CHAPTER clxxx.

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An Act to enable the mayor aldermen and burgesses of the borough of Dewsbury to make new Streets and Street Improvements and to make further provision for the improvement and good government of the borough and for other purposes. [28th July 1884.]

WHEREAS the borough of Dewsbury in the west riding of the county of York is a municipal borough subject to the Acts relating to municipal corporations and the mayor aldermen and burgesses of the said borough acting by the council are the urban sanitary authority for the district thereof:

And whereas the following local and personal Acts are in force within the said borough (that is to say):

The Dewsbury and Batley Gas Act 1861 — 24 & 25 Vict. c. xciv.

The Dewsbury and Batley Corporations Gas Act 1873; and — 36 & 37 Vict. c. clix.

The Dewsbury and Heckmondwike Waterworks Act 1876; — 39 & 40 Vict. c. clxxxix.

which Acts are in this Act referred to collectively as the recited Acts and each of them separately as an Act of the year in which the same was passed:

And whereas the Corporation are the owners of the gas undertaking of the borough and supply gas thereto and to certain places adjacent thereto under the powers of the Act of 1861 and the Act of 1873:

And whereas the borough is supplied with water by the Dewsbury and Heckmondwike Waterworks Board by means of a water undertaking which is vested (except as to the service reservoirs) in that board in trust as to three-fourths thereof for the Corporation and as to the remaining one-fourth for the Heckmondwike Local Board certain of the said service reservoirs being vested directly in the Corporation and certain other of them being vested directly in the said local board:

And whereas a market has been for many years past held by the Corporation in a place in the borough known as Market Place but

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without statutory powers and there are no legally constituted markets in the borough and it is expedient that the said market be continued and that the provisions of the Markets and Fairs Clauses Act 1847 be made applicable thereto in manner hereinafter provided:

And whereas the lord of the manor of Wakefield claims the right of holding fairs in the borough and by arrangement with him the tolls leviable thereat are collected by the Corporation for their own use in consideration of an annual payment to the lord of the said manor and it is expedient that the Corporation be authorised to acquire the right to hold the said fair:

And whereas it is expedient that the Corporation be empowered to construct and maintain the street improvements hereinafter mentioned:

And whereas the Corporation are the burial board for the borough and have provided a cemetery therefor and it is expedient that they be authorised to make bye-laws therefor:

And whereas it is expedient that the Corporation be empowered to regulate the use of traction engines in the borough and that the Corporation should have the like powers privileges and exemptions with respect to highways within the borough as the Corporation would enjoy if the borough had a separate court of quarter sessions:

And whereas a statement of the loans of the Corporation authorised and raised and the amounts thereof subsisting on the twenty-fifth day of March one thousand eight hundred and eighty-four and the periods for which those loans were sanctioned is set forth in the First Schedule to this Act:

And whereas it is expedient that the debts of the Corporation be consolidated and that the Corporation be empowered to exercise their statutory borrowing powers for the time being by the creation and issue of Corporation stock:

And whereas it is expedient that further powers be granted to the Corporation for the improving and better governing of the borough and that the recited Acts be in divers particulars altered and amended and the powers thereof extended:

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

And whereas estimates have been prepared by the Corporation for the purchase of land for and the execution of the following works by this Act authorised and in the case of sewerage works for the repayment of a loan to the Public Works Loan Commissioners made for the purpose of sewerage works and such estimates are as follows (namely):—

For street improvements thirty thousand pounds;

For sewerage works one hundred and thirty thousand pounds;

For the providing of a refuse destructor a sanitary depôt and a mortuary ten thousand pounds:

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

And whereas an absolute majority of the whole number of the council of the borough at a meeting held on the fifth day of April one thousand eight hundred and eighty-three after ten clear days' notice by public advertisement of such meeting and of the purposes thereof in the "Dewsbury Reporter" and "Dewsbury Chronicle" local newspapers published and 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 and paid out of the funds and rates at the disposal of the council:

And whereas such resolution was published twice in the said "Dewsbury Reporter" and "Dewsbury Chronicle" and has received the approval of the Local Government Board in respect of matters within the jurisdiction of that Board:

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 tenth day of January one thousand eight hundred and eighty-four 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 plans and sections describing the lines situations and levels of the works authorised by this Act and plans showing the lands to be acquired under the powers of this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of lands in the line of those works or within the limits of deviation as defined on the plans and describing those lands have been deposited with the clerk of the peace for the west riding of the county of York and are in this Act referred to as the deposited plans sections and book of reference:

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

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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 Dewsbury Improvement Act 1884.

Act divided into Parts.

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

Part I.—Preliminary.
Part II.—Gas and water.
Part III.—Street works &c.
Part IV.—Provisions as to buildings &c.
Part V.—Streets and highways &c.
Part VI.—Sanitary provisions.
Part VII.—Provisions as to infectious diseases.
Part VIII.—Sewerage &c.
Part IX.—Dewsbury Beck &c.
Part X.—Markets fairs and slaughterhouses &c.
Part XI.—Baths.
Part XII.—Cemetery.
Part XIII.—Fires.
Part XIV.—Hackney carriages &c.
Part XV.—Telegraph wires.
Part XVI.—Traction engines.
Part XVII.—Police.
Part XVIII.—Employment of children.
Part XIX.—Lands.
Part XX.—Execution of works and private improvement expenses.
Part XXI.—Rates and finance.
Part XXII.—Corporation stock.
Part XXIII.—Miscellaneous provisions as to legal proceedings bye-laws &c.

Limits of Act.

3. This Act except where otherwise expressly provided shall apply exclusively to the borough.

Incorporation of General Acts.

4. The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 (in this Act referred to as "the Lands Clauses Acts") and the Markets and Fairs Clauses Act 1847 so far as the same are applicable for the purposes of and are not varied by or inconsistent with this Act are incorporated with and form part of this Act Provided that section thirteen of the last-mentioned Act shall not extend or apply to or in relation to the market of the Corporation unless and until they shall have provided a covered market to the satisfaction of the

Local Government Board of which a certificate under the seal of the said Board shall be conclusive evidence.

Interpretation of terms.

5. In construing this Act the following words and expressions 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 Dewsbury;

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

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

"The town clerk" "the treasurer" "the borough accountant" "the surveyor" "the medical officer of health" "the inspector of nuisances" respectively mean the town clerk the treasurer the borough accountant the surveyor the medical officer of health and the inspector of nuisances of the borough;

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

"District fund" and "general district rates" mean respectively the district fund and the general district rates of the borough;

"Water revenue" means all net moneys received for or in relation to a supply of water other than borrowed moneys and other moneys which ought to be carried to the account of capital;

"Water rents" includes water rates;

"Corporation stock" means Dewsbury Corporation stock created by the Corporation under the provisions of this Act;

"Statutory borrowing power" means and includes every power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration-money for the time being existing under 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;

"Statutory security" means and includes 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

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passed of any municipal corporation including the Corporation or of any other local authority within section thirty-four of the Local Loans Act 1875;

"Gas revenue" means all net moneys received for or in relation to the manufacture and supply of gas other than borrowed moneys and other moneys which ought to be carried to capital account;

"Cemetery" means and includes any cemetery for the time being belonging to the Corporation;

"Street" applies to and includes any highway and any road public bridge (not being a county bridge) lane footway square court alley passage whether a thoroughfare or not and whether made before or after the commencement of this Act but shall not apply to nor include the approach road to any railway station;

"Street works" means the street improvements by this Act authorised;

"Owner" means the person who for the time being receives the rack-rent of the lands with reference to which that term is used whether on his own account or under or by virtue of any mortgage or charge or as agent or trustee for any other person or who would so receive the same if the lands were let at a rack-rent and includes every successive owner from time to time of the lands for any part of the time during which the enactment wherein that term is used operates in relation to such lands;

"Rack-rent" means rent which is not less than two-thirds of the full net annual value of the property out of which the rent arises and the full net annual value shall be taken to be the rent at which the property might reasonably be expected to let from year to year after deducting therefrom all usual tenants rates and taxes and tithe commutation rentcharge (if any) the probable average annual cost of the repairs insurance and other expenses (if any) necessary to maintain the same in a state to command such rent;

"Bankruptcy" includes composition with creditors and the winding-up of an incorporated company and "bankrupt" includes any person so compounding or any such company so winding-up;

"Sanitary purposes" includes the making and maintaining of streets and highways private improvements lighting scavenging water supply sewerage prevention of nuisances the preservation of the health and the improvement of the borough;

"Sanitary expenses" means expenses incurred for sanitary purposes;

"Food" includes every article other than water used for food or drink by man;

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

"Fittings" includes all meters stoves pipes apparatus appliances articles and things provided for or supplied to any person by the Corporation for the conveyance reception storage or distribution or otherwise in relation to a supply of gas or water;

"Daily penalty" means a penalty to accrue for each day any offence shall continue after conviction;

"Summary Jurisdiction Acts" means the Summary Jurisdiction Act 1848 and the Summary Jurisdiction Act 1879 and any Act amending either of those Acts;

"Court of summary jurisdiction" means any justice or justices of the peace stipendiary or other magistrate or officer by whatever name called to whom jurisdiction is given by or who is or are authorised to act under the Summary Jurisdiction Acts or any of such Acts;

"The Public Health Acts" means the Public Health Act 1875 and any Act amending the same;

"The Municipal Corporations Acts" means the Municipal Corporations Act 1882 and any Act amending the same or otherwise relating to municipal corporations in England;

"Carriage" means any vehicle used for the conveyance of persons;

"Cart" means any vehicle used for the conveyance of any goods;

"Omnibus" means any carriage (other than a tramway car) used for the conveyance of passengers paying separate and distinct fares and used for the taking up and setting down of passengers upon its route or for the conveying such passengers to or from any place within the borough or to or from the borough from or to any place without the same;

"Velocipede" includes bicycle tricycle and every like mechanical contrivance;

"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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Words to which meanings are assigned in enactments incorporated with this Act or which have therein special meanings have in this Act the same respective meaning unless there be something in the subject or context repugnant to such construction;

In this Act and for the purposes of this Act in the Acts incorporated with this Act—

The expression "court of competent jurisdiction" or other like expression shall have effect as if the debt or demand with respect to which that expression is used were a common simple contract debt and not a debt or demand created by statute and shall include any court of competent jurisdiction.

Act to be executed by Council.

6. Subject to the provisions of this Act this Act shall be carried into execution by the Corporation acting by the council and according to the Municipal Corporations Acts the Public Health Acts and other Acts respectively for the time being in force and affecting the Corporation as a municipal body and as a sanitary authority respectively and with all the rights powers privileges exemptions duties and authorities conferred and imposed by those Acts respectively on the Corporation or on the council and committees and sub-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 the Public Health Acts and the other Acts respectively and as nearly as may be in all respects as if the powers duties exemptions and property vested in imposed on or enjoyed by them by or under this Act were vested in imposed on or enjoyed by them under those Acts respectively.

Part II.—Gas and Water.

Power to sell &c. water fittings gas stoves &c.

7. The Corporation may manufacture purchase sell or let for hire water-fittings and also gas-stoves gas-engines and fittings necessary or convenient for the supply or consumption of gas for the purpose of light heat or motive power.

Power for Corporation to supply water fittings &c.

8. The Corporation may if requested by any person supplied or about to be supplied by them with water furnish to him any such pipes valves cocks cisterns soil-pans water-closets apparatus and receptacles as are required for the purposes of such supply and from time to time repair or alter the same and may provide all materials and do all work necessary or proper in that behalf and the costs of providing such materials and executing such works shall be paid by the person requiring the same and shall be recoverable from such person in the same manner as the water rates or rents.

Supply of water to mills &c. through meter.

9. The Corporation may require that the water supplied by them to mills workshops public buildings and trade premises for all purposes for which water is or may be used in or upon such mills workshops public buildings and trade premises shall be taken through one inlet pipe and one meter only but in all such cases the owner or occupier of such mills workshops public buildings and trade premises shall not be required to pay in respect of the same premises the special water rents set forth in sections ninety-nine and one hundred of the Dewsbury and Heckmondwike Waterworks Act 1876 but shall be charged for such supply of water such rate or price as the Corporation may from time to time determine upon for water supplied by them through meter.

Application for supply of water.

10. All applications for a supply of water shall be made in writing and signed by the party to be charged for such supply or by his authorised agent.

Water to be laid on constantly under pressure.

11. The water supplied by the Corporation for domestic use shall be constantly laid on under pressure but the Corporation shall not be required to supply water in any case at a pressure greater than that to be afforded by gravitation from the reservoir from which the supply is taken.

Regulations for preventing waste &c. of water.

12. For preventing waste misuse undue consumption or contamination of the water of the Corporation the following provisions shall have effect (namely):—

(1) The Corporation may from time to time make regulations with respect to the construction maintenance and use of water fittings so as to prevent waste misuse undue consumption or contamination of the water of the Corporation to be observed by persons supplied with such water Provided always that any such regulations shall apply only in the case of premises to which the Corporation are bound to afford and do in fact afford a constant supply and shall not take effect unless and until they have been submitted to and confirmed by the Local Government Board in manner provided by section one hundred and eighty-four of the Public Health Act 1875 The Corporation shall on payment of such sum not exceeding two pence as they may demand furnish a copy of the same to any consumer of water who may require the same;

(2) The Corporation may by any such regulations as aforesaid direct the use and prescribe the size nature strength materials workmanship and the mode of arrangement connection disconnection alteration and repair of pipes valves cocks tanks cisterns soil-pans water-closets and other apparatus or receptacles for conveying delivering receiving and measuring

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water and may interdict any arrangement and the use of any pipe valve cock tank cistern bath soil-pan water-closet or other apparatus or receptacle in their judgment likely to occasion waste misuse undue consumption erroneous measurement or contamination of water;

(3) In case of the failure of any person to observe any regulation for the time being in force the Corporation may if they think fit after twenty-four hours' notice in writing enter and by or under the direction of their authorised officer repair replace or alter any pipe valve cock tank cistern bath soil-pan water-closet or other apparatus or receptacle belonging to or used by any person supplied by them and the power of entry given by section fifteen of the Waterworks Clauses Act 1863 and the provisions of that section relative thereto shall extend and apply to entry for the purpose of such repair replacement or alteration and the expense of every such replacement or alteration shall be repaid to the Corporation by the person on whose credit the water is supplied and may be recovered from him as water rent is recoverable;

(4) A printed copy of the regulations purporting to have been made as aforesaid by the Corporation and to be sealed with the seal of the Corporation shall be taken to be proof of the due making publication and existence of such regulations until the contrary be shown and any person who shall offend against any such regulations shall be liable to a penalty not exceeding five pounds and to a further penalty not exceeding forty shillings for every day or part of a day such offence shall occur after conviction therefor.

Part III.—Street Works &c.

Power to make works.

13. Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands shown on the deposited plans and described in the deposited books of reference and according to the levels shown on the deposited sections the following street works (that is to say):—

(A) The widening and improving of New Bridge Street on the northern side thereof;

(B) The widening and improving of Church Street on the western side thereof;

(C) The widening and improving of Union Street on the eastern side thereof;

(D) The widening and improving of Halifax Road on the western side thereof;

(E) The widening and improving of Foundry Street on the southern side thereof;

(F) The widening and improving of Ashworth Road on the eastern side thereof;

(G) In connection with the last-mentioned work the widening and improving of the bridge which carries Ashworth Road over the railway of the London and North Western Railway Company on both sides thereof and of the approaches thereto;

(H) The widening and improving of Eightlands Road on both sides thereof;

(I) A new street being a continuation in a direct line of Milton Street eastwards commencing at the existing eastern termination thereof and terminating by a junction with Eightlands Road;

(K) The widening and improving of Wellington Road on its southern side;

(L) The widening straightening and improving of Vicarage Road on both sides thereof;

(M) The widening and improving of Aldams Road by rounding off the north-eastern corner thereof;

(N) The widening and improving of Wilton Street on the eastern side thereof.

The Corporation may in addition to the foregoing works make and maintain subject to the provisions of this Act all such roadways footways pavements piers arches piling scaffolding gullies sewers drains gutters approaches works and conveniences connected with the foregoing works as they may deem necessary or ancillary thereto.

For the protection of the London and North Western Railway Company.

14. The works by this Act authorised for widening and improving the bridge carrying Ashworth Road over the railway of the London and North Western Railway Company (hereinafter called "the North Western Company") and which works are in this section referred to as "the said works" shall be executed in the manner hereinafter prescribed and in accordance with the following provisions (namely):—

(1) The said works shall be constructed according to plans sections and specifications to be agreed upon between the North Western Company and the Corporation or in case of difference to be settled by an engineer to be appointed as hereinafter provided;

(2) The said bridge when widened shall consist of one span only of a clear width of not less than ninety feet and having a clear headway throughout of not less than fourteen feet six inches above the level of the rails The width of the roadway over the

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said bridge including footpaths shall not exceed twenty-five feet between the parapets;

(3) The North Western Company shall execute the said works on behalf of the Corporation and the cost thereof shall be borne as hereinafter provided;

(4) When the said plans sections and specifications have been agreed upon or settled as hereinbefore provided the North Western Company shall within a period of two months after written notice to that effect given to the Company by the Corporation commence and proceed with the execution of the said works and they shall complete the same within twelve months after the commencement thereof unless they shall have been prevented from so doing by not being able to obtain possession of land required for the purpose;

(5) The Corporation shall from time to time but not oftener than once in three months repay to the North Western Company one moiety of the amount which the principal engineer of the said Company shall in writing under his hand certify to have been from time to time expended in and about the said works and if such amount be not paid within fourteen days after demand thereof the Corporation shall pay interest thereon at the rate of five per centum per annum until payment;

(6) The Corporation shall not acquire any estate or interest in the lands and property of the North Western Company other than an easement or right of maintaining therein the said works;

(7) The Corporation shall make all necessary provision for diverting the traffic over the said bridge during the construction of the said works;

(8) The Corporation and the North Western Company may enter into and carry into effect agreements for any variation in the works to be done under this section or in the mode of executing the same;

(9) If any difference shall arise between the Corporation and the North Western Company whether with regard to the said plans sections and specifications or to the sums to be from time to time paid by the Corporation in respect of a moiety of the cost of the said works or to any other matter relating to or arising out of the provisions of this section the same shall from time to time be determined by an engineer to be agreed upon or failing agreement to be appointed for that purpose by the president for the time being of the Institution of Civil Engineers on the application of either party.

Limits of lateral and vertical deviation.

15. Subject to the provisions of this Act the Corporation in the construction of the street works may deviate laterally from the lines thereof as shown on the deposited plans to the extent of the limits of lateral deviation indicated thereon and where in any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may deviate vertically from the levels shown on the deposited sections to any extent not exceeeding three feet upwards or three feet downwards.

Power to make subsidiary works.

16. Subject to the provisions of this Act and within the limits defined on the deposited plans the Corporation in connection with the street works or any of them and for the purposes thereof may make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the said works or any of them and may raise lower or alter any vault arch cellar or area under or adjoining any roadway or footway and may make diversions widenings or alterations of lines or levels of any existing streets for the purpose of connecting the same with the said works or improvements or any of them or of crossing under or over the same or any of them or otherwise Provided always that the Corporation shall make to the owners and occupiers of and all other parties interested in any lands or houses injuriously affected by the exercise of the powers of this section full compensation for all damage so sustained by them or any of them.

Power to alter pipes &c.

17. In executing the works by this Act authorised the Corporation may raise sink or otherwise alter the position of any sewer drain water pipe or gas pipe belonging to or connected with any building adjoining or near to the site of any such work and also (subject nevertheless to the provisions of the Telegraph Act 1878 and the Electric Lighting Act 1882) any pipe tube wire or apparatus laid down or used for telegraphic or other purposes and may remove any other obstruction causing as little detriment and inconvenience as circumstances admit and making reasonable compensation for damage caused by the execution of the powers of this enactment.

Temporary stoppage of streets.

18. The Corporation may during the execution and for the purposes of any work by this Act authorised from time to time stop up any street road or court and prevent all persons other than those bonâ fide going to or returning from any house in the street from passing along and using the same for any reasonable time.

Streets disused vested in Corporation.

19. Where any street or ground abutting on any street and dedicated to public use becomes in consequence of the execution by the Corporation of any street works shown on the deposited plans

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Restrictions on projections and projecting buildings in streets.

26. (1.) It shall not be lawful without the written consent of the Corporation to build or to bring forward the main outer face of any external wall beyond the building line in any street or to construct build make place or fix any projection beyond the building line in any street or over or upon the surface thereof except in accordance with the following regulations (that is to say):—

(A.) In any street having the available width between the building lines specified in the first column of the following table the jambs pilasters or architraves of any doorway or window (including any bases or plinths of such jambs or pilasters) and any window in the ground storey of any shop for the sale of goods by retail (including any name plate or sign-board at or near the sill of such window) may project to any extent not exceeding that specified in the second column of the same table and the cornice or string-course of any storey (such cornice or string-course being at least ten feet above the ground) may project to any extent not exceeding that specified in the third column of the same table and any balcony or window-sill above the ground storey and any cornice or eaves of a bay window or oriel window above the ground storey may project to any extent not exceeding that specified in the fourth column of the same table and the body of any bay window or oriel window above the ground storey may project to any extent not exceeding that specified in the fifth column of the same table:

Where available width of street between building line	Projection of jambs &c. not to exceed	Projection of cornice &c. not to exceed	Projection of balcony &c. not to exceed	Projection of body of bay or oriel window not to exceed
	Inches.	Inches.	Inches.	Inches.
Does not exceed 30 feet - -	2	12	12	6
Exceeds 30 feet but not 40 feet	3	15	15	9
Exceeds 40 feet but not 50 feet	3	18	18	12
Exceeds 50 feet but not 60 feet	4	21	21	15
Exceeds 60 feet - -	4	21	24	18

(B.) The amount of the projection as aforesaid of any such jamb pilaster cornice string-course eaves balcony window-sill bay window or oriel window shall be measured to the outermost portion of the same;

(C.) Every balcony and the body of every bay window or oriel window as aforesaid shall be placed at a distance from the middle of the nearest party-wall not less than the distance to which such balcony or window projects;

(D.) No such bay window or oriel window projecting as aforesaid shall extend upwards through more than one storey without the written consent of the Corporation nor shall any two such windows in any storey of the same building be at a less distance apart than twenty feet without the written consent of the Corporation;

(E.) Water pipes small architectural dressings and sliding doors or gates may project three inches and no more in any street having an available width of not more than thirty feet and in any street having an available width of more than thirty feet they may project four inches and no more:

(2.) Notwithstanding the foregoing provision as to the consent of the Corporation in no case shall the jambs pilasters or architraves of any doorway or window project beyond the building line in any street to a greater extent than one foot and in no case shall any bay window or oriel window as aforesaid project to a greater extent than two feet and in no case shall any balcony or window-sill or any cornice or eaves of a bay window or oriel window as aforesaid project to a greater extent than three feet:

Provided that in any case where the corner of any building at the junction of any two streets is cut off or set back so as to increase the available width of such streets it shall be lawful for the Corporation to consent to the construction of any overhead projection at such corner:

(3.) In any external wall of any building the faces of any two or more external jambs pilasters or columns which do not form the sides of any doorway or window or which extend throughout the height of more than one storey shall be deemed to be the main outer face of such external wall:

(4.) Every projection beyond the main outer face of any external wall shall be constructed built made placed and fixed in every respect to the satisfaction of the surveyor:

(5.) It shall not be lawful without the written consent of the Corporation to construct place fix or hang any door shutter trap platform shoot sign cat-head crane hoist or other apparatus or thing in connection with any building or structure so as to project over the surface of any street at any time or so as to allow any suspended load to hang over the surface of any street at any time:

(6.) Any consent under this section may be given by the Corporation subject to such terms and conditions as they may deem expedient:

(7.) Every person offending against this section shall be liable to a penalty not exceeding ten pounds and to a further penalty not

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exceeding twenty shillings for every day during which the offence is continued after conviction.

Height of buildings.

27. 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 half-way 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.

Privies &c. for manufactories.

28. Every building used as a workshop manufactory or school shall be provided with at least one privy or water-closet and one urinal for every fifty males or fractional part thereof employed therein or attending thereat and with at least one privy or water-closet for every thirty females or fractional part thereof employed therein or attending thereat.

Defining "ashpit" in Public Health Act 1875.

29. The term "ashpit" in the Public Health Act 1875 shall for the purposes of the execution within the borough of that Act and of this Act include any ashtub or other proper receptacle for the deposit of ashes fœcal matter refuse or sewage.

As to pail-closets &c.

30. The Corporation may if they think fit authorize or require the use of a pail-closet or ash-closet in any case in which they are authorized to require the use of a privy water-closet or earth-closet and may from time to time prescribe the size and materials of which any pail-closet or ash-closet shall be constructed and the times and mode of removing cleansing preserving and replacing of the pails tubs fittings and appliances of any such closet The provisions of this Act and subject thereto the provisions of the Public Health Act 1875 with respect to the providing of privies water-closets and earth-closets shall apply mutatis mutandis in the case of pail-closets or ash-closets the use of which may be so required or ordered by the Corporation and the Corporation may if they think fit from time to time provide and maintain and charge for the use of such pail-closets or ash-closets pails tubs fittings and appliances or any or either of them or any part or parts thereof respectively and may recover such charges summarily In cases

where the Corporation authorise or require the use of an earth pail or tub closet they may require that urinals be provided.

Regulation pails and tubs for privies &c.

31. The owner of every dwelling-house in which pails or tubs are used in the privies shall if so required by the Corporation obtain the regulation size pails or tubs from the Corporation who shall from time to time determine the cost to be paid for the same and in case the owner of any dwelling-house use any pail or tub not obtained from the Corporation he shall for every such offence be subject to a penalty not exceeding twenty shillings and to a daily penalty not exceeding twenty shillings.

Summary power for providing sinks and drains for dwelling-houses.

32. In addition to all other powers vested in the Corporation the Corporation or any committee of the council may if the surveyor shall report in writing to the Corporation or to any such committee that any dwelling-house is not provided with a proper sink or drain or other necessary appliances for carrying off refuse water from such dwelling-house by notice under the hand of the surveyor for the time being require the owner of such dwelling-house in the manner and within the time to be specified in such notice to provide such sink drain or other appliances If any such owner shall neglect to comply with such notice within the time therein appointed he shall be liable for every such offence to a penalty not exceeding five pounds and to a daily penalty not exceeding the like sum.

Height of rooms.

33. In every new building (unless the Corporation otherwise allow) every room used as a dwelling or sleeping-room below or partly below the level of the ground shall be in every part thereof eight feet six inches in height at least from the floor to the ceiling and every other room so used except rooms in or partly in the roof shall be in every part nine feet in height at least from the floor to the ceiling and every room in or partly in the roof so used shall be at least seven feet in height from the floor to the ceiling through not less than one-half the area of the room.

Formation of back yards of houses.

34. The back yard of every house to be hereafter erected where the total area of the house and yard shall contain less than one hundred square yards shall be formed with such fall and shall be flagged paved or asphalted with such material as shall be satisfactory to the surveyor for the purpose of carrying off the surface water to the drains of such house and if the back yard of any house erected before or after the passing of this Act where the house and yard contain together less than one hundred square yards shall not be formed paved flagged or asphalted so as to allow of the surface water being so carried off as aforesaid the owner shall within seven days after notice in writing to be given him by the surveyor

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or left at or affixed on such house proceed to form and flag pave or asphalt the yard and shall complete such several works to the satisfaction of the surveyor within fourteen 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.

Buildings to be used as hotels &c. to have sufficient means of ingress and egress.

35. Every building which after the passing of this Act is intended to be used as an hotel public-house inn beershop coffee-shop tavern church chapel school lecture hall or room assembly room or any place of public amusement or entertainment shall be provided with ample and convenient means of ingress and egress regard being had to the purposes for which such building is intended to be used and the number of persons likely to be assembled at the same time therein and it shall not be lawful for the owner 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 he has obtained a certificate under the hand of the town clerk or surveyor that the Corporation are satisfied with the sufficiency of the means of ingress and egress provided at such building 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 such purpose as aforesaid without having previously obtained such certificate shall for every such offence be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding ten pounds.

Stands &c. not to be used until approved by surveyor.

36. No person shall permit to be used any stand platform or other erection of a temporary nature (not included within any building and not being a platform forming part of a railway or railway station) into or upon which it is intended that the public should be admitted until the same shall have been approved in writing by the surveyor.

Wooden buildings to be removed.

37. If the Corporation by resolution declare that any wooden building existing at the passing of this Act is likely to cause danger to adjoining buildings they may order the same to be removed within one year from the making of the order and if any such wooden building be not so removed the owner thereof shall in each case be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding ten pounds Provided that if any such building not in the occupation of the owner thereof be so removed the occupier thereof shall be entitled to a remission or in case the building form part of a holding to a reduction of the rent payable by him in respect of such building or holding The amount of such

remission or reduction to be settled in case of difference by the surveyor.

No buildings allowed until street formed &c.

38. No person except with the consent of the Corporation shall in any new street commence to erect any new building or to excavate for the foundation thereof until the whole length of the street shall have been defined by posts or in some other sufficient manner to the satisfaction of the Corporation and until the kerb-stones shall have been placed along the intended footway at intervals of not more than thirty feet apart for the whole length of the intended street to indicate the line and level thereof as approved by the Corporation and no building in a new street shall be occupied until so much of such street as shall be requisite to afford an access from such building to an existing street shall have been formed levelled metalled sewered and completed to the satisfaction of the Corporation Any person who shall offend against this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Hoards to be set up during progress of buildings &c.

39. Every person intending to build or take down any building or to alter or repair the outward part of any building in any street or court shall before beginning the same unless the Corporation otherwise consent in writing cause close boarded hoards or fences to the satisfaction of the Corporation to be put up in order to separate the building from the street or court with (if the Corporation so require) a convenient covered platform and handrail to serve as a footway for passengers outside of such hoard or fence and shall continue such hoard or fence with such platform and handrail as aforesaid standing and in good condition to the satisfaction of the Corporation during such time as in their opinion the public safety or convenience requires and shall when required by the Corporation in order to prevent accidents cause the same to be sufficiently lighted during the night and shall remove the same when required by the Corporation.

Raising of chimneys &c.

40. In case any building is after the commencement of this Act erected or raised to a greater height than the adjoining building and any flues or chimneys of the adjoining building are against or in the outer or party wall against the building so erected or raised the person erecting or raising such building shall at his own expense build up those flues and chimneys so that the top thereof may be of the same height as the tops of the chimneys of the building so erected or raised.

Height of chimneys.

41. With respect to the height of chimneys the following provisions shall have effect (that is to say) :—

1. All chimneys already or hereafter erected for carrying any smoke from the furnace of any mill factory brewery sizing-

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house gasworks corn mill foundry or buildings used for manufacturing purposes or for the conveying away of any noisome or deleterious gases or effluvia from any such buildings shall be raised to the height of sixty-three feet at least from the level of the centre of the street nearest thereto and in all cases where any chimney serves the furnace of a steam-engine the chimney shall be raised to an additional height from such level adapted to the power of such engine according to the following scale (that is to say) if such steam-engine be of more than thirty horse-power and do not exceed forty horse-power the height of such chimney shall not be less than one hundred feet and if such steam-engine be of more than forty horse-power the height of such chimney shall not be less than one hundred and twenty feet;

2. No portable steam-engine shall after the passing of this Act be erected or used within sixty-three feet of any occupied dwelling-house unless connected with a chimney of such height not less than forty feet as the Corporation may in each case prescribe but the Corporation may not in any such case prescribe a greater height than one hundred feet;

3. All steam ejected from any fixed steam-engine or the boiler thereof and all spent or ejected steam arising or produced in any trade or business shall be discharged into the chimney flue so as not to be an annoyance to the public;

4. The foregoing provisions of this section shall not apply to locomotives used upon any railway or tramway or to portable steam-engines in use for agricultural purposes or to steam-rollers or fire-engines;

5. Any person who shall offend against any provision of this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Stability of chimney-shafts.

42. If the Corporation by resolution determine that any chimney-shaft or stack is dangerous or insecure they shall forthwith require the owner thereof to render the same secure or as the case may in their opinion require to remove the same and if he fail within a reasonable time to comply with such requirement he shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding ten pounds and the Corporation notwithstanding the recovery of such penalties may execute the necessary works and recover the expenses thereof as private improvement expenses.

Power to enter buildings to inspect &c. chimneys &c.

43. Any person appointed by the Corporation may enter in the day time into any mill factory brewery sizing-house gaswork or other building used for manufacturing purposes or any part thereof

and may there inspect and examine the condition and measure and ascertain by all proper means the height of any chimney included in the provisions of the three preceding sections and the power of any steam-engine used in connection therewith and every person who prevents obstructs or hinders any person so appointed from entering any such building or making such inspection or examination or measuring or ascertaining the height of such chimney or the power of such steam-engine shall for every such offence be liable to a penalty not exceeding ten pounds.

Certificate that houses fulfil certain requirements.

44. No building not already occupied as a dwelling-house shall be so occupied until the drainage thereof has been made and completed nor until a certificate has been granted by the surveyor to the owner that such house is in every respect in accordance with the requirements for the time being in force within the borough Provided that if the surveyor fail to give such certificate within fourteen days after a written application for it shall have been made to him by the owner of such building and shall not in the meantime specify to such owner which of the aforesaid requirements have not been complied with with respect to such building then such building may be thereupon occupied as a dwelling-house If any building is occupied contrary to the provisions of this section the owner of such building occupying the same or allowing the same to be so occupied and every person wilfully occupying the same shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding two pounds.

Penalty on workmen doing wilful damage.

45. If any workman labourer servant or other person employed in or about any works within the borough wilfully and without the privity or consent of the owner or person causing such work to be done does anything in or about such works contrary to the provisions herein contained he shall for each offence incur a penalty not exceeding twenty shillings.

Buildings described as lock-up shops not to be used as dwellings.

46. Where in the plan of a building deposited with the Corporation such building is described as a lock-up shop workshop shed or place of business the use of such building or any part thereof for the purposes of habitation by any person other than the person placed therein to take care thereof and the family of such person shall be an offence against this Act and shall be deemed to be committed on the day when such user is made known to the Corporation Every person wilfully so using such building or permitting the same to be used shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

PART V.—STREETS AND HIGHWAYS &c.

Back passages to streets to be laid out.

47. Every new street intended as the principal or front access to a continuous line of dwellings shall unless the Corporation otherwise allow have provided and set out in connection with it one or more back or transverse passages or roads open at each end and not less than fifteen feet wide in such manner as to afford access for carts to the back of every house in such continuous line of dwellings in the new street and such passages or roads shall be kept free from any obstruction and uncovered and properly drained metalled and made good to the reasonable satisfaction of the Corporation Every such passage or road shall be maintained in proper repair by the owners of the premises abutting thereon in proportion to their respective frontages and in default thereof the Corporation may from time to time execute the necessary repairs and recover the costs thereof from such of the owners of the said premises as are in default as private improvement expenses.

Intersecting streets.

48. No new street intended to have a continuous line of buildings shall unless the Corporation otherwise allow be laid out of more than two hundred yards in length without an intersecting street.

Continuation of streets to be deemed new streets.

49. Every continuation of an existing street shall be deemed a new street.

Duplex system of sewers.

50. Every new street shall have two separate and distinct sewers therein extending the whole length of the street one for the carrying of sewage exclusively and the other for the carrying of the surface and storm waters and each such sewer shall be connected with a sewer constructed for the corresponding purpose and every drain used or intended to be used for the conveyance of sewage shall be connected only with the sewer for the carrying of sewage.

Drain to be constructed before buildings erected.

51. Every person who has made or laid out any street and shall not have sewered the same shall construct therein a sewer for surface water in accordance with this part of this Act co-extensive with the said street He shall also provide and lay down in the street in such places as the surveyor shall determine grids for carrying off the surface water from the said street No person shall let for occupation any new building upon any plot of land in any new street until the same and the surface drainage thereof for the whole distance between such building and some public street shall have been completed to the satisfaction of the Corporation.

Powers to vary direction level &c. of new streets.

52. The Corporation may by order vary or alter the intended position or direction of any intended new street for the purpose of

causing it to communicate in a direct line with any other street adjoining or leading thereto.

Deposit of plan of streets to be void after certain intervals.

53. The section in Part IV. of this Act the marginal note whereof is "Deposit of plan to be void after certain intervals" shall extend and apply mutatis mutandis to deposit of plans of streets.

Corporation may declare where new streets begin and end.

54. The Corporation may from time to time by order declare the points or limits at or within which any new street is for the purposes of this Act to be taken as beginning or ending.

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

55. 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 in such other manner as the Corporation may approve 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 the owner of the building secured of his full rights over any land he may wish to retain in front of his building.

As to repair of vaults &c. under streets.

56. All vaults arches and cellars at any time subsisting 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 the Corporation may after twenty-four hours' notice in that behalf 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 deemed private improvement expenses.

Section 31 of 10 & 11 Vict. c. 34. extended to vaults under footways.

57. The provisions of section thirty-one of the Towns Improvement Clauses Act 1847 shall extend to all vaults arches and cellars to be made within the borough whether made under the carriageway or under the footway of any street.

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Removal of projections over streets.

58. Sections 69 and 70 of the Towns Improvement Clauses Act 1847 incorporated with the Public Health Act 1875 shall with respect to the borough extend and apply to any crane or apparatus for hoisting or lowering goods and any other like projections from or at any building and whether erected before or after the passing of this Act which the Corporation may determine to be dangerous or an obstruction to the safe and convenient use of any street.

Courts and passages to be flagged and channelled.

59. Every street within the borough which is only a court or passage and is not a public thoroughfare repairable by the inhabitants at large shall be well and sufficiently formed paved or flagged channelled and sewered and kept in good repair by the owner or owners of the house or houses buildings and lands abutting thereon and having the right to the use thereof and if any such court or passage be not so well and sufficiently paved or flagged channelled and drained and kept in good repair the Corporation may cause the same to be paved flagged channelled sewered and repaired and the expenses attending the same shall be settled by the surveyor and apportioned by him among the owners of the buildings and lands abutting on such court or passage and having the use thereof in such proportion as he shall deem equitable having regard to the rateable value of such buildings and lands and the other circumstances of the case.

Crossings for horses or vehicles over footways.

60. Every person desirous of forming a communication for horses or vehicles across any kerbed footpath so as to afford access to any premises from a street shall first give notice in writing of such desire to the Corporation and shall if so required by them submit to them for their reasonable approval a plan of the proposed communication showing where it will cut the footpath and what provision (if any) is made for kerbing for gullies and for a paved crossing and the dimensions and gradients of necessary works and shall execute the works at his own expense under the supervision and to the reasonable satisfaction of the surveyor and in case such plan shall have been required then in accordance with the plan so approved and not otherwise and if any person drives or permits or causes to be driven any horse or vehicle across any footway unless and until such a communication as aforesaid has been so made he shall for each such offence be liable to a penalty not exceeding forty shillings.

Corporation may require certain streets to be repaired and recover expenses thereof.

61. The Corporation in cases where temporary repairs only are required of any street not being a highway wholly 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 three-fourths in number of the owners of premises fronting adjoining or abutting upon the street in which such temporary repairs are required 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 the Public Health Act 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 accordingly.

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Materials in streets sewered and paved.

62. The Corporation may remove appropriate use and dispose of any old materials existing in any street at the time of the execution by the Corporation of any works in such street unless the owners of buildings and lands in such street within twenty-four hours after notice so to do served on them by the surveyor remove such materials or their respective proportions thereof and the Corporation may if they think fit allow such sum as the surveyor may fix to be the reasonable value thereof to such owners for any materials which have been re-used or removed.

Recovery of damages caused to footways by excavations.

63. If the footway of any street belonging to or under the management of the Corporation be injured by or in consequence of any excavations on lands adjoining thereto 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 deemed private improvement expenses and be repayable to the Corporation by the owner of the lands on which such excavation has been made.

Waste land to be fenced.

64. If the owner or occupier of any vacant land or land adjoining any street or adjoining or near to any river canal reservoir or other water allows the same to remain unfenced or the fences thereof to remain out of repair after the expiration of fourteen days' notice from the surveyor the Corporation may cause the same to be fenced or may cause the fences to be repaired in such manner as

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they think fit and the expenses thereby incurred shall be recoverable as private improvement expenses.

Power to alter names of streets and names to be put up and houses to be numbered &c.

65. The Corporation may name any street or any part of a street which is without a name or which bears two names and may from time to time alter the name of any street or of any part of a street and may from time to time paint engrave or otherwise describe and place the name of any street or of any part of a street on a conspicuous part of any building or other erection at or near each end corner or entrance thereof and number every building or other erection therein on the door thereof or otherwise as they think proper and if any person wilfully or without sufficient reason destroys obliterates defaces removes or without the consent of the Corporation alters any such name or number or any part thereof he shall be liable to a penalty not exceeding forty shillings.

Deposits of building materials or excavations not to be placed without consent.

66. It shall not be lawful for any person without the consent of the Corporation first obtained which consent shall not be unreasonably withheld to lay any building materials rubbish or other thing or make any excavation on or in any street and when with such consent any person lays any building materials rubbish or other thing or makes any excavation on or in any street he shall at his own expense (unless the Corporation otherwise permit) cause the same to be sufficiently fenced and a sufficient light to be fixed in a proper place on or near the same and to be continued every night from sunset to sunrise and shall remove such materials rubbish or thing or fill up such excavation (as the case may be) when required by the Corporation and if any person fails to comply in any respect with the requirements of this enactment he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings for every day during which such failure continues after the expiration of twenty-four hours from the service of notice thereof on him by the surveyor and the Corporation may remove any such materials rubbish or thing or fill up such excavation (as the case may be) and recover the expenses from the offender summarily.

Power to accept statues &c.

67. The Corporation may from time to time accept in trust for the inhabitants of the borough and allow the erection in public streets and places in the borough of such statues and other monuments drinking and other fountains as they think fit and may maintain the same and any statues monuments and fountains so accepted and erected before the passing of this Act and keep them in good order and repair.

Power to provide convertors &c.

68. For the purpose of destroying night-soil dung ashes and other filth and rubbish the Corporation may provide furnaces convertors destructors and other things but nothing in this section shall authorise the Corporation to create a nuisance.

Provision as to access to premises for scavenage.

69. Where the privy or ashpit of any new building has no sufficient means of approach for the purposes of scavenage the Corporation may by notice signed by the surveyor or inspector of nuisances require the owner of such privy or ashpit within a time to be named in such notice to make sufficient means of approach thereto to the satisfaction of the surveyor or inspector of nuisances Every person failing within a reasonable time to comply with such notice shall be subject to a penalty of five pounds and to a daily penalty of forty shillings.

Corporation may agree as to disposal of sewage &c. of manufactories.

70. The Corporation may make and carry into effect agreements with the owners or occupiers of any manufactories or works within the borough for or with reference to the purification and disposal of sewage matter and refuse produced on or arising from such manufactories or works.

Urinals attached to publichouses &c.

71. The Corporation may order the occupier of any inn public-house beer-house eating-house cook-shop or other place of public entertainment built before or after the commencement of this Act to provide and maintain upon or adjoining such premises a urinal or urinals to the satisfaction of the Corporation and if any person 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 thereto where it appears so situated or constructed as to be a nuisance or offensive to public decency.

Provision as to filling up cesspools &c.

72. If it appears to the Corporation by the report of the surveyor or inspector of nuisances or medical officer of health that any cesspool used at or at any time after the commencement of this Act as a receptacle for excreta or for the whole or any part of the drainage of any house or part of a house within the borough or any ashpit belonging to any such house or part of a house is prejudicial to health or is inconveniently situated or is ill-constructed or is not watertight or that for other sanitary reasons it is desirable that the same should be filled up or removed the Corporation may if they think fit by written notice require the owner or occupier of such house or part of a house within a reasonable time to be specified in

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such notice to cause such cesspool or ashpit to be filled up or removed and any drain communicating with such cesspool to be effectually disconnected destroyed and taken away and in cases where it appears by such report that any cesspool or ashpit is used in common by the occupiers of two or more houses or parts of houses such notice for the filling up or removal of such common cesspool or ashpit may be served on any one or more of the owners or occupiers respectively who have the right to use the same cesspool or ashpit and the cost of filling up or removing such last-mentioned cesspool or ashpit shall be defrayed by the owners thereof in such proportion as the Corporation shall determine.

Prevention of nuisances.

73. If any middenstead ashpit urinal privy or watercloset within the borough used in common by the inmates of any premises used as a separate dwelling and also by any other persons or the approaches to or the walls floors seats or fittings of any middenstead ashpit privy or watercloset or any of them is or are in the opinion of the Corporation or of the inspector of nuisances or medical officer of health in such a state or condition as to be a nuisance or annoyance to any inhabitant of the borough for want of the proper cleansing thereof that one of the persons having the use thereof in common as aforesaid who is in default or in the absence of proof satisfactory to the justices as to which of them is in default each of such persons shall be liable to pay a penalty not exceeding ten shillings and to a daily penalty not exceeding five shillings.

Power to deal with nuisance on premises partly within and partly without borough.

74. If any nuisance or annoyance to the inhabitants of the borough arises or exists in or upon any building or the curtilage thereof situated partly within and partly without the borough the owner and occupier of such building and curtilage shall be liable at the suit of the Corporation to the same penalties as they would be liable to if the whole of such building and curtilage had been within the borough.

Cleansing watercourses &c. forming boundaries of borough.

75. In case any watercourse brook ditch drain pool reservoir or other accumulation of water is or forms part of the boundary line between the borough and any adjoining township or place and in the opinion of the Corporation requires to be drained cleansed scoured deepened widened straightened covered over or otherwise improved the Corporation and the local authority of such township or place may enter into an agreement for the execution of such works and for the payment of the expenses of and incident to the same and if no agreement is made the Corporation may summon such local authority to appear before two justices not being members of the council to show cause why an order should not be made by such justices for executing such permanent or other structural works in

relation to the watercourse brook ditch drain pool reservoir or accumulation of water as may appear to the justices necessary and such justices after hearing the parties or ex parte in case of the default of any of them to appear may make such order with reference to the execution of such works and may determine by whom the same shall be executed and by whom and in what proportion the expenses of the execution thereof (such expenses to include compensation to any person for any damage he may sustain in or by reason of the execution of such works) shall be paid and also the amount time and mode of payment of such expenses and the same shall be paid accordingly and in default of payment such sum may be levied upon the goods and chattels of such local authority by distress and sale thereof or may be recovered with full costs of suit in any court of competent jurisdiction. Provided that nothing in this section shall authorise any interference with a navigable stream or canal or the diversion of water from or the diminution of the quantity of water in any navigable stream or canal or watercourse used for supplying any navigable stream or canal of the Dewsbury Mills estate belonging to the trustees of the late Thomas Hague Cook.

Entrances to courts &c. not to be closed &c. without consent of Corporation.

76. The entrance to any court or place not being a highway repairable by the inhabitants at large shall not at any time after the commencement 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.

Power to supply houses or courts with privies &c.

77. The Corporation for the purpose of supplying a court or place with a privy water-closet earth-closet pan-closet sanitary-pan ash-pit ash-tub or other sanitary accommodation may from time to time take by agreement any building and remove the same and execute all consequent structural and other works and the owner or owners of such houses in the court or place benefited thereby shall be liable to pay the 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 such proportion as he shall deem equitable having regard to the rateable value of the property held by them in such court or place and the other circumstances of the case and the amount apportioned to each owner shall be payable and recoverable as private improvement expenses.

Rooms over privies or ashpits not to be used as dwelling or sleeping rooms.

78. No room built before or after the commencement of this Act any portion of which extends immediately over any privy cesspool midden or ashpit or immediately over any cow-byre or other place in which cows are kept and which is not effectually separated from such room to the satisfaction of the Corporation shall be

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occupied as a dwelling or sleeping or work-room and no person shall after the expiration of one month after the commencement of this Act knowingly occupy or suffer to be occupied as a dwelling or sleeping or work-room any such room. Any person offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

Power to purchase buildings unfit for human habitation.

79. The Corporation if they think fit may purchase or otherwise acquire by agreement any building (including the site and appurtenances thereof) which or a part of which is used for but is in their opinion unfit for human habitation.

Regulating the burning of bricks &c.

80. Every person who shall within two hundred yards of any dwelling-house situate within or near any street burn any bricks tiles or lime except in a brickyard or limekiln 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.

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

81. 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.

Power to medical officer of health and inspector of nuisances to open boxes &c. containing provisions.

82. For the purpose of enabling the medical officer of health or inspector of nuisances to effectually inspect and examine under the provisions of section one hundred and sixteen of the Public Health Act 1875 any article sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale within the borough and intended for the food of man such medical officer of health or inspector of nuisances may subject to the provisions of section three hundred and eight of the Public Health Act 1875 open any box or other receptacle in which any such article may be contained and any person who shall obstruct any such officer or inspector in the execution of this section shall be liable to a penalty not exceeding ten pounds.

Extending powers as to unwholesome food.

83. Section one hundred and seventeen (Power of justice to order destruction of unsound meat &c.) of the Public Health Act 1875 shall extend and apply to every diseased unsound or unwholesome article 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 whether such article be or be not seized and carried away to be dealt with by any justice or ordered by any justice to be destroyed or disposed of as mentioned in such section Provided that the

justice before whom any complaint with respect to such article of food is made be satisfied on the evidence laid before him that such article of food was diseased or unsound or unwholesome or unfit for the food of man. A.D. 1884.

Power to provide a Corporation depôt.

84. The Corporation may provide and maintain a depôt for the deposit and working up of materials used by the Corporation for and in relation to the construction of streets buildings sewers drains and sanitary appliances and may erect such buildings and machinery as they from time to time deem expedient for the purpose.

Part VII.—Provisions as to Infectious Diseases.

Corporation shall provide temporary accommodation during disinfection of dwellings.

85. 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 by the Corporation to leave their dwellings for the purpose of enabling such dwellings to be disinfected.

Corporation may provide nurses &c.

86. The Corporation may provide or contract with any person or persons to provide nurses for attendance upon persons suffering from infectious disease within the borough and may charge a reasonable sum for the service of any nurse provided by them.

Notice to be given of persons suffering from infectious disease.

87. 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 have 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 legally qualified medical practitioner resident or practising

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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 hereinafter mentioned in relation to such cases according to the form set forth in the Second 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 legally qualified 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.

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

88. 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.

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

89. Whenever it shall be certified to the Corporation by the medical officer of health or other legally qualified medical practitioner that the 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 milkstore or milkshop 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 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.

Further powers in relation to disinfection of premises.

90. 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.

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

91. 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.

92. 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.

93. 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.

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

94. 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 of 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.

95. 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 section 84 of Public Health Act 1875.

96. 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 five pounds and in the case of a continuing offence to a daily penalty not exceeding forty shillings.

Penalties only recoverable by Corporation.

97. No penalty under this part of this Act shall be recoverable except on the information or complaint of the Corporation.

Saving for Acts relating to dairies animals &c.

98. Nothing in or done under this Act shall interfere with the operation or effect of the Contagious Diseases (Animals) Act 1878 or of any order license or act of Her Majesty's Privy Council 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 exempt the dairies milk-stores milk-shops slaughter-

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houses or knackers-yards to which this Act relates 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.

Power of entry for purposes of sections 120 and 121 of the Public Health Act 1875.

99. For the purpose of carrying into effect the provisions of sections 120 and 121 of the Public Health Act 1875 or either of those sections the Corporation may by any officer appointed in that behalf enter on any premises between the hours of ten o'clock in the forenoon and six o'clock in the afternoon.

Power to make bye-laws for sanitary purposes.

100. The Corporation may from time to time make and enforce bye-laws for all or any of the following purposes (that is to say)—

For preventing infectious rubbish being thrown into ash-pits or ash-tubs;

For prescribing the times for the removal or carriage through the streets of any fœcal offensive or noxious matter or liquid and the construction and manner of using of any vessel or vehicle used therefor and to compel the cleansing of any place whereon such matter or liquid shall have been dropped or spilt in such removal or carriage.

Part VIII.—Sewerage &c.

Power to construct drain for house if built in contravention of section 25 of Public Health Act 1875.

101. Where any person has been convicted of causing a house to be erected or rebuilt or any drain to be constructed in contravention of section twenty-five of the Public Health Act 1875 the Corporation may cause such drain or drains to be laid relaid or amended or re-made as the case may require and may recover the expenses incurred by them in so doing from the owner of the house as private improvement expenses.

Corporation may make communications between private drains and their sewers on payment &c.

102. If the owner or occupier of any premises within the borough desires that the sewer or drain from such premises shall be made to communicate with any sewer of the Corporation such communication shall be made by the Corporation upon the cost or estimated cost of making the communication being paid to the Corporation or the payment thereof to them being secured to their satisfaction and the Corporation may execute all works necessary for that purpose.

Refuse and other injurious matters not to pass into sewers.

103. 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 or produce corrosion or decay in the materials thereof or generate noxious or offensive gases or

injure or prejudicially affect the grass herbage crops or vegetation of any sewage lands for the time being held by the Corporation and every person offending against this enactment shall for every such offence forfeit and pay a sum not exceeding fifty pounds to be recoverable by the Corporation with full costs of suit in any court of competent jurisdiction.

Steam &c. not to be turned into sewers.

104. 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 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) 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 enter into 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 the 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.

Part IX.—Dewsbury Beck &c.

For cleansing &c. the Beck watercourses.

105. The Corporation may cleanse and scour as they think fit the waterway or bed and course of the watercourse known as Dewsbury Beck or any parts or part thereof and of all other watercourses within the borough and may for the purpose of preventing the silting up thereof respectively from time to time as they see fit pitch form or otherwise improve with such materials as they think fit all or any portions of the bed waterway or course and banks of the said beck and watercourses or any of them and they may also for providing passage for flood waters or other purposes from time to time as they see fit construct and maintain sluice-gates or other works in all or any weirs or dams now existing or hereafter to be placed in the said beck making compensation to the owners and occupiers thereof for any damage or expense sustained or incurred by them by reason or in consequence of the execution of such last-mentioned works or of anything done under the powers of this

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section Provided that the Corporation shall before commencing to do any work affecting the Dewsbury Beck give notice thereof to the Company of Proprietors of the Calder and Hebble Navigation and (if and so long as that navigation is let on lease) to their lessees and to the occupiers of all water power and other mills and manufactories abutting on and using the water of the said beck below the proposed works and shall in executing such works make proper provision to prevent débris or other refuse being at any time thereafter washed into the River Calder out of the said beck.

Penalty for throwing rubbish &c. into beck.

106. 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 and the discharge of any such solid matter from any private or other drain waterway doorway or window shall be primâ facie evidence that the occupier of the premises in which such drain waterway doorway or window is situate or from which such discharge proceeds has committed an offence against the provisions of this section.

For preventing encroachments in beck.

107. No building or erection shall be built erected or placed in or on the sides of the beck or within nine feet from the centre thereof at any time after the passing of this Act and if any building or erection be so built erected or placed the Corporation may cause the owner of such building or erection to be summoned before two justices to show cause why such building or erection should not be removed and if such person or owner fail to appear according to the summons or to satisfy the justices that such building or erection is not in contravention of the provisions of this section the justices shall order such person or owner to remove the same within a time specified in the order not exceeding one month after the date thereof and shall also order him to pay to the Corporation their reasonable costs in the premises to be ascertained by the justices and specified in the order and if such owner disobeys such order he shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings and the Corporation may if they think fit (without prejudice to any such penalties) do the work required by the order and recover the expenses thereof as private improvement expenses from the owner in default.

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

108. Any river stream or watercourse or outfall for water or any part or parts thereof respectively within the borough so choked up with weeds or other growth or so silted up as in either case to lessen the proper flow or usual effectual drainage 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 relating to nuisances of that Act shall apply to every such river stream watercourse or outfall for water notwithstanding that the same may not be injurious to health.

Corporation may resolve that watercourses be cleansed by owners or occupiers.

109. Where any river stream or watercourse or outfall for water or any wall dam or other defence against water or any part or parts thereof respectively within the borough shall not be cleansed repaired or otherwise maintained in a due state of efficiency to prevent any obstruction to the proper flow of the water through or along the same or the overflow of water therefrom to the satisfaction of the Corporation the Corporation may resolve that such river stream or watercourse or outfall for water or such wall dam or other defence against water or such part or parts thereof respectively shall be cleansed repaired or otherwise placed in such due state of efficiency by the respective owners or occupiers of the lands or premises fronting adjoining or abutting thereon within a time to be specified in such resolution.

Specification and estimate of work.

110. The Corporation shall cause a specification of the works intended to be executed under the last preceding section and an estimate of the probable cost thereof to be made under the direction of the surveyor and such specification shall be deposited in the offices of the surveyor and shall be open during office hours for the inspection of all persons interested therein during the time specified in such resolution.

Publication of resolution.

111. The Corporation shall forthwith cause notice of such resolution to be published once in each of two successive weeks in some newspaper circulating within the borough and to be posted at the town hall and also in or near the place to which it relates and such publication shall be sufficient notice of such resolution to all owners and occupiers and other persons interested.

On failure to comply with resolution Corporation may execute works.

112. If such resolution be not complied with the Corporation may if they think fit execute the works mentioned or referred to therein or any supplementary works necessarily arising from the execution of such works and the expenses incurred by them in so doing shall be deemed to be private improvement expenses and be recoverable accordingly from the owners according to the frontage of their respective lands and premises abutting on or adjoining the said works and in such proportions as may be settled by the surveyor or in case of dispute by arbitration in manner hereinafter mentioned Provided always that where such expenses have been settled and apportioned by the surveyor as payable by any owner

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such apportionment shall be binding and conclusive on such owner unless within one calendar month from the service on him by the surveyor of a statement of the amount due from such owner he shall by written notice dispute the same and every such dispute shall be settled by arbitration in manner provided by the Public Health Act 1875.

Corporation empowered to take proceedings for preventing obstructions in watercourses.

113. 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 the 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.

Exempting navigable rivers &c. from this part of the Act.

114. Nothing in this part of this Act or in any of the provisions thereof shall apply to any navigable river or canal or empower the Corporation to execute or do any works or things affecting the supply of water to any such river or canal or any weir dam sluice outfall or other works used in connection with the supply of water thereto or the supply of water to the said Dewsbury Mills estate.

Transfer of Dewsbury Bridge to Corporation.

115.—(1.) The justices of the peace for the west riding of the county of York on behalf of the inhabitants of that riding may in pursuance of the order in this behalf of the court of quarter sessions for that riding made on the thirtieth day of June one thousand eight hundred and eighty-four and by means of orders in quarter sessions and by estreats to be duly made and levied according to law contribute out of the rates in the nature of county rates upon the inhabitants and ratepayers of the said riding the sum of eight hundred pounds towards the future expense of the maintenance by the Corporation of the riding bridge called Dewsbury Bridge over the Dewsbury Beck and the approaches thereto.

(2.) On payment by the justices to the Corporation of such sum all liability of the inhabitants of the said riding at common law or by statute to rebuild maintain or repair the said bridge or the approaches thereto shall cease and the said bridge and approaches shall be and are hereby transferred to and vested in the Corporation as a part of the highways of the borough and shall be maintained and repaired by them accordingly to the entire exoneration of the inhabitants of the said riding.

PART X.—MARKETS FAIRS AND SLAUGHTER-HOUSES &c.

Definitions.

116. 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 fair or slaughter-house;

"Toll" and "tolls" includes all tolls stallages rents and charges payable to the Corporation in respect of any market fair slaughter-house 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.

Limits of markets and fairs.

117. 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 and this part of this Act shall be applicable to the market limits accordingly.

Power to purchase franchises and rights as to fairs weights &c.

118. The Corporation may purchase and acquire by agreement all franchises rights and jurisdictions manorial or otherwise over or with respect to fairs and the inspection and adjustment of weights measures and scales within the market limits.

Saving rights of the lord of the manor of Wakefield.

119. Until the Corporation shall have purchased and acquired all such franchises rights and jurisdictions manorial or otherwise nothing in this part of this Act shall take away alter or prejudicially affect the rights of the lord of the manor of Wakefield or any other person with respect to fairs and the inspection and adjustment of weights and measures within the market limits.

Alteration of day for holding annual feast.

120. From and after the passing of this Act the feast hitherto held within the borough on the twenty-fifth day of July in each year shall be held in each year on such day as the Corporation shall from time to time appoint.

Power to continue and establish markets and fairs and slaughter-houses.

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

(1) They may continue all markets and fairs held at the commencement 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;

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(2) They may demand and receive tolls (not exceeding the tolls specified in the Third 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 or using the slaughter-houses.

Tolls to be taken by lessees &c.

122. Tolls not exceeding those specified in the Third Schedule to 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.

123. 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.

124. 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 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.

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

Power to let stalls &c.

126. 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.

127. 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 slaughter or weighing houses on such terms (pecuniary or otherwise) and conditions as the Corporation and their lessees mutually agree on.

Power to lease slaughter-houses &c.

128. The Corporation may from time to time let slaughter-houses weighing-houses or weighing-places and weighing-machines

or any of them for not exceeding three years on such terms (pecuniary or otherwise) and conditions as the Corporation and the lessees mutually agree on.

Leases of tolls &c. not to be assigned.

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

Public notice of removal of markets &c.

130. 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.

License for sale out of markets.

131. The Corporation may when they have provided a covered market in manner hereinbefore prescribed from time to time if they think fit grant to any person a license to sell or expose for sale 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 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 twelve months and to be revocable in such cases as the Corporation prescribe and the Corporation may demand and take for every such license any sum not exceeding one pound and if any person does any act for which such a license is required without having obtained such a license or does any act in contravention of or omits to do anything required by a license granted to him he shall be liable to a penalty not exceeding forty shillings for every day on which any such offence is committed by him.

Saving for pedlars and horse-dealers.

132. Nothing in this Act nor in any bye-law thereunder shall interfere with the lawful exercise of their calling by pedlars duly certificated under any Act relating to such calling or by horse-dealers.

Forfeiture of articles left in markets.

133. 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

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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 be not so made the proceeds of the sale shall be forfeited to the Corporation.

Slaughtering prohibited except in Corporation slaughter-houses.

134. After the Corporation shall have provided public slaughter-houses no person shall except with the consent of the Corporation slaughter any animal for sale or dress any carcase in any place within the borough except in such slaughter-houses and if any person acts in any respect in contravention of this section he shall be liable for each offence to a penalty not exceeding five pounds. The Corporation shall make compensation to all persons who shall be injuriously affected by the exercise of the prohibition in this section contained.

Notice to be given in case of change of occupation of slaughter-house.

135. Upon any change of occupation of any building within the borough licensed for use and used as a slaughter-house or knacker's yard the person thereupon becoming the occupier shall give notice in writing of the change of occupation to the inspector of nuisances and in case he fails or neglects to give such notice within one month after the change of occupation occurs he shall be liable to a penalty not exceeding five pounds.

Corporation may revoke slaughter-house license if occupier convicted of selling &c. diseased meat.

136. If the occupier of any building licensed by the Corporation to be used as a slaughter-house shall after the commencement of this Act be convicted of selling or exposing for sale or for having in his possession or on his premises the carcase of any animal or any piece of meat or any flesh diseased or unsound or unwholesome or unfit for the use of man the Corporation may if they think fit by order revoke the license to use such building as a slaughter-house and they may thereafter refuse if they think fit to grant a license for the use as a slaughter-house of any building belonging to or occupied by or which they may reasonably believe is intended to be occupied by the person so convicted.

Regulation of shows caravans &c.

137. The Corporation may from time to time make bye-laws for prescribing 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 and in case anything is done or omitted in contravention of any such bye-law then without prejudice to the recovery of any penalty imposed thereby the mayor may by any constable prevent the opening or keeping open of the show booth caravan circus or exhibition in respect whereof the offence is committed.

Corporation may erect refreshment rooms &c.

138. The Corporation may in connection with their markets and fairs erect and maintain one or more lodges for the residence of the superintendent inspector or inspectors thereof and also refreshment and retiring-rooms and urinals and such other accommodation as may be necessary for the convenience of the public frequenting the said markets and fairs and slaughter-houses and may from time to time demise such rooms for any period not exceeding three years.

Part XI.—Baths.

Charges for use of baths &c.

139. The Corporation may charge for the use of the baths mentioned in the Fourth Schedule to this Act and belonging to them any sums not exceeding those specified in that schedule.

Part XII.—Cemetery.

Bye-laws as to cemetery.

140. The Corporation may from time to time make bye-laws for all or any of the following purposes (that is to say):—

For fixing the time of opening and closing the cemetery;

For prohibiting the hunting snaring taking destroying injuring molesting or pursuing any animal or bird or the seeking for taking or destroying of birds' nests or birds' eggs in the cemetery;

For preventing the admission of dogs to and the use of velocipedes in the cemetery;

For regulating the admission of persons to and their exclusion from the cemetery.

Part XIII.—Fires.

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

141. Any constable of the borough or member of the fire brigade of the Corporation 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.

142. The chief constable or 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

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

Part XIV.—Hackney Carriages, &c.

Application to omnibuses of provisions as to hackney carriages.

143. The term "hackney carriage" in this Act and the terms "hackney carriage" or "carriages" whenever used in sections thirty-seven thirty-nine to fifty-two (both included) fifty-eight and sixty to sixty-eight (both included) of the Town Police Clauses Act 1847 as incorporated with the Public Health Act 1875 shall (anything in section thirty-eight of the Town Police Clauses Act 1847 notwithstanding) be deemed to include omnibuses and all carriages licensed by the Corporation for the conveyance of passengers or used for the conveyance at gross or separate fares of passengers within the borough and the provisions of such sections shall apply to the proprietors and drivers of such carriages Provided always that nothing in this Act or in the Town Police Clauses Act 1847 shall extend to or empower the Corporation in any way to interfere with any carriage belonging to or hired or used by any railway company for conveying passengers and their luggage to or from any railway station or to or with the drivers or conductors thereof unless such carriage plies for hire in like manner as an ordinary hackney carriage.

Prescribed distance.

144. The prescribed distance within which all hackney carriages licensed to ply for hire within the borough shall notwithstanding the provisions of section one hundred and seventy-one of the Public Health Act 1875 be five miles from the town hall or municipal offices within the borough.

Penalty for fraudulent use of numbers and badges.

145. If any person fraudulently or with intent to deceive does either of the following things (namely) :—

(1) Affixes or places on any carriage or cart any figure or number to resemble any figure or number appointed by the Corporation to be affixed to any hackney carriage; or

(2) Affixes or carries on his person any badge figure or number to resemble any badge figure or number appointed by the Corporation to be carried by a licensed driver or conductor;

he shall be liable to a penalty not exceeding forty shillings.

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Powers of inspector of hackney carriages.

146. The inspector of hackney carriages and any police constable of the borough may from time to time examine all public vehicles plying for hire within the borough and shall see that the laws and bye-laws relating to such public vehicles are duly observed. If any proprietor driver or conductor or other person shall obstruct or hinder such police constable or inspector in the execution of his duties or shall refuse to comply with any lawful order or direction of such inspector or police constable he shall be liable to a penalty not exceeding forty shillings and in the case of a continuing offence to a daily penalty not exceeding twenty shillings.

Cabmen's shelters.

147. The Corporation may from time to time provide erect place and maintain or authorise to be erected placed and maintained in any public street in the borough such places of shelter as they think fit for the use and convenience of the drivers of hackney carriages and licensed porters and may make terms and conditions as to the user and cleaning thereof.

Part XV.—Telegraph Wires.

As to telegraph wires &c. over streets.

148. With respect to the fixing placing or attaching of wires tubes or other apparatus across over or along but not under any public street for telegraphic telephonic or any electrical purpose (all and every of which are and is in this section included under the word "apparatus") the following provisions shall have effect (that is to say) :—

(1) No such apparatus shall be so fixed placed or attached as to cross over or pass along any public street except with the previous license in writing of the Corporation and subject to such terms and conditions as they may from time to time prescribe so as to prevent danger annoyance or obstruction to passengers or traffic passing over or along or being in or upon such street. Any person who offends against this enactment or who fails to observe and perform any of such terms and conditions shall be liable for each offence to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds for every day the offence shall continue after notice in writing of the breach of this enactment and the Corporation may cause such apparatus to be removed or altered and may recover the expense of and incidental thereto in any court of competent jurisdiction;

No license granted as aforesaid shall be revocable except by notice in writing and upon some ground in the interest of the public to be stated in the notice.

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(2) Where such apparatus has been placed over or along a street before the passing of this Act or in pursuance of a license under this Act the following provisions shall have effect (that is to say):—

(*a*) The owner or lessee of such apparatus shall always keep the same in repair and good condition and in default thereof the Corporation may serve notice on him to put the same into repair and good condition and if he fail to do so the Corporation may remove the same and may recover from him the expenses of so doing;

(*b*) If in the opinion of the Corporation any such apparatus is so placed as to be or to have become or to be likely to become a cause of danger obstruction or annoyance to passengers or traffic in the street the Corporation may serve notice on the owner or lessee thereof to remove the same and if he fails to do so the Corporation may remove the same subject to the appeal hereinafter provided and may recover from him the expenses of so doing;

(3) If the Corporation attach to any license any terms or conditions which the applicant deems unreasonable or revoke any license for any reason which the licensee deems to be not in the interest of the public or to be unreasonable or where the Corporation serve notice on the owner or lessee of such apparatus to remove the same in cases in which such apparatus has been placed over or along a street before the passing of this Act or in pursuance of a license under this Act or in any case in which any question shall arise whether any or if any what amount of compensation should be paid in respect of such removal the applicant or licensee or such owner or lessee or the Corporation as the case may be may apply to a court of summary jurisdiction under the Summary Jurisdiction Acts for an order against the revocation of the license or against the removal of the apparatus (as the case may be) and the court may make such order thereon as they think fit and may direct by whom the cost of the application and of such removal shall be borne;

(4) The Corporation may from time upon giving reasonable notice to the owner or lessee thereof inspect and examine any such apparatus in order to ascertain whether it is so fixed placed or attached and is generally of such description and in such condition as not to be productive of such danger annoyance or obstruction;

(5) The Corporation by their officers and servants may at all reasonable times (but in case of an occupied building only

between the hours of nine in the morning and six in the afternoon and after twelve hours' notice to the occupier of such building) enter upon any lands or buildings in upon or to which any such apparatus is for the time being fixed placed or attached for the purpose of making such examination and inspection or of doing or executing any work under this section without being deemed trespassers or liable to any action indictment or other proceeding on account thereof;

(6) Any expenses or compensation payable under the provisions of this section may be recovered summarily or in a county court or any court of competent jurisdiction;

(7) The foregoing provisions of this section shall not apply to or include any apparatus which shall belong to any railway or canal company or which shall be used by them in connection with their business and which now is or hereafter shall be fixed upon posts or supports upon any railway or the towing-path of any canal provided such apparatus do not project or be not stretched or placed beyond such railway or towing-path over any public street or be not stretched or placed over any public street crossing over such railway.

Saving for Postmaster-General.

149. Nothing contained in this Act shall prejudice or affect the rights powers and authorities of the Postmaster-General under the Telegraph Acts 1863 to 1878.

Part XVI.—Traction Engines.

Traction engines.

150. 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 pass therewith along or across any street not so prescribed or who shall traverse any part of such last-mentioned street other than the part thereof so prescribed except for the purpose of crossing from one prescribed street to another prescribed street 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

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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 from such person and so from time to time;

(3) If the Corporation require any person to make such deposit they shall pay interest to such person after the rate per annum allowed for the time being by the Bank of England on deposit account on the amount of the deposit for the time being in the hands of the Corporation not so applied as aforesaid;

(4) No person using or conducting any such engine shall supply the same with water from any public fountain trough well or receptacle for water situate in any street within the borough except with the consent in writing of the Corporation and upon such terms as to payment and otherwise as shall be stated therein and any person offending against this provision shall for every such offence be liable to a penalty not exceeding five pounds;

(5) The Corporation may from time to time make bye-laws with respect to locomotive and traction engines under the provisions of the Highways and Locomotives (Amendment) Act 1878 as though the borough came within the exemption conferred by that Act on boroughs having a separate court of quarter sessions and no traction engine shall be used in any street in the borough unless and until the same has been licensed by the Corporation and subject to such restrictions as to waggons or vehicles to be attached thereto as they may deem necessary for protection of the public. Every person using or permitting any traction engine to be used in the borough save whilst a license in respect thereof is in force and in accordance therewith shall be liable to a penalty not exceeding five pounds and a like penalty for every day during which such misuser shall continue.

Part XVII.—Police.

Power to build police stations.

151. The Public General Act of the session of the fifth and sixth years of Her Majesty chapter 98 "to amend the laws concerning prisons" shall extend to authorise the Corporation to construct and fit up police stations with strong rooms for the temporary confinement of persons taken into custody by the constables of the borough but nothing in this section shall be construed

to exempt the borough from contributing to any rate in the nature of a county rate for any purpose specified in section twenty-two of that Act.

Park-keepers and market officers &c. may be appointed special constables.

152. Any two justices may upon the application of the town clerk from time to time appoint and swear in any person or persons appointed by the Corporation to be a keeper or keepers of any public park within the borough or any officer or servant officers or servants of the Corporation employed in or about any public market within the borough to be a special constable or constables within such park or market as the case may be and every such person acting as a constable shall within the limits of his authority have all such powers and immunities and be liable to all such responsibilities and (subject to the directions of the Corporation) shall perform all such duties as constables appointed under the Municipal Corporations Acts.

Power to charge for special services of constables.

153. The Corporation may demand and take any sum which they think reasonable in respect of the services of any constable of the borough employed by the authority of the Corporation or of the watch committee on any special duty for the benefit of any individual or of any body other than the Corporation and all moneys received in respect thereof shall be carried to the borough fund or to the police superannuation fund as the Corporation may direct.

Informations by whom to be laid.

154. All informations under or for the breach of any of the provisions of this part of this Act or of the Town Police Clauses Act 1847 as incorporated with the Public Health Act 1875 may be laid by any officer of the Corporation duly authorised in that behalf or by the town clerk or by the chief constable or chief superintendent of police of the borough.

Places for dancing music and other entertainments to be licensed.

155. 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 or for public billiards bowls skittles bagatelle dominoes quoits brasses or other like game 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 fees as for an alehouse license shall be paid by the person applying therefor ;

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(2) Such justices may under the hands of a majority of them assembled at any annual licensing meeting 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 hereinafter 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;

(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 an 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 (4) of this section.

Premises licensed for sale of intoxicating liquors not to be altered &c. without the consent of justices.

156. No person who has obtained any license to sell any intoxicating liquor at any place in the borough for consumption on the premises shall after the passing of this Act alter (externally) or shall extend add to or take from the premises to which such license applies except with the previous consent in writing of two justices under their hands and any person who shall offend against this enactment shall be liable to a penalty not exceeding twenty pounds and to a further penalty not exceeding five pounds for every day during which such offence shall continue after conviction therefor Provided that penalties under this section and any other enactment for the same offence shall not be cumulative Provided also that nothing in the foregoing provisions of this section shall extend or apply to any refreshment-room refreshment-bar or hotel forming part of or used by or under a railway company in connection with a railway.

Prohibition of obscene bills &c.

157. If any person affixes to or inscribes on any house wall board 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.

Indecent shows &c.

158. If any person exhibits any indecent show or exhibition in any street or in any place to which admission is obtained by payment of money he shall for every such offence be liable to a penalty not exceeding forty shillings or in the discretion of the justices before whom he is convicted to imprisonment for any term not exceeding one month with or without hard labour.

Penalty on persons obstructing footpaths.

159. If three or more persons shall be assembled together in any street or market-place at any time of the day or night for the

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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 to a penalty not exceeding five pounds.

Prohibition of persons assembling in streets for purpose of betting.

160. Any three or more persons assembled in any part of any street or in any market-place for the purpose of betting shall be deemed to be obstructing the street and each of such persons shall be liable to a penalty not exceeding forty shillings.

Street musicians to depart when required to do so.

161. 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 shall sound or play upon any musical instrument or sing 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.

Power for Corporation to provide advertising places.

162. The Corporation may provide and maintain in such places as they think fit boards or conveniences for the reception of advertisements placards and bills to be affixed thereto and may from time to time make regulations respecting the use of any such board or convenience and they may make such charges as they think reasonable for the use of any space on any such board or convenience and if any person uses any such board or convenience without paying the charge payable in respect of the use thereof he shall for every such offence be liable to a penalty not exceeding five pounds without prejudice to any remedy of the Corporation for the recovery of the charge.

Penalty on pulling down notice boards.

163. 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 byelaw of the Corporation is painted or placed he shall for every such offence be liable to a penalty not exceeding forty shillings.

Power to enter upon unlicensed theatres &c.

164. Any justice may by order in writing authorise any constable to enter into any building or part of a building or any place kept or used or suspected to be kept or used for stage plays or dramatic or other public entertainments into which admission is obtained by payment of money and which is not a licensed theatre at any time when the same is open for the reception of persons resorting thereto and to take into custody any person found therein

without lawful excuse and every person keeping using or knowingly letting any building or part of a building or any place for the purposes aforesaid or any of them shall be liable to a penalty not exceeding twenty pounds and every person performing or being therein without lawful excuse shall be liable to a penalty not exceeding forty shillings and the burden of proving that any such place is a licensed theatre shall be on the person keeping the same.

For the more effectual suppression of brothels.

165. Any person keeping or aiding or assisting in keeping or in the management of a brothel or other disorderly house room or other place which is a nuisance or an annoyance to persons residing in the neighbourhood shall be liable on summary conviction to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds and the chief constable of the borough with the sanction of the watch committee thereof may institute proceedings against any such person accordingly.

Control of coal dealers.

166. Every person delivering coal 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 balance steelyard or weighing machine whereby the purchaser may have his coals weighed and the coal shall on request of the purchaser be weighed accordingly by the person delivering the same.

Any person delivering coal as aforesaid and not provided with weights and scales or any instrument for weighing or not weighing the coal 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.

Bye-laws as to velocipedes.

167. The Corporation may from time to time make and enforce bye-laws for regulating the use of velocipedes in highways in the borough in the same manner as a county authority may by virtue of the Highways and Locomotives (Amendment) Act 1878 make and enforce bye-laws for that purpose in highways in their county but subject to the like confirmation as is required by that Act.

PART XVIII.—EMPLOYMENT OF CHILDREN.

Restriction on casual employment of children.

168. After the passing of this Act no child under the age of fourteen years shall unless he has obtained a certificate of ability to read and write and of a knowledge of elementary arithmetic in terms of section five of the Elementary Education Act 1876 be employed in any casual employment within the borough after

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nine o'clock at night from the first day of April to the first day of October and after seven o'clock at night from the first day of October to the first day of April.

Definition of term "casual employment."

169. Casual employment shall mean employment for purposes of gain in streets or other places in vending or exposing for sale any article whatsoever.

Penalty for employing a child in contravention of Act.

170. Every person who takes a child into his employment in contravention of this Act shall be liable on summary conviction to a penalty not exceeding forty shillings.

Definition of employment in case of parent.

171. A parent of a child who employs such child in any labour exercised by way of trade or for the purposes of gain or who permits such child to be engaged in any such labour on its own behalf shall be deemed for the purposes of this Act to take such child into his employment.

Enforcement of Act by school board.

172. The provisions of this Act respecting the employment of children shall be enforced by the school board of the borough.

Part XIX.—Lands.

Power to Corporation to take lands referenced.

173. Subject to the provisions of this Act the Corporation may enter on take and use all or any part of the lands described in the deposited plans and book of reference which they may require for the purposes of this Act or in the case of street works for the providing of space for the erection of buildings adjoining to or near such street.

Correction of errors omissions &c.

174. If any omission or mis-statement or erroneous description is found to have been made of any lands or of any owners lessees or occupiers of any lands described or intended to be described in the deposited plans or book of reference the Corporation may apply to two justices not being members of the council for the correction thereof after giving ten days' notice to the owners lessees and occupiers of the lands affected by the proposed correction and if it appears to such justices that the omission mis-statement or erroneous description arose from mistake they shall certify the same accordingly stating the particulars of the omission misstatement or erroneous description and such certificate shall be deposited with the clerk of the peace for the west riding and shall be kept by him with the other documents to which it relates and subject and according to the same enactments and provisions as apply to those other documents and thereupon the deposited plans or book of reference (as the case requires) shall be deemed to be corrected according to the certificate and the Corporation may enter on take hold and use those lands accordingly.

Limitation of time for compulsory purchase of lands.

175. The powers of the Corporation for the compulsory purchase of lands shall not be exercised for the purposes of this Act after the expiration of five years.

Owners may be required to sell parts only of certain lands and buildings.

176. And whereas in the construction of the improvements and works hereby authorised or otherwise in exercise of the powers of this Act it may happen that portions only of certain of the lands and buildings shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section ninety-two of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the lands and buildings described in the Fifth Schedule to this Act and whereof parts only are required for the purposes of this Act may (if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto) be required to sell and convey to the Corporation the portions only of the premises so required without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof the Corporation paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

Power to stop up footways &c.

177. The Corporation may discontinue and stop up any highways or footways in or over any lands acquired by them under the powers of this Act and described on the deposited plans as intended to be stopped up and thereupon all right of way over such footways shall be extinguished and the soil shall vest in the Corporation if and so far as they are the owners of the adjoining land on both sides.

Notice to be given of taking houses of labouring classes.

178. The Corporation shall not less than eight weeks before they take in the borough fifteen houses or more occupied either wholly or partly by persons belonging to the labouring classes as tenants or lodgers make known their intention to take the same by placards handbills or other general notice placed in public view upon or within a reasonable distance from such houses and the Corporation shall not take any such houses until they have obtained a certificate of a justice that it has been proved to his satisfaction that they have so made known their intention.

Corporation to procure accommodation for

179. Before taking in the borough fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers the Corporation shall (unless

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persons of the labouring classes to be displaced.

the Corporation and such person or persons otherwise agree) procure sufficient accommodation elsewhere for such person or persons: Provided always that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by a justice and the Corporation may for the purpose of procuring such accommodation appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase by agreement such further lands as may be necessary for such purpose and may on such lands erect labouring class dwellings and may hold and demise or sell the same and may apply for the purposes of this section or any of them any moneys they may have already raised or are authorised to raise.

Power to acquire additional lands by agreement.

180. The Corporation may (in addition to the lands they are authorised to acquire and hold under the other powers of this Act) from time to time by agreement acquire in fee either by purchase or by way of exchange or otherwise any land not exceeding in the whole for the purposes of this Act twenty acres and any easement power or privilege therein thereunder thereover or thereupon (not being an easement or privilege of water) which shall be deemed necessary by the Corporation.

Consideration for such acquisition.

181. The consideration for any such acquisition may be either money or land or a mixed consideration of money and land and on any exchange the Corporation may give or take any money for equality of exchange.

Power to take easements &c. by agreement.

182. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Corporation any easement right or privilege (not being an easement of water) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Corporation may use their own lands for purposes of Act.

183. The Corporation may from time to time appropriate and use for any of the purposes of this Act any lands for the time being vested in them as a municipal or urban sanitary authority.

Power to retain sell &c. lands.

184. Notwithstanding anything in the Lands Clauses Consolidation Act 1845 the Corporation may retain hold and use for such time as they may think fit and may from time to time sell lease exchange or otherwise dispose of in such manner for such consideration and on such terms and conditions as they think fit and in case

of sale either in consideration of a gross sum or of an annual rent or of any payment in any other form any lands or any interest in any lands acquired by them under this Act and may sell exchange or dispose of any rents reserved on the sale exchange lease or disposition of such lands or any reversionary interest therein and may make execute and do any deed act or thing proper for effectuating any such sale lease exchange or other disposition.

Proceeds of sale of surplus lands.

185. So long as any properties remain to be acquired by the Corporation under the authority of any Act of Parliament the Corporation may so far as they consider necessary apply moneys received by them on resale or by leasing or letting as aforesaid in the purchase of properties so remaining to be acquired for the like purposes under the same Act but as to moneys so received and not required as aforesaid the same shall be applied in extinguishment of any loan borrowed by the Corporation.

Lands in certain cases not to be sold without consent of Treasury.

186. Except as to lands acquired by the Corporation under this Act nothing in this Act shall enable the Corporation to sell alienate encumber or demise without the approbation of the Commissioners of Her Majesty's Treasury signified in writing after due notice in accordance with the Municipal Corporations Acts any lands which the Corporation could not have sold alienated encumbered or demised without such approbation before the passing of this Act.

Part XX.—Execution of Works and Private Improvement Expenses.

Occupier in default of owner may execute works and deduct expenses from his rent.

187. Whenever default is made by the owner of any building or lands in the execution of any work required by any enactment or bye-law for the time being in force within the borough the occupier of such building or lands may with the approval of the Corporation cause such work to be executed and the expense thereof shall be repaid to such occupier by such owner or such occupier may deduct the amount of such expense out of the rent from time to time becoming due from him to such owner.

Railways abutting but not communicating with streets not to be chargeable with expenses under this Act.

188. No railway company shall be deemed to be an owner or occupier for the purposes of this part of this Act in respect of any land of such company upon which any street as defined in this Act shall wholly or partially front or abut and which shall be used by such company solely as a part of their line of railway sidings stations or works and shall have no communication with such street and the expenses incurred by the Corporation under the powers of this part of this Act which but for this provision such railway company would be liable to pay shall be repaid to the

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Corporation by the owners having frontages abutting on such street and in such proportion as shall be settled by the surveyor and in the event of such railway company subsequently making a communication with such street they shall notwithstanding such repayment as last aforesaid pay to the Corporation the expenses which but for the foregoing provision such railway company would in the first instance have been liable to pay and the Corporation shall divide among the owners for the time being having frontages abutting on such street the amount so paid by such railway company to the Corporation in such proportion as shall be settled by the surveyor. But this section shall not apply to any street (as defined in this Act) existing at the date of the passing of this Act.

Saving for special contracts between landlords and tenants.

189. Nothing in this Act shall alter the liabilities respecting the payment of any rates or expenses made payable or recoverable by this Act or any bye-law thereunder of any owner and occupier as between themselves under any special contract relative thereto.

Penalty on occupier refusing execution of Act.

190. In case the occupier of any house or part of a house prevents the owner thereof from carrying into effect in respect thereof any notice given by the Corporation then after notice of this provision given by the owner to the occupier any justice upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by such notice to be done and if after the expiration of seven days from the service of such order the occupier continues to refuse to permit the owner to execute the said works he shall for every day during which he so continues to refuse be liable to a penalty not exceeding five pounds and during the continuance of such refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

In executing works in default of owner Corporation not liable except for negligence.

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

192. Whenever under any enactment or bye-law 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.

in addition to costs.

193. No incumbent minister or trustee of any church chapel or place appropriated to public religious worship which is now by law exempt from rates for the relief of the poor shall be liable to any expenses under this Act of draining levelling paving flagging or channelling metalling or making good any street as the owner or occupier of such church chapel or place or of any churchyard or burial-ground attached thereto situate within any street nor shall any such expenses be deemed to be a charge on such church chapel or other place or on such churchyard or burial-ground or to subject the same to distress execution or other legal process and the Corporation shall undertake any works from the expenses of which any such incumbent minister or trustee is hereby exempted and defray the expenses thereof out of the general district rates.

No incumbent of any church &c. liable to expenses for draining and paving.

194. The expression "private improvement expenses" shall mean and include all private improvement and new street expenses expressly so called and all other expenses at any time incurred by the Corporation for the repayment whereof the owner or occupier of the building or lands in respect whereof such expenses may have been or may be incurred is liable under any enactment or bye-law or under any agreement with or by reason of any application of such owner or occupier together with the interest chargeable thereon and supervision costs.

Meaning of private improvement expenses.

195. If any private improvement 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 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.

Private improvement expenses to carry interest.

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Agreement may be made as to apportionment of private improvement expenses.

196. 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 sub-division thereof among the premises 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 shall 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.

Surveyor's apportionment of private improvement expenses to be binding.

197. Whenever private improvement expenses have been settled or apportioned by the surveyor such settlement and apportionment shall be binding and conclusive upon the person liable to pay the same unless within one month from the time of written notice being given to him by the Corporation or the surveyor of the amount of such settlement or apportionment such person shall by written notice object to such settlement or apportionment and state the particulars and grounds of his objection.

Corporation may take payment of private improvement expenses by instalments &c.

198. The Corporation may by resolution at any time or from time to time allow to any person liable to the payment of private improvement expenses time for the payment thereof or of any part or parts thereof and may accordingly order the same to be repaid in one sum or by such instalments as the Corporation think fit with such interest for the sum or sums for the time being unpaid as the Corporation may determine not exceeding five pounds per centum per annum but all sums for the time being remaining unpaid shall nevertheless at the expiration of the periods allowed for their repayment be recoverable as the same would have been recoverable had no such time been allowed and with respect to any such instalment the time limited for the recovery of private improvement expenses shall be deemed to run only from the time when such instalment becomes due.

Successive owners to continue liable.

199. Successive owners of the lands houses or other property for or in respect of which any private improvement expenses have been incurred shall be liable to the Corporation for the payment of the same or such part thereof as may for the time being remain unpaid until the same shall have been fully paid and satisfied and such expenses or such part thereof as may for the time being remain unpaid shall constitute a debt due from each successive owner to the Corporation recoverable from him in a summary

manner within twelve calendar months of his succession and after that period may be recovered by the Corporation from the owner for the time being of the lands houses or other property summarily or in any court of competent jurisdiction Provided that no debt shall be recovered under the provisions of this section after the expiration of six years from the completion of the works in respect of which such debt is due or in the case of payment by instalments after the expiration of three years from the time when any instalment became due.

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

200. In ascertaining the proportion to be paid by any owner of the expenses of freeing from obstruction sewering draining levelling paving 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 shall 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.

Recovery of private improvement expenses.

201. If any private improvement expenses payable by any owner or occupier be not paid on demand the Corporation may if they think fit in addition to any other power they may have for the recovery thereof recover the same either summarily or in any court of competent jurisdiction.

Power to enter into possession &c. where owner fails to pay his private improvement expenses.

202. If the owner of any building or lands so charged with any private improvement expenses fails for the space of three months after the same become recoverable from him to fully pay the same or if any such owner is or becomes bankrupt or is after diligent inquiry unknown to the Corporation or cannot be found by them then and in every such case and as often as the same happens the Corporation (by way of additional remedy and whether any action or suit or other proceeding against such owner has been brought by them or not) may on or at any time and from time to time after the expiration of one month from the service of a notice on such owner or in the case where such owner is unknown or cannot be found after the expiration of one month from the affixing of a notice on some conspicuous part of the said building or land of their intention to put in force the powers of the present section proceed as follows (namely) :—

1. The Corporation may enter into receipt of and demand and receive from tenants and occupiers and persons liable the rents and profits of such building or lands and in case of non-payment may use all or any such lawful remedies by way of distress or otherwise for recovering and obtaining payment of the same or any part thereof as may be used by

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landlords in ordinary cases and may do all things necessary or expedient for recovering and receiving the rents and profits as if they were the owners of the building or lands and the tenants occupiers and persons liable shall pay the rents and profits to the Corporation and the receipt of the treasurer or of any officer of the Corporation appointed in that behalf shall be and shall alone be an effectual discharge for the same;

2. Where any such building or lands is or are unoccupied or unproductive at the time when the Corporation would be entitled under this Act to enter into the receipt of the rents and profits thereof (if any) or at any time afterwards while the claim of the Corporation is unsatisfied then and in every such case and as often as the same happens the Corporation may enter into possession of the building or lands and may occupy inclose and use the same or any part thereof;

3. The Corporation may from time to time let from year to year or for any shorter period any such unoccupied or unproductive building or lands or any part thereof and receive the rents and profits thereof as if they were the owners thereof.

Application of rents and profits received.

203. All rents and profits received in respect of any such building or lands as aforesaid shall be applied in the manner and in the order following (namely):—

1. There shall be paid thereout any chief rent payable in respect of the building or lands;

2. There shall be paid thereout all taxes rates assessments expenses of repairs and other outgoings properly payable by the owner in respect of the building or lands (except any chief rent) and all expenses incurred by the Corporation in relation thereto by reason or in consequence of the failure of the owner thereof to pay any such private improvement or other expenses as aforesaid;

3. There shall be paid thereout the interest on all mortgages created prior to and subsisting at the date when the Corporation commenced the works on account of which private improvement expenses shall be payable Provided that in case any such mortgage shall include other property a portion only of such interest on such mortgage shall be paid proportionate to the value of such building and lands such portion to be agreed on between the mortgagee and the Corporation or failing such agreement to be determined by two justices;

4. There shall be retained on behalf of the Corporation the amount which the owner is at the time of the commence-

ment of such receipt by the Corporation liable to pay on account of such private improvement expenses as aforesaid and interest in respect of the same building or lands or any other building or lands in the same or any other street;

5. The surplus (if any) shall be paid to the owner his representatives or assigns;

6. Upon satisfaction of the private improvement expenses and all moneys payable under this section the Corporation shall cease (if in occupation) to hold possession of such building or lands and if the same shall have been let by them shall forthwith give due legal notice to determine the tenancy thereof.

Right of Corporation to rents to exclude that of owner &c.

204. Whenever the Corporation so enter into the receipt of the rents and profits or into possession of any such building or lands then for and in respect of the period during which their claim against the owner is unsatisfied as well after the termination of that period as during its continuance the owner of the building or lands shall not have any right to receive any rents or profits of the building or lands or have any interest therein except under the provisions of this Act directing the application of rents and profits received by the Corporation and for and in respect of the period aforesaid as well after its termination as during its continuance every or any such right shall as against any lessee of the building or lands or other person taking through or under the Corporation be by virtue of this Act absolutely extinguished.

Persons having partial interests may raise expenses by mortgage.

205. All owners of buildings or lands being tenants for life only and all committees of the estates of lunatics and all trustees seised possessed 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

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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 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 equity for the purposes thereby intended and shall have priority over all previous charges or incumbrances on the property therein comprised 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.

206. 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.

207. Whenever the Corporation under any enactment or bye-law for the time being in force within the borough are authorised to execute re-execute or alter any work act or thing in default of the owner occupier or other person required to do the same and whenever the Corporation execute any works upon the application of or by agreement with the owner of the lands houses or other

property for or in respect of which the same are to be executed the Corporation may apply the district fund and the general district rates 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 such owner occupier or other person to repay the moneys expended by the Corporation.

Power of Corporation to borrow for private street works.

208. The Corporation may from time to time with the sanction of the Local Government Board borrow on the security of the district fund and general district rate moneys for the purpose of temporarily providing for expenses of private street works but any moneys so borrowed shall be repaid within a period of twenty years from the respective times of borrowing the same And the powers of the Corporation to borrow under the Public Health Act 1875 shall be available as if the execution of private street works under this Act were one of the purposes of the Public Health Act 1875.

Part XXI.—Rates and Finance.

Expenses of execution of Act.

209. All expenses incurred by the Corporation in carrying into execution the provisions of this Act (except such of them as are to be paid out of borrowed money) shall be paid as follows (that is to say) :—

Sanitary purposes out of the district fund and general district rate ;

All other expenses out of the borough fund and borough rate.

Power to borrow.

210. 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 paying the costs charges and expenses of and in relation to this Act as hereinafter defined and of and in relation to the paying off and reborrowing of moneys under the powers of this Act the sum requisite for the purpose :

On the security of the district fund and general district rates :—

For the purposes of street works thirty thousand pounds :

For sewerage purposes including the repayment to the Public Works Loan Commissioners of the loan for those purposes one hundred and thirty thousand pounds :

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For the providing of a destructor sanitary depôt and mortuary ten 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 reborrowing shall not be restricted by any of the provisions of the Public Health Act.

Provisions as to mortgages.

211. 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 236 (Form of mortgage);
Section 237 (Register of mortgages);
Section 238 (Transfer of mortgages); and
Section 239 (Receiver may be appointed in certain cases).

As to repayment of borrowed moneys.

212. 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 reborrowed in lieu thereof by the Corporation shall be repaid are hereby annulled and repealed and in lieu thereof and with respect to the repayment of moneys to be made under the powers of this Act the following provisions shall have effect (that is to say):—

(1) The Corporation shall repay all moneys already borrowed and now owing by them and all moneys reborrowed in lieu thereof within forty-five years from the thirty-first day of March one thousand eight hundred and eighty-five and all moneys hereafter to be borrowed by the Corporation under the powers of this Act within forty-five years from the date when the same shall have been respectively borrowed;

(2) And such repayment 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:

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

The Corporation in every year after the respective dates in that behalf by this section 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 a sum as will with the accumulations thereof by way of compound interest be sufficient to pay off the whole of the principal moneys borrowed on such security within the periods by this Act prescribed;

(4) The appropriation for the said sinking funds shall commence at the following periods (namely) :—

For repayment of moneys borrowed and now owing from the thirty-first day of March one thousand eight hundred and eighty-five ;

For repayment of moneys to be borrowed after the passing of this Act on the thirty-first day of March next following the time of the borrowing of such moneys ;

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

(A) Every sinking fund existing at the passing of this Act shall be transferred to the corresponding sinking fund to be accumulated under this Act for the like purpose ;

(B) 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 respectively in such securities as trustees are by law for the time being authorised to invest trust-moneys in or on security of mortgages debentures debenture stock or annuity certificates of any municipal corporation in Great Britain (including the Corporation) granted or issued under any Act order or sanction under which such corporation are authorised to borrow money ;

(C) 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 the 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 hereinbefore prescribed until the whole of the borrowed moneys to which such sinking fund is applicable are discharged a sum equal to the interest produced by the sinking fund or part thereof so applied 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.

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

213. The Corporation shall repay all moneys to be hereafter borrowed by them under the power 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

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respectively in force within the several periods prescribed by the Act order or sanction respectively under the authority of which such moneys shall be respectively borrowed and subsections (5) (b) and (c) of the section of this Act the marginal note whereof is "As to repayment of borrowed moneys" shall extend and apply mutatis mutandis to and in relation to any sinking fund established by the Corporation for the repayment of such moneys.

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

214. 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 the Queen's Bench Division of the High Court of Justice and the provisions of this section shall apply mutatis mutandis to appropriations and annual repayments.

Power to re-borrow.

215. 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 reborrowed and the moneys originally borrowed shall be deemed the same loan.

Provisions as to coupons for interest on mortgages.

216. With respect to coupons for interest on mortgages of the Corporation the following provisions shall have effect (that is to say):—

(1) The Corporation may from time to time (if they think fit) issue to holders of any mortgages granted under the powers of any Act relating to the Corporation coupons for the interest from time to time to fall due on such mortgages which coupons may be in such form as the Corporation from time to time think fit and may be made payable to the bearer of each coupon or to the person named therein or his order;

(2) Every coupon shall refer to the mortgage to which it relates and specify the amount and time of payment of one half-year's interest to fall due on the principal money secured by such mortgage and shall be authenticated by the signature of two members of the council and of the town clerk or in such other manner as the Corporation may from time to time determine;

(3) On presentation to the treasurer of any such coupon he shall pay to the person presenting the same the amount of interest in such coupon specified to be payable;

(4) The coupon shall (if necessary) be accepted in the audit of the accounts of the treasurer as a voucher for the payment of the sum for which the coupon was issued;

(5) The treasurer shall not be bound to pay any coupon unless upon its presentation there be money of the Corporation in his hands applicable in that behalf;

(6.) No trustee shall apply for take or hold coupons for interest or any mortgage with coupons for interest payable thereon unless he is in express words authorised so to do by the instrument creating him trustee 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 any obligation to take notice whether any person applying for such mortgage or coupons is a trustee or subject the Corporation to any liability in case of their without notice issuing to a trustee any such mortgage or coupon or invalidate any such mortgage or coupon;

(7) If a coupon for interest is worn out or damaged the Corporation on production or delivery up thereof may cancel it and issue a new coupon;

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(8) If a coupon for interest is lost or destroyed the Corporation may issue a new coupon on receiving an indemnity to their satisfaction against the claim of all persons claiming title under the coupon lost or destroyed.

Corporation not to regard trusts.

217. 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.

218. 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 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. Every such loan shall be discharged within the time prescribed in that behalf by this Act and such discharge or any part thereof shall be effected by means of a sinking fund if the Corporation shall so think fit Provided always that if the Corporation at any time think fit to form any such sinking fund all sums paid into the same 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.

Part XXII.—Corporation Stock.

Interpretation in this part of this Act.

219.—(1.) In this part of this Act—

"Rate" includes gas rents and water rents and charges for supply of gas and water and of meters and fittings connected therewith respectively;

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

"Statutory declaration" means declaration under the Statutory Declarations Act 1835;

"Person" includes corporation;

"Schedule" means the schedule to this Act relating to this part of this Act.

(2.) The provisions of this part of this Act referring to 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 and Charge of Stock.

Creation of Corporation stock.

220.—(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 may from time to time by resolution of the council exercise the power by creation of stock either redeemable or irredeemable to be from time to time issued for such amount within the limit 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 form one and the same class of stock and that all irredeemable 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 form one and the same class of stock.

(2.) All stock whether redeemable or irredeemable at any time or from time to 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 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 also rank equally with all other securities of the Corporation at any time after the date of the first issue of Corporation stock granted by the Corporation in pursuance of any statutory borrowing power.

(3.) The resolution for the first creation of redeemable 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

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such time and in such manner as the Corporation by that resolution declare.

(4.) Irredeemable stock shall not be redeemable except by agreement between the Corporation and the holder of stock.

(5.) Each resolution for creation of stock shall specify whether the stock thereby created is redeemable or irredeemable.

(6.) Stock so created shall be designated by the Corporation as Dewsbury Corporation redeemable stock or as Dewsbury Corporation irredeemable stock (as the case may require).

(7.) All stock for the time being so created whether redeemable or irredeemable is comprised in the term "Corporation stock" when hereafter used in this part of this Act except where either redeemable stock or irredeemable stock is separately mentioned.

Borrowing power to be exerciseable for actual sum raiseable.

221. 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 rent-charge rent or other security granted or created by the Corporation.

Charge of Corporation stock.

222.—(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 land 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 at any time after the date of the first issue of Corporation stock granted or created by the Corporation in pursuance of any statutory borrowing power 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).

Loans Fund.

Corporation loans fund.

223. 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 Dewsbury Corporation loans fund (in this part of this Act referred to as "the loans fund").

Contributions to loans fund for dividends.

224.—(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 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.

225.—(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

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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 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 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 in accordance with the provisions of Part XXI. of this Act 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 part of this Act to be applied to the making and maintenanee 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 by or under the statutory borrowing power in exercise whereof that portion of stock is issued 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.

226.—(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 and a half 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.

227.—(1.) 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 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 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.

228. 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 redeemable stock according to the terms of issue and purchasing for extinction Corporation redeemable or irredeemable stock.

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Purchase of irredeemable stock.

229.—(1.) The Corporation shall not be bound to purchase for extinction any Corporation irredeemable stock unless they can do so at or below par that is to say at a price not higher than the nominal amount thereof.

(2.) If any portion of Corporation irredeemable stock is not wholly extinguished within the period expressly or by implication limited for the continuance of any loan by or under the statutory borrowing power in exercise whereof that portion of stock is issued or by the provisions of this part of this Act then after that period the dividends on that portion of stock while unextinguished shall be paid out of the interest and annual proceeds of such money and securities forming part of the loans fund as are properly applicable to the extinction of that portion of stock and except as far as at any time a deficiency of the loans fund in that behalf exists no further money shall be paid into the loans fund in respect of those dividends out of the Corporation revenues liable to contribute to the loans fund in respect of those dividends.

(3.) But in that case the Corporation shall continue to pay into the loans fund the yearly sum theretofore required to be provided for extinction of that portion of stock until the securities forming part of the loans fund applicable to that extinction are of sufficient value to enable the Corporation to purchase therewith for extinction the unextinguished part of that portion of stock.

(4.) In case at any time during the period limited as aforesaid the Local Government Board are of opinion that regard being had to the market value of Corporation irredeemable stock the provision made for the purchase and extinction of any portion of such stock within that period is insufficient the Local Government Board may from time to time by order direct that the contributions to be made to the loans fund for the purchase and extinction of that portion of stock in accordance with the provisions of this part of this Act shall be increased by such amount as shall be specified in the order so as to provide that the Corporation shall purchase and extinguish or shall be in a position to purchase and extinguish such portion of Corporation stock within that period.

(5.) In case at any time after the expiration of the period limited as aforesaid the Local Government Board are of opinion that the Corporation can without material loss regard being had to the price of issue of the portion of Corporation irredeemable stock which ought to be extinguished within that period and to the rate of dividend payable thereon purchase that portion of stock for extinction then the Local Government Board may if they think fit order the purchase for extinction of that portion of stock or of any part thereof.

Extinction of stock redeemed or purchased.

230. All Corporation redeemable stock redeemed by the Corporation and all Corporation redeemable or irredeemable stock 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.

231.—(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

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(*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.

232.—(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 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.

233. 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 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. A.D. 1884.

Existing Securities.

Payment off or substitution for existing securities.

234.—(1.) Where any mortgage bond debenture debenture stock annuity rentcharge or other 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 security or otherwise to pay off the amount thereby secured or represented or to redeem the same they may pay off or redeem the security accordingly with money raised by the Corporation or they may with the consent of the holder thereof issue Corporation stock in substitution for the 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 the 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 security.

(5.) Where the holder of the security is one of the persons described in section 7 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

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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 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 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.

Effect on Borrowing Powers.

Extinction or suspension of power.

235. 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 security granted or created 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

(*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 reborrowed by the Corporation for the residue of that term or any part thereof and so from time to time.

Application of Money raised.

General application of money from Corporation stock.

236. 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.

237.—(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.

Registration and Certificate.

Appointment of registrar.

238.—(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.

239.—(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.

240.—(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 specifiying 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 is 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.

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(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 a stock certificate or a substituted certificate as the case may be shall be made in the Corporation stock register.

Transfer.

Power for stockholder to transfer.

241. 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.

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

Transfer by deed.

243.—(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 entitled to receive any dividend thereon.

Evidence on transfer.

244.—(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.

245.—(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.

Stamp duty on transfers.

246. 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 truly stated therein.

Transmission.

Transmission on death.

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

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(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.

248.—(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 other 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 transmitted 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.

Dividends.

Payment of dividends.

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

Dividends to executors &c.

250. 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.

251. 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 a competent person or of such other nature as the Corporation or the registrar may require.

Dividends to joint holders.

252.—(1.) 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.

(2.) 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 or he think fit require proof to their or his satisfaction of the alleged infancy or unsoundness of mind by a statutory declaration of one or more competent persons.

Dividend warrants by post.

253.—(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.

Stock Certificates with Coupons to Bearer.

Provisions respecting stock certificates with coupons to bearer.

254.—(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 in

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case of redeemable stock no such certificate or coupons shall give a title to dividends beyond the time limited for redemption.

(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 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.) All coupons issued under this Act in respect of any Corporation stock certificate to bearer shall for the purposes of the Acts relating to stamp duties be deemed to have been attached to and issued with such stock certificate.

(13.) 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 if any 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.

Nature of Corporation stock; notice of trusts.

255.—(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.

256.—(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 in the Chancery Division for a receiver and the Court may if it thinks fit appoint a receiver on such terms as it thinks fit.

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(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 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.

Holdings of Corporation stock by trustees.

257.—(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 successively interested in trust money no investment thereof shall be made in Corporation redeemable stock at a price exceeding the redemption value of the stock.

Protection of holders of Corporation stock.

258. 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.

259.—(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 treasurer or the borough accountant the treasurer or the borough accountant as the case may be 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.

260.—(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 shewing 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.

(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 last 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 of any person to those dividends.

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Saving for power to borrow otherwise.

261. 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 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 town clerk 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.

262. 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.

263. Except as in 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.

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

265. 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 and subsisting at 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.

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Forgery.

266.—(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.

267. 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 may be in the form of a public inquiry 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 294 and 296 of the Public Health Act 1875 shall apply to hearings inquiries and other proceedings to which this section relates.

Bank of England may make regulations.

268. 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 relative 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 are 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.

Forms.

269. The forms given in the Sixth Schedule to this Act may if the Corporation think fit be used for the purposes therein indicated and the same or forms to the like effect with such variations or

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additions as circumstances require shall be effectual for those purposes.

Fees.

270.—(1.) Fees not exceeding those specified in the said Sixth Schedule 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.

271.—(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 bookkeeping 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 as a municipal body or as a sanitary authority are or may be defrayed.

Part XXIII.—Miscellaneous Provisions as to Legal Proceedings Bye-Laws &c.

Deputies may be appointed by town clerk &c.

272. The town clerk the treasurer the medical officer of health and the surveyor respectively may from time to time with the approval of the Corporation appoint a deputy and delegate to him the performance of all or certain of the duties of the office to which such town clerk treasurer medical officer of health or surveyor is appointed and the acts of such deputy within the terms and during the continuance of such appointment shall be valid accordingly.

Appearance of Corporation in legal proceedings.

273. The Corporation may appear before any court or in any legal proceedings or at any meeting of creditors by the town clerk or by any collector officer or member of the town council authorised generally or in respect of any special matter by resolution of the council and the town clerk collector or person so authorised shall be at liberty to institute carry on or defend any proceeding or matter which the Corporation or council is authorised to institute carry on or defend under any Act relating to the Corporation and to execute and do all matters and things necessary or expedient for any purpose mentioned in this section.

Corporation may compound actions.

274. When any action or proceeding is brought or instituted by or against the Corporation for anything done or supposed to be done in pursuance or by virtue of this Act it shall be lawful to compound such action or proceeding without bringing the same to trial.

Town clerk may take proceedings in bankruptcy.

275. The town clerk may institute and prosecute all such proceedings in bankruptcy under the Bankruptcy Act 1883 or any Act amending or substituted for the same as may be necessary to procure to be adjudged a bankrupt any person against whom the Corporation may have any claim or demand as though such claim or demand were the claim or demand of the town clerk and not of the Corporation.

Proof of debt in bankruptcy &c.

276. If any person against whom the Corporation have any claim or demand whatsoever becomes bankrupt or makes any composition or arrangement with his creditors or if the affairs of any company are wound up in liquidation the town clerk in all proceedings relating to the estate and affairs of such person or company may in person or by some other officer of the Corporation deputed in writing by him represent the Corporation and act on their behalf in all respects as if such claim or demand had been the claim or demand of the town clerk and not of the Corporation.

Form and service of notices by Corporation.

277. Any instrument or document (including any notice order resolution declaration adjudication requisition consent approval disapproval demand determination appointment list roll register return form paper or other document) made given delivered or served under this or any other Act or any bye-law by the Corporation or under this Act by the clerk to the justices may be either in print or in writing (including lithograph) or partly in print and partly in writing (including lithograph) and shall be sufficiently authenticated by the signature of the town clerk or other duly authorised officer of the Corporation being affixed thereto or stamped thereon and a copy thereof respectively so authenticated shall be receivable in evidence without the production of the original and it shall be sufficient in all cases where any such instrument is required to be given to or served on the owner or occupier of any property to address it to such owner or occupier by his description as owner or occupier (as the case may be) of the property (naming it) in respect of which it is given or served without further name or description and any such instrument may be addressed to owners or occupiers of any number of adjoining or neighbouring properties collectively and when so addressed may be served on more owners or occupiers than one (so that separate copies be served on the respective owners and occupiers of the several properties concerned) and any such instrument or document may be served on any owner

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occupier or other person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last-known place of abode or business or by delivering the same to some inmate of his last-known or usual place of abode or business or in case of an occupier of such property (being a building) to any inmate of such building or if the property is unoccupied and the place of abode of the person to be served is after diligent inquiry unknown it shall be sufficient to affix it or a copy thereof upon some conspicuous part of such property Any instrument so served by post as aforesaid shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of the post and in proving such service it shall be sufficient to prove that the instrument or document was properly addressed and posted Provided always that in the case of a railway company any such instrument or document shall be delivered or sent by post addressed to the secretary to the Company at their principal office or place of business.

General provisions as to bye-laws.

278. All bye-laws from time to time made by the Corporation under the powers of this Act shall be made under and according to the provisions with respect to bye-laws 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 bye-laws of a rural sanitary authority Provided that all bye-laws may be partly in print and partly in writing (including lithograph).

As to appeal.

279. 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 may appeal (but in cases where application for relief is authorised to be made to the Corporation then only after such application) 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.

Recovery of sums by action.

280. Whenever any person neglects to pay any rent rate or sum due to the Corporation under this Act the Corporation may recover the same with full costs of suit in any court of competent jurisdiction for the recovery of debts of the like amount and the remedy of the Corporation under this enactment shall be in addition to any other remedies for the recovery of such rent rate or sum.

Extending time for summary recovery of rates &c.

281. Proceedings in a court of summary jurisdiction for the recovery of private improvement expenses gas-rents water-rents and any rate payable to the Corporation may be commenced at any

time within twelve calendar months from the time when such expenses rents and rate respectively became due and payable.

Damages and charges in case of dispute to be settled by justices.

282. Where any damages expenses or charges are directed or authorised to be paid or recovered in addition to any penalty for any offence in this Act mentioned the amount of such damages expenses or charges in case of dispute respecting the same may be settled and determined by the justices before whom any offender is convicted and may be levied by distress.

Compensation how to be determined.

283. When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided for by the Public Health Acts.

Compensation may be in land &c.

284. The Corporation when they are required by any enactment to make compensation to any person interested in any lands may by agreement with such person make such compensation wholly or partly in works land or money.

Penalty.

285. Any person offending against any of the preceding provisions contained in this Act or any bye-law made under this Act shall except as otherwise provided forfeit and pay for every such offence a penalty not exceeding five pounds and in case of a continuing offence a daily penalty not exceeding forty shillings.

Penalty on persons obstructing officers &c.

286. Any person who assaults obstructs hinders or molests any member or officer of or any person appointed or employed by the Corporation in the execution of his duty under any enactment or bye-law for the time being in force within the borough shall be liable to a penalty not exceeding five pounds.

Proceedings for summary convictions and appeals.

287. Proceedings with a view to the summary conviction of offenders under this Act or under any bye-law of the Corporation under this Act or to the recovery of penalties (except when otherwise expressed) or of any money or expenses authorised to be recovered summarily or any order to be made by justices under this Act or any such bye-law shall be taken according to the provisions of the Summary Jurisdiction Acts.

Proceedings against one or more of joint owners or occupiers.

288. In case of any demand or complaint under this Act to which two or more persons being owners or occupiers of lands or partly the one and partly the other are answerable jointly it shall be sufficient to proceed against any one or more of them without proceeding against the others or other of them but nothing in this Act shall prevent the parties so proceeded against from recovering contributions in any case to which they would be entitled by law to contribution if this Act had not been passed.

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Several sums in one summons.

289. Any summons or warrant issued for any purpose of this part of this Act may contain in the body thereof or in a schedule thereto several names and several sums.

Power to order prosecutions &c.

290. The Corporation may direct any prosecution or proceeding against any person for any offence against the recited Acts or this Act or any bye-law thereunder or any matter arising thereunder respectively.

Punishment of abettors &c.

291. Where the doing of any act or thing is made punishable by this Act or by any bye-law thereunder the causing procuring aiding or abetting such act or thing to be done shall be punishable in like manner if the nature of the case permits and if an intention to the contrary does not appear in the enactment or bye-law creating the offence.

Penalties on repetition of offences.

292. Where by this Act any pecuniary penalty or other punishment is imposed in respect of any offence described therein then and in every such case if the nature of the case permits and if an intention to the contrary does not appear in this Act such penalty or punishment may be inflicted for every repetition of such offence.

Penalties to be paid over to the treasurer &c.

293. All penalties recovered under this Act or any bye-law thereunder shall be paid to the treasurer and be by him carried to the credit of the borough fund or the district fund or to the police superannuation fund as the Corporation direct.

Proceedings when offender refuses to state his name.

294. If any person charged with any offence against any of the recited Acts or this Act or any bye-law thereunder respectively refuses to disclose his name all the necessary proceedings may be had and carried on against him for the recovery of any penalty forfeiture or damage imposed or incurred by the description of his person and of the offence committed without stating his name or if one only of his names is known all necessary proceedings may be had and carried on against him by such name only.

Evidence of previous convictions.

295. The justice before whom any person is convicted of any offence may transmit the conviction to the next court of quarter sessions there to be kept by the proper officer among the records of the court and on the prosecution of any person for any subsequent offence a copy of such conviction certified by the proper officer of the court or proved to be a true copy shall be sufficient evidence to prove a conviction for the former offence and such conviction shall be presumed not to have been quashed on appeal until the contrary is shown.

Saving for indictments &c.

296. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act.

Costs of distress.

297. Any justice who issues a warrant of distress for any purpose of this Act may order that the costs of and incidental to the recovery of the money to be levied be paid by the person liable to pay that money and the costs shall be ascertained by the justice and shall be included in the warrant of distress for recovery of the money.

Judges &c. not disqualified.

298. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate or other charge thereunder or by reason of his being a member of the council.

Persons acting in execution of Act not to be personally liable.

299. No matter or thing done or contract entered into by the Corporation or the council nor any matter or thing done by the town clerk or by any member officer or clerk of the Corporation or any person whomsoever acting under the direction of the council shall if the matter or thing were done or the contract were entered into bonâ fide for the purpose of executing this Act subject them or any of them personally to any action liability claim or demand whatsoever and any expense incurred by the Corporation or council or town clerk member officer clerk or person acting as last aforesaid shall be borne and repaid out of any of the funds at the disposal of the Corporation.

Powers of Act cumulative.

300. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers conferred on them by Act of Parliament charter law or custom and the Corporation may exercise such other powers as if this Act had not been passed Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

Saving rights of Corporation.

301. Nothing in this Act shall take away abridge or prejudicially affect any right power authority estate or interest of the Corporation under any former Act or the Public Health Acts or the Municipal Corporations Acts or otherwise and every such right 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.

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Expenses of Act.

302. 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 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 of the House of Commons shall be paid by the Corporation out of the funds and rates under the control of the Corporation or out of moneys borrowed on the security thereof under the powers of this Act.

THE SCHEDULES REFERRED TO IN THE FOREGOING ACT.

FIRST SCHEDULE.

Statement of and relating to Loans of the Corporation.

For what Purposes and under what Act borrowed.	Amount authorised.	Date when borrowed.	Amount actually borrowed.		Borrowed Money still owing 25th March 1884.		Term of Years authorised.	Term of Years yet to run.
	£		£ s. d.	£ s. d.	£ s. d.	£ s. d.		
Street Improvements (Public Health Acts).	4,000	1871	3,975 0 0 40 0 0	4,015 0 0		2,850 0 0	30	17
Sewerage (Public Health Act 1875)	89,050	1879 1880 1881 1882	25,000 0 0 25,000 0 0 15,000 0 0 24,050 0 0	89,050 0 0	22,750 0 0 23,000 0 0 14,250 0 0 23,088 0 0	83,088 0 0	50	45 46 47 48
Waterworks Undertaking (Dewsbury Batley and Heckmondwike Waterworks Act 1856) and Dewsbury Batley and Heckmondwike Waterworks Amendment Acts 1861 and 1867.	112,000	1856 to 1875	112,000 0 0	112,000 0 0		66,982 0 1	50 years from the passing of the Dewsbury and Heckmondwike Waterworks Act 1876 (as respects the balance of the loans outstanding at that date, viz., 79,126*l.* 10*s.* 5*d.*)	42
Waterworks Undertaking Purchase (Batley Corporation Waterworks Act 1871).	61,650	1876 1877 1878 1879	8,832 5 9 13,943 18 9 25,269 16 0 13,603 19 6	61,650 0 0		54,013 14 9	Ditto	42

For what Purposes and under what Act borrowed.	Amount authorised.	Date when borrowed.	Amount actually borrowed.			Borrowed Money still owing 25th March 1884.			Term of Years authorised.	Term of Years yet to run.
	£		£ s. d.	£ s. d.		£ s. d.	£ s. d.			
Waterworks Undertaking (Dewsbury and Heckmondwike Waterworks Act 1876).	135,000	1877	14,200 0 0	63,446 9 11					80 years (sinking fund deferred for 7 years).	
		1878	9,367 0 0							
		1879	10,297 9 11							
		1880	16,675 0 0							
		1881	1,000 0 0							
		1882	4,507 0 0							
		1883	1,450 0 0			56,696 9 11				79
		1884	5,950 0 0			5,950 0 0				80
							62,646 9 11			
Gasworks Purchase and Undertaking (Dewsbury and Batley Corporations Gas Act 1873).	230,000	1874	137,087 7 11	220,896 8 5					60 years (sinking fund deferred for 5 years).	
		1875	27,110 14 2							
		1876	32,269 16 0							
		1877	12,291 7 5			189,603 5 0				53
		1878	7,090 0 0			6,538 0 0				54
		1879	1,865 0 0			1,748 0 0	201,006 7 11			55
		1880								
		1881	1,403 11 0			1,351 11 0				57
		1882								
		1883	1,303 7 6			1,290 7 6				59
		1884	475 4 5			475 4 5				60
Land for Town Hall site (Municipal Corporation Mortgages Act 1860).	7,000	1870	6,699 0 0	6,699 0 0			3,880 16 10		30	16
Baths Purchase (Baths and Washhouses Acts).	2,000	1871	1,600 0 0	1,600 0 0			875 0 0		30	17
Burial Ground (Burial Acts) -	7,900	1859	7,900 0 0	7,900 0 0			2,342 9 10		30 years from 1859.	5
		1860								
£	648,600			567,256 18 4			477,684 19 4			

SECOND SCHEDULE.

BOROUGH OF DEWSBURY.

CERTIFICATE OF DISEASE &c.

DEWSBURY IMPROVEMENT ACT 1884.

To the Corporation of the Borough of Dewsbury.

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 such Act.

Dated the day of 18 .

(Signed)

Name of person suffering from the disease }
Situation of the building wherein such person is }
Name of occupier or other person having the charge management or control of the building or room }
Nature of disease }

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

THIRD SCHEDULE.

TOLLS STALLAGES AND RENTS.

	s.	*d.*
From the occupier of each shop according to the size and dimensions of the same namely:—for each and every superficial foot thereof inside measure per day - - - - - -	0	1
From the occupier of each stand for vegetables or other articles raised above the ground with progressive steps or benches according to the size and dimensions of the same:—for each and every superficial foot thereof per day not exceeding - - - -	0	1
From the occupier of each other stand or bench according to the size and dimensions of the same:—for each market day or other day in the week not exceeding - - - - - -	0	1
From the occupier of each compartment or space on the surface of the ground according to the size and dimensions of the same namely:—for each and every superficial foot thereof for each market day or other day in the week not exceeding - - - -	0	1

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	s.	d.
From the occupier of each standing on the fish markets according to the size and dimensions of the same:—for each and every superficial foot thereof for each market day or other day in the week not exceeding - - - - - - - - -	0	1
And for every bull cow ox steer or heifer if sold by the carcase -	2	6
And for every calf sheep lamb or pig if sold by the carcase - -	1	0
And so in proportion for every less quantity than the entire carcase.		
And for the following (if not exposed for sale on any stall or standing place to be taken as above) the following sums of money for each and every day of the week (that is to say):—		
Wheat barley peas and beans in the grain per sack of four imperial bushels - - - - - - - - - -	0	4

Flour.

For every load consisting of twelve score pounds in weight - -	0	4

Oatmeal.

For every load consisting of twelve score pounds in weight - -	0	4

Potatoes.

Per load bag - - - - - - - -	0	1
Per half-load bag and less quantity - - - - -	0	$0\frac{1}{2}$
Half-load sack containing one hundred and twenty pounds - -	0	$0\frac{1}{2}$
A load sack - - - - - - - -	0	1
A cartload not exceeding twelve sacks - - - -	1	0
A cartload exceeding twelve sacks - - - - -	1	6

Cheese.

For every cwt. - - - - - - - -	0	2

Butter and Eggs.

In hampers or boxes - - - - from 2*d.* to	0	4
A large basket - - - - - - - -	0	2
A small basket - - - - - - - -	0	1
A crate of eggs - - - - - - - -	0	4

Fish.

A cartload - - - - - - - - -	1	0
Hamper or pannier box or other package - - - - -	0	2

Fruit.

Single horse cartful - - - - - - - - -	1	0
Hamper basket whisket or tub under one bushel imperial measure -	0	$0\frac{1}{2}$
Ditto exceeding one bushel but not exceeding one and a half bushels -	0	1
Hogshead - - - - - - - - -	0	4

	s.	*d.*	
Tierce - - - - - - - - -	0	3	
Chest - - - - - - - - -	0	2	
Box - - - - - - - - - -	0	1	
Basket or bag of nuts - - - - - - - -	0	0½	

And so on in proportion for every excess.

Vegetables of all sorts except Potatoes.

A cartload according to bulk - - - - from 4*d.* to	1	6
A cartload when loaded on the wings higher than the body according to the bulk - - - - - from 1*s.* to	1	6
Hamper basket bag sack barrow or tub not exceeding one bushel imperial measure - - - - - - - -	0	0½
For a greater quantity per bushel - - - - - -	0	0½

Poultry.

A basket containing more than six head - - - - -	0	4
A basket containing six head or less - - - - - -	0	2

Bacon or Pork.

For every flitch or ham - - - - - - -	0	1
In every tierce barrel or other package per cwt. - - - -	0	2

Pastry Spices and Confectionery.

A large basket or board - - - - - - - -	0	2
A smaller ditto - - - - - - - - -	0	1

Oats.

Per sack of three imperial bushels - - - - - -	0	2

Hay and Straw.

For each and every cartload of hay straw grass or vetches or other article commodity or thing exposed for public sale if drawn by one horse or other beast per day the sum of - - - - -	0	4
Ditto ditto when retailed - - - - - -	0	8

And when any of the preceding articles are brought in a wagon instead of a cart double the amount of the tolls fixed and appointed to be taken for the same when brought in a cart shall be taken.

Weighing and Measuring.

For weighing every wagon cart or carriage of any description any sum not exceeding - - - - - - - -	0	6
For weighing any goods wares merchandise or other article or thing if under the weight of 28 lbs. - - - - - -	0	0½
If 28 lbs. and not exceeding 112 lbs - - - - -	0	1
And for every 112 lbs. or fraction of 112 lbs. over and above the first 112 lbs. - - - - - - - - -	0	1

CATTLE.

	s.	d.
For each horse mule or ass per day not exceeding - - -	0	6
For each bull ox cow or other like cattle per day not exceeding -	0	4
For each calf per day not exceeding - - - - -	0	2
For each sheep or swine per day not exceeding - - -	0	2

FOURTH SCHEDULE.

CHARGES FOR BATHS.

For each Person above Eight Years old.	First Class.		Second Class.	
	s.	d.	s.	d.
For use of covered swimming bath - -	1	0	0	6
For use of warm slipper bath - - -	1	0	0	6
For use of shower bath - - -	0	3	0	2
For the use of Turkish bath - - -	2	6	1	6

The above charges include the use of two towels for each bather. Where a shower bath is taken in connection with a slipper bath the charges for such shower bath shall be only one penny.

FIFTH SCHEDULE.

LANDS AND BUILDINGS OF WHICH PORTIONS ONLY ARE REQUIRED.

Parish.	Numbers on deposited Plans (all inclusive).
Dewsbury - -	70 71 75 76 79 82 86 87 88 95 103 105 107 109 110 111 115

SIXTH SCHEDULE.

Forms.

(A.)

Resolutions on Creation of Stock.

Borough of Dewsbury.

[29th September 188 .]

At a Meeting of the Council of the Borough of Dewsbury 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 an absolute majority of the Council.

Resolved first—

That under the authority and subject to the provisions of the Dewsbury Improvement Act 1884 the Corporation acting by the Council do hereby in exercise of their several statutory powers create stock to be called Dewsbury Corporation [irredeemable] stock and to be issued to an amount which shall be sufficient for the following purposes but not exceeding [state the sum]:—

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 [ ];

(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 reborrowing 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

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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 reborrow.

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 reborrow.

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];

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 £100.

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

Resolved thirdly—

That such stock shall be irredeemable [or 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.

DEWSBURY CORPORATION 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 Dewsbury Corporation 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.*

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[*Indorsement.*]

NOTICE TO HOLDERS OF DEWSBURY CORPORATION 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 their 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 the 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 *or any multiple of* £10], with coupons for the quarterly dividends attached, may be obtained in exchange for inscribed stock.

(C.)

Corporation Stock Certificate.

Borough of Dewsbury.

Number

This is to certify that A.B. of [ ] is the proprietor of [ ] pounds of Dewsbury Corporation redeemable [*or* irredeemable] stock subject to the Acts of Parliament relating thereto.

Given under the common seal of the Mayor Aldermen and Burgesses of the borough of Dewsbury this [ ] day or [ ] 18[ ].

(D.)

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TRANSFER IN BOOKS.

DEWSBURY CORPORATION STOCK (£ PER CENT.) No.

£	*s.*	*d.*

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

interest or share in the Dewsbury Corporation 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*]

£ Dewsbury Corporation Stock (£ per Cent.)
To G.H. [*the intended Attorney*]

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

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(F.)

POWER OF ATTORNEY FOR SALE AND TRANSFER AND FOR RECEIPT OF DIVIDENDS.

Corporate Account.

DEWSBURY CORPORATION 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

DEWSBURY CORPORATION 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 Council, and who must be present when the corporate seal is affixed.

For further instructions, see other side.

[*Indorsement.*]

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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 Dewsbury.

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 Dewsbury Corporation Redeemable [*or* Irredeemable] Stock standing [or part of the stock standing] in my name in the books of the Mayor Aldermen and Burgesses of the Borough of Dewsbury 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 [ ].

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(H.)

DIVIDEND WARRANT.

DEWSBURY CORPORATION 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 £ Dewsbury Corporation 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 of one quarter of a year's dividend, due as abovesaid.

Witness my hand this , 188 .

Witness,

(I.)

DIVIDEND WARRANT BY POST.

(1.)

DEWSBURY CORPORATION STOCK (£ PER CENT).

Request for Transmission of Dividend Warrants by Post.

To the Governor and Company of the Bank of England.

Amount. A sum of £ Dewsbury Corporation Stock

"my" or "our." (£ per cent.) is now standing in name as follows:—

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

"I" or "we." As the person entitled to the dividends upon the above-mentioned amount of stock hereby authorise the Accountant-General of the Bank

"myself" or "our nominee." 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,

"my" or "our." or on the amount for the time being standing in name :

And the post, at drawn to—

hereby request the said Accountant-General to send through risk and until further notice, the warrants so

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

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 DEWSBURY CORPORATION 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, or 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 1st January, 1st April, 1st July, and 1st October.

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

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 [1st January] the balance is struck on or about the [1st December].

For the dividend payable [1st April] the balance is struck on or about the [1st March].

For the dividend payable [1st July] the balance is struck on or about the [1st June].

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For the dividend payable [1st October] the balance is struck on or about the [1st 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 indorsed; 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.

(2.)

POST DIVIDEND WARRANT.

DEWSBURY CORPORATION 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 £ { Dewsbury Corporation 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.

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(K.)

STOCK CERTIFICATE WITH COUPONS TO BEARER.

DEWSBURY CORPORATION 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 Dewsbury Corporation [redeemable] stock with dividend thereon at the rate of £ per cent. per annum transferable at the Bank of England pursuant to the Dewsbury Improvement Act 1884.

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. DEWSBURY CORPORATION STOCK.	5 Div.	4 Div. DEWSBURY CORPORATION STOCK.	4 Div.
Coupon for (Less Income Tax) being Three Months' Dividend at £ per Cent. per Annum. A00000 Due [1*st January*, 1886] on Certificate for FIFTY POUNDS DEWSBURY CORPORATION STOCK. £0. *Payable at the Bank of England.*	DEWSBURY CORPORATION STOCK. *Due* [1*st Jan.*,1886]. A00000 £0.	Coupon for (Less Income Tax) being Three Months' Dividend at £ per Cent. per Annum. A00000 Due [1*st October*, 1885] on Certificate for FIFTY POUNDS DEWSBURY CORPORATION STOCK. £0. *Payable at the Bank of England.*	DEWSBURY CORPORATION STOCK. *Due* [1*st Oct.*,1885]. A00000 £0.
3 Div. DEWSBURY CORPORATION STOCK.	3 Div.	2 Div. DEWSBURY CORPORATION STOCK.	2 Div.
Coupon for (Less Income Tax) being Three Months' Dividend at £ per Cent. per Annum. A00000 Due [1*st July*, 1885] on Certificate for FIFTY POUNDS DEWSBURY CORPORATION STOCK. £0. *Payable at the Bank of England.*	DEWSBURY CORPORATION STOCK. *Due* [1*st July*,1885]. A00000 £0.	Coupon for (Less Income Tax) being Three Months' Dividend at £ per Cent. per Annum. A00000 Due [1*st April*, 1885] on Certificate for FIFTY POUNDS DEWSBURY CORPORATION STOCK. £0. *Payable at the Bank of England.*	DEWSBURY CORPORATION STOCK. *Due* [1*st April*, 1885]. A00000 £0.

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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 including 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 register of stock specified in stock certificate to bearer - - - - - - - - -	0	5	0

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