CHAPTER cxviii.

A.D. 1877.

An Act for extending the Boundaries of the Borough of Derby, in the County of Derby; and for other purposes.

[23d July 1877.]

WHEREAS the borough of Derby, in the county of Derby, is an ancient municipal borough, and was reconstituted such by a charter dated at Westminster the fifth day of September in the thirty-fourth year of the reign of His late Majesty King Charles the Second, and the borough is now under the government of the mayor, aldermen, and burgesses thereof, subject and according to the Acts relating to municipal corporations, the number of the aldermen being twelve and that of the councillors thirty-six, and the borough is divided into six wards for municipal purposes:

And whereas the borough is also a parliamentary borough, but the limits of the parliamentary borough considerably exceed the limits of the municipal borough:

And whereas the borough has a separate commission of the peace, with a clerk of the peace and a separate court of quarter sessions, and a recorder and a borough court of record, and a coroner and a separate police force:

And whereas the mayor, aldermen, and burgesses (herein-after referred to as the Corporation) by the council of the borough are the sanitary authority for the district of the borough, with the powers and obligations of an urban sanitary authority:

And whereas the population of the borough, and of certain places contiguous thereto, has largely increased and is still increasing, and it is expedient for sanitary and other purposes that the boundaries of the borough be extended and that the provisions in that behalf in this Act contained be made:

And whereas it is expedient that provision be made for dividing the extended borough into wards, and for defining the names and boundaries of the wards, and for increasing the number of councillors and aldermen:

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And whereas there is adjacent to the borough the local board district of the hamlet or township of Litchurch, and the following parishes or places; that is to say, the hamlet or township of Little Chester, in the parish of Saint Alkmund Derby, the township of Normanton, in the parish of Saint Peter Derby, the township of Markeaton, in the parish of Mackworth, and the township of Littleover, in the parish of Mickleover, all in the county of Derby, are included in and form parts of the districts of various rural sanitary authorities:

And whereas the borough as extended by this Act will include the said district of the hamlet or township of Litchurch, and the several parishes, townships, and places aforesaid, or some part or parts thereof respectively, and it is expedient that the said local board be dissolved, and its powers, rights, duties, liabilities, and property be transferred to the Corporation, acting by the council of the borough, and that the said parishes, townships, and places, or such part or parts thereof respectively as are herein-after more particularly mentioned, be detached from the jurisdiction of the respective rural sanitary authorities of those parishes, townships, and places, so that the Corporation, acting by the council, may be constituted the sole authority for all municipal and sanitary purposes within the extended borough:

And whereas the Corporation, under the authority of the said charter and of an Act passed in the sixth year of the reign of His late Majesty King George the Fourth, chapter 132, intituled "An "Act for better paving and otherwise improving the borough of "Derby," (in this Act called "The Improvement Act,") provided a cattle market and a market hall, and other places for holding markets and fairs, and these, with the approaches thereto, have from time to time been enlarged and improved, and it is expedient that the same be further improved and extended, and the Corporation are willing to undertake the improvement and extension thereof at their own expense on being properly empowered in that behalf:

And whereas the Corporation have also provided slaughter-houses within the said borough, but they are insufficient for present purposes, and it is expedient that the Corporation be authorised to maintain, enlarge, and improve the same, and to take rates and charges in respect of the user thereof, as in this Act provided:

And whereas it is expedient that the tolls, rates, and other charges relating to the cattle and other markets and fairs, market hall, and slaughter-houses contained in the schedules to this Act be authorised and confirmed:

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

And whereas an absolute majority of the whole number of the council, at a meeting held on the eleventh day of October one thousand eight hundred and seventy-six, after ten clear days notice by public advertisement of such meeting, and of the purpose thereof, in the Derby Mercury, 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 on the borough fund and borough rate:

And whereas such resolution was published twice in the Derbyshire Advertiser and North Staffordshire Journal, and in respect of matters under the control of the Local Government Board has received the approval of that Board, and in respect of other matters has received the approval of one of Her Majesty's Principal Secretaries of State:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the seventh day of February one thousand eight hundred and seventy-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 by Schedule III. annexed to the Public Health Act, 1875, consented to the promotion of the Bill for this Act:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Preliminary.

Short title.

1. This Act may be cited as the Derby Corporation Act, 1877.

10 & 11 Vict. c. 14. incorporated.

2. The Markets and Fairs Clauses Act, 1847, so far as its provisions are applicable to the purposes of and are not varied by or inconsistent with this Act, is hereby incorporated with and shall be part of this Act.

Interpretation of terms.

3. In this Act,—

"The existing borough" means the municipal borough of Derby as existing immediately before the passing of this Act:

"The added part" or "the added area" means the area added to the existing borough by this Act:

"The borough," used without any qualification, or "the extended borough," means the existing municipal borough, with the added part:

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"The Corporation" means the mayor, aldermen, and burgesses of the existing borough or of the extended borough (as the case may require):

"The council" means the council of the borough:

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

"The district fund" and "the general district rates" mean respectively the district fund and the general district rates for the district of the borough:

"The local board" means the local board for the district or township of Litchurch in the county of Derby:

"The Municipal Corporations Acts" means the Act of the session of the fifth and sixth years of King William the Fourth (chapter 76) "To provide for the regulation of municipal corporations in England and Wales," and all Acts for the time being in force amending the same or otherwise relating to municipal corporations in England:

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

"Persons" includes a body of persons corporate or incorporate:

Terms to which meanings are assigned in enactments wholly or partially incorporated with this Act, or which have therein special meanings, have in this Act the same respective meanings, unless there be something in the subject or context repugnant to such construction; and in this Act, and (for the purposes of this Act) in enactments incorporated with this Act, the terms "superior courts" or "court of competent jurisdiction," or any other like term, shall have effect as if the debt or demand with respect to which it is used were a common simple contract debt, and not a debt or demand created by statute.

Commencement of Act.

4. This Act, for the purposes of proceedings preliminary to the municipal elections of 1877 and of section forty-two, shall take effect on its passing, and, except for those purposes, it shall commence and take effect from and immediately after the thirty-first day of October 1877 (which last-mentioned time is hereinafter referred to as the commencement of this Act).

Act to be executed by council.

5. This Act shall be carried into execution by the Corporation, acting by the council, and according to the Municipal Corporations Acts and the Public Health Act, and other laws for the time being affecting the Corporation, and with all the rights, powers, privileges, and authorities conferred by those Acts and laws on the Corporation, and on the council and committees of the council, and the officers,

agents, and servants of the Corporation, with respect to matters provided for by or comprised in the Municipal Corporations Acts and the Public Health Act respectively, and as nearly as may be in all respects as if the powers, duties, and property vested in or imposed on or enjoyed by the Corporation by or under this Act were vested in, imposed on, or enjoyed by them by or under the Municipal Corporations Acts and the Public Health Act respectively.

Regulations as to committees of council.

6. Except as in this Act is otherwise expressly provided, the council may appoint out of their own body any committee for the execution of any of the purposes of this Act, and may delegate to each such committee such of the powers and duties of the Corporation under this Act, or as a sanitary authority, as the council think fit; and the acts and proceedings of every such committee within the limits of their delegation shall be deemed the acts and proceedings of the council; and the quorum of any committee in this section provided for shall be such as the council direct; and the council may from time to time increase the number of any committee and remove any member thereof, and may make such regulations as they think fit for the guidance of a committee; and the council may from time to time remove any member of a committee, and appoint in the stead of them, or any of them, other members of the council; and a committee may appoint any of its members to be a sub-committee to execute and discharge any of the powers and duties of the committee, but the acts of a sub-committee shall, unless the council on the appointment of the committee otherwise direct, be submitted for approval to the committee by which such sub-committee was appointed: Provided that the powers of this section shall not be exercised by any committee consisting of less than eight members of the council, or by any sub-committee consisting of less than three such members; provided also, that a committee so appointed shall in no case be authorised to borrow any money, nor, except as herein-after expressly provided, make any rate; and provided further, that this section shall not apply to the Litchurch committee provided for by section forty-six of this Act.

Costs of execution of Act.

7. Subject to the provisions of this Act all costs, charges, and expenses from time to time incurred by the Corporation in or about the execution of this Act shall be a charge on the borough fund or borough rate, or the general district rate or district fund account, in the discretion of the Corporation.

Effect of schedules.

8. The schedules to this Act shall be read and have effect as part of this Act.

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Extension of Borough.

Extension of borough and sanitary district.

9. From and after the commencement of this Act, and subject to the provisions of this Act, the boundaries of the existing borough of Derby, and of the existing urban sanitary district of Derby, are hereby extended so as to comprise for all purposes, in addition to the existing borough, the area described in the First Schedule to this Act annexed, and that area shall for all purposes cease to be included in or form part of any rural sanitary district.

Deposit of plan of borough.

10. A plan of the borough as extended by this Act, signed in duplicate by John Tomlinson Hibbert, Esquire, the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred, shall, within one week after the passing of this Act, be deposited in the Private Bill Office of the House of Commons and with the town clerk of the borough at his office.

Powers and authorities of Corporation, &c. extended.

11. Subject to the provisions of this Act, the powers, rights, privileges, authorities, and duties of the Corporation as a municipal body, and of the Corporation acting in the execution of such of the provisions of the charter of the existing borough, and of the Improvement Act, and such other Local Acts as are on the commencement of this Act in force within the existing borough, and of the Corporation, acting by the council, as the sanitary authority for the district of the existing borough, or otherwise, and of all officers and servants of the Corporation, shall extend to and throughout the borough; and, subject to the provisions of this Act, all enactments, byelaws, regulations, and orders immediately before the commencement of this Act in force within or applicable to the existing borough shall extend and apply to the borough; and the justices of the peace, clerk of the peace, coroner, and other officers and constables or police officers of the county of Derby, shall not have or exercise any further or other jurisdiction or powers within or in respect of the borough or such district, or any part thereof, than they now respectively lawfully have and exercise within and in respect of the existing borough.

Jurisdiction, &c. of recorder and other officers extended.

12. The jurisdiction, powers and authorities, rights, privileges, and duties of the recorder, clerk of the peace, and coroner of the existing borough, and of the borough court of record, and of the justices of the peace appointed for the existing borough, whether acting in general or in quarter sessions, or in petty sessions, or out of sessions, or otherwise, and of the sanitary officers acting within the sanitary district of the existing borough, and of the police constables and other peace officers of the existing borough, shall extend throughout the borough.

Added area exempt from county rates, &c.

13. From and after the commencement of this Act all lands, houses, and hereditaments within the added area shall be exempt from all county rates, county police and highway rates, to be made in respect of the parishes, townships, and places in which the same respectively are situate, and from the jurisdiction of and all rates to be made by the sanitary authority (as such) of such parishes, townships, and places.

Arrears of county rates.

14. All arrears existing at the commencement of this Act of county rates, county police, highway, and sanitary rates, leviable within the added area, may be levied and collected as if this Act had not been passed.

Execution of orders of county justices and trial of offenders.

15. Any order made before the commencement of this Act by justices of the peace for the county of Derby, having effect in or in relation to the added area and not expired or not fully executed before the commencement of this Act, may be executed and enforced by or under the authority of justices of the peace for the county of Derby as if this Act had not been passed, and every person committing an offence in the added area before the commencement of this Act shall be tried and dealt with as if this Act had not been passed.

Corporation to pay a proportionate part of the county debt.

16. Within twelve months after the passing of this Act the Corporation shall pay to the treasurer of the county of Derby a sum of two thousand three hundred and ninety-five pounds, being a proportionate share of the debt owing by the county of Derby at the present time, and such sum shall be paid by the Corporation out of the moneys authorised to be borrowed by them under the provisions of this Act.

Property, &c. of existing borough to be held for benefit of the extended borough.

17. All estates and property of every description vested in the Corporation at the commencement of this Act for the benefit of the existing borough, other than estates and property vested in them as the sanitary authority, shall vest in the Corporation for the benefit of the borough, and the Corporation shall hold, enjoy, and exercise for the benefit of the borough all the powers, rights, and privileges which at the commencement of this Act are vested in them for the benefit of the existing borough, but subject to all debts, liabilities, and engagements (if any) affecting the same.

Town clerk and other officers continued.

18. The town clerk and all other officers and servants of the Corporation shall continue to be the town clerk, officers, and servants of the Corporation, and shall hold their offices and situations by the same tenure as at the commencement of this Act.

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Division of Borough into Wards.

Division of borough into wards.

19. On and from the first day of November one thousand eight hundred and seventy-seven the borough shall be divided into eight wards, the names or distinguishing numbers and boundaries of which shall be fixed and determined by the Local Government Board, upon the report of a commissioner to be for that purpose appointed by the said Board within three weeks after the passing of this Act.

Commissioner to report before 1st September 1877.

20. The commissioner shall commence and proceed with the duties of his appointment with all practicable dispatch, and so as to make his report to the Local Government Board before the first day of September one thousand eight hundred and seventy-seven. Such report shall be subject to revision by the Local Government Board, who shall make such order therein as they think fit.

Order to be published.

21. The said order shall be published before the last day of September one thousand eight hundred and seventy-seven in the London Gazette, and in a newspaper circulating in the borough, and on and from the first day of November one thousand eight hundred and seventy-seven the names or numbers and boundaries of the wards, as set forth in such order, shall be the names or numbers and boundaries thereof for all purposes as if they had been specially set forth in this Act, and the boundaries of the wards as set forth in such order shall be shown upon a plan of the wards, signed in duplicate by the principal secretary to the Local Government Board, and deposited in the Private Bill Office of the House of Commons and with the town clerk at his office within three weeks after the publication of the said order.

Inspection and copies of borough and ward plans.

22. Copies of the borough plan and plan of the wards deposited with the town clerk, or any extract therefrom certified by him to be true, shall be received by all courts of justice or elsewhere as primâ facie evidence of the contents of such plans respectively, and such plans shall at all reasonable times be open to the inspection of the persons liable to rates imposed by the Corporation, and all persons so liable shall be entitled to a copy of or extract from such plans respectively, certified by the town clerk, on payment of a reasonable fee for every such copy or extract.

Burgess list.

23. For the purposes of the burgess list, burgess roll, and other lists to be made after the passing of this Act under the Municipal Corporations Acts, and in relation to the functions and offices of the overseers, and of the mayor, town clerk, and revising assessors under those Acts, the added area shall be deemed to have always formed part of the borough.

Ward lists in borough.

24. To avoid delay and difficulty in making out the ward lists in alphabetical order in wards comprising more than one parish or parts of different parishes, the town clerk may, if he think fit, cause the names of the persons entitled to be placed in such ward lists to be placed therein alphabetically in respect of each of such parishes, or parts of such parishes, instead of alphabetically in respect of such ward.

Constitution and number of council.

25. The council for the borough shall consist (including a mayor) of sixteen aldermen and forty-eight councillors, who shall be respectively elected at such times and places and in such and the same manner as is provided by the Municipal Corporations Acts.

First election of council of borough.

26. Except as herein-after mentioned, the several persons who on the first day of November one thousand eight hundred and seventy-seven are councillors of the borough shall on that day go out of office, and the several persons who on the ninth day of November one thousand eight hundred and seventy-seven are aldermen of the borough shall on that day go out of office, and on such days respectively elections of councillors and of aldermen for the eight wards into which the borough is to be divided under the authority of this Act shall be held in all respects subject and according to the provisions of the Municipal Corporations Acts, and on the ninth day of November one thousand eight hundred and seventy-seven an election of the mayor of the borough shall be held according to the provisions of the said Acts: Provided always, that if any ward in the borough shall be the same with respect to the boundaries as any ward in the existing borough, the councillors for that ward, except those going out of office by rotation, shall continue in office and go out by rotation as if this Act had not been passed; provided also, that at the election of mayor on the ninth day of November one thousand eight hundred and seventy-seven aldermen going out of office shall not vote, and the mayor shall be elected by the councillors of the borough.

Aldermen to be eligible for election as councillor on 1st November 1877.

27. The several persons who on the first day of November one thousand eight hundred and seventy-seven are aldermen of the borough shall be eligible for election as councillors at the election of councillors to be held on that day, notwithstanding that such persons are then aldermen of the borough.

Providing for the order in which aldermen shall go out of office.

28. Upon the ninth day of November in the year one thousand eight hundred and eighty, and upon the ninth day of November in the year one thousand eight hundred and eighty-three, and in every third succeeding year, one half of the whole number of aldermen of the borough shall go out of office, and the councillors, immediately

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after the first election of aldermen under the provisions of this Act, shall appoint who shall be the aldermen who shall go out of office in the year one thousand eight hundred and eighty, and thereafter those who shall go out of office shall always be those who have been aldermen for the longest time without re-election; and in each instance the place of the retiring aldermen shall be supplied by the election of a like number of aldermen in the manner prescribed by the Municipal Corporations Acts: Provided always, that any alderman so going out of office may be forthwith re-elected if then qualified, and that the aldermen so going out of office shall not be entitled to vote at the election of a new alderman.

Providing for the order in which councillors shall go out of office.

29. The councillors are to go out of office by rotation in the following manner; videlicet, on the first day of November one thousand eight hundred and seventy-eight one third of the councillors are to go out of office, and on the first day of November one thousand eight hundred and seventy-nine another third of the councillors are to go out of office, and on the first day of November one thousand eight hundred and eighty the remainder of the councillors are to go out of office, and on the first day of November in every subsequent year one third of the councillors, being those who have been longest in office, are to go out of office; and in each instance the place of the retiring councillors shall be supplied by the election of a like number of councillors in the manner prescribed by the Municipal Corporations Acts. Every councillor going out of office may forthwith be re-elected.

For determining the rotation in which councillors are to go out of office.

30. In order to determine the rotation by which the councillors elected under the provisions of this Act for the new or altered wards shall go out of office, the council shall, immediately after determining who shall be the aldermen to go out of office on the ninth day of November in the years one thousand eight hundred and eighty and one thousand eight hundred and eighty-three respectively, proceed to form rotation lists, and the town clerk, or some person to be then appointed for that purpose by the council, shall write the names of all the councillors for such new or altered wards on separate slips of paper, all as nearly as may be of equal size, and having folded them up in the same manner he shall put them into a balloting box, and shall in the presence of the meeting draw out such slips of paper in succession, and the names upon the slips so drawn shall be written by the town clerk or other person in the order in which they are drawn in as many lists as there are new or altered wards, each list containing the names of the councillors of one such ward only; and every such list shall be kept by the town clerk, and the names therein shall be numbered consecutively, and the councillors

shall retire from office in the order in which their names appear on such lists, and in the proportions in this Act mentioned.

Present auditors and assessors to continue.

31. The present auditors and assessors of the existing borough shall remain in office until the first day of March one thousand eight hundred and seventy-eight, and shall be the auditors and assessors of the borough.

Dissolution of Local Board, &c.

Litchurch local board dissolved.

32. From and after the commencement of this Act the local board shall be dissolved.

Rights, powers, and duties, &c. of local board transferred to Corporation.

33. From and after the commencement of this Act all powers, rights, privileges, duties, liabilities, obligations, choses in action, claims, demands, rights, and remedies whatsoever, which immediately before the commencement of this Act were vested in or exerciseable by or attached to the local board, or any person on their behalf, or of or to which the local board or any person in their behalf were seized, possessed, or entitled, either at law or in equity, or otherwise howsoever, shall be and the same are hereby vested in the Corporation to the same extent as the same respectively were immediately before the commencement of this Act vested in or were exerciseable by or attached to the local board or any person on their behalf, and may be held, received, enjoyed, exercised, and enforced, and shall be undertaken, discharged, and performed accordingly.

Property of local board transferred to Corporation.

34. From and after the commencement of this Act all such property, real and personal (including all interests, rights, and easements in, to, and out of property, real and personal, securities, deeds, contracts, agreements, papers, books, and plans whatsoever), as immediately before the commencement of this Act belonged to or were vested in the local board, or any person on its behalf, shall belong to and be vested in the Corporation, and may be held, recovered, and enjoyed accordingly.

Conveyances, &c. to remain in force.

35. Subject to the provisions of this Act all conveyances, leases, deeds, appointments, contracts, agreements, mortgages, bonds, covenants, securities, orders, notices, resolutions, and proceedings made or entered into before the commencement of this Act to, with, in favour of, or by, for, or on behalf of the local board, as the case may be, or any person on their behalf, and now in force, shall be and remain as good, valid, and effectual in favour of, against, and with reference to the Corporation, and may be proceeded on and enforced in like manner to all intents and purposes as if the Corporation instead of the local board, as the case may be, had been party or privy thereto.

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Actions, &c. not to abate.

36. Any action, suit, prosecution, or other proceeding whatsoever commenced either by or against the local board before the commencement of this Act shall not abate or be discontinued or prejudicially affected by this Act, but on the contrary may be maintained, prosecuted, or continued by, in favour of, or against the Corporation in like manner to all intents and purposes as if the Corporation instead of the local board, as the case may be, were parties to such action, such prosecution, or proceeding.

Rates due at commencement of Act to be recoverable.

37. All rates, dues, rents, and moneys which immediately before the commencement of this Act are due and payable, or accruing due and payable, to the local board shall from and after the commencement of this Act be payable to and may be collected and recovered by the Corporation in like manner as any rates under this Act may be collected and recovered by the Corporation.

Debts due to and by the local board to be paid to and by the Corporation.

38. All persons who immediately before the commencement of this Act owe any sum of money to the local board or to any person on its behalf shall pay the same with all interest (if any) due or to accrue due for the same to the Corporation, who shall under the provisions herein-after contained credit the account of the Litchurch district with the amount thereof; and all debts and moneys which immediately before the commencement of this Act are due or owing by or recoverable from the local board, or for the payment whereof the local board is or but for this Act would be liable, shall be paid with all interest (if any) due or to accrue thereon by or be recoverable from the Corporation, who also shall under the provisions herein-after contained debit the account of the Litchurch district with the amount thereof.

Byelaws, rules, regulations, &c. to remain in force.

39. All byelaws, rules, regulations, and orders duly made and in force within the district of the local board immediately before the commencement of this Act may be repealed, altered, or varied by the Corporation as if they had been made by them under the powers of the Public Health Act, and shall continue in force within that part of the added area unless and until they are so repealed, altered, or varied; and such byelaws, rules, regulations, and orders, and all penalties and forfeitures thereby respectively imposed, and all penalties and forfeitures incurred, may be enforced, recovered, and applied in like manner and in all respects as the same respectively might be enforced, recovered, and applied in case the same had been made and imposed respectively by the Corporation by or under that Act.

Providing for compensation to officers of local board.

40. The Corporation may, with the consent of the Local Government Board, make compensation to any officer of the local board who by reason of the dissolution of such board loses his office

or is deprived of the whole or part of the emoluments of his office within the space of two years after the commencement of this Act, and does not afterwards receive remuneration to an equal amount in respect of some office or employment under or by the Corporation; such compensation may be by way of annuity or otherwise, and shall be paid by the Corporation out of their district fund and general district rates, and the amount of such compensation shall be determined by agreement, or in event of dispute by the Local Government Board.

Books, &c. to be evidence.

41. All books and other documents directed or authorised to be kept by the local board by any Act of Parliament, and which at the commencement of this Act would be receivable in evidence, shall, notwithstanding the dissolution of that board, be admitted as evidence in all courts of justice and elsewhere accordingly.

Apportionment of Rates, &c.

Apportionment of rates, debts, &c. of borough and of sanitary authorities.

42. In relation to the respective property, rights, debts, and liabilities of the Corporation as a sanitary authority, and of the rural sanitary authorities of the districts of Belper, Derby, and Shardlow respectively, within which districts the several parishes, townships, and places of Normanton, Little Chester, Markeaton, and Littleover are respectively situated (which rural sanitary authorities are in this and the following sections referred to as the sanitary authorities), the following provisions shall have effect; (that is to say,)

(1.) The Local Government Board, as soon as conveniently may be after the passing of this Act, shall, on the application of the Corporation, or of any one or more of the sanitary authorities, apportion, in such manner as the Local Government Board think most equitable, the property, rights, debts, and liabilities of the Corporation as a sanitary authority, and of the sanitary authorities respectively, in accordance with the determination of the Local Government Board on the following questions; (that is to say,)

(*a.*) Whether the whole or any, and, if any, what part of the separate property of the Corporation as a sanitary authority, or of the sanitary authorities respectively, shall be retained for the benefit thereof exclusively, and whether the whole or any, and, if any, what part of that property shall become the property of the Corporation for the benefit of the borough;

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(*b.*) Whether the whole or any, and, if any, what part of the debts or liabilities of any of the constituent parts of the borough, except the township of Litchurch, or of the cost of any works or other expenditure for sanitary purposes required therein respectively at the time of apportionment, shall be a charge exclusively on one or more of those constituent parts or on the borough as a whole;

(*c.*) Whether such parts of the districts of the sanitary authorities as are not comprised within the borough shall be wholly, or to any, and, if any, to what extent, relieved from the respective mortgage and other debts (if any) of those sanitary authorities existing at the time of apportionment;

(2.) Every apportionment under this section shall be made after such notice and inquiry as the Local Government Board think fit, and shall be as binding as if it had been enacted by this Act:

(3.) All expenses incurred by the Local Government Board under this section shall be paid by the Corporation and the sanitary authority or authorities concerned in such proportions and as and when the Local Government Board direct.

Formation of separate districts.

43. In order equitably to assess and levy rates on the various constituent parts of the borough for the purposes of this Act applicable thereto, the borough shall be and is hereby divided into six districts, of the respective names and descriptions following; (that is to say,)

1. The central district, comprising the existing borough:
2. The Litchurch district, comprising that portion of the borough formerly the hamlet or township of Litchurch and included within the district of the Litchurch local board:
3. The Normanton district, comprising that portion of the borough formerly part of the parish of Normanton:
4. The Littleover district, comprising that portion of the borough formerly part of the parish of Littleover:
5. The Markeaton district, comprising that portion of the borough formerly part of the township of Markeaton:
6. The Little Chester district, comprising that portion of the borough formerly the township of Little Chester:

Separate district accounts to be kept.

44. The Corporation shall keep separate accounts of receipts and expenditure in respect of the several districts of the borough for all purposes other than those of the borough rate, and in such accounts

shall debit each district with the expenditure made and to be made in and for such district, and with the debts (if any) to be borne and discharged by the Corporation in respect thereof, and shall credit each such district with the receipts therefrom in respect of all purposes other than in respect of the purposes of the borough rate.

Rates in districts to be governed by requirements of districts.

45. The Corporation in from time to time assessing, making, and levying all rates, other than the borough rate, shall have regard to the state of the separate accounts, expenses, and requirements of the several districts aforesaid, and shall vary according thereto all rates, other than the borough rate, and the amounts to be for the time being levied and raised in respect thereof in the several districts.

Provision for rating Litchurch.

46. In order to further provide for assessing, making, and levying rates in the Litchurch district, and in order that such rates may be in proportion to the benefits conferred on such district, a committee of the council, to be called the Litchurch committee, shall be constituted, which committee shall be appointed on the ninth day of November in each year, and shall hold office for one year, and shall consist of nine members of the council, six of whom shall be chosen from the aldermen and councillors of the wards or ward comprising the said Litchurch district or any part thereof by the councillors of such wards or ward, and the remaining three members shall be appointed by the members of the council other than the aldermen and councillors of the wards or ward comprising the said Litchurch district or any part thereof; and such committee shall estimate, and the Corporation shall assess, make, and levy in the Litchurch district, all rates, other than the borough rate, in accordance with the said estimate: Provided always, that the amount and incidence of such separate rates shall be subject to any order that may be made by the Local Government Board on the application of either the Corporation or the Litchurch committee, and the Local Government Board are hereby authorised to make such order or orders under this section as they may think right, and by any subsequent orders to vary or cancel any previous order.

Provision as to borough rate and school board rate in added area.

47. For a period of ten years after the passing of this Act the borough rate to be levied and raised within the added area, exclusive of school board purposes, shall not exceed the sum of sixpence in the pound in any one of such ten years.

Arrears of rates, &c. of local board and sanitary authorities.

48. All rates and other sums payable at the commencement of this Act to the local board, or any of the sanitary authorities, or to the overseers in any part of the added area, may be collected and recovered as if this Act had not been passed, or, at the option of the Corporation, as far as the benefit thereof is by this Act transferred

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to the Corporation, the same may be collected and recovered by the Corporation in their own name.

Powers of commissioner, and costs of inquiries.

49. Every commissioner appointed under this Act shall have the same power with regard to the examination of witnesses and production of documents as an inspector of the Local Government Board under The Public Health Act, and the costs of every inquiry held by any such commissioner, including the remuneration of such commissioner under this Act, to be fixed by the said board, shall be borne and paid as the Local Government Board direct.

Markets, Fairs, and Slaughter-houses.

Application of Markets and Fairs Clauses Act.

50. The Corporation may continue all or any of the cattle and other markets and fairs held at the commencement of this Act, and the Markets and Fairs Clauses Act, 1847, shall extend and apply to all such markets and fairs and the market hall as if they were respectively authorised by this Act as the special Act; and the Corporation may from the commencement of this Act demand and take in such markets and fairs and market hall respectively tolls, rents, and charges not exceeding those specified in the Second Schedule to this Act.

Power to enlarge market spaces.

51. The Corporation may from time to time on lands held by them enlarge the spaces respectively known as the cattle market, market hall, Morledge, and Old Mill Fleam, appropriated for the holding of markets and fairs, and for the sale of live stock and other commodities, and may pull down, remove, and re-erect on the same or other sites any of their buildings used for market or fair purposes, and may erect, make, and execute all necessary buildings, works, and operations connected therewith; and the provisions of this Act shall extend and apply, so far as the same are applicable, to the several markets and fairs as from time to time extended and enlarged by the Corporation.

License for sale out of market.

52. The Corporation may from time to time, if they think fit, grant to any person a license to sell or expose for sale in a place (other than a market place or market house, or in his own dwelling-house or shop), or from door to door, any article in respect of the sale or exposure for sale whereof in any market place or market house, or in respect of the user of any stall or other convenience for the sale or exposure for sale whereof in any market place or market house any toll, stallage, or rent is leviable by or payable to the Corporation, every such license being granted on such terms and conditions as the Corporation think fit, and to endure for a period not exceeding 12 months, and to be revocable in such cases as the Corporation prescribe, and the Corporation may demand and

take for every such license for a period not exceeding 12 months any sum not exceeding one pound; and if any person does any act for which such a license is hereby authorised to be granted without having obtained such license, or does any act in contravention of or omits to do anything required by any such license granted to him, he shall be liable on summary conviction to a penalty not exceeding forty shillings for every day on which any such offence is committed by him.

Prohibition of sale, except in markets, &c.

53. If any person sells or exposes for sale, except in his own dwelling-house or shop, or in the dwelling-house or shop of the buyer or intended buyer, or carries about for sale any article in respect of the sale or exposure for sale whereof in any market place, or market hall, or fair, or in respect of the user of any stall or other convenience for the sale or exposure for sale whereof in any market place, or market hall, or fair, the Corporation are entitled to take any toll, stallage, or rent, he shall be liable to a penalty not exceeding forty shillings; but nothing in this or the preceding section shall extend to a person who is licensed by the Corporation under that section, and who produces the same on demand to the market inspector or other authorised officer of the Corporation, and who is selling or exposing or carrying about for sale articles in respect of which such a license is required; and every article so hawked about or cried may be seized by the inspector and sold for their benefit or detained at the charge of the owner until the penalty for breach of this enactment in respect thereof, and all costs and charges incurred or adjudged thereon, together with the costs of such detention, be paid and satisfied.

Sale of cattle out of market.

54. Every person who in the borough, except in the cattle market, sells or offers, or exhibits for sale, or permits to be sold or to be offered or exhibited for sale, any cattle other than cattle which are his own, and have been in his possession in the borough for the space of seven days before such sale, offer, or exhibition, shall be liable to a penalty not exceeding five pounds; but nothing in this section shall prevent the owner of any cattle, or any horse dealer to whom any horses are consigned for sale, from at any time selling the same or offering or exhibiting the same for sale in his own house, yard, or land, or from showing or trying a horse for the purpose of a sale or intended sale thereof.

Saving for pedlars.

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

Tolls to be payable by successive

56. The several tolls in the markets and fairs and market hall payable in respect of the user of any shop, stall, pen, bench, standing-

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occupiers of shops, &c.

station, or place, shall be paid not only by the person originally using the same for a part of a day or other time if he do not occupy it the whole day, but also by any person subsequently using the same for any subsequent part of the same day or other time.

Tolls to be payable by successive sellers of articles.

57. The several tolls in the markets payable in respect of any article shall be paid not only by the original seller but also by any subsequent seller or person who offers such article again for sale, and such tolls shall become payable before such article is sold or offered for sale.

Recovery of tolls.

58. If any person liable to the payment of any toll, stallage, or rent payable to the Corporation does not pay the same when demanded, the Corporation, or any person authorised by the Corporation to collect the same, may seize and detain the article in respect of which the same is payable, or any other article in the market belonging to the person liable to pay the same, and if the toll, stallage, or rent, and the reasonable charges of the seizure and detention, and of the keeping and maintaining of the article seized, is not, in the case of perishable articles seized, paid forthwith, and in case of other articles seized, within four days from the time of seizure, the Corporation may forthwith, or on the expiration of those four days (as the case may be), sell the article seized, and out of the money arising thereby may pay and retain the toll, stallage, or rent, and the charges aforesaid, and those of the sale, returning the overplus (if any) on demand to the owner of the article seized, or such toll, stallage, or rent may be recovered in any court of competent jurisdiction.

Forfeiture of articles left in market.

59. Every article brought into any market or fair and left therein after the hour of closing (except any article left in charge of the clerk of the market or fair) may be taken possession of by the clerk, and if the same, being of a perishable nature, is not claimed within one hour after the hour of closing, or, not being of a perishable nature, is not claimed within one week thereafter, the same may be sold by the Corporation, who shall return the surplus proceeds of such sale, after deducting any unpaid stallage, rent, or 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 is not made the proceeds of the sale shall be forfeited to the Corporation.

Slaughter-houses.

60. The Corporation may maintain and from time to time alter, enlarge, and improve the slaughter-houses, with the conveniences, fittings, and things connected therewith provided by them, in like manner as if the same had respectively been provided by them

under the powers of this Act; and for all purposes of the provisions with respect to slaughter-houses of the Markets and Fairs Clauses Act, 1847, the said slaughter-houses shall be deemed to have been provided by the Corporation under this Act, and the Corporation shall be the undertakers.

Rates, &c. for slaughter-houses.

61. The Corporation may demand and receive from the persons using the slaughter-houses rates, tolls, and charges not exceeding the sums specified in the Third Schedule to this Act, and such rates, tolls, and charges shall be paid before using the said slaughter-houses.

Power to lease slaughter-houses, &c.

62. The Corporation may let any of the slaughter-houses, or any of the appurtenances thereto, to any person or persons for any term, not exceeding three years, for such rents and on such conditions as the Corporation and their lessees mutually agree on.

Ejectment for repeated offences.

63. Every person who shall have been convicted of three offences against any of the byelaws relating to cattle or other markets or fairs, or the market hall, shall be liable after the third conviction to be forthwith removed and excluded from all or any of such markets and fairs in the borough by the market inspector or his assistants, and his or her tenancy (if any) of any pen, shop, stall, or standing shall be thereupon determined without prejudice to any remedy or remedies for the recovery of any rent that may be due.

Application of tolls of markets, &c.

64. All receipts of the Corporation from tolls and charges received under this Act in respect of markets and fairs, market hall, and slaughter-houses, shall be carried to and shall form part of the borough fund.

Borrowing.

Power to borrow.

65. The Corporation may from time to time, with the sanction of the Local Government Board, borrow, in manner prescribed by the Local Loans Act, 1875, on security of all or any of the rates or rate receivable by them within the borough, any sum not exceeding twenty thousand pounds, and the Corporation may mortgage all or any rates or rate receivable by them within the borough and the borough fund to secure repayment of the sum borrowed, with interest, accordingly.

Application of moneys borrowed.

66. The money so borrowed by the Corporation shall be applied only for the following purposes, and in the following order:

(1.) In discharging the costs, charges, and expenses of and incidental to the preparing, applying for, obtaining, and passing of this Act:

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(2.) In payment of the proportion of the debt of the county of Derby, as herein-before provided:

(3.) Subject to the approval of the Local Government Board, in payment to such officers and servants as may not be continued in their respective employments by the Corporation under the provisions of this Act of such sums (if any) as may seem to the Corporation reasonable:

(4.) In the enlargement and improvement from time to time of the markets, market hall, and slaughter-houses, and purposes connected therewith.

Power to issue debenture stock.

67. The Corporation may raise all or any money which they are by this Act authorised to raise by the creation and issue, subject to the provisions of the Local Loans Act, 1875, of debenture stock, to be called Derby Corporation Debenture Stock.

Period for repayment of moneys borrowed.

68. The Corporation shall pay off all moneys borrowed by them under the powers of this Act within sixty years after the same are borrowed; but any moneys so borrowed and applied by the Corporation in payment of the costs, charges, and expenses of and relating to the preparing, applying for, obtaining, and passing of this Act, shall be paid off out of the borough rate or borough fund, or both, within ten years after the passing of this Act.

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

69. The treasurer of the borough 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 to be paid as an instalment 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 if so required by them, showing the amount which has been invested for the purpose of such sinking fund, or paid as an instalment during the year 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 have been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return the treasurer shall be liable to a penalty not exceeding twenty pounds. If it appear to the Local Government Board by such return, or otherwise, that the Corporation have failed to pay any instalment or to set apart the sum required by this Act for any sinking fund, or have applied any portion of the moneys set apart for that fund to any purposes other 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 has been made, shall be set apart and invested as part of the sinking fund, and such order shall be enforceable by writ of Mandamus.

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Separate accounts.

70. The Corporation shall keep separate accounts, to be called respectively—

The Borough Extension Account, and

The Markets and Slaughter-houses Improvement Account;

and of all receipts, credits, payments, and liabilities under this Act in respect of the execution thereof in relation to the said specific matters of account, and such account shall be subject to the same provisions as to audit, examination, report, inspection, copies and extracts, and production of vouchers as other accounts of the Corporation: Provided that where any expenditure is incurred for purposes common to both accounts, the Corporation, as they think fit, may apportion the same between such accounts.

Saving for general rights and remedies of Corporation.

71. Except as in this Act expressly provided, nothing in this Act shall take away, abridge, or prejudicially affect any right, power, authority, privilege, exemption, or benefit which the Corporation have or may enjoy under either of the charters relating to the borough, the Improvement Act, the Municipal Corporations Acts, or the Public Health Act, or any or either of them, or otherwise independently of this Act, and the rights, powers, and remedies by this Act given to the Corporation shall be cumulative.

72. With respect to the Post Office telegraph system the following provisions shall take effect:

Restriction on works affecting Post Office telegraph system.

(A.) The Corporation shall not by any work or thing interfere with any telegraph post, wire, tube, apparatus, or work of Her Majesty's Postmaster General, or execute or do any work or thing causing or likely to cause any interruption of or impediment to postal telegraphic communication, unless and until the Corporation have given to the Postmaster General one calendar month's previous notice in writing of their intention to execute or do the proposed work or thing, specifying all necessary and proper particulars relating thereto, and unless and until the Postmaster General has approved of the proposed work or thing by writing delivered to the Corporation, or has failed to approve or to disapprove of the same for one calendar month after service of such notice and particulars on him: Provided always, that this section shall not be deemed to prevent the Corporation executing any repairs or other works or things which shall be necessary to prevent accidents, and in any such case the Corporation shall forthwith give notice to the Postmaster General of any such interference, and the reason for the same:

Power for Postmaster General to annex conditions.

(B.) Her Majesty's Postmaster General may annex to his approval under this Act of any work or thing such reasonable terms and conditions as to the time and mode of execution of

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any such work or thing as he thinks fit, and the Corporation shall observe and perform the same:

Power of entry for Postmaster General.

(c.) The engineer and other officers and servants and workmen of Her Majesty's Postmaster General may at and for all reasonable times enter on and into and remain on any of the highways, lands, and works of the Corporation for the purpose of examining, repairing, altering, or removing any telegraph post, wire, tube, apparatus, or work, the property of the Postmaster General being thereon:

Compensation by Corporation to Postmaster General, and penalty.

(d.) The Corporation shall from time to time make full compensation to Her Majesty's Postmaster General for any expense, loss, or damage which he is put to or sustains by reason of the Corporation, by any work or thing executed or done by them, interfering with any telegraph post, wire, tube, apparatus, or work of the Postmaster General; and if at any time any such work or thing causes an interruption of or impediment to postal telegraphic communication the Corporation shall, in addition to making compensation as aforesaid, be liable to forfeit a sum not exceeding twenty pounds for every twenty-four hours during which that interruption or impediment continues; and the amount of any such expense, loss, damage, or forfeiture shall be a debt due from the Corporation to the Crown, and be recoverable accordingly, with costs, or the same may be recovered with costs on behalf of the Postmaster General as a penalty is recoverable from the Corporation.

Provisions to remain in force for one year and to the end of the then next session of Parliament.

(e.) Inasmuch as it is contemplated to introduce a general measure for the better protection of the national telegraphs, and to enlarge the powers of the Postmaster General in relation thereto, this section shall only remain in force for one year from the date of the passing of this Act, and to the end of the then next session of Parliament.

Expenses of Act.

73. The costs, charges, and expenses preliminary to, and of and incidental to the preparing of, and applying for, and the obtaining and passing of this Act, shall be paid by the Corporation in the first instance out of the borough fund, and ultimately out of money borrowed under and subject to the provisions of this Act; and such costs shall include the costs of and incidental to complying with the provisions of the Act of the session of Parliament held in the thirty-fifth and thirty-sixth years of the reign of Her present Majesty, chapter ninety-one, with respect to the Bill for this Act, and all matters relating thereto, as taxed by the taxing officer of the House of Lords or of the House of Commons.

The SCHEDULES referred to in the foregoing Act. A.D. 1877.

THE FIRST SCHEDULE.

Description of Area added to the existing Borough and existing Sanitary District by this Act.

The hamlet or township of Litchurch, in the parish of Saint Peter, Derby, and Little Chester, in the parish of Saint Alkmund, Derby, both in the county of Derby.

So much of the several parishes, townships, hamlets, and other places following; that is to say, Markeaton, in the parish of Mackworth, Littleover, in the parish of Mickleover, and Normanton, in the parish of Saint Peter, Derby, as are or will respectively be situate between the existing borough of Derby and the hamlet or township of Litchurch, on the one hand, and the following boundary line or limits, on the other hand; that is to say,

A boundary line commencing from or out of the present borough boundary line at a point in the the Bramble Brook, in the township of Markeaton, between lands formerly belonging or reputed to belong to the late Elizabeth Trowel, but now belonging or reputed to belong to Lord Belper, the lands formerly belonging or reputed to belong to the late William Shaw, and the lands belonging or reputed to belong to the trustees under the will of the late Reverend Roseingrave Macklin, one hundred and seventeen yards, or thereabouts, in a north-westwardly direction from the north-west angle of the abutment of a bridge crossing the Derbyshire and Staffordshire Branch of the Great Northern Railway at a point fifty-eight yards, or thereabouts, to the east of the existing borough boundary; and running thence along the course of the said Bramble Brook in a westwardly and southwardly direction to its junction with the western fence of the lands known as the Rowditch Estate, belonging or reputed to belong to the Corporation of Derby, which fence is also the boundary between the parish and township of Mickleover and the township of Markeaton; thence in a southwardly direction along such last-mentioned fence and township boundary to the northern fence of the Derby and Uttoxeter turnpike road; thence in a straight line across the said road to the southern side thereof; and thence running in a northwardly direction along the southern fence of the said road to the boundary between the townships of Littleover and Markeaton on the south side of the said road; thence running southwardly and south-eastwardly along the boundary between the townships of Markeaton and Littleover to an occupation road and a public footpath leading from Uttoxeter road to Littleover; thence in an eastwardly direction across the said road to the north-eastern side thereof to where the said Rowditch Estate joins a field belonging or

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reputed to belong to John Harrison; and thence along the said northern fence of the said occupation road and the south-west fence of the said field to the south-west corner of the said field; and thence in a straight line from the said last-mentioned point in a south-eastwardly direction to the Derby and Burton-on-Trent turnpike road, and continuing in the same line across the said road to a fence on the south side thereof at a point in the township of Littleover where the lands belonging or reputed to belong to George Gascoyne are divided from the lands of Herbert William Harrison; and thence continuing along the said fence between the said lands belonging or reputed to belong to the said George Gascoyne and the said Herbert Harrison till it joins the boundary of the township of Normanton; thence turning south-westwardly along the said boundary of the townships of Littleover and Normanton to a fence between lands belonging or reputed to belong to the said Herbert Harrison and W. J. Smith, or one of them, and the said George Gascoyne; thence continuing south-eastwardly along the said fence till it meets a footpath leading from Sunny Hill to Derby; thence turning south-westwardly along the fence adjoining the said footpath on the boundary of the property of the said W. J. Smith and the said George Gascoyne; then extending south-eastwardly and southwardly along the boundary of the lands of the said W. J. Smith and Mrs. Mary Goodale to a fence separating a field called or known by the name of First Eight Acres from a field called or known by the name of Far Eight Acres, both belonging or reputed to belong to the said W. J. Smith, and along the said fence to the south-east corner of the said field called Far Eight Acres where it joins the lands of Mr. Joseph Porter; and thence turning southwardly, south-eastwardly, and eastwardly along the boundary of the lands belonging or reputed to belong to the said Joseph Porter, W. J. Smith, Edwin Thompson, the Litchurch Local Board, and Mrs. Mary Goodale respectively, to a point at the north-west corner of a field called or known by the name of Far Close, belonging to or reputed to belong to Mr. John Shaw; thence running southwardly along the boundary fence between the said lands of the said John Shaw and lands belonging or reputed to belong to the Normanton School Board and Mrs. Mary Goodale respectively till it reaches the fence on the westerly side of the road leading from Derby to Twyford and Stenson; thence extending in an eastwardly direction in a straight line from the last-mentioned fence across the said last-mentioned road and the Derby and Normanton road and lands belonging or reputed to belong to Benjamin Edge called or known by the name of Bond Meadow; thence continuing eastwardly along the north fence of the said field to the road leading from Sinfin and Normanton to Derby to the centre of the said road where it joins the boundary of the townships of Normanton and Litchurch at or near the north-west corner of an estate known as the Pear Tree Building Estate.

THE SECOND SCHEDULE.

Market Tolls.

Cattle Market.

	s.	d.
For every stallion or entire horse for sale, hire, or exhibition - -	1	0
For every other horse, foal, or pony - - - -	0	6
For every mule or ass - - - - -	0	4
For every bull - - - - - - -	1	0
For every bullock, cow, steer, or heifer - - -	0	6
For every calf, sheep, ram, lamb, or goat - - - -	0	2
For each pig - - - - - -	0	2
And for every other animal not before named in this schedule brought into the market or fair for sale or show - - - -	1	0

The above tolls, according to the respective classes thereof, to be payable for the respective subjects thereof for each day in which the same are respectively placed in the market or fair, whether for sale or not.

In addition to the above tolls, according to the respective classes thereof, a charge of threepence per head per night for cattle, and one shilling per score for sheep, for accommodation for each night the same is provided.

Each cart containing any animal for sale to be charged sixpence, in addition to the toll for each animal therein as specified in this schedule.

Each auctioneer to be charged as under for animals, &c. sold or offered for sale by auction by him in the market over and above the tolls before mentioned; namely,

	£	s.	d.
For every horse, foal, or pony - - - - -	0	0	2
For every bull, cow, heifer, stird, or steer - - -	0	0	1
For every ass or mule - - - - - -	0	0	1
For every calf, sheep, lamb, pig, or goat - - -	0	0	0½
For every other animal - - - - -	0	0	2

Provided that if the said charges for animals so sold or offered for sale by auction in the market by any auctioneer in any one day do not amount in the aggregate to one shilling the said sum of one shilling shall be paid by him notwithstanding in lieu of a charge per head for each animal, &c. so sold or offered for sale.

Provided also that the market committee or any of their officers may at any time prevent any person exercising the calling of an auctioneer in the said market.

Market Hall.

Shops.

To be paid by the occupier of every enclosed shop for the sale of butcher's meat, game, poultry, fish, vegetables, fruit, china, glass, earthenware, baskets, hardware, or other marketable commodities, according to the size, dimensions, and position of the shop; namely, for every lineal foot of the frontage thereof, and so in proportion for less than a foot:			
If let by the year, any yearly sum not exceeding - -	2	0	0

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	£	s.	d.
If let by the half year, any half-yearly sum not exceeding - -	1	0	0
If let by the quarter, any quarterly sum not exceeding - -	0	10	0
If let by the week, any weekly sum not exceeding - -	0	1	0

Butchers Stalls.

To be paid by the occupier of every butcher's stall according to the size, dimensions, and position of the stall; namely, for every lineal foot of frontage thereof, and so on in proportion for less than a foot:

If let by the year, any yearly sum not exceeding - - -	1	5	0
If let by the half year, any half-yearly sum not exceeding - -	0	17	6
If let by the quarter, any quarterly sum not exceeding - -	0	9	0
If let by the week, any weekly sum not exceeding - -	0	0	9
If otherwise let or occupied, for every market day or other lawful day any daily sum not exceeding - - - -	0	0	6

Vegetable and other Stalls.

To be paid by the occupier of every stall raised above the ground for the sale of vegetables, fruit, game, poultry, china, glass, earthenware, baskets, hardware, or other marketable commodities, according to the size, dimensions, and position of the stall; namely, for every lineal foot of frontage thereof, and so in proportion for less than a foot:

If let by the year, any yearly sum not exceeding - - -	1	0	0
If let by the half year, any half-yearly sum not exceeding - -	0	12	0
If let by the quarter, any quarterly sum not exceeding - -	0	7	6
If let by the week, any weekly sum not exceeding - -	0	0	8
If otherwise let or occupied, for every market day or other lawful day any daily sum not exceeding - - - -	0	0	3

Butter and Eggs.

For butter or eggs carried or contained in any basket, for each basket according to the size thereof not exceeding - -	0	1	0

Market Place and other Spaces used for General Market Purposes.

Ground Space.

To be paid by the occupier of every compartment or space on the surface of the ground, according to the area and position of the same used or occupied for the sale of fruit and vegetables, &c. by wholesale.

For every superficial square foot or fraction of a superficial square foot thereof—

If let by the year, any yearly sum not exceeding - - -	0	6	0
If let by the half year, any half-yearly sum not exceeding - -	0	3	6
If let by the quarter, any quarterly sum not exceeding - -	0	2	0
If let by the week, any weekly sum not exceeding - -	0	0	3

	£	s.	d.
If otherwise let or occupied, for every market day or other lawful day, any daily sum not exceeding - - -	0	0	2
For every superficial foot of ground used or occupied by persons for selling or offering for sale any cabbage or other plants, 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	0	1

STALLS.

For fruit, vegetables, confectionery, and other consumable things, used and occupied for selling by retail only :			
For every foot in length of any stall not exceeding four feet in width for each day, according to position, not exceeding - - -	0	0	6
If for manufactured goods, wares, or merchandise :			
For each and every superficial foot of every stall for any space of time not exceeding one day, any sum not exceeding - -	0	0	1

POULTRY, GAME, &c.

For every turkey or goose - - - - -	0	0	2
For every fowl or duck - - - - - -	0	0	$0\frac{1}{2}$
For every half-dozen pigeons alive, or less number thereof -	0	0	2
For every half-dozen pigeons dead, or less number thereof -	0	0	1
For every pheasant - - - - - - -	0	0	1
For every partridge or grouse - - - - -	0	0	$0\frac{1}{2}$
For every bird not herein-before mentioned - - - -	0	0	$0\frac{1}{2}$
For every hare - - - - - -	0	0	1
For every rabbit alive - - - - - - -	0	0	1
For every rabbit dead - - - - - -	0	0	$0\frac{1}{2}$

GENERAL.

For articles carried about for sale, each person so carrying or selling - - - - - - -	0	0	3
For every umbrella reversed to contain articles for sale, for each day - - - - - -	0	0	4
For every basket, hamper, or thing in the market or place adjacent thereto, containing vegetables or fruit, for every foot in length for each day not exceeding - - - -	0	0	1
For every sack or bag of vegetables or fruit placed in the market or at any place adjacent thereto, for each day not exceeding -	0	0	3
For articles not specifically charged placed on a table or stand, the following sums; namely,			
For every square yard or fraction of a square yard, for each day -	0	0	6
For articles in a tub or cask capable of containing not more than three bushels - - - - - -	0	0	4
For articles in a tub or cask containing more than three bushels -	0	0	6
For articles of any description not herein-before charged, each article - - - - - -	0	0	2

A.D. 1877.

	£	s.	d.
Places of Amusement.			
For every show, caravan exhibition, booth, tent, theatre, swing, roundabout, rifle gallery, stall, stand, or other place or means of amusement or entertainment, such sum as the Corporation or their officers may determine according to the nature of the exhibition and the extent and position of the space occupied by it.			
Tolls for Weighing Goods, &c.			
For every quantity of meat or thing weighed not exceeding fifty-six pounds avoirdupois, not exceeding - - -	0	0	0½
For every quantity of meat or thing weighing more than fifty-six pounds avoirdupois, and not exceeding one hundred and twelve pounds, not exceeding - - - - -	0	0	1
For every one hundred and twelve pounds or fractional part of one hundred and twelve pounds over and above the first one hundred and twelve pounds, not exceeding - -	0	0	0½
For every ticket, if demanded, denoting the weight of any goods weighed each ticket - - - -	0	0	0½
Public Weighing Machine.			
Tolls for Weighing Waggons, Carts, and Carriages.			
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 waggon, cart, or other carriage the loading whereof exceeds four tons - - - - -	0	0	6

THE THIRD SCHEDULE.

Slaughter-house Tolls.			
For every bull, ox, cow, bullock, steer, or heifer - - -	0	2	6
For every calf - - - - -	0	1	0
For every sheep or lamb - - - - -	0	0	6
For every hog or pig - - - - -	0	0	8
For every other animal - - - - -	0	2	0

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