ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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Cap. xxvii.

An Act to enable the Local Board of Health for the District of *Leamington Priors* in the County of *Warwick* to purchase the Property of the *Leamington* Royal Pump Room Company (Limited) at *Leamington Priors*, and to maintain a Pump Room and Baths and Public Gardens and Pleasure Grounds in *Leamington Priors* for the Use and Enjoyment of the Inhabitants thereof; and for other Purposes. [29th *May* 1868.]

WHEREAS the *Leamington* Royal Pump Room Company (Limited), herein called the Company, are the Owners or reputed Owners of certain Lands and Tenements in the Parish and Town of *Leamington Priors* within the District of the *Leamington Priors* Local Board of Health, herein called the Local Board, in the County of *Warwick*, known as the "Royal Pump Rooms" and as the "Pump Room Gardens:" And whereas the said Lands and Tenements adjoin the *Lower Union Parade*, and are

situated in the Centre and in the most public Part of the said Town, and are of great Value for public Purposes, and if acquired by the Local Board would be of great Benefit and Advantage to the Inhabitants of the District and Visitors to the said Town: And whereas it is expedient that Powers should be conferred upon the Local Board to purchase the said Lands and Tenements, and that the Local Board should also be empowered to purchase, hold, improve, and maintain the Pump Room and Baths as a Bathing Establishment for the Use of the Inhabitants and others of *Leamington Priors* aforesaid, and to take Rents and Charges for the Use thereof, or to let the same upon proper Conditions and Restrictions, and to lay out and maintain the whole or a Portion of the said Land intended to be acquired as a Public Garden or Pleasure Ground, and under certain Restrictions to appropriate, sell, or let on Lease for a Term of Years such Part of the said Land as a Site for Buildings for public or other Purposes; but these Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The *Leamington Priors* Local Board (Extension of Powers) Act, 1868."

Interpretation of Terms.

2. In the Interpretation of this Act the Expressions following, unless there be something in the Subject or Context repugnant to such Construction, shall have the Meanings hereby allotted to them; (that is to say,) the Expression "the Local Board" shall mean the Local Board of Health of the District of *Leamington Priors* in the County of *Warwick* for the Time being; the Expression "the District" means the District of the *Leamington Priors* Local Board of Health.

Power to Local Board to purchase Lands and Premises of Leamington Royal Pump Room Company, Limited.

3. The Owners may sell and convey and the Local Board may purchase and take a Conveyance of the Lands and Buildings known as the Royal Pump Rooms in *Leamington Priors*, with the several Bath Rooms, Plant and Fixtures, and Offices thereto attached, and also the Land adjoining thereto, containing in the whole Seven Acres Two Roods and Twenty Perches or thereabouts, situated in the Parish of *Leamington Priors* in the County of *Warwick*.

Purchase Money.

4. The Purchase Money to be paid by the Local Board for the Purchase of the said Lands and Tenements, Pump and Bath Rooms, Plant

Plant and Fixtures, and the Offices thereto attached and belonging, shall not exceed in the whole the Sum of Fifteen thousand Pounds.

Lands, &c., how to be conveyed.

5. The said Lands and Tenements shall be conveyed and assured to the Local Board and their Successors in trust for the Purposes of this Act, and shall be accepted and held by them as a Body Corporate.

Mortgage of General District Rates.

6. The Local Board may for the Purpose of this Act borrow and take up at Interest, on the Credit of the General District Rates authorized by the Public Health Act, 1848, to be made or collected within the said District, any Sum not exceeding Fifteen thousand Pounds; and, except as by this Act expressly provided to the contrary, all the Provisions of the Public Health Act, 1848, and of the said Local Government Act, 1858, and of any Acts altering or amending the same with respect to Mortgage of Rates and the Redemption of the Mortgages, shall apply to and be deemed to extend to the Mortgage of General District Rates under this Act.

Maintenance of Pump Room, and Appointment of Officers.

7. The Local Board of Health shall uphold, maintain, alter, or improve the said Pump Room and Bath Rooms after they shall have acquired the same, and they may appoint proper Persons as the Manager, and as Officers, Attendants, and Servants thereat, and they shall lay out and maintain the whole of the Land adjoining the said Pump Room when acquired by them, except such Part thereof as they are by this Act authorized to sell, as Public Gardens or Pleasure Grounds.

Byelaws.

8. The Local Board may make Byelaws, Rules, and Regulations, and from Time to Time may alter and change such Byelaws, Rules, and Regulations, with respect to the Duties of the Manager, Officers, Attendants, and Servants to be appointed by them under the Authority of this Act, and with respect to the Government and Use of the Pump Room, Bath Rooms, and Premises, and with respect to the Maintenance and Use of the intended Public Gardens and Pleasure Grounds by the Inhabitants of the District and other Persons, and with respect to the due and proper Behaviour of all Persons using the said Pump Room, Baths, and Pleasure Grounds or Public Garden, and may enforce suitable Penalties, not exceeding Five Pounds, for the Breach or Nonobservance of any such Byelaws, Rules, or Regulations; and the Provisions of Sections 115 and 116 of the Public Health Act, 1848, shall apply to the Byelaws, Rules, and Regulations made by the Local Board under this Act.

9. The

Charges for Use of Pump Room, &c.

9. The Local Board may from Time to Time fix and prescribe the Rates of Charge which shall be made to the Inhabitants of the District and other Persons for the Use of the said Pump Room, Baths, Premises, and Public Gardens or Pleasure Grounds, or any of them.

Sanction of Secretary of State not required to Board borrowing, &c.

10. The Sanction of any or either of Her Majesty's Principal Secretaries of State shall not be required for the Exercise by the Local Board of the Powers of borrowing herein conferred on them for the Purposes of this Act.

As to Control, &c. of Buildings, &c.

11. The Control, Management, and Supervision of the Pump Room, Baths, and Public Gardens or Pleasure Grounds, and of all Matters relating thereto, shall be vested in the Local Board, but the Local Board may from Time to Time appoint a Committee or Committees, Person or Persons, as the Board think fit, for the Purpose of controlling, managing, and supervising the Pump Room, Baths, and Public Gardens or Pleasure Grounds, and the Cost of repairing, maintaining, and insuring such Buildings shall be paid by the Local Board out of the General District Rates levied by them.

Application of Revenue.

12. The Revenue derived from the Charges made for the Use of the Pump Room, Baths, Premises, and Public Gardens or Pleasure Grounds, or from the letting of the same or of any Land acquired by the Local Board under the Powers of this Act, shall be carried to a separate Account in the Ledger of the said Local Board of Health to be called the Pump Room Account, and shall in the first instance be chargeable with the Salaries and Wages of the Managers, Officers, Attendants, and Servants (if any) of the Local Board to be appointed as aforesaid under this Act, and with all necessary and reasonable Expenses to which the Local Board may be put in maintaining and upholding the said Pump Room, Baths, Premises, and Public Gardens or Pleasure Grounds, and such Account shall be balanced once in every Year; and if in any Year any Balance remains after the Payment of all such Claims, Wages, and Expenses as aforesaid, the same shall be applied in such Manner as the Local Board may direct in and towards the Payment of the Loans raised upon Mortgage of the General District Rates under the Authority of this Act; and when such Loans shall have been wholly paid off, the Balance remaining as aforesaid shall be carried by the Local Board to the Credit of their District Fund Account; and in case the Revenue aforesaid shall in any Year when the Account thereof shall be closed be found insufficient to pay thereout the whole of the Salaries, Wages, and Expenses aforesaid, then the Amount of the Sum

Sum deficient shall be borne and paid out of the General District Rates levied within the District under the Authority aforesaid for the Year in which such Deficiency arises.

Power to let Pump Rooms, &c.

13. The Local Board may, if they think fit, let upon Lease or otherwise for a Period not exceeding Seven Years, subject to such Conditions and Restrictions as they may impose, the Pump Room, Baths, and Public Gardens or Pleasure Grounds: Provided always, that the same shall not be used after being so let for any other Purpose than as a Pump Room, Baths, and Gardens or Pleasure Grounds for the Use of the Inhabitants of the District and other Persons.

Sale, &c. of surplus Land.

14. The Local Board may, except as herein-after provided, sell or let upon Lease for a Term of Years, or may use and appropriate, any Part or Parts of the Land so to be purchased as aforesaid as a Site or Sites for public or other Buildings, and the Money arising from such Sale shall be applied by the Local Board to the Repayment of the Money authorized to be borrowed by this Act on the Security of the General District Rates, and when such Money shall have been wholly paid off, to the general Purposes of the Public Health Act, 1848, and Local Government Act, 1858, and the Acts altering or amending the same within the District; provided it shall not be lawful for the Local Board to sell, or let, or use, or appropriate, except as herein-after provided, those Portions of the said Lands for the Purposes of this Section, which Portions of Land are coloured Green and Pink on a Plan signed by *John George Dodson* Esquire, Chairman of the Committee of the House of Commons, to whom the Bill for this Act was referred, and is deposited in the Private Bill Office of the House of Commons with reference to this Act: Provided always, that the Local Board may, if at any Time it be found requisite to enlarge the present Buildings, employ for that Purpose that Portion of the Land which is coloured Pink on the said Plan.

Recovery of Penalties under Byelaws.

15. All Penalties under the Byelaws made in pursuance of this Act may be recovered in a summary Manner before Two Justices in the Manner directed by the Act passed in the 11th and 12th Years of the Reign of Her Majesty Queen *Victoria*, Chapter 53, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders*, or any Act amending the same; and any Penalties which may be recovered under the Powers of this Act shall go to and be applied by the Local Board towards the defraying the Costs, Charges, and Expenses of maintaining the said Pump Room, Baths, and Public Gardens or Pleasure Grounds.

The Leamington Priors Local Board (Extension of Powers) Act, 1868.

Expenses of procuring Act, and other Expenses.

16. The Expenses incurred by the Local Board in applying for and obtaining this Act, and preparatory and incident thereto, shall be and are hereby included among the general Expenses of the Local Board, and may be defrayed accordingly either from the said Sum of Fifteen thousand Pounds herein-before authorized to be raised by the said Board, or from the General District Rates to be levied by the said Board.

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