CHAPTER 54.

An Act to amend the seventy-eighth section of the Metropolis Management Amendment Act, 1862.

[18th August 1890.]

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:

Repeal of 25 & 26 Vict. c. 102. s. 78.

Vestries and district boards may flag footpaths and recover expense from owners.

1. Section seventy-eight of the Act passed in the session of Parliament holden in the twenty-fifth and twenty-sixth years of the reign of Her present Majesty, chapter one hundred and two, intituled "An Act to amend the Metropolis Local Management Acts," shall be repealed, and in the place thereof there shall be enacted the section following, viz.: In case any footway or any part of a footway laid out at the passing of the Act of the eighteenth and nineteenth years of the reign of Her present Majesty Queen Victoria, chapter one hundred and twenty, intituled "An Act for the better Local Management of the Metropolis," shall have been repaired by the vestry or district board of works, or any other public body, but such footway or any part thereof shall not have been flagged or only partially flagged, and the vestry or district board of works shall have deemed it necessary or expedient, or shall deem it necessary or expedient, that the same should be flagged either throughout the whole length and breadth thereof or any part of such length or breadth respectively, and such vestry or district board shall have flagged or be about to flag the same, the owners of the houses and the owners of the land bounding or abutting on the road or street in which such footway or any part thereof is situate, shall on demand pay to such vestry or district board of works the amount of the expense incurred, or the estimated expense to be incurred, in providing and laying such flagging; and in the case of estimated expense where the same shall exceed the actual expense of such flagging, then the difference between such estimated expense and such actual expense shall be repaid by the vestry or district board to the owners of houses and land by whom the said estimated expense has been paid; and in case the said estimated expense be less than the actual expense of such paving, then the owners of the said houses and land shall on demand pay to the vestry or district board such further sum of money as, together with the sum already paid, amounts to the actual expense: Provided that it shall be lawful for the said vestry or district board to charge the owners of land in a less proportion than the owners of house property should they (the said vestry or district board) deem it just and expedient so to do.

Apportionment and recovery of expense.

2. The expense aforesaid, whether estimated or actual (including the cost of flagging at the points of intersections of streets, and all other incidental costs and charges), shall be ascertained and apportioned by the vestry or district board amongst the parties liable to

pay the same under the preceding section of this Act, and shall be recoverable either before the work shall be commenced, or during its progress, or after its completion, from the owner of the premises, either by action-at-law or in a summary manner before a justice of the peace at the option of the vestry or district board, as provided for by the two hundred and twenty-fifth section of the said Act of the eighteenth and nineteenth years of the reign of Her present Majesty Queen Victoria.

Vestry or board to keep flagging in repair.

3. After any vestry or district board has flagged any footway under the provisions of this Act, the said vestry or board shall keep the said flagging in good and sufficient repair.

Interpretation of terms.

4. In the construction of this Act all the provisions contained in the two hundred and fiftieth section of the said Act of the eighteenth and nineteenth Victoria, chapter one hundred and twenty, and the one hundred and twelfth section of the said Act of the twenty-fifth and twenty-sixth Victoria, chapter one hundred and two, shall be deemed and taken to apply to and extend to the provisions of this Act, and the term "flag" or "flagging" shall include asphalte or other similar paving material, and the term "paved" shall include asphalted or other similar paved work.

Construction of Act.

5. Except as by this Act expressly amended or varied, the said Act of the session of the eighteenth and nineteenth Victoria, chapter one hundred and twenty, and the several Acts passed for the amendment of the said Act and this Act shall be construed together as one Act.

Short title.

6. This Act may be cited as the Metropolis Management Act, 1862, Amendment Act, 1890.

CHAPTER 55.

An Act for the better prevention of Corrupt and Illegal Practices at Elections in Scotland other than Parliamentary elections. [18th August 1890.]

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 as the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890, and shall apply to elections to any corporate office as defined by section two hereof.

Definitions.

2. "Burgh" includes royal burgh, parliamentary burgh, burgh of barony, burgh of regality, and police burgh formed under any general police Act, and the burgh of Coatbridge in the county of Lanark:

"Corporate office" means the office of county councillor, town councillor, or police commissioner of a burgh, member of parochial board, or member of school board: