by fifteen" there were substituted the following words: "the average annual increase of burden multiplied—

"(*a*) so far as that increase of burden is attributable to the cost of maintenance of roads, by twenty-one; and

"(*b*) in other cases, by fifteen."

Short title and extent.

6.—(1) This Act may be cited as the Local Government (County Boroughs and Adjustments) Act, 1926.

(2) This Act shall extend to England and Wales only.

CHAPTER 39.

An Act to regulate the sale on commission of horticultural produce. [15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Duty of salesman to record and deliver particulars of sales.

1.—(1) Where in the case of any horticultural produce consigned for sale on commission the salesman makes a charge by way of commission or otherwise, he shall enter in a book kept by him for the purpose the names of the owner or consignor of the produce and of every purchaser, and the price paid or agreed to be paid by each purchaser, and shall as soon as practicable after the sale send by post or deliver to the owner or consignor an account containing the following particulars:—

(*a*) the actual price paid or agreed to be paid for the produce, and where there is any variation in price, the number, weight or quantity sold, or agreed to be sold, at each price; and

(*b*) the commission or other charge made by the salesman for selling the produce, together with details of any charges made for services in connection with the sale; and

(*c*) the amounts, if any, paid or payable by the salesman on behalf of the owner or consignor in connection with the sale, with details thereof.

(2) If on any such sale as aforesaid any produce is bought by the salesman or by any person on his behalf, the fact shall be stated in the account; but nothing in this provision shall be construed as rendering any such transaction, if otherwise illegal, legal.

(3) If any person fails to make any entry, or send or deliver any account, or sends an account not containing the particulars required by this section, or makes an entry or sends or delivers an account which is false in any material particular, he shall be liable on summary conviction in the case of a first offence to a fine not exceeding twenty pounds, and in the case of a subsequent offence to a fine not exceeding one hundred pounds:

Provided that, in any proceedings under this section, if the defendant proves to the satisfaction of the court that the offence was due to a bonâ fide mistake or accident, in spite of all reasonable precautions being taken and all due diligence exercised by the defendant to prevent the occurrence of such offence, or the offence was due to the action of some person over whom the defendant had no control, the defendant shall be discharged from the prosecution.

(4) The provisions of this Act shall not apply to the sale of horticultural produce unless the owner or consignor sends to the salesman before the sale an advice note specifying the nature and description of the packages consigned and the contents thereof.

Inspection of books, &c.

2. The owner or consignor of any such produce may within ten days of the delivery to him of an account in pursuance of this Act, by notice in writing, require the salesman to produce any records, books, or documents in his possession, so far as they relate to the sale of such produce, for inspection by an accountant nominated by the owner or consignor, being an accountant possessing such qualifications as may be prescribed by the Minister of Agriculture and Fisheries, or in Scotland by the Board of Agriculture for Scotland, and if the salesman refuses or fails to produce for inspection, or destroys or obliterates any such records, books or documents, or obstructs the accountant in any such inspection, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

Interpretation.

3.—(1) In this Act the expression "horticultural produce" means vegetables, fruit, flowers and plants.

(2) For the purposes of this Act, produce consigned for sale shall be deemed to have been consigned for sale on commission unless at or before the sale of the produce—

(*a*) the salesman has received from the owner or consignor a direction in writing to the contrary; or

(*b*) the owner or consignor and the salesman have entered into an agreement in writing to the contrary;

and any such agreement may apply either to a particular consignment or generally to all such consignments as may be specified in the agreement.

(3) Where the owner or consignor of any horticultural produce has appointed a person to act as his agent for the purposes of this Act, anything by this Act authorised or required to be done to or by the owner or consignor may be done to or by such agent.

Short title and extent.

4.—(1) This Act may be cited as the Horticultural Produce (Sales on Commission) Act, 1926.

(2) This Act shall not extend to Northern Ireland.

CHAPTER 40.

An Act to confer on Courts in India and other parts of His Majesty's Dominions jurisdiction in certain cases with respect to the dissolution of marriages, the parties whereto are domiciled in England or Scotland, and to validate certain decrees granted for the dissolution of the marriage of persons so domiciled.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present