other like occasions every building platform balcony or other structure or part thereof let or used or intended to be let or used for the purpose of affording sitting or standing accommodation for a number of persons shall be safely constructed or secured to the satisfaction of the surveyor and unless the same be so constructed or secured the following provisions shall have effect and may be put in full force accordingly:

(2) Whenever any such building platform balcony or other structure or any part thereof or anything thereon or attached thereto or projecting therefrom is deemed by the surveyor to be in a state or position whereby danger to any person is or may be occasioned the surveyor shall give notice under his hand to the owner or occupier of such building platform balcony or other structure or to both or to either of them requiring such owner or occupier forthwith to remove repair or secure the same to the satisfaction of the surveyor:

(3) In case the work of removing repairing or securing such building platform balcony or other structure or such part thereof or such thing thereon or attached thereto or projecting therefrom is not begun within forty-eight hours after the service of such notice as aforesaid or is not completed to the satisfaction of the surveyor as soon as the nature of the case admits it shall be lawful for the surveyor to give information thereof to any justice who may thereupon issue his summons requiring such owner or occupier or both or either of them to appear before a court of summary jurisdiction:

(4) In case it appears to the court that immediate danger to any person from such building platform balcony or other structure or part thereof or thing thereon or attached thereto or projecting therefrom as aforesaid is to be apprehended the court shall make an order authorising the surveyor to cause such building platform balcony or other structure or part thereof or thing thereon or attached thereto or projecting therefrom as aforesaid to be forthwith removed repaired or secured:

(5) In case it appears to the court that danger to any person is to be apprehended but that such danger is not immediate the

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court shall make an order on such owner or occupier or on both of them requiring him or them to cause such building platform balcony or other structure or part thereof or thing thereon or attached thereto or projecting therefrom as aforesaid to be removed repaired or secured to the satisfaction of the surveyor within a period to be prescribed in such order In case such order is not obeyed within the period prescribed therein any and every person (whether one or more) on whom such order has been made shall be liable to a penalty not exceeding forty shillings for every day during which such order has not been obeyed after the end of the period prescribed therein:

(6) The court may at any time after the end of the period prescribed in such order make an order authorising the surveyor to cause such building platform balcony or other structure or part thereof or thing thereon or attached thereto or projecting therefrom as aforesaid to be removed repaired or secured as required by such order and the person or persons on whom such order has been made shall in addition to such penalty pay all the costs charges and expenses attendant on the removing repairing or securing of such building platform balcony or other structure or part thereof or thing thereon or attached thereto or projecting therefrom as aforesaid:

(7) If the owner or occupier of any building platform balcony or other structure which the surveyor has deemed to be in a dangerous state or position cannot be found or does not appear after service of notice and summons as herein-before provided it shall be lawful for the court having cognizance of the matter to make an order authorising the surveyor to cause such building platform balcony or other structure or part thereof or thing thereon or attached thereto or projecting therefrom as aforesaid to be forthwith removed repaired or secured and the costs charges and expenses thereof shall be paid by such owner or occupier as aforesaid:

(8) Where a building platform balcony or other structure is removed by the Corporation or the surveyor under the powers of this section the Corporation may sell the materials thereof or part of them and shall apply the proceeds of the sale or any part thereof either in or towards payment of the costs and expenses incurred by them in relation to such building platform balcony or other structure or shall pay the same or any part thereof to the owner of such building platform balcony or other structure as a court of summary jurisdiction shall determine:

(9) The foregoing provisions of this section shall so far as applicable extend and apply to any hoarding erected or to be erected in or near any street to be used for the exhibition thereon of advertisements or notices.

Undertakings &c. to bind successive owners.

67. Every undertaking or agreement in writing given by or to the Corporation to or by or on behalf of any owner of property on the passing of plans or for the removal of obstructions or otherwise in connexion with the property of such owner shall be binding upon the owner of the property for the time being and upon his successors in title and upon the Corporation and may be enforced by either party by penalty in any court of summary jurisdiction such penalty not exceeding five pounds for each breach of such undertaking or agreement and twenty shillings for each day during which such breach continues and such owner shall be entitled to require from the Corporation a copy of such undertaking or agreement.

Paving to include asphalte &c.

68. With respect to the provisions of the Public Health Act 1875 for paving streets and declaring any street within the borough to be a highway the word "paved" in sections one hundred and fifty and one hundred and fifty-two of that Act shall be construed so as to include a street or part of a street asphalted or paved with wood tar paving or patent stone of any kind and any notice given in pursuance of the one hundred and fiftieth section may specify asphalte wood tar paving or patent stone as the materials to be used in respect of any such street or part of a street and the same when so specified shall be used accordingly.

Partial exemption of railway buildings from Act.

69. The provisions of this part of this Act shall not extend or apply to any building belonging to or used or intended to be used and occupied by a railway company for the purposes of their business and not as a dwelling-house except with respect to the drains and other sanitary details including waterclosets lavatories and urinals of such building.

Exemption of buildings vested in the Crown.

70. Every building structure or work vested in or in the occupation of Her Majesty Her heirs and successors either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or for public services also any building structure or work vested in or in the occupation of any department of Her Majesty's Government for public purposes or for the public service shall be exempted from so much of the provisions of this part of this Act as relates to buildings and structures.

PART V.

Execution of Works and Private Improvement Expenses.

In executing works in default of owner Cor-

71. Whenever the Corporation or the surveyor under any enactment or byelaw for the time being in force within the borough execute re-execute or alter any work act or thing in default of the

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poration not liable except for negligence.

owner or occupier required to do such work act or thing and in the absence of negligence on their or his part or on the part of any contractor or person employed by them are required to pay any damages costs charges or expenses for or in respect of or consequent upon the executing re-executing or altering such work act or thing the amount thereof when paid shall be added to and be deemed to be part of the private improvement expenses payable by such owner or occupier.

Corporation may charge supervision in addition to costs.

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

Private improvement expenses to carry interest.

73. If any private improvement expenses or any instalment of any such expenses be not paid within the period of fourteen days from the date of the demand thereof unless the same be disputed and in that case within fourteen days after the settlement of such dispute by the Corporation they may after the expiration of such period to the date of payment charge interest thereon after such rate as they may determine not exceeding five pounds per centum per annum and such interest shall be added to and be deemed part of the private improvement expenses and be recoverable accordingly and notice of the surveyor's apportionment with a demand for payment upon the face of it shall be deemed a sufficient demand for all purposes whatsoever except in case of dispute in which case a fresh demand shall be made after the settlement of the dispute.

Register of charges to be kept.

74. The Corporation shall keep a register of charges under this Act and of the payments made in satisfaction thereof and the register shall be open for inspection to all persons at all reasonable times on payment of not exceeding one shilling in respect of each name or property searched for and the Corporation shall furnish copies of any part of such register to any person applying for the same on payment of such reasonable sum as may be fixed by the Corporation.

Agreement may be made as to apportionment of private im-

75. The Corporation and the owner for the time being of any lands liable to private improvement expenses may at any time or times agree as to the apportionment of such expenses or any part or parts thereof or any division or subdivision thereof among the

premises belonging to such owners affected by such expenses and every such agreement shall be binding on the parties thereto and their successors and sequels in estate and subject thereto such expenses shall except where by this Act expressly provided to the contrary be apportioned by the surveyor between owners of lands subject thereto and between lessees and reversioners of such lands according to the frontage thereof Provided that nothing in this section shall alter the liabilities as between owner and lessee under any special contract relative thereto made before the passing of this Act.

provement expenses.

Value of existing sewer &c. in streets to be allowed for.

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

Persons having partial interests may raise expenses by mortgage.

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

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for six months previous to the time when his title to possession shall accrue or commence or any greater proportion of the original sum secured by such mortgage than the unexpired term of such mortgage doth or shall bear to the whole term mentioned and the amounts annually set aside under the covenants of such mortgage shall be invested in Exchequer Bills or other Government securities in the joint names of the mortgagor and the mortgagee and shall accumulate until the whole amount secured by such mortgage can be paid off or until the sum so accumulated shall be accepted by the mortgagee in discharge of the like amount of the principal sum secured by such mortgage and every such mortgage shall be valid in law and in equity for the purposes thereby intended and every such mortgagee and his representatives and assigns shall have the like remedies in case of non-payment of the moneys thereby secured as in the case of other mortgages of the like nature If the mortgagor shall advance or pay the whole amount of the moneys so repayable as aforesaid he shall be deemed to be a mortgagee in respect thereof and shall have the same rights and priority as a mortgagee would have under this section and a certificate of such advance or payment under the hands of the treasurer of the Corporation shall be conclusive proof of the rights of such mortgagor to the extent of the amount certified for under this section.

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

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

Power to apply district fund &c. for private improvement expenses.

79. Section sixty-eight of the Act of 1879 is hereby repealed and in lieu thereof the following provisions shall have effect (that is to say) :—

Whenever the Corporation under any enactment or byelaw for the time being in force within the borough execute re-execute or alter any work act or thing in default of the owner occupier or other person required to do the same the Corporation may apply the district fund and the general district rate in or towards the executing re-executing or altering of such work act or thing but this section shall not affect the liability of any owner occupier or other person to repay the moneys expended by the Corporation.

Publication of orders for works.

80. Every order or notice of the Corporation requiring any person to execute any work which the Corporation by this part of this

Act or under the provisions of the Local Acts or the Public Health Acts relating to streets buildings or permanent works are entitled to require to be executed by such person may if the Corporation think fit be published once in some local newspaper circulating within the borough and likewise be conspicuously posted for twenty-one consecutive days in the street building land or place in respect of which such work is required to be executed and the publication and posting thereof as aforesaid shall be sufficient notice to all owners lessees tenants occupiers and others interested in the works or matters specified by or referred to in such order or notice Provided that every order or notice to be served by the Corporation upon any railway or canal company shall be delivered or sent by post addressed to the secretary of such company at their principal office.

PART VI.

Infectious Diseases.

Definition of infectious disease.

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

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

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

(1) Any such order of the Corporation may be permanent or temporary only and if temporary the period during which it is to continue in force shall be specified therein and the Corporation shall give public notice of the order by publishing the same by advertisement in two of the local newspapers circulating in the borough and after such public notice has been given the provisions of this Act shall so long as the order continues in force apply to the disease specified therein in like manner in all respects as if the disease were an infectious disease specifically mentioned in this Act:

(2) The production of the newspapers containing a copy of the resolution shall be conclusive evidence that public notice of the order has been so given:

(3) The Corporation shall immediately after any such order shall have been made send a copy thereof to each legally qualified medical practitioner residing in the borough but the omission to send any such copy shall not affect the validity of such order.

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Notice to be given of persons suffering from infectious disease.

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

(1) If any such inmate be suffering from any infectious disease the occupier or the person having the charge management or control of such building (or if such occupier or person be prevented by reason of such disease then the person in charge of such inmate) shall so soon as he shall become aware of the existence in any such inmate of any such disease forthwith give notice thereof to the medical officer of health at his office:

(2) If such inmate be not a member of the family of such occupier or person the head of the family (resident in such building) to which such inmate belongs or if there be no such head or if such head be prevented by illness then such inmate (unless prevented by reason of such disease or of youth) shall on becoming aware of the existence in such inmate or in his own person as the case may be of such disease forthwith give notice thereof to such occupier or person:

(3) The Corporation shall provide and supply gratuitously to every registered medical practitioner resident or practising in the borough who shall apply for the same forms for the certificate or declaration to be made by such medical practitioner of the particulars herein-after mentioned in relation to such cases according to the form set forth in the Fourth Schedule to this Act:

(4) Every medical practitioner attending on or called in to visit such inmate shall on becoming aware that such inmate is suffering from any infectious disease forthwith fill up sign and deliver or send to the medical officer of health at his office a certificate or declaration stating according to the form so prescribed the name of such inmate the situation of such building the name of such occupier or person and the nature of the infectious disease from which in the opinion of such medical practitioner such inmate is suffering:

(5) The Corporation shall pay to every registered medical practitioner who shall in pursuance of this section duly make and give any such certificate or declaration a fee of two shillings and sixpence for each such certificate or declaration in respect of cases occurring in his private practice and a fee of one shilling for each such certificate or declaration in respect of cases occurring in his practice as a medical officer to any public body or institution:

(6) And any person who shall wilfully offend against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

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

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

Medical officer may inspect dairies &c. beyond borough in certain cases.

85. In case the medical officer of health shall have reasonable cause to believe that any person in the borough is suffering from disease attributable to milk supplied within the borough from any farmhouse dairy cowshed milk shop or place situate beyond the borough boundary or that the consumption of milk from such farmhouse dairy cowshed milk shop or place is likely to cause disease to any person residing in the borough such medical officer shall if authorised in that behalf by an order of a justice having jurisdiction in the place where such farmhouse dairy cowshed milk shop or place is situate have power to inspect such farmhouse dairy cowshed milk shop or place and if on such inspection he shall be of opinion that disease is caused or is likely to arise from consumption of the milk supplied therefrom he shall report thereon to the Corporation who may thereupon give notice to the occupier of such farmhouse dairy cowshed milk shop or place not to supply any milk therefrom within the borough until such notice has been withdrawn by the Corporation and the Corporation shall forthwith give notice of the facts to the sanitary authority of the district acting in execution of the Contagious Diseases (Animals) Acts 1878 to 1886 in which such farmhouse dairy cowshed milk shop or place is situate and also to the Local Government Board in order that such further measures may be adopted in relation thereto as may be considered proper and as may be within the provinces of such authorities respectively Any person refusing to permit the medical officer of

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health on the production of such order as aforesaid to inspect any such farmhouse dairy cowshed milk shop or place or after any such notice by the Corporation has been given supplying any milk therefrom within the borough or selling it for consumption therein until such notice has been withdrawn shall be deemed guilty of an offence against this Act and shall on summary conviction be liable to a penalty not exceeding five pounds for such offence and to a daily penalty not exceeding forty shillings Provided always that proceedings for the recovery of any penalty under this enactment shall be taken before the justices of the peace having jurisdiction in the place where the said farmhouse dairy cowshed milk shop or place is situate.

Persons engaged in washing or mangling clothes to furnish lists of owners of clothes in certain cases.

86. Whenever it shall be certified to the Corporation by the medical officer of health that it is desirable that he should be furnished with a list of the customers of any person or company earning a livelihood or deriving gain by the washing or mangling of clothes the Corporation may require such person or company to furnish to them a full and complete list of the names and addresses of the owners of clothes for whom such person or company washes or mangles or has washed or mangled during the past six weeks and such person or company shall furnish such list accordingly and the Corporation shall pay to him her or them for every such list the sum of sixpence and at the rate of sixpence for every twenty-five names contained therein and every person who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Further powers in relation to disinfection of premises.

87. Where the Corporation are of opinion on the certificate of their medical officer of health or of any other legally qualified medical practitioner that the cleansing and disinfecting of any house or part thereof and of any articles therein likely to communicate any infectious disease or to retain infection would tend to prevent or to check infectious disease and that such cleansing and disinfection would more effectually be carried out by the Corporation than by the owner or occupier of such house or part thereof the Corporation without requiring such owner or occupier to carry out such cleansing and disinfection as aforesaid may if they think fit but at their own cost themselves cleanse and disinfect such house or part thereof and articles and may for that purpose remove any such articles and shall make compensation to such owners or occupiers for all property or articles destroyed or injured by the exercise of the provisions of this section and any person who shall obstruct any duly authorised officer of the Corporation in carrying out the provisions of this section shall be liable to a

penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Penalty on persons ceasing to occupy houses without previous disinfection or giving notice to owner or making false answers.

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

Prohibiting the retention of dead bodies in certain cases.

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

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

90. If any person shall die from any infectious disease in any hospital or place of temporary accommodation provided by the Corporation and the medical officer of health certifies that in his opinion it is desirable in order to prevent the risk of communicating any infectious disease or spreading infection that the dead body shall not be removed from such hospital or place except for the purpose of being forthwith buried it shall not be lawful for any person or persons to remove such dead body from such hospital or place except for the last-mentioned purpose and when the dead body is taken out of such hospital or place for that purpose it shall be forthwith carried or taken directly to some cemetery or place of burial and shall be forthwith there buried and any person wilfully offending against this section shall be liable to a penalty not exceeding fifty pounds But nothing in this section shall prevent the removal of any dead body from any hospital or place of temporary accommodation to any mortuary belonging thereto or used therewith and such mortuary shall for the purposes of this section be deemed part of such hospital or place of temporary accommodation.

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

91. Where the dead body of any person who has died of any infectious disease remains unburied elsewhere than in a mortuary for more than forty-eight hours after death without the sanction of the medical officer of health or of a legally qualified medical practitioner or is retained in a room in which persons live or sleep or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or of any adjoining or neighbouring house or building and there shall be a certificate thereof signed by a legally qualified medical practitioner any justice may order the body to be removed at the cost of the Corporation to any mortuary provided by the Corporation and direct the same to be buried within a time to be limited in the order or may in the case of the body of a person who has died from any infectious disease or in any case in which he shall consider immediate burial necessary direct such body to be so buried without requiring the same to be removed to a mortuary and unless the friends or relatives of the deceased undertake to bury and do bury the body within the time limited by such order it shall be the duty of the relieving officer to bury such body at the expense of the poor rate but any expense so incurred may be recovered by the relieving officer in a summary manner from any person legally liable to pay the expense of such burial Any person obstructing the execution of an order made by a justice under this section shall be liable to a penalty not exceeding five pounds.

Corpses not to be carried in public conveyances.

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

Penalty for offences under Public Health Act.

93. Any keeper of a common lodging-house in the borough who fails to give the notice required by section eighty-four of the Public Health Act 1875 shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding five shillings.

Recovery of penalties under this part of Act.

94. No penalty under this part of this Act shall be recoverable except on the information or complaint of the Corporation or of the medical officer of health or of the inspector of nuisances.

Temporary shelter &c.

95. The Corporation shall from time to time provide temporary shelter or house accommodation for the members of any family in which any infectious disease has appeared and who have been compelled to leave their dwellings for the purpose of enabling such dwellings to be disinfected and shall also (if necessary) provide or contract with any person or persons to provide nurses for attendance upon persons suffering from any infectious disease within the borough who may have been compelled to leave their dwellings as aforesaid and may charge a reasonable sum for the service of any nurse provided by them.

Saving for Acts relating to dairies animals &c.

96. Nothing in or done under this Act shall interfere with the operation or effect of the Contagious Diseases (Animals) Acts 1878 to 1886 or of any order license or act of Her Majesty's Privy Council or the Local Government Board made granted or done or to be made granted or done thereunder or of any order regulation license or act of a local authority made granted or done or to be made granted or done under any such order of the Privy Council or the Local Government Board or exempt the dairies milk stores or milk shops or any building or thing whatsoever or any body or person from the provisions of any general Act relating to dairies milk or animals already passed or to be passed in this or any future session of Parliament.

PART VII.

Miscellaneous Sanitary Provisions.

Provision for destruction of filth and rubbish.

97. For the purpose of destroying night-soil dung ashes and other filth and rubbish the Corporation may provide furnaces convertors destructors destroyers and other things but nothing in this section shall authorise the Corporation to create a nuisance injurious to health and the purposes of this section shall be deemed to be purposes of the Public Health Act 1875 and purposes for which the Corporation may exercise the powers of borrowing conferred by that Act.

No convenience to be placed in a street without consent of Corporation.

98. No person shall after the passing of this Act make or provide any urinal or similar convenience in any street or public place without the consent in writing of the Corporation and if any urinal or convenience now or hereafter erected in any street or public place shall in the opinion of the inspector of nuisances be so placed as to be a nuisance or offensive to public decency the Corporation may by notice in writing require the owner to remove such urinal or convenience to a place to be specified by them free from such objection and any person offending against this enactment shall be

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liable to a penalty not exceeding [illegible] pounds and to a daily penalty not exceeding twenty shillings Provided that nothing in this section contained shall extend or apply to any convenience now or hereafter to be erected by any railway company at or within any railway station or station yard.

Conveniences for inns public-houses &c.

99. The Corporation may from time to time order the occupier of any inn public-house or beershop built before or after the passing of this Act to provide and maintain upon or adjoining such premises and in a situation to be indicated in the said order a urinal or urinals to the satisfaction of the Corporation and if any person after the expiration of fourteen days from the service of such order fails in any respect to comply with the provisions of this section he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings and the Corporation may order the owner and occupier of any building or lands to remove any urinal belonging or attached thereto where it appears to them so situated or constructed as to be a nuisance or offensive to public decency and in default of his compliance with such order the Corporation may remove such urinal and recover the cost of so doing from such owner or occupier in a summary manner.

Patent rights as to dealing with sewage.

100. The Corporation may from time to time contract for take and use any leave license or authority (not being exclusive) to work use or exercise or put in practice any invention under any letters patent heretofore made or hereafter to be made granting any right or privilege of working using or vending any invention in relation to the utilisation treatment dealing with and disposal of sewage excreta and refuse and may enter into and carry into effect agreements and arrangements in relation to any such disposal or dealing respectively.

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

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

Provision as to keeping common passages clean.

102. If any passage or court leading to the back of several buildings in separate occupations be not regularly and effectually swept and kept clean and free from rubbish or other accumulations to the satisfaction of the Corporation the Corporation may if they think fit sweep and clean any such passage or court and the expense thereby incurred may be recovered in a summary manner in equal proportions from the occupiers of the buildings to the back of which the passage or court leads.

Extending section 72 of Act of 1879.

103. Section 72 of the Act of 1879 shall apply to any cesspool or cesspit within the borough whether such cesspool or cesspit was used at the passing of that Act or not.

Penalty on filling up or embanking ground with offensive matter.

104. It shall not be lawful to raise fill or embank any ground within the borough intended to be used for building purposes with any offensive or unwholesome matter and every person who does or causes to be done any act in contravention of this section shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Bricks &c. not to be burnt within 200 yards of dwellings.

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

PART VIII.

Fires.

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

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

Captain of fire brigade to have control of operations.

107. The captain or superintendent of the fire brigade of the Corporation or other officer of such fire brigade for the time being in charge of the engine or other apparatus for extinguishing fires attending at any fire in the borough shall from the time of his arrival and during his presence thereat have the sole charge and control of all operations for the extinguishment of such fire whether by the Corporation or any other fire brigade including the fixing of the positions of fire engines and apparatus the attaching of hose to any water pipes or water supply and the parts of the building on fire or of adjoining buildings against which the water is to be directed Such captain superintendent or other officer in charge shall have power to stop or regulate the traffic in any street whenever in his opinion it is necessary or desirable to stop or regulate such traffic for the purpose of extinguishing any fire or for the safety or protection of life or property Any person wilfully disobeying

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any order of any such officer of the Corporation or of the fire brigade shall be liable to a penalty not exceeding five pounds.

Telegraphic &c. communications for fire brigade.

108. The Corporation may from time to time provide and maintain for any fire brigade establishment within the borough such telegraphic or telephonic communications between such parts of the borough as they may deem fit and in relation to any such telegraphs or telephones the Corporation shall for the purposes of the Telegraph Act 1863 be deemed to be and shall be in the like position in all respects as a company authorised by special Act of Parliament to construct and maintain telegraphs but so that it shall not be requisite for the Corporation to give any notice respecting the opening for the purposes of telegraphs of any street or court under their own management Provided that such telegraphic or telephonic communications shall not be used for the purpose of transmitting telegrams which are within the exclusive privilege conferred upon the Postmaster General by the Telegraph Acts 1863 to 1885.

PART IX.

Traction Engines.

Provisions as to use of traction engines.

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

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

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

such deposit as aforesaid has been made from such person and so from time to time:

(3) If the Corporation require any person to make such deposit and such deposit shall be made accordingly they shall pay interest to such person on the amount of the deposit for the time being in the hands of the Corporation not so applied as aforesaid after the rate of four per centum per annum:

(4) The term "traction engine" shall not for the purposes of this section be deemed to include a steam or other locomotive engine used on a tramway.

PART X.

Police.

Places for dancing music and other entertainments to be licensed.

110. For the regulation of places for public dancing or music or other public entertainment of the like kind the following provisions shall have effect (namely):—

(1) After the expiration of six months from the passing of this Act a house room garden or other place whether or not licensed for the sale of wine spirits beer or other fermented or distilled liquors shall not be kept or used for public dancing singing music or other public entertainment of the like kind without a license for the purpose or purposes for which the same respectively is to be used first obtained from the justices acting for the borough for which license and for the registration thereof a fee of five shillings shall be paid by the person applying therefor:

(2) Such justices may under the hands of a majority of them assembled at any annual licensing meeting or at any adjournment thereof or at any special session convened with fourteen days previous notice grant licenses to such persons as they think fit to keep or use houses rooms gardens or places for all or any of the purposes aforesaid upon such terms and conditions and subject to such restrictions as they by the respective licenses determine and every license shall be in force for one year or for such shorter period as the justices on the grant of the license shall determine unless the same shall have been previously revoked as herein-after provided:

(3) Such justices may from time to time at any such special session aforesaid transfer any such license to such person as they think fit:

(4) Each person shall in each case give fourteen days notice to the clerk of the justices and to the superintendent of police of the borough of his intention to apply for any such license or for the transfer of any such license:

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(5) Any house room garden or place kept or used for any of the purposes aforesaid without such license first obtained shall be deemed a disorderly house and the person occupying or rated as occupier of the same shall be liable to a penalty not exceeding five pounds for every day on which the same is kept or used for any of the purposes last aforesaid :

(6) There shall be affixed and kept up in some conspicuous place on the door or entrance of every house room garden or place so kept or used and so licensed as aforesaid an inscription in large capital letters in the words following " Licensed in pursuance of Act of Parliament for " with the addition of words showing the purpose or purposes for which the same is licensed :

(7) Any house room garden or place so kept or used although so licensed as aforesaid shall not be opened for any of the said purposes except on the days and between the hours stated in the license :

(8) The affixing and keeping up of such inscription as aforesaid and the observance of the days and hours of opening shall be inserted in and made conditions of every such license :

(9) In case of any breach or disregard of any of the terms or conditions upon or subject to which the license was granted the holder thereof shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds and such license shall be liable to be revoked by the order of any two justices :

(10) No notice need be given under subsection four of this section when the application is for a renewal of any existing license held by the applicant for the same premises :

(11) The justices in any petty sessions may if and as they think fit grant to any person applying for the same a license to keep or use any house room garden or place for any purpose within the meaning of this section for any period less than one year which they shall specify in such license notwithstanding that no notices shall have been given under subsection four of this section.

Processions in streets.

111. The mayor may prohibit by notice or advertisement on certain days or during certain hours any circus procession or any procession of animals which he may consider likely to cause danger in the streets of the borough And any person who acts in contravention of any such prohibition shall be liable to a penalty not exceeding five pounds.

Betting and gambling in streets prohibited.

112. Any three or more persons assembled in any part of any street for the purpose of betting or gambling shall be deemed to be

obstructing the street and each of such persons shall be liable to a penalty not exceeding forty shillings.

For preventing obstruction in streets.

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

Street musicians to depart on request.

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

Control of coal dealers.

115. Every person delivering coal or coke not exceeding in quantity two hundredweight to any one purchaser shall carry with the vehicle employed by him in such delivery proper and sufficient weights and scales or some other efficient instrument whereby the purchaser may have his coal or coke weighed and the coal or coke shall on the request of the purchaser be weighed accordingly by the person delivering the same:

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

Public weighing machines.

116. The Corporation may from time to time erect and maintain in any part or parts of the borough they think proper a machine or machines for weighing of minerals and goods and for weighing lurries carts or carriages conveying minerals and goods and every person vending selling or delivering minerals or goods within the borough and the driver of every lurry cart or carriage for the delivery thereof shall if so required by the purchaser or buyer of the whole load forthwith cause the same or the lurry cart or carriage conveying such minerals or goods to be weighed with the loading at the nearest of such weighing machines and after the same is unloaded the empty lurry cart or carriage shall also be weighed thereat so as to ascertain the net weight of the load and every driver of such lurry cart or carriage failing to comply with this clause being

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so required as aforesaid shall for every such offence forfeit a penalty of not exceeding two pounds and it shall be lawful for any police constable or other person being then present upon refusal of the driver to drive and take such lurry cart or carriage to the weighing machine to drive and take the same in order to be weighed as aforesaid and every person vending or selling such minerals or goods in case the same shall be ascertained by such weighing to be short of the weight represented or charged to the customer shall forfeit a penalty of not exceeding forty shillings and the Corporation shall be authorised to demand and receive for every such weighing from the person requiring the same tolls not exceeding those in that behalf herein-after specified and the Corporation are hereby empowered to make byelaws for regulating the mode of weighing the description of minerals and goods to be weighed separately from the lurry cart or carriage and the charge for weighing as they may think desirable The tolls herein-before referred to are as follows:—

	£	s.	d.
For every cart or other carriage the loading whereof does not exceed three tons - -	0	0	2
For every cart or other carriage the loading whereof exceeds three tons but does not exceed four tons - - - -	0	0	4
For every cart waggon or other carriage the loading whereof exceeds four tons - -	0	0	6

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

117. The byelaws for the time being in force for regulating the use of velocipedes and made by the justices of the peace or other the county authority for the time being of the County Palatine of Lancaster shall extend and apply mutatis mutandis for regulating the use of velocipedes in the borough the justices of the peace for and the police constables of the borough (if any) being respectively substituted for the justices of the peace for and for the police constables of the said county For the purposes of this section "velocipede" includes bicycle tricycle and every like mechanical contrivance.

Prohibition of obscene bills &c.

118. If any person affixes to or inscribes on any house building wall board lamp-post tree-post gate public seat fence railing or convenience or on any pavement or delivers or exhibits to any inhabitant or passenger in or near to any street any bill or printed or written paper (whether enclosed in a sealed or other envelope or not) of an obscene or indecent nature or referring to any disease of a loathsome or secret kind or to any cure for any such disease he shall for every such offence be liable to a penalty not exceeding forty shillings or in

the discretion of the justice before whom he is convicted to imprisonment for any term not exceeding one month with or without hard labour.

Stray dogs.

119. Any constable may take possession of any dog found straying on any street or highway and not under the control of any person and may detain such dog for five clear days at a police station and during that time it shall be properly fed and if at the expiration of that time such dog be not claimed and all expenses incurred by its detention paid the same may be sold or destroyed:

When any dog taken possession of by any constable wears a collar with the address of any person inscribed thereon a letter stating the fact of such dog having been taken possession of shall be sent by the chief constable by post to the address on the collar.

Penalty on pulling down notice boards

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

PART XI.

The River Darwen.

Penalty for throwing rubbish &c. into river.

121. Every person who throws casts or deposits or by any other means conveys or causes to be conveyed any solid matter whatsoever into any river watercourse or beck within the borough shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

River streams &c. choked up to be a nuisance under Public Health Act 1875.

122. Any river stream or watercourse or outfall for water flowing through or under any arch or covered channel or any part or parts thereof respectively within the borough so choked or silted up as to lessen the proper flow of water through the same shall be deemed a nuisance within the meaning of the ninety-first section of the Public Health Act 1875 and all the provisions of that Act relating to nuisances shall apply to every such river stream watercourse or outfall for water notwithstanding that the same may not be injurious to health.

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Corporation empowered to take proceedings for preventing obstructions in watercourses.

123. The Corporation may either in their own name or in the name of any other person with his consent take such proceedings by indictment action or otherwise as they may deem advisable for the purpose of preventing obstruction of any watercourse or outfall for water within the borough or for the removal of any obstruction from any watercourse or outfall for water and for preventing the improper storage of the water of any watercourse or outfall for water or for preventing the improper discharge of any storage waters into any watercourse or outfall for water passing through the borough or any part thereof whether such discharge takes place in the borough or not.

Reservation as to water flowing through agricultural lands.

124. Nothing in this part of this Act contained shall apply to any length or portion of any river stream watercourse or outfall for water flowing passing through or adjoining to or abutting upon land used as arable meadow or pasture ground only.

PART XII.

Markets and Fairs.

Definition.

125. In this part of this Act unless the context otherwise requires :—

"Market premises" includes any booth shed lair pen stall standing place fixtures or convenience in any market or fair:

"Toll" and "tolls" include all tolls stallages rents and charges payable to the Corporation in respect of any market fair or market premises or weighing house or machine :

"Articles" includes all commodities and things in respect of which the Corporation are authorised to levy tolls.

Incorporation of Markets and Fairs Clauses Act 1847.

126. The provisions of the Markets and Fairs Clauses Act 1847 save so far as they may be varied by or inconsistent with any provisions of this Act are hereby incorporated with this Act and for the purposes of such incorporation this Act shall be the special Act and the Corporation shall be deemed to be the undertakers and the expressions "the market or fair" and "the undertaking" shall mean the markets and fairs held within the borough and which the Corporation may direct to be held therein.

Limits of markets and fairs.

127. The limits of the markets and fairs of the Corporation shall be the borough and such limits are herein referred to as "the market limits."

As to Darwen Fair.

128. From and after the passing of this Act the annual feast hitherto held in the borough in the week commencing with the third Monday in the month of July and known as "Darwen Fair" shall be held under the management and control of the Corporation as a

Corporation fair and the said fair shall be held in each year on such day or days at such time and place as the Corporation shall from time to time appoint.

Power to continue and establish markets and fairs.

129. With respect to cattle and other markets and fairs and the providing of weighing-houses the Corporation shall have the following powers viz.:—

(1) They may continue all markets and fairs held at the passing of this Act and may from time to time alter the days on which and the places at which the same respectively are or may be held and may establish and hold new markets and fairs and generally may establish and hold all such markets and fairs on such days at such times and in such places as they shall deem expedient:

(2) They may demand and receive tolls (not exceeding the tolls specified in the Fifth Schedule to this Act) from persons selling or offering or exposing for sale animals or articles in any market or fair in the borough or using or occupying any market premises or using the weighing house or places weights measures scales or machines in the markets or fairs:

(3) They may from time to time with the consent of the Local Government Board alter or vary all or any of the tolls specified in the said Fifth Schedule.

Markets not to be held except by Corporation or their licensees.

130. If any person shall without the license of the Corporation on any land belonging or reputed to belong to or occupied by him in any part of the borough hold or permit to be held any market or fair he shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding ten pounds.

Tolls to be taken by lessees &c.

131. Tolls not exceeding those specified in the Fifth Schedule to this Act or any alteration or variation thereof made in accordance with the provisions of this Act may be demanded and taken by the officers of the Corporation and by the lessees of the Corporation and their officers respectively and if any such officer or lessee shall demand and take any tolls not authorised to be taken under this Act he shall for every such offence be liable to a penalty not exceeding five pounds.

Market tolls for stalls &c. payable by successive occupiers.

132. The several tolls payable in respect of the occupation or use of any market premises shall be paid not only by the original taker or occupier thereof for part of a day if he do not occupy it the whole day but also by any subsequent taker or occupier of the same for any subsequent part of the same day.

Tolls to be payable by successive sellers of articles.

133. The several tolls in the markets and fairs payable in respect of any articles shall be paid not only by the original seller but also by any subsequent seller or person who offers such article for sale

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and such tolls shall become payable before such article is sold or offered for sale.

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

134. If any tenant shall on demand thereof after the same shall have become due and payable make default in the payment of any rent or toll for any market premises the Corporation may enter upon and take possession of such premises and relet the same without prejudice to any other remedy for the recovery of such rent or toll.

Power to let market premises.

135. The Corporation may from time to time let to any person any market premises for any time not exceeding three years at such rent and on such terms (pecuniary or otherwise) and conditions as the Corporation may deem expedient.

Power to let tolls of markets &c.

136. The Corporation may from time to time demise for any term not exceeding three years all or any of the tolls and either with or separate from all or any of the works and conveniences of the Corporation in the markets fairs or weighing-houses on such terms (pecuniary or otherwise) and conditions as the Corporation and their lessees mutually agree on.

Leases of tolls &c. not to be assigned.

137. No lease of any tolls shall be assigned without the consent in writing of the Corporation.

Public notice of removal of markets &c.

138. Notwithstanding anything in this Act before the Corporation remove any market or fair or alter the day for holding any such market or fair they shall give at least one month's public notice by advertisement in some newspaper circulating in the borough and by placards affixed at the entrances to the market or fair as the case may require and a statutory declaration by an officer of the Corporation to the effect that public notice has been given in accordance with this section shall be received as evidence of the facts thereby declared.

Saving for pedlars and horse dealers.

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

Forfeiture of articles left in markets.

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

on demand if made within one month after the sale but if demand not so made the proceeds of the sale shall be forfeited to the ation.

Regulation of shows caravans &c.

141. The Corporation may from time to time make byelaws for prescribing the places where and the hours within which during any feast or fair or at any other time any show booth caravan circus or exhibition may be kept open and for preventing such places being open on Sundays and for preserving order therein.

PART XIII.

Cemetery.

Incorporating Lands Clauses Consolidation Acts.

142. The Lands Clauses Consolidation Act 1845 (except the provisions thereof with respect to the purchase of land otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking and with respect to small portions of intersected land) and the Lands Clauses Consolidation Acts Amendment Act 1860 are for the purposes of this part of this Act and except where expressly varied by this part incorporated with this Act.

Power to enlarge cemetery and stop up footpath.

143. The Corporation may from time to time maintain alter improve and enlarge the existing cemetery upon the lands already laid out for that purpose or upon the lands adjoining thereto described in the Sixth Schedule to this Act part of which have already been acquired by the Corporation for cemetery purposes or any part thereof respectively and they may purchase or otherwise acquire by agreement the remaining part of such lands and they may inclose fence and drain such lands respectively or any part thereof respectively and such lands shall when acquired by the Corporation be subject to the provisions of the Burial Acts :

The Corporation may stop up the footpath at present used over part of the said lands described in the said Sixth Schedule and which footpath commences at the western extremity of Lark Street and runs in a westerly direction to a point in the road leading from Whitehall to Whitehall Moss about forty yards north of the north-west corner of the existing cemetery and thereupon all rights of way over the same footpath shall by virtue of this Act be extinguished :

Provided always that notwithstanding the stopping up of the said footpath the Corporation shall keep open and maintain a right of way for foot passengers across the said cemetery as enlarged under the powers of this Act between the hours of eight o'clock in the morning and five o'clock in the evening.

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Lands not to be used as a cemetery without consent of owners of houses within three hundred yards.

144. The Corporation shall not use for cemetery purposes any part of the said lands which are situate within three hundred yards of any house of the annual value of fifty pounds or of any garden or pleasure ground occupied therewith (such house garden or pleasure ground not being within three hundred yards of the existing cemetery) except with the consent of the owner lessee and occupier thereof in writing.

PART XIV.

Municipal Offices Public Library Public Buildings and Recreation Ground.

Town Hall municipal offices &c. to be part of corporate property.

145. The municipal offices and buildings including the premises known as "the Old Workhouse" and those in which the Free Public Library is now held and the fire brigade station and firemen's dwellings shall be vested in the Corporation and together with the fire engines and apparatus and the fire brigade of the borough shall be respectively maintained improved altered repaired and furnished out of the borough fund but this section shall not be deemed to affect the priority or rights of any incumbrancer of the borough fund.

Authorising agreements between Corporation and Public Library Commissioners for transfer of library to Corporation.

146. The Corporation may by agreement but not otherwise acquire take over hold and manage the free public library established by and for the township of Over Darwen and now vested in Commissioners elected in pursuance of the provisions of the Public Libraries (England) Acts 1855 to 1884 And upon any such agreement being made the same shall be ratified and confirmed by separate resolutions to be passed by the council and the library commissioners respectively in manner following (that is to say) each such resolution shall be passed by an absolute majority of the whole number of the council or the commissioners (as the case may be) at a meeting of each such body after ten clear days notice by public advertisement of such meeting and of the purposes thereof in some local newspaper published or circulating in the district such notice to be in addition to the ordinary notices required for summoning such meeting and until such agreement has been so ratified and confirmed it shall be of no force or effect whatever and after such ratification and confirmation and as and from the date to be specified in such resolutions respectively all the powers rights duties capacities liabilities obligations and property exerciseable by attaching to or vested in such commissioners under the said Public Libraries Acts shall pass to and be exerciseable by and vested in the Corporation in all respects as though the said Acts had been originally put in force and adopted by the council within the

borough in manner in the said Acts mentioned respecting the adoption of those Acts by boroughs Provided always that no rate exceeding one penny in the pound shall be levied in any one year for the purposes of this section.

Power to make bye-laws for regulation of parks &c.

147. The power to make byelaws for the regulation of public walks and pleasure grounds conferred by section one hundred and sixty-four of the Public Health Act 1875 shall extend to and include the making of byelaws for all or any of the following purposes relating to any park or recreation ground belonging to the Corporation (that is to say):—

For regulating the days on and hours at which games and gymnastics are to be permitted therein:

For regulating the days on and hours at which bands of music or music of any sort are or is to be permitted therein:

For regulating refreshment rooms therein and for determining subject to the Licensing Acts 1872 and 1874 the days on and hours at which they are to be opened and closed:

For preventing or regulating the admission therein of dogs:

For preventing males from intruding on or using playgrounds or other places therein set apart for the use of females and vice versâ:

For preventing or regulating the admission therein of vehicles horses and other animals:

For preventing or regulating public meetings therein:

For protecting from injury buildings terraces fountains bridges walks seats fences and other parts of or things belonging to any such place and for preventing the destruction or injury of aquatic or other birds or of animals or of trees shrubs plants or flowers or the plucking of flowers or leaves therein.

PART XV.

Rates and Finance.

Power to levy rates by instalments.

148. The Corporation may levy any rate they are for the time being authorised to make either in one sum or by two instalments of such amounts and to be paid at such times within the same financial year as they shall from time to time fix and determine at the time of making the rate but if the rate is made payable by instalments and is collected by the Corporation the demand note shall in addition to other requisite particulars state the time appointed for payment of each instalment and all the powers rights and remedies of the Corporation and their officers for levying and recovering any such rate shall be extended and apply to each instalment thereof as if the same were a separate rate.

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Expenses of execution of Act.

149. All expenses incurred by the Corporation in carrying into execution the provisions of this Act not otherwise expressly provided for shall be paid as follows (that is to say) :—

Expenses with reference to providing telegraphic communications for fire brigade and for cemetery purposes out of the borough fund and borough rate :

All other expenses out of the district fund and general district rate.

Expenses of execution of Burial and Public Libraries Acts.

150. All expenses incurred by the Corporation in carrying into execution the Burial Acts and the Public Libraries (England) Acts 1855 to 1884 within the borough shall be paid out of the borough fund and borough rate.

Power to borrow.

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

On the security of the borough fund and borough rate—

For providing land for the cemetery and for enlarging fencing and draining the same two thousand pounds :

For paying the costs charges and expenses of and in relation to this Act as herein-after defined the sum requisite for the purpose :

On the security of the water rates and other rates rents and profits payable to the Corporation for the supply of water and the general district rate—

For the extension and improvement of the waterworks ten thousand pounds :

On the security of the gas rates and other rates rents and profits payable to the Corporation for the supply of gas and the general district rate—

For the extension and improvement of the gasworks seventy thousand pounds :

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

Notwithstanding anything in section eighty of the Act of 1879 to the contrary the sum of thirteen thousand five hundred pounds borrowed by the Corporation in pursuance of the powers given by subsection vii. of that section shall be taken as having been borrowed on the security of the gas rates and other rates rents and

profits payable to the Corporation for the supply of gas and the general district rate.

Provisions as to mortgages.

152. The following sections of the Public Health Act 1875 shall extend and apply mutatis mutandis to and in relation to all mortgages made under the powers of this Act (that is to say) :—

Section two hundred and thirty-six (form of mortgage) :

Section two hundred and thirty-seven (register of mortgages) :

Section two hundred and thirty-eight (transfer of mortgages) : and

Section two hundred and thirty-nine (receiver may be appointed in certain cases).

As to repayment of borrowed moneys.

153. All provisions subsisting at the passing of this Act prescribing the time at which or the mode in which any moneys borrowed and then owing or to be re-borrowed in lieu thereof by the Corporation shall be repaid are hereby so far as they relate to the moneys specified in columns four and eight of the Seventh Schedule to this Act but not further or otherwise annulled and repealed as from the thirty-first day of March one thousand eight hundred and eighty-seven except as to the sum of ten thousand two hundred pounds being the balance owing on the thirty-first day of March one thousand eight hundred and eighty-seven to the Public Works Loan Commissioners for moneys borrowed from them and in lieu thereof the following provisions shall have effect (that is to say) :—

The Corporation shall repay or provide for the repayment of the said several loans or amounts set forth in columns four and eight of the said Seventh Schedule within the period of twenty-five years from the thirty-first day of March one thousand eight hundred and eighty-seven :

With respect to the repayment of moneys to be borrowed under the powers of this Act :

The Corporation shall repay all moneys to be borrowed by them under the powers of this Act within thirty years from the date when the same shall have been respectively borrowed.

As to repayment of moneys hereafter to be borrowed under existing powers.

154. The Corporation shall repay all moneys to be hereafter borrowed by them under the powers of any Local Act of Parliament or of any provisional order confirmed by Act of Parliament or of any order or sanction of any Government department now respectively in force within the respective periods from the date of borrowing prescribed by the Act order or sanction authorising the same respectively and notwithstanding anything in any such Act order or sanction to the contrary contained the section of this Act the marginal note whereof is "how repayments to be effected" except subsections (4) and (5) thereof shall extend and apply

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mutatis mutandis to and in relation to the repayment of such moneys Provided always that the unexhausted borrowing powers (if any) under the Act of 1873 shall be and the same are hereby annulled.

How repayments to be effected.

155. The repayments respectively mentioned in the two last preceding sections shall be effected either by equal yearly or half-yearly instalments of principal or of principal and interest:

Or by means of sinking funds:

Or partly by such instalments and partly by sinking funds:

(1) And the sinking funds shall be provided as follows:—

The Corporation in every year after the respective dates in that behalf by the two last preceding sections prescribed shall appropriate and set apart out of the tolls funds and rates on the security of which such moneys shall have been borrowed such an equal sum as will with the accumulations thereof by way of compound interest at three per centum per annum be sufficient to pay off the whole of the principal moneys borrowed on such security within the prescribed periods:

(2) The first equal annual payment to the said sinking funds as to moneys already borrowed shall be made on the thirty-first day of March one thousand eight hundred and eighty-eight and as to moneys to be borrowed under the powers of this Act or under any existing unexhausted borrowing powers within one year from the thirty-first day of March next following the time of the borrowing of such moneys:

(3) Provided as follows (that is to say):—

(A) The yearly sums so to be appropriated and set apart shall be invested from time to time and accumulated in the way of compound interest by investing the same and the dividends interest and annual income thereof respectively in statutory securities:

(B) The Corporation may at any time apply the whole or part of any sinking fund set apart by them in or towards the repayment of borrowed moneys for the repayment of which such sinking fund was set apart in such order and manner as they deem proper Provided that in such case they pay into such sinking fund in each year afterwards and accumulate as herein-before prescribed until the whole of the borrowed moneys to which such sinking fund is applicable are discharged a sum equal to the interest which would have been produced by the sinking fund or part thereof so applied at the rate of three per centum per annum:

Provided also that whenever and so long as the yearly income arising from the sinking fund shall be equal to the annual interest of such borrowed moneys then outstanding

the Corporation may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to such sinking fund of the yearly sums required to be so paid thereto:

(4) The Corporation shall apply the amounts which should have been standing to the credit of every sinking fund on the thirty-first day of March one thousand eight hundred and eighty-seven to the repayment of moneys borrowed for the repayment of which such sinking fund was or should have been set apart in such order and manner as they may deem proper:

(5) Nothing in this part of this Act shall affect the gas and water annuities created under the Act of 1873 nor the sinking funds created by such Act for the redemption of such annuities respectively.

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

156. The town clerk shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration of the treasurer or the borough accountant if so required by them showing the amount which has been paid as an instalment or invested for the purposes of such sinking fund during the year next preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of any wilful default in making such return the town clerk shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act If it appear to the Local Government Board by such return or otherwise that the Corporation have failed to pay any such instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any other purposes than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested or applied by the Corporation as part of the sinking fund and any such order may be enforced by Mandamus to be obtained by the Local Government Board out of

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the High Court of Justice and the provisions of this section shall apply mutatis mutandis to appropriations and annual repayments.

Power to re-borrow.

157. The Corporation may from time to time borrow at interest as aforesaid any money necessary for repaying any principal money borrowed under any statutory borrowing power and so toties quoties Provided that the time for the repayment of any moneys so re-borrowed shall not be extended beyond the unexpired portion of the term in that behalf by this Act prescribed and that for the purpose of repayment the moneys re-borrowed and the moneys originally borrowed shall be deemed the same loan :

Provided also that the power conferred by this section shall not apply to any moneys paid off by instalments or by means of a sinking fund or out of the proceeds of the sale of lands or other property or out of fines or premiums on leases.

Corporation not to regard trusts.

158. The Corporation shall not be bound to see to the execution of any trust whether expressed or implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register book of the Corporation shall from time to time be a sufficient discharge to the Corporation in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Corporation have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register and the Corporation shall not be bound to see to the application of the money paid in any such receipt or be answerable or accountable for any loss misapplication or non-application of any of such money.

Power to borrow under Local Loans Act 1875.

159. The Corporation may if they think fit borrow any moneys which they are by any statutory borrowing power authorised to borrow under the powers and subject to the provisions of the Local Loans Act 1875 as amended by the Local Loans Sinking Funds Act 1885 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another Any moneys borrowed by the Corporation in manner by this section authorised shall be a charge upon and shall be paid out of the same funds and rates as they would be charged upon and paid out of if raised by way of mortgage under such statutory borrowing power and such funds and rates shall in each case be deemed to be the local rate as defined by the Local Loans Act 1875 Provided always that all sums paid into any such sinking fund shall be as soon as may be invested by the Corporation in the manner in which sinking funds are by this Act authorised to be

invested or applied in paying off a portion of the principal moneys owing by the Corporation.

Accounts to be kept by treasurer and audited in the same manner as the borough accounts.

160. The treasurer shall in books kept for that purpose enter or cause to be entered true accounts of all sums of money by him received and paid and of the several matters for which such sums shall have been received and paid under and by virtue of any of the provisions of this Act or of the Local Acts (so far as any work matter or thing thereby authorised remains to be completed) or of the Public Health Acts or the Burial Acts and such books shall at all reasonable times be open to the inspection of any of the aldermen or councillors of the borough and any mortgagee or incumbrancer under this Act or the Local Acts without fee or reward and all such accounts with all vouchers and papers relating thereto shall be submitted by the treasurer to the auditors of the borough elected under the Municipal Corporations Act (herein-after called "the elected auditors") and such accounts shall be audited without fee or reward in the same manner as the accounts of the borough are directed to be audited under the provisions of the Municipal Corporations Act.

Accounts to be made out and annually published.

161. In the month of June or such other month as the council shall prescribe in every year the treasurer shall make out in writing and shall cause to be printed a full abstract of the accounts to be kept by the treasurer under this Act for the preceding year ending on the thirty-first day of March or such other day as the council shall from time to time prescribe and a copy thereof shall be open to the inspection of any ratepayer of the borough at the office of the treasurer and copies thereof shall be delivered to any such ratepayer on payment of a reasonable sum for each copy.

As to audit of borough fund accounts.

162. Notwithstanding anything contained in section twenty-seven of the Municipal Corporations Act the submission by the treasurer of the accounts referred to in that section to the elected auditors in the month of June in any year for the year ending on the preceding thirty-first day of March and the audit by the elected auditors of such accounts shall be deemed a sufficient compliance with the said section.

Continuation of certain exemptions under Act of 1879.

163. The exemption conferred by section ten of the Act of 1879 upon the occupier of any land situate in any part of the added area as defined by that Act and used only as a railway and now in force in respect of the assessment to any borough rate or any increase or addition to any such rate made in respect of any of the purposes of that Act shall so far as regards such added area but not further or otherwise extend to the purposes of this Act.

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PART XVI.

Corporation Stock.

Interpretation.

164. In this part of this Act—

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

"Rate" includes water rents gas rents and charges for supply of water or gas or the hire of meters or fittings connected therewith:

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

Creation of Corporation stock.

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

(2) All stock at any time so created 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 creation of any portion of stock or in the date of issue of any portion of stock or on any other ground whatsoever and shall rank equally with all other securities of the Corporation at any time after the date of the first issue of any Corporation stock granted by the Corporation in pursuance of any statutory borrowing power:

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

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

(5) Stock so created shall be designated by the Corporation as Darwen Corporation Redeemable Stock:

(6) All stock for the time being so created is comprised in the term Corporation stock when hereafter used in this part of this Act.

Borrowing powers to be exerciseable for actual sum raiseable.

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

Charge of Corporation stock.

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

(2) The dividends for the time being payable on all Corporation stock shall rank equally with the interest on all other securities of the Corporation granted or created in pursuance of any statutory borrowing power at any time after the date of the first issue of any Corporation stock and the same dividends and interest shall subject to all charges existing at that date be the first charge on the revenues and rates aforesaid and on the revenues of the funds aforesaid (all which revenues and rates are comprised in the term "the Corporation revenues" when hereafter used in this part of this Act).

Establishment of consolidated loans fund.

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

Contributions to loans fund for dividends.

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

(2) They shall provide the sum or sums aforesaid by contributions from the several Corporation revenues (if any) specifically made liable to provide the same by or under any Act of Parliament or by

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

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

Contributions to loans fund for extinction of stock.

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

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

(3) The amounts of those several contributions (subject to any payment in reduction thereof authorised by this part of this Act) shall be the same amounts as would in the same respective cases

have been payable towards a sinking fund or towards payment off as aforesaid those contributions to be subject to accumulation if and as in the same respective cases accumulation was prescribed:

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

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

Raising of contributions to loans fund.

171.—(1) The Corporation shall from time to time in order to raise the amounts of the several contributions of the two kinds aforesaid out of the several Corporation revenues do all such acts exercise all such powers collect all such money and make and levy all such rates as they lawfully can or ought to do exercise collect make and levy for the purposes of or in relation to the respective statutory borrowing powers in exercise whereof the several portions of Corporation stock are issued:

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

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

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

172.—(1) The Corporation shall pay into the loans fund and shall carry to the proper separate account forming part of the

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general account of the loans fund all such money being capital or in the nature of capital and not being otherwise wholly or in part appropriated or made applicable by law or by valid contract as shall from time to time arise from any sale lease or other disposition of land or other property of the Corporation on the revenues whereof any Corporation stock is charged:

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

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

Application of loans fund.

173. The Corporation shall from time to time apply the loans fund first in paying the dividends on all Corporation stock and next in redeeming Corporation stock according to the terms of issue and purchasing for extinction Corporation stock.

Extinction of stock redeemed or purchased.

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

Account of loans fund.

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

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

(b) Each statutory borrowing power so exercised:

(2) Those separate accounts shall distinguish and show—

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

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

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

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

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

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

(h) All money and securities transferred to the loans fund as having formed part of a sinking fund and all money from time to time received as interest and annual proceeds of the last-mentioned money and securities or of securities wherein the same interest and annual proceeds are from time to time invested by way of accumulation; and

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

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

Application of income in reduction of contributions.

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

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

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thereof in statutory securities and deal with the interest and annual proceeds of those securities as in this section provided:

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

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

(b) In reduction of such contributions out of the Corporation revenues as are payable into the loans fund for redemption and extinction or purchase and extinction of those portions of stock.

Determination as to charge of stock.

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

Payment off or substitution for existing securities.

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

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

may be either in money or Corporation stock or partly in one and partly in the other:

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

(4) In every such case of payment off redemption or substitution the Corporation shall pay and transfer into the loans fund the whole or a proportionate part (as the case may require) of any money and securities forming part of any sinking fund applicable to the discharge of the statutory security:

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

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

Extinction or suspension of power.

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

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

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

General application of money from Corporation stock.

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

Temporary investment of money raised by stock.

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

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

Appointment of registrar.

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

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

Corporation stock register.

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

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

Certificates of proprietorship of stock.

184.—(1) On demand of a holder of Corporation stock the Corporation may if they think fit give to him a certificate of the proprietorship thereof under their common seal specifying the

amount of Corporation stock to which he is entitled (in this part of this Act referred to as "a stock certificate"):

(2) A stock certificate shall be primâ facie evidence of the title of the person therein named his executors administrators successors or assigns to the stock therein specified but the want of a stock certificate if such want be accounted for to the satisfaction of the Corporation shall not prevent the holder of stock from disposing of and transferring the same:

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

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

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

Power for stockholder to transfer.

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

Transfer in books.

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

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

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

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

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

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

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Corporation stock other than that prescribed in this section shall be good in law.

Transfer by deed.

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

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

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

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

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

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

Evidence on transfer.

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

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

Closing of transfer books.

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

(2) The persons who on the day of such closing are inscribed as Corporation stockholders shall as between them and their

transferees of Corporation stock be entitled to the dividend next payable thereon. A.D. 1887.

Stamp duty on transfers.

190. Unless the Corporation have compounded for stamp duty all stock issued by the Corporation shall notwithstanding anything in any resolution of the Corporation be transferable by deed and not in books and every deed of transfer of stock transferable by deed shall be duly stamped and the consideration shall be duly stated therein.

Transmission on death.

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

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

Transmission on marriage &c.

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

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

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

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

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

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

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Payment of dividends.

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

Dividends to executors &c.

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

Evidence of title.

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

Dividends to joint holders.

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

Dividends when the joint holder is an infant &c.

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

Dividend warrants by post.

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

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

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

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Provisions respecting stock certificates with coupons to bearer.

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

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

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

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

(5) The bearer of a Corporation stock certificate to bearer may on delivery up to the Corporation or the registrar of the certificate and of all unpaid coupons belonging thereto require to be entered in the Corporation stock register as the holder of the stock described in the certificate under which he derives title and thereupon the stock shall be re-entered in the register as transferable and shall become and again be transferable in the Corporation stock transfer books or by deed as the case may require and shall as regards the mode of payment of the dividends thereon be in the like condition as if no stock certificate to bearer had been issued in respect thereof:

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

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

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in respect of any stock certificate give in exchange a fresh stock certificate with coupons:

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

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

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

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

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

General regulations.

(13) Where the Bank of England are the registrar they may with the sanction of the Corporation from time to time issue any forms that may be required for carrying into effect the provisions of this part of this Act and may also from time to time make any regulations that are not inconsistent with this part of this Act relating to the following things and when made may alter vary or repeal any such regulations and make other regulations instead thereof or in addition thereto and any such regulations for the time being in force shall be duly observed:

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

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

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

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

Nature of Corporation stock.—Notice of trusts.

200.—(1) Corporation stock is personal property:

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

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

Receiver.

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

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

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

Holding of Corporation stock by trustees.

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

(2) Provided that where two or more persons are or may under the instrument creating the trust become successively interested in

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trust money no investment thereof shall be made in Corporation stock at a price exceeding the redemption value of the stock.

Protection of holders of Corporation stock.

203. A person taking or holding Corporation stock shall not be concerned to inquire or to take notice whether the creation or issue thereof was or was not within any statutory borrowing power of the Corporation or otherwise in accordance with this part of this Act or whether or not the council or any meeting thereof was properly constituted or convened or whether or not the proceedings at any meeting of the council were legal or regular or to see to the application of any money raised by Corporation stock or be answerable for any loss or misapplication thereof.

Annual return to Local Government Board.

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

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

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

Unclaimed dividends.

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

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

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(3) At the end of every successive period of five years from the day when the first dividend becomes payable on Corporation stock first issued after the passing of this Act the Corporation shall publish an advertisement in a newspaper circulating in the borough stating what if any dividends on Corporation stock other than those falling due at the then half-yearly or other day of payment are then unclaimed and the names and addresses appearing in the Corporation stock register of the holders of the stock on which the dividends are unclaimed:

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

Saving for power to borrow otherwise.

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

Saving for power of revocation.

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

Saving for other obligations.

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

Saving for power to sell lands &c.

209.—(1) Nothing in this part of this Act shall affect any power or duty of the Corporation to sell lease or otherwise dispose of any land or property of the Corporation or to apply any purchase money

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or other money arising thereby in discharge of any charge on that land or property or the revenues thereof other than the charge of Corporation stock or affect any claim of any person under such first-mentioned charge:

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

Saving for existing securities.

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

Saving for Commissioners of Her Majesty's Treasury.

211.—(1) Nothing in this Act shall dispense with the consent of the Commissioners of Her Majesty's Treasury for any sale mortgage alienation or appropriation of any corporate land for which such consent would have been required if this Act had not passed:

(2) Nor shall anything in this Act authorise the Corporation without the consent of the Commissioners of Her Majesty's Treasury to alter the period for the discharge of any loan raised with the sanction of those Commissioners or for which such sanction was legally requisite.

Forgery.

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

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

Orders of Local Government Board.

213. Any order of the Local Government Board under this part of this Act may contain such directions as the Board think necessary or proper for giving effect thereto and shall be enforceable by writ of Mandamus to be obtained by the Board out of Her Majesty's High Court of Justice and may be from time to time cancelled or

varied by the Board as the circumstances of the case may require but the Board shall not make any such order without first hearing the Corporation if desirous of being heard which hearing shall be in the form of a public local inquiry and with or without a published report or in such other form as the Board having regard to the circumstances think just and expedient and sections two hundred and ninety-four and two hundred and ninety-six of the Public Health Act 1875 shall apply to hearings inquiries and other proceedings to which this section relates.

Forms.

214. The forms given in the Eighth Schedule to this Act may be used for the purposes therein indicated and the same or forms to the like effect with such variations or additions as circumstances require shall be effectual for those purposes.

Fees.

215.—(1) Fees not exceeding those specified in the Eighth Schedule to this Act may be taken by or on behalf of the Corporation in the cases therein mentioned:

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

Expenses.

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

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

PART XVII.

Miscellaneous.

Notices to be signed by town clerk &c.

217. Any notice or other such document under this Act may be in writing or print or partly in writing and partly in print and if

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the same require authentication by the Corporation the signature thereof by the town clerk or the surveyor or (as regards notices under Part III. of this Act) by the gas manager of the borough or the water engineer of the borough as the case may be on behalf of the Corporation shall be sufficient authentication.

Powers of Act to be cumulative.

218. All powers given by this Act shall unless otherwise expressly stated be deemed to be in addition to and not in derogation from any other powers conferred upon the Corporation by Act of Parliament law or custom:

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.

General provisions as to byelaws.

219. All the provisions with respect to byelaws contained in sections one hundred and eighty-two to one hundred and eighty-seven (both inclusive) of the Public Health Act 1875 except so much thereof as relates to byelaws of a rural sanitary authority shall apply to all byelaws or regulations from time to time made by the Corporation under the powers of this Act Provided that all byelaws or regulations may be partly in print and partly in writing (including lithograph).

Contracts for the supply of gas or water not to disqualify aldermen or councillors.

220. A contract by any person with the Corporation for a supply of gas or water under this Act or the Local Acts shall not disqualify such person from being an alderman or councillor of the borough Provided always that any such person being an alderman or councillor shall not be entitled to vote or take any part in the discussion of any matter before the Corporation or any committee of the Corporation relating to any such contract for the time being entered into or proposed to be entered into in which he or his partner has or if the contract were entered into would have directly or indirectly any pecuniary interest.

Restriction as to displacing persons belonging to labouring class.

221. The Corporation shall not under the powers of this Act purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers:

For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic

servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Saving rights of Corporation.

222. Except as by this Act otherwise expressly provided nothing in this Act shall take away abridge or prejudicially affect any right franchise power authority estate or interest of the Corporation under the Public Health Acts or the Municipal Corporations Acts or any Public General Acts or under their charters or otherwise and every such right franchise power authority estate and interest may be had enjoyed and exercised by the Corporation as fully and effectually as if this Act had not been passed.

Penalties not to be cumulative.

223. Penalties imposed for one and the same offence by several Acts of Parliament shall not be cumulative and for this purpose this Act the local Acts and the incorporated Acts shall be deemed separate Acts.

Penalties in cases not otherwise provided for.

224. Every person who shall commit an offence against any one or more of the foregoing provisions contained in this Act in respect of which offence no separate penalty is specially provided by this Act shall be liable to be dealt with in a summary manner and shall be also liable for every such offence to a penalty not exceeding five pounds and in the case of a continuing offence to a daily penalty not exceeding forty shillings.

Application of penalties.

225. Every penalty imposed by this Act shall be recoverable in a summary manner and section two hundred and fifty-one of the Public Health Act 1875 shall extend and apply to the recovery thereof and such penalty shall (except where the Corporation is the party by whom the penalty is to be paid) belong to the Corporation and shall be paid to the treasurer and shall be carried by him to the credit of the district fund.

As to appeal.

226. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate consent or approval of or by the Corporation or of or by any officer or valuer of the Corporation or by any conviction or order made by a court of summary jurisdiction under any provision of this Act or any byelaw thereunder may appeal to the next practicable court of quarter sessions under and according to the provisions of section two hundred and sixty-nine of the Public Health Act 1875 as amended by the Summary Jurisdiction Acts.

Costs of Act.

227. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of

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this Act including the costs charges and expenses preliminary to and of and connected with the obtaining of the resolution of owners and ratepayers aforesaid as taxed by the taxing officer of the House of Lords or the House of Commons shall be paid by the Corporation out of moneys borrowed under the authority of this Act or out of the borough fund.

SCHEDULES referred to in the foregoing Act. A.D. 1887.

THE FIRST SCHEDULE.

The Over Darwen Gas Act 1855—18 Vict. cap. xliii.
The Darwen Waterworks Act 1869—32 & 33 Vict. cap. xliii.
The Over Darwen Local Board Waterworks and Gasworks Act 1873—36 & 37 Vict. cap. lxix.
The Over Darwen Improvement Act 1879—42 & 43 Vict. cap. ccii.
The Over Darwen Order set out in the schedule to 47 & 48 Vict. cap. ccx.

THE SECOND SCHEDULE.

Part I.

All that plot piece or parcel of land in Over Darwen aforesaid bounded on the south by Charles Street on the east by the River Darwen on the north by land purchased by the Corporation from Daniel Thwaites Esquire and on the west partly by other property of the Corporation fronting Duckworth Street and partly by the British Queen public house the property or reputed property of the said Daniel Thwaites and which said piece or parcel of land contains five thousand six hundred and eighty-three superficial square yards or thereabouts Also all that plot piece or parcel of land situate lying and being in Over Darwen aforesaid bounded on the north by Laurence Street on the south by Vale Street on the west by land now belonging or reputed to belong to the Reverend William Arthur Duckworth and on the east by land and buildings now or late belonging or reputed to belong to the Reverend Joseph Hindle and the executors of the late Nathaniel Walsh and which separates the said plot now being described from Duckworth Street which said plot piece or parcel of land contains in the whole by admeasurement four thousand eight hundred and twelve superficial square yards or thereabouts in which admeasurement is included spaces of ground on the north and south sides of the said plot piece or parcel of land forming parts of Laurence Street and Vale Street respectively.

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PART II.

All that plot piece or parcel of land containing thirty-four thousand nine hundred and forty-four superficial square yards situate in Over Darwen and bounded on the east partly by Frederick Street partly by Robin Bank Road and partly by Dobson Street on the west partly by the water reservoir belonging or reputed to belong to the executors of Nathaniel Walsh and used with the Orchard Mill and partly by land and buildings occupied by the Brookside Weaving Company Limited and partly by other land of the Corporation on the north partly by Nelson Street and partly by Back Heys Lane and on the south partly by land belonging or reputed to belong to James Pickup Entwisle and partly by Peabody Street Also all that plot piece or parcel of land containing six hundred and ninety-five superficial square yards separated from the first-described piece of land by Frederick Street aforesaid and bounded on the north and east partly by land belonging or reputed to belong to the Lancashire and Yorkshire Railway Company and partly by land belonging or reputed to belong to the Wigan Coal and Iron Company Limited on the south by the road leading from Robin Bank Road aforesaid to Darwen Chapels and on the west by Frederick Street aforesaid Also all that plot piece or parcel of land containing one thousand seven hundred and seventy-seven superficial square yards to the west of and separated from the first-described piece of land by the said Orchard Mill water reservoir and bounded on the westerly side partly by the existing gasworks partly by Queen Street East and partly by a back street leading from Queen Street East aforesaid to a covered passage leading from Duckworth Street to the said reservoir on the south partly by the existing gasworks and partly by land occupied by the said Brookside Weaving Company Limited And also all that plot piece or parcel of land containing two thousand and fifteen superficial square yards bounded on the south by Charles Street on the west by Duckworth Street on the north by Queen Street East aforesaid and on the east by the existing gasworks.

THE THIRD SCHEDULE.

FIRST PART.

Hotels Public Houses Beershops and Common Lodging Houses.

A rent at the rate of one per cent. upon the annual value for and in respect of all hotels public houses beer houses and off licensed houses and club houses in or upon which any intoxicating liquor is sold or consumed and a rent at the rate of two and a half per cent. upon the annual value of all houses used or occupied as common lodging houses.

Gardens Greenhouses Carriages Horses Cows &c.

	Rate per Quarter s.	d.
Tubes for gardens 2*s.* 6*d.* per quarter for 800 square yards or less and 1*s.* 3*d.* per quarter for every additional 800 yards or part thereof.		
Gardens attached to dwelling-house included in house assessment no extra charge.		
Greenhouses :—		
Not exceeding 25 square yards - - - - each	0	6
Exceeding 25 „ and not exceeding 50 - „	1	3
„ 50 „ „ 75 - „	2	0
„ 75 „ „ 100 - „	2	9
„ 100 „ „ 150 - „	3	10
„ 150 „ „ 200 - „	4	10
„ 200 „ „ 250 - „	5	11
Carriages carts or other vehicles 4 wheeled - - „	2	6
„ „ „ 2 „ - - „	2	0
Horses ponies and mules - - - - „	1	6
Cows and donkeys - - - - - „	0	9

Sundries.

Photographic studios—		
Minimum charge - - - - - each	2	6
Maximum charge - - - - - „	7	6
Bakchouses using—		
Not exceeding 6 cwt. of flour meal or other materials per week -	2	0
Exceeding 6 and not exceeding 12 cwt. per week - -	4	0
„ 12 „ 18 „ - -	6	0
„ 18 „ 24 „ - -	7	6
Butchers shops - - - - - - each	1	6
Confectioners - - - - - - „	1	6
Eating houses - - - - - - „	2	0
Hair dressers and barbers - - - - - „	1	6
Chemists and druggists - - - - - „	1	6
Surgeries - - - - - - - „	1	6
Fish dealers - - - - - - - „	2	6
Greengrocers shops - - - - - - „	1	0
Tripe sellers - - - - - - - „	2	6
Tubes for washing windows flags &c. where there is no garden—		
For premises not exceeding £30 annual value - - -	1	3
For premises exceeding £30 annual value one halfpenny in the £ on annual value but in no case exceeding - - -	5	0

Public Buildings Clubs &c.

For each bath watercloset and urinal - - - -	2	6

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Second Part.

Churches Chapels and Schools.

		Rate per Quarter s.	d.
Churches or chapels where preaching service is held - -	each	2	6
Sunday school whether in same building or not - -	each	2	6
Day school whether in Sunday school building or not - -	each	5	0
Waterclosets for churches chapels or schools Sunday purposes only	each	1	0
Ordinary waterclosets for day schools minimum charge:—			
Not exceeding 200 scholars - - - - -		5	0
Exceeding 200 „ and not exceeding 250 - -		6	0
„ 250 „ „ 300 - -		7	0
„ 300 „ „ 350 - -		8	0
„ 350 „ „ 400 - -		9	0
„ 400 „ „ 450 - -		10	0
„ 450 „ „ 500 - -		10	6
Exceeding 500 for every 100 or part of 100 - -		1	0

Workshops &c.

Steam boilers and engines 1 horse-power nominal and under -	each	7	6
„ „ above 1 horse-power nominal to be charged by meter.			
Blacksmiths for one fire - - - - - -		2	6
„ for each additional fire above one - - -		1	9
Water for drinking purposes only for workpeople where a meter is not used:—			
Not exceeding 100 employées - - - - -		5	0
Exceeding 100 „ and not exceeding 120 - -		5	6
„ 120 „ „ 140 - -		6	0
„ 140 „ „ 160 - -		6	6
„ 160 „ „ 180 - -		7	0
„ 180 „ „ 200 - -		7	6
Exceeding 200 for every additional 20 or part of 20 -		0	6

Water for slacking lime for new buildings or works in erection five shillings per cent. on estimated cost of the new buildings or works when such estimated cost does not exceed £500.

When such estimated cost exceeds £500 such sum as may be agreed upon.

When water is used for slacking lime for jobbing purposes or for repairs two shillings per ton or part of a ton of lime used.

THE FOURTH SCHEDULE.

CERTIFICATE OF INFECTIOUS DISEASE &C. UNDER THE DARWEN CORPORATION ACT 1887.

To the Corporation of the Borough of Darwen.

Pursuant to the above-mentioned Act I hereby certify and declare that in my opinion the under-mentioned person is suffering from a disease within the terms of the above-mentioned Act.

Dated the day of 18 .

(Signed)

Name of person suffering from the disease -

Situation of the house building or room wherein such person is - - - -

Name of occupier or other person having the charge management or control of such house building or room - - - -

Nature of disease - - - -

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

THE FIFTH SCHEDULE.

TOLLS TO BE TAKEN IN THE OPEN MARKET PLACE.

Rents and Tolls for the Corn Market.

	s.	*d.*
For every stand or standing place occupying in space not more than twelve feet superficial measure on the ground for the exposing to sale by sample or otherwise any corn grain seeds flour malt hops hay straw or other agricultural produce for each market day not exceeding the sum of - - - - - - -	1	0
And if occupying a larger space then for every additional superficial foot not exceeding the sum of - - - -	0	1
Every person who is a dealer as buyer or seller for profit in any of the articles aforesaid who shall attend the said market and shall buy or sell therein or adjacent thereto any of the articles aforesaid and not have any stand or standing place in the said market to pay for each market day not exceeding the sum of - - - -	1	0

RENTS TOLLS AND STALLAGES FOR THE PROVISION MARKETS.

Meat Market.

For every butcher's stall the size and space of which shall be in the discretion of the council for each market day not exceeding the sum of - - - - - - - - -	1	0

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Fish Market.

	s.	d.
For every fish stall the size and space of which shall be in the discretion of the council for each market day not exceeding the sum of -	0	6
For every pair of panniers hampers or other baskets or things containing fish and measuring together not more than four feet in length three and a half feet in breadth and eighteen inches in depth and occupying in space not more than fourteen feet superficial measure on the ground for each market day not exceeding the sum of - - - - - - - - -	0	6
And if occupying a larger space then for every additional superficial foot not exceeding the sum of - - - - -	0	1
For every single pannier hamper or other basket or thing containing fish and measuring not more than four feet in length twenty-one inches in breadth and eighteen inches in depth and occupying in space not more than seven feet superficial measure on the ground for each market day not exceeding the sum of - - - - -	0	3
And if occupying a larger space then for every additional superficial foot not exceeding the sum of - - - - -	0	1

Poultry Market.

For every yard in length of bench or table room for the exposing to sale poultry pork butter eggs or other articles of provision commonly sold in poultry markets for each market day not exceeding the sum of - - - - - - - - - -	0	4
For every pair of panniers hampers or other baskets pens or things containing poultry or other articles aforesaid and measuring together not more than four feet in length three and half feet in breadth and eighteen inches in depth and occupying in space not more than fourteen feet superficial measure on the ground for each market day not exceeding the sum of - - - - - - - - -	0	6
And if occupying a larger space for every additional superficial foot not exceeding the sum of - - - - -	0	1
For every single pannier hamper or other basket or pen containing any of the before-mentioned articles and measuring not more than four feet in length twenty-one inches in breadth and eighteen inches in depth and occupying in space not more than seven feet superficial measure on the ground for each market day not exceeding the sum of - - - - - - - - -	0	3
If occupying a larger space for every additional superficial foot not exceeding the sum of - - - - - - - - -	0	1
For every hand basket hamper or other basket or thing containing any of the articles aforesaid and measuring not more than two feet in length fifteen inches in breadth and seven inches in depth for each market day not exceeding the sum of - - - - -	0	1

Vegetable and Fruit Market.

	s.	d.
For every stall the size and space of which shall be in the discretion of the council for each market day not exceeding the sum of - -	0	4
For every pair of panniers hampers or other baskets containing vegetables or fruit and measuring together not more than four feet in length three and a half feet in breadth and eighteen inches in depth and occupying in space not more than fourteen feet superficial measure on the ground for each market day not exceeding the sum of -	0	3
If occupying a larger space for every additional superficial foot not exceeding the sum of - - - - - -	0	0½
For every single pannier hamper or other basket containing vegetables or fruit and measuring not more than four feet in length one foot nine inches in breadth and eighteen inches in depth and occupying in space not more than seven feet superficial measure on the ground for each market day not exceeding the sum of - - -	0	1½
If occupying a larger space for every additional superficial foot not exceeding the sum of - - - - - -	0	0½
For every hand basket hamper or other basket or thing containing vegetables or fruit and measuring not more than two feet in length fifteen inches in breadth and twelve inches in depth for each market day not exceeding the sum of - - - - -	0	1
For every sack or bag (containing not more than twelve pecks imperial measure) of potatoes carrots turnips beans peas or other vegetables or fruit pitched in the market or at any place adjacent thereto for each market day not exceeding the sum of - - - -	0	1
For every superficial foot of ground used or occupied by persons offering for sale or selling cabbage or other plants apple trees or shrubs or for any other purpose not herein-before provided for for any space of time not exceeding one day any sum not exceeding -	0	1

Other Goods exposed for Sale.

For each and every superficial foot of every stall for exposing to sale any manufactured goods wares or merchandise for any space of time not exceeding one day any sum not exceeding - - -	0	1

The several rents tolls and stallages before mentioned and specified to be payable and paid for and in respect of the occupation or use of any stall standing place bench compartment or space of ground as well by the original taker or occupier thereof for a part or portion of the day in case he or she shall not occupy the same the whole day as also by any subsequent taker or occupier of the same for the residue or any other part or portion of the same day and the council may apportion the rents according to eligibility of situation.

Tolls for Weighing and Measuring Meat and Goods.

For every quantity of meat or thing weighing not exceeding twenty pounds avoirdupois not exceeding the sum of - - . -	0	0½

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	s.	d.
For every quantity of meat or thing weighing more than twenty pounds and not exceeding one hundred and twelve pounds any sum not exceeding	0	1
And so in proportion for any greater or less quantity than one hundred and twelve pounds over and above one hundred and twelve pounds.		
For every quantity of goods and things sold by measure measuring not exceeding one bushel any sum not exceeding the sum of	0	0½
For every quantity more than a bushel and not exceeding two bushels any sum not exceeding the sum of	0	1
And for every bushel beyond two bushels any sum not exceeding the sum of	0	0½

Tolls for Weighing Waggons Carts and Carriages.

For every waggon or other four-wheeled carriage with the loading thereof any sum not exceeding	0	6
For every cart or other two-wheeled carriage with the loading thereof any sum not exceeding	0	3

Tolls to be taken in the Covered Market or Market House.

Rents and Tolls for the Corn Market.

For every stand or standing place occupying in space not more than twelve feet superficial measure on the ground for the exposing to sale by sample or otherwise any corn grain seeds flour malt hops or other agricultural produce for each market day not exceeding the sum of	4	0
And if occupying a larger space then for every additional superficial foot not exceeding the sum of	0	4

Rents Tolls and Stallages for the Provision Markets.

Meat Market.

For every butcher's stall the size and space of which shall be in the discretion of the council for each market day not exceeding the sum of	4	0

Fish Market.

For every fish stall the size and space of which shall be in the discretion of the council for each market day not exceeding the sum of	2	0
For every pair of panniers hampers or other baskets or things containing fish and measuring together not more than four feet in length three and a half feet in breadth and eighteen inches in depth and occupying in space not more than fourteen feet superficial measure on the ground for each market day not exceeding the sum of	2	0
And if occupying a larger space then for every additional superficial foot not exceeding the sum of	0	4

	s.	*d.*
For every single pannier hamper or other basket or thing containing fish and measuring not more than four feet in length twenty-one inches in breadth and eighteen inches in depth and occupying in space not more than seven feet superficial measure on the ground for each market day not exceeding the sum of - - - -	1	0
And if occupying a larger space then for every additional superficial foot not exceeding the sum of - - - -	0	4

Poultry Market.

For every yard in length of bench or table room for the exposing to sale poultry butter eggs or other articles of provision commonly sold in poultry markets for each market day not exceeding the sum of -	1	4
For every pair of panniers hampers or other baskets pens or things containing poultry or other articles aforesaid and measuring together not more than four feet in length three and a half feet in breadth and eighteen inches in depth and occupying in space not more than fourteen feet superficial measure on the ground for each market day not exceeding the sum of - - - - - -	2	0
And if occupying a larger space for every additional superficial foot not exceeding the sum of - - - - -	0	4
For every single pannier hamper or other basket or pen containing any of the before-mentioned articles and measuring not more than four feet in length twenty-one inches in breadth and eighteen inches in depth and occupying in space not more than seven feet superficial measure on the ground for each market day not exceeding the sum of - - - - - - - - -	1	0
If occupying a larger space for every additional superficial foot not exceeding the sum of - - - - - -	0	4
For every hand basket hamper or other basket or thing containing any of the articles aforesaid and measuring not more than two feet in length fifteen inches in breadth and seven inches in depth for each market day not exceeding the sum of - - - -	0	4

Vegetable and Fruit Market.

For every stall the size and space of which shall be in the discretion of the council for each market day not exceeding the sum of - -	1	4
For every pair of panniers hampers or other baskets containing vegetables or fruit and measuring together not more than four feet in length three and a half feet in breadth and eighteen inches in depth and occupying in space not more than fourteen feet superficial measure on the ground for each market day not exceeding the sum of - - - - - - - - -	1	0
If occupying a larger space for every additional superficial foot not exceeding the sum of - - - - - -	0	2

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	s.	d.
For every single pannier hamper or other basket containing vegetables or fruit and measuring not more than four feet in length one foot nine inches in breadth and eighteen inches in depth and occupying in space not more than seven feet superficial measure on the ground for each market day not exceeding the sum of - - -	0	6
If occupying a larger space for every additional superficial foot not exceeding the sum of - - - - - -	0	2
For every hand basket hamper or other basket or thing containing vegetables or fruit and measuring not more than two feet in length fifteen inches in breadth and twelve inches in depth for each market day not exceeding the sum of - - - - -	0	4
For every sack or bag (containing not more than twelve pecks imperial measure) of potatoes carrots turnips beans peas or other vegetables or fruit for each market day not exceeding the sum of - -	0	4
For every superficial foot of ground used or occupied by persons offering for sale or selling cabbage or other plants apple trees or shrubs or for any other purpose not herein-before provided for for any space of time not exceeding one day any sum not exceeding -	0	4

Other Goods exposed for Sale.

For each and every superficial foot of every stall for exposing to sale any manufactured goods wares or merchandise for any space of time not exceeding one day any sum not exceeding - - -	0	4

Sites or Stands for Amusements.

For every show caravan exhibition booth tent theatre roundabout swing boat shooting gallery or other article or apparatus for amusement according to the size and dimensions thereof namely for every superficial foot or fractional part of a superficial foot of the ground space covered by such show caravan exhibition booth tent theatre roundabout swing boat shooting gallery or other article or apparatus for each day any sum not exceeding - - - -	0	2

During the annual feast or fair known as Darwen Fair the Corporation may demand and take double the amount of the tolls and stallages aforesaid so far as regards shows caravans exhibitions booths tents theatres roundabouts swing boats shooting galleries or other articles or apparatus for amusement.

The several rents tolls and stallages before mentioned and specified to be payable and paid for and in respect of the occupation or use of any stall standing place bench compartment or space of ground as well by the original taker or occupier thereof for a part or portion of the day in case he or she shall not occupy the same the whole day as also by any subsequent taker or occupier of the same for the residue or any other part or portion of the same day and the council may apportion the rents according to eligibility of situation.

Tolls in Cattle Market. A.D. 1887.

		s.	d.
For each horse pony bull bullock cow or other beast or animal if offered for sale by auction and whether sold or not -	not exceeding	1	0
If not offered for sale by public auction—			
For every other horse or pony - - - -	„	0	4
For each ass or mule - - - - -	„	0	2
For each bull bullock cow steer or heifer whether tied or not and if tied including use of tie -	„	0	3
For each calf - - - - - -	„	0	1
For sheep rams lambs or goats per score - -	„	1	4
For each sheep ram lamb or goat under a score -	„	0	1
For every stallion or entire horse and for every other animal not before named in this schedule brought into the market for sale or for show not exceeding - - - - - -		1	0
For each pig - - - - - - - -		0	2

And the above tolls according to the respective classes thereof to be payable for the respective subjects thereof by each person by whom the same are sold or offered for sale.

THE SIXTH SCHEDULE.

Certain lands situate in Over Darwen formerly belonging or reputed to belong to the trustees of the real estate of the late Richard Hilton containing fifty thousand and twenty-five superficial square yards or thereabouts bounded on the south by the existing cemetery on the west and north by land belonging or reputed to belong to the Corporation and on the east partly by Whitehall Mill occupied by Mr. J. B. Deakin and partly by an intended new street ten yards wide.

THE SEVENTH

OUTSTANDING DEBT ON

AUTHORITIES.	Amount authorised to be borrowed.	For what Purpose.	Year of borrowing.
Gas and Water Act of 1873 under sanction of Local Government Board:	£ s. d.		
Owing by the Company	8,000 0 0	Water	
Owing by the Company	8,050 0 0	Gas	
11th September, 1873	10,000 0 0	Water	September, 1873
27th April, 1874	10,000 0 0	„	June, 1874
29th October, 1874	2,008 0 0	Gas	December 7th, 1874
8th June, 1875	2,110 0 0	Water	June 19th, 1875
22nd December, 1875	10,000 0 0	„	January, 1876
7th June, 1876	15,000 0 0	Gas	July 6th, 1876, to January, 1878
10th July, 1880	8,870 0 0	Gas and water	
8th November, 1881	17,066 0 0	Gas	
8th November, 1881	1,033 0 0	Water	
23rd May, 1883	2,000 0 0	„ Hoddlesden	October, 1884
6th July, 1885	1,512 0 0	„	August, 1885
SECURED ON THE GENERAL DISTRICT FUND:			
Under the Public Health Act incorporated in the Over Darwen Improvement Act, 1879, on security of general district rate by sanction of—			
Prior to August, 1874	10,266 5 11	General purposes	Prior to August, 1874 „ „ 1874 „ „ 1875 „ „ 1876
29th October, 1875	700 0 0	Tanks	Prior to August, 1876
2nd August, 1875	7,500 0 0	Private improvements	„ „ 1876
15th April, 1875	1,500 0 0	Private improvements	„ „ 1878
17th July, 1878	4,000 0 0	Private improvements	„ „ 1879
7th June, 1876	3,000 0 0	Slaughter-houses	July 10th, 1876
14th May, 1877	3,300 0 0	Park	May 30th, 1879
Over Darwen Improvement Act, 1879	15,000 0 0	Improvement of River Darwen	
	1,200 0 0	Cemetery	
	25,000 0 0	Market hall	October, 1879 July, 1880 October, 1882
	1,600 0 0	Fencing park	
	20,000 0 0	Street improvements	October 18th, 1879 Prior to March, 1881 „ „ 1882 „ „ 1883
Under the Public Health Act since the Local Act of 1879 by sanction of—			
10th July, 1880	560 0 0	Steam roller	January 5th, 1881
10th July, 1880	14,980 0 0	Paving Blackburn Road	July, 1880, to Sept. 13th, 1880
10th July, 1880	1,020 0 0	Sewerage	
27th September, 1882	4,000 0 0	Hospital	
5th February, 1883	1,200 0 0	Baths	October 13th, 1882 February 4th, 1884
6th July, 1885	2,000 0 0	Sough Road improvements	May to September, 1885
6th July, 1885	1,000 0 0	Holden Fold improvements	September 26th, 1885
11th December, 1885	1,200 0 0	Steam fire-engine	April, 1886
15th June, 1886	300 0 0	Bridge Street improvements	October 7th, 1886
Over Darwen Improvement Act, 1879	13,50 0 0	Blackburn gas purchase	October, 1879
SECURED ON THE BOROUGH FUND, OVER DARWEN IMPROVEMENT ACT, 1879	40,000 0 0	Town Hall and municipal buildings	December 8th, 1880 September 20th, 1881 August 30th, 1882
Money borrowed under sanction prior to 1868 for the purpose of a cemetery	6,018 0 0		
Under the Burials Act by sanction of the 18th of May, 1877	3,63 0 0		May 30th, 1879

SCHEDULE.

THE 31ST MARCH 1887.

The several Borrowings.	Total Amount borrowed.	Amount of Debt extinguished by means of Sinking Fund.	Amount temporarily repaid, and intended to be re-borrowed.	Amount of Borrowing Powers not yet exercised under present Acts and Orders.	Amount invested in 3 per Cent. Consolidated Stock on Sinking Fund Account for Extinction of Debt.	Amount in Bank on Sinking Fund Account for Extinction of the Debt.	Amount of Debt outstanding on the 31st March, 1887, exclusive of Sums in 4th Column.	Amount owing to the Public Works Loan Commissioners in Six Loans, the last of which will expire in 1897.
1.	2.	3.	4.	5.	6.	7.	8.	9.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
—								
—								
—								
—								
—								
37,787 16 3	Gas.							
41,137 13 2	37,787 16 3	3,865 0 0	—	—	2,577 6 3	287 7 10	33,922 16 3	
—	Water.							
—	44,649 13 2	6,306 13 2	—	—	1,942 16 1	351 13 9	38,343 0 0	
—								
—								
—								
2,000 0 0								
1,512 0 0								
2,400 0 0								
6,392 12 10	10,266 5 11	3,151 5 11	—	—	—	—	7,115 0 0	
1,400 0 0								
73 13 1								
700 0 0	700 0 0	—	—	—	—	—	700 0 0	
7,000 0 0								
4,000 0 0	13,000 0 0	5,697 4 3	—	—	—	—	7,302 15 9	
2,000 0 0								
3,000 0 0	3,000 0 0	481 17 6	98 2 6	—	—	—	2,420 0 0	
3,300 0 0	3,300 0 0	—	—	—	—	—	3,300 0 0	
—	Nil	—	—	15,000 0 0				
—	Nil	—	—	1,200 0 0				
7,200 0 0								
17,025 0 0	25,000 0 0	138 2 6	149 17 6	—	—	—	24,712 0 0	
775 0 0								
—	Nil	—	—	1,600 0 0	4,027 14 8	—		
1,350 0 0								
7,150 0 0								
8,792 0 0	17,866 2 8	1,000 0 0	1,811 17 6	2,133 17 4	—	—	15,054 5 2	
574 2 8								
500 0 0	500 0 0	—	—	60 0 0	—	—	500 0 0	
—	13,270 0 0	670 0 0	—	1,710 0 0	—	—	12,600 0 0	
Nil	Nil	—	—	1,020 0 0				
Nil	Nil	—	—	4,000 0 0				
1,000 0 0								
200 0 0	1,200 0 0	—	—	—	—	—	1,200 0 0	
1,900 0 0	1,900 0 0	—	—	100 0 0	—	—	1,900 0 0	
1,000 0 0	1,000 0 0	—	—	—	—	—	1,000 0 0	
1,000 0 0	1,000 0 0	—	—	200 0 0	—	—	1,000 0 0	
300 0 0	300 0 0	—	—	—	—	—	300 0 0	
13,500 0 0	13,500 0 0	—	—	—	2,208 12 0	—	13,500 0 0	
1,800 0 0								
200 0 0	10,000 0 0	—	1,000 0 0	30,000 0 0	272 6 11	11 1 1	9,000 0 0	
8,000 0 0								
—	9,650 0 0	1,600 0 0	2,000 0 0	—	1,196 1 8	139 14 5	6,050 0 0	
£	207,889 18 0	22,910 3 4	5,059 17 6	57,023 17 4	12,224 17 7	789 17 1	179,919 17 2	10,200 0 0

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THE EIGHTH SCHEDULE.

FORMS.

(A.)

Resolutions of Council on Creation of Stock.

Borough of Darwen.

[29th September 188 .]

At a meeting of the Council of the borough of Darwen holden on [Wednesday the 29th day of September 188] at [Eleven o'clock in the forenoon] in the [Council Chamber within the] Town Hall [as a Special Council].

Present:

[A.B.] Mayor and a full Council.

Resolved First—

That under the authority and subject to the provisions of the Darwen Corporation Act 1887 the Corporation acting by the Council do hereby in exercise of their several statutory powers create stock to be called Darwen Corporation Redeemable Stock and to be issued to an amount which shall be sufficient for the following purposes but not exceeding pounds:—

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

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

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

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

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

B. For raising instead of re-borrowing the sum of pounds required by the Corporation for the purpose of paying off when due sums amounting to pounds which will fall due before the [1st

January 188] being a portion of their debts now subsisting on the security of outstanding securities granted by the Corporation for raising money for the purposes of the following Acts (that is to say) :—

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

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

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

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

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

Resolved secondly—

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

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

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

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

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

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

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

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

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

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

Resolved thirdly—

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

Resolved fourthly—

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

(B.)

STOCK RECEIPT.

DARWEN CORPORATION REDEEMABLE STOCK (£ PER CENT.)

Transfer days :

Monday,
Tuesday,
Wednesday,
Thursday,
Friday.

Holidays excepted.

RECEIVED this day of 188
of

herein-after called the said Transferee
the sum of

being the consideration for

Interest or Share in the Darwen Corporation Redeemable Stock (£ per cent.), transferable at the Bank of England, and all my Property and Interest in, and Right to, the same, and the Dividends thereon, by
this day transferred unto the said Transferee

Witness Hand

Witness

☞ The Proprietors to protect themselves from Fraud are recommended to accept by themselves or their Attorneys all Transfers made to them.

£ *s.* *d.*

[Indorsement.]

NOTICE TO HOLDERS OF DARWEN CORPORATION REDEEMABLE STOCK (£ per Cent.)

PAYMENT OF DIVIDENDS.

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

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

I. To the Stockholders personally, or to their Attorneys, at the [Bank of England].

N.B.—Stockholders may arrange for the receipt of the Dividends free of charge at any of the *Country* Branches on application to the Agent.

II. By transmission of Dividend Warrants by post, at the risk of the Stockholder, under the following regulations :—

1. Any Stockholder residing within the United Kingdom, the Channel Islands, or the Isle of Man, who desires to have his Dividend Warrant sent to his address by post, must fill up a form of application, to be obtained at the Bank or at any of its Branches.
2. In case of Joint Accounts, the application must be signed by all the members of the account, directing the Warrant to be sent to one of them at a given address.
3. Post Dividend Warrants will be crossed *& Co.* and will only be payable through a Banker. They will be drawn to the order of the Stockholder, and must be indorsed.

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

STOCK CERTIFICATES TO BEARER.

Stock Certificates to Bearer, of the denominations of [£10, *and any multiple of* £10], with Coupons for the Quarterly Dividends attached, may be obtained in exchange for inscribed Stock except in the case of Stock held upon any trust.

(C.)

CORPORATION STOCK CERTIFICATE.

BOROUGH OF DARWEN.

Number

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

Given under the Common Seal of the Mayor Aldermen and Burgesses of the Borough of Darwen this [ ] day of [ ] 18 [ ].

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(D.)

TRANSFER IN BOOKS.

DARWEN CORPORATION REDEEMABLE STOCK (£ PER CENT.).

No.

£	s.	d.

Entered by this day of in the year of our Lord one thousand eight hundred and do assign and transfer

interest or share in the DARWEN CORPORATION REDEEMABLE STOCK (£ per cent.) transferable at the Bank of England and all my property and interest in and right to the same and the dividends thereon unto

Witness to the identity of

executors administrators or assigns. Witness hand

Witness

do freely and voluntarily accept the above Stock transferred to

Witness

(E.)

APPLICATION FOR ISSUE OF POWER OF ATTORNEY.

Bank of England the day of 188

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

£ DARWEN CORPORATION REDEEMABLE STOCK (£ per cent.)

To G.H. [the intended attorney]

Examined by Dr. fol. Cr. fol. Transfer Book.

Posted by Posted by

(F.)

A.D. 1887.

Power of Attorney for Sale and Transfer and for Receipt of Dividends.

Corporate Account.

DARWEN CORPORATION REDEEMABLE STOCK.

Acceptance Sale of £_____ and Dividends.

We

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

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

Darwen Corporation Redeemable Stock.

Secondly—to sell and transfer all, or any part of, the sum of

said Stock standing in our name in the books of the Governor and Company of the Bank of England.

Thirdly—to receive and give receipts for all dividends or payments due, or to become due, on any sum of the said Stock from time to time standing in our name in the books of the Governor and Company of the Bank of England.

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

In witness whereof we have hereunto affixed our Corporate Seal this _____ day of _____ in the year of our Lord One Thousand Eight Hundred and _____

Sealed with the Corporate Seal and delivered in the presence of

N.B.—The execution of this Letter must be attested by [Two Witnesses who are] not of the Corporate Body, and who must be present when the Corporate Seal is affixed.

For further instructions, see other side.

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[Indorsement.]

INSTRUCTIONS FOR EXECUTING THE WITHIN LETTER OF ATTORNEY.

Corporate Account.

The *Date* must be inserted in *Words* and not in Figures.

The Execution must be attested by [*two credible Witnesses* who are] not of the Corporate Body, and who must add [their Addresses and their Qualities, Professions or Occupations].

A *Witness resident in a town* must give the No. of the House as well as the name of the Street.

If *Clerks or Servants* are Witnesses they must give the Names and Addresses of their Employers.

When a Witness is a *Female* she must state whether she is a *Spinster*, *Wife*, or *Widow*; and if a *Wife* she must give her Husband's Name, Address and Quality, Profession or Occupation.

A *Wife* is not a *valid Witness* to the Execution of this Letter of Attorney when her Husband's name appears in the Letter as Attorney or Transferee.

If any *Alteration, Interlineation or Erasure* be made in this Letter of Attorney, it must be particularly stated in the Attestation subscribed to by the Witnesses, that such Alteration, Interlineation or Erasure was made previously to the Execution of the Letter.

I demand to act by this Letter of Attorney, this day of 18 .
Witness

(G.)

DEED OF TRANSFER.

BOROUGH OF DARWEN.

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

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

(H.)

DIVIDEND WARRANT.

DARWEN CORPORATION REDEEMABLE STOCK

(£ PER CENT.)

To the Cashiers of the Bank of England.

Pay to Bearer the sum of _____

for one quarter of a Year's Dividend on the sum of £ DARWEN CORPORATION REDEEMABLE STOCK (£ per Cent.) due 188 . Less Property-Tax at *d.* per £ }

I do hereby acknowledge to have received of the Bank of England the above-mentioned sum, in full payment for one Quarter of a Year's Dividend due as aforesaid.

Witness, Witness my hand this 188 .

(I.)

DIVIDEND WARRANT BY POST.

1.

DARWEN CORPORATION REDEEMABLE STOCK (£ PER CENT.).

Request for Transmission of Dividend Warrants by Post.

To the Governor and Company of the Bank of England.

A sum of £ DARWEN CORPORATION REDEEMABLE STOCK (£ per Cent.) is now standing in name as follows: — Amount. "my" or "our."

_____

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

_____

_____

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

"I" or "we." "my" or "our."

And hereby request the said Accountant-General to send through the Post, at risk and until further notice, the Warrants so drawn to—

Name _____

Present address _____

_____

If the Account is a sole one, insert here the Name and Address of the Stockholder: if the Account is a joint one, insert here the Name and Address of one of the Stockholders as *nominee*.

SIGN HERE.

In the case of joint Stockholders or of Co-Executors all must sign.

_____

_____

_____

_____

Date _____ 188_.

[*On second half-sheet of same form.*]

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

NOTICE TO HOLDERS OF DARWEN CORPORATION REDEEMABLE STOCK

(£ PER CENT.)

Transmission of Dividend Warrants by Post.

Dividends upon the above-named Stock may be transmitted through the Post to the *Stockholder* in Sole Accounts, and to *any one of the Stockholders* in Joint Accounts, *at their risk*, upon a form of request being duly filled up and forwarded to the Accountant-General, Bank of England. (Forms are obtainable at the Bank of England and at any of its Branches.)

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

Persons receiving Dividends under Letter of Attorney cannot have the Warrants for such Dividends sent to them by Post.

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

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

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

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

Forms of request may be delivered at the Bank at any date, either by hand or through the Post; but when received between the day on which the Balance

for a Dividend is struck and the day on which the Dividend is payable, the Warrants for such *next* Dividend will be forwarded as soon as possible, but the Bank will not guarantee their being posted on the day before the Dividend is payable.

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

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

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

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

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

Any Change of Address of the Stockholder in Sole Accounts, or of the Nominee in Joint Accounts, should be notified at once to the Accountant-General. When any such notification reaches the Bank less than a fortnight before the next dividend is due, there may be a delay of a few days in the delivery of the Warrant for such next Dividend.

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

As Postal Dividend Warrants are made payable to Order, they must be endorsed: they are crossed in blank, and consequently are only payable on presentation by a Banker. (The Bank will not undertake to cross Postal Dividend Warrants with the names of particular Bankers.)

Instructions to transmit Warrants by Post remain in force, although the Stock may have been added to, or a part sold.

Stockholders selling Stock by Attorney, if they wish to continue to receive their Dividends through the Post, should instruct their Bankers, or Brokers, to obtain Letters of Attorney for sale only.

All communications with reference to Postal Dividend Warrants should be addressed to The Accountant-General, Bank of England, and the Postage should be prepaid.

A.D. 1887.

2.

POST DIVIDEND WARRANT.

DARWEN CORPORATION REDEEMABLE STOCK

(£ PER CENT.)

To the Governor and Company of the Bank of England, London.

Pay to me or my Order on demand the sum of

Being One quarter of a Year's Dividend at £ per Cent. per Annum, due on the 1st day of 188 , on the sum of £ (Darwen Corporation Redeemable Stock, (£ per cent.)									
Less Property-Tax at	per £								

Accepted for the Governor and Company of the Bank of England,

Per pro

[*F. May*]

Chief Cashier. *Accountant-General.*

The Person to whom this Warrant is payable must sign his or her Name on the back of it.

(K.)

STOCK CERTIFICATE WITH COUPONS TO BEARER.

DARWEN CORPORATION REDEEMABLE STOCK CERTIFICATE TO BEARER.

DIVIDEND AT £ PER CENT. PER ANNUM.

[£50] [A00000.]

This is to certify that the bearer of this Certificate is entitled to Fifty Pounds Darwen Corporation Redeemable Stock with dividend thereon at the rate of £ per Cent. per Annum transferable at the Bank of England pursuant to The Darwen Corporation Act 1887.

Dated 188 .

[For the Governor and Company of the Bank of England]

[F. MAY.]

Countersigned

[S. O. GRAY]

[Chief Accountant Bank of England].

[A00000] [£50]

The Coupons attached to this Certificate are payable at the Chief Establishment of the Bank of England, or at any of the Country Branches.

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

COUPONS.

5 Div. DARWEN CORPORATION REDEEMABLE STOCK.

Coupon for shillings and pence (less income tax) being Three months' dividend at pounds per cent. per annum.

A00000. Due First January One thousand eight hundred and eighty- on certificate for [Fifty Pounds] Darwen Corporation Redeemable Stock.

£ Payable at [*the Bank of England*].

5 Div. Darwen Corporation Redeemable Stock.

Due 1st Jan. 188 . A00000 £

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4 Div. DARWEN CORPORATION REDEEMABLE STOCK.

Coupon for shillings and pence (less income tax) being Three months' dividend at pounds per cent. per annum.

A00000. Due First October One thousand eight hundred and eighty- on certificate for [Fifty Pounds] Darwen Corporation Redeemable Stock.

£ Payable at [*the Bank of England*].

4 Div. Darwen Corporation Redeemable Stock.

Due 1st Oct 188 . A00000 £

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3 Div. DARWEN CORPORATION REDEEMABLE STOCK.

Coupon for shillings and pence (less income tax) being Three months' dividend at pounds per cent. per annum.

A00000. Due First July One thousand eight hundred and eighty- on certificate for [Fifty Pounds] Darwen Corporation Redeemable Stock.

£ Payable at [*the Bank of England*].

3 Div. Darwen Corporation Redeemable Stock.

Due 1st July 188 . A00000 £

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2 Div. DARWEN CORPORATION REDEEMABLE STOCK.

Coupon for shillings and pence (less income tax) being Three months' dividend at pounds per cent. per annum.

A00000. Due First April One thousand eight hundred and eighty- on certificate for [Fifty Pounds] Darwen Corporation Redeemable Stock.

£ Payable at [*the Bank of England*].

2 Div. Darwen Corporation Redeemable Stock.

Due 1st April 188 . A00000 £

A.D. 1887.

FEES.

	£	s.	d.
On original issue of stock receipt or stock certificate - -	0	2	6
On any new stock certificate - - - - -	0	2	6
On transfer with or without new stock certificate - - -	0	5	0
On any issue of stock certificate to bearer in respect of every ten pounds of stock specified therein - - - -	0	0	6
On re-entry in Corporation stock register of stock specified in stock certificate to bearer - - - - - -	0	5	0

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