CHAPTER 65.

An Act for further amending the Acts relating to the raising of Money by the Metropolitan Board of Works, and for other purposes.

[11th August 1875.]

WHEREAS it is expedient that the raising of money by the Metropolitan Board of Works for the following purposes:

(*a.*) Expenditure by them for general improvements and contributions;

(*b.*) Fire brigade purposes;

(*c.*) Loans to vestries and district boards and boards of guardians and some other bodies;

be regulated, and that provision be made requiring that the borrowing powers granted to the Board by Parliament should for the future be limited both in time and in amount, and that in some other respects powers and provisions of and relating to the Board be extended or modified:

Be it therefore 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 Metropolitan Board of Works (Loans) Act, 1875.

Construction of Act.

This Act shall be read and have effect as one with The Metropolitan Board of Works (Loans) Acts, 1869 to 1871.

Power for Board to expend for general improvements and contributions.

2. The Board may from time to time, up to the thirty-first day of December one thousand eight hundred and seventy-six, expend under section one hundred and forty-four of The Metropolis Management Act, 1855, and section seventy-two of The Metropolis Management Amendment Act, 1862, such money as they think fit, as follows:

(1.) In making, widening, or improving any streets, roads, or ways, for facilitating the passage and traffic between different parts of the metropolis, or contributing and joining with any persons in any such improvements, and in taking any land, rights in land, or property for the purposes aforesaid, or otherwise for the improvement of the metropolis, or in making such applications as therein mentioned:

(2.) In contributing and joining with a vestry or district board constituted under The Metropolis Management Act, 1855, in making, extending, widening, altering, or improving any street, road, or way, or any bridge over a canal traversing any part of the parish or district of the vestry or district board, for the purpose of facilitating passage and traffic, or for any other public purpose.

The aggregate amount expended by the Board under this section shall not exceed one hundred and twenty thousand pounds.

The Board, in order to raise money for purposes of this section, may from time to time create consolidated stock.

Power for Board to expend for fire brigade purposes.

3. The Board may from time to time, up to the thirty-first day of December one thousand eight hundred and seventy-six, expend in providing station-houses, fire-engines, fire-escapes, and permanent plant for purposes of The Fire Brigade Act, 1865 such money as they think fit, not exceeding fifteen thousand pounds.

The Board, in order to raise money for purposes of this section, may, from time to time, create consolidated stock.

The Board shall from time to time carry to the consolidated loans fund such sums as the Treasury approve as being, in their opinion, sufficient to redeem, within thirty years from the date of the creation of stock for purposes of this section, an amount of consolidated stock equal to that so created.

Power for Board to lend to vestry or district board.

4. Where a vestry or district board constituted under The Metropolis Management Act, 1855, desire, in pursuance of authority vested in them by Act of Parliament, to borrow money for the purpose of any work, or for the purpose of paying off any loan or debt, or for any other purpose, and it appears to the Board and to the Treasury expedient that

the repayment of the money to be borrowed shall be spread over a series of years, then from time to time, up to the thirty-first day of December one thousand eight hundred and seventy-six, the Board may lend to the vestry or district board, and the vestry or district board may borrow from the Board, such money as the Board think fit and as the vestry or district board are authorised and desire to borrow.

The aggregate amount lent by the Board under this section shall not exceed one hundred thousand pounds.

The Board, in order to raise money for purposes of this section, may from time to time create consolidated stock.

Money lent by the Board under this section shall, notwithstanding anything in any other Act, be repaid to them, with interest, within such time after the borrowing as the Board and the borrowers, with the approval of the Treasury, agree, not exceeding, in case of a loan for purposes of improvements effected by the widening of streets or bridges, or for the purpose of purchase of land in fee simple, sixty years, and for any other purpose thirty years.

In case of a loan required to be for not exceeding thirty years, the Board shall from time to time carry to the consolidated loans fund such sums as the Treasury approve as being, in their opinion, sufficient to redeem, within the period for which the loan is made, not exceeding thirty years from the date of the creation of stock for purposes of this section, an amount of consolidated stock equal to that so created.

After the passing of this Act no money shall be lent by the Board to a vestry or district board under section ten of The Metropolitan Board of Works (Loans) Act, 1871.

Power for Board to lend to board of guardians.

5. Where a board of guardians of a union or parish, wholly or for the greater part in the metropolis, as defined in The Metropolis Management Act, 1855, desire, in pursuance of authority vested in them, to borrow money for the purpose of any work, or for the purpose of paying off any loan or debt, or for any other purpose, and it appears to the Board and the Treasury expedient that the repayment of the money to be borrowed shall be spread over a series of years, then from time to time, up to the thirty-first day of December one thousand eight hundred and seventy-six, the Board may lend to the board of guardians, and the board of guardians may borrow from the Board, such money as the Board think fit and as the board of guardians are authorised and desire to borrow.

The aggregate amount lent by the Board under this section shall not exceed one hundred thousand pounds.

The Board, in order to raise money for purposes of this section, may from time to time create consolidated stock.

Money lent by the Board under this section shall, notwithstanding anything in any other Act, be repaid to them, with interest, within such time after the borrowing as the Board and the borrowers, with the approval of the Treasury, agree, not exceeding thirty years.

The Board shall from time to time carry to the consolidated loan fund such sums as the Treasury approve as being, in their opinion, sufficient to redeem, within the period for which the loan is made, not exceeding thirty years from the date of the creation of stock for purposes of this section, an amount of consolidated stock equal to that so created.

Power for Board to lend to corporation, burial board, &c.

6. Where any corporation, body of commissioners, burial board, or other public body having power to levy, directly or indirectly, rates in respect of lands in the metropolis, as defined in The Metropolis Management Act, 1855, or to make charges on rates leviable in the metropolis, as so defined, or to take within the metropolis, as so defined, dues or impositions in the nature of rates, desire, in pursuance of authority vested in them, to borrow money for the purpose of any work, or for the purpose of paying off any loan or debt, or for any other purpose, and it appears to the Board and to the Treasury expedient that the repayment of the money to be borrowed shall be spread over a series of years, then from time to time, up to the thirty-first day of December one thousand eight hundred and seventy-six, with the approval of the Treasury, the Board may lend to the corporation, commissioners, burial board, or other public body, and they may borrow from the Board, such money as the Board think fit, and as the corporation, commissioners, burial board, or other public body are authorised and desire to borrow.

The aggregate amount lent by the Board under this section shall not exceed fifty thousand pounds.

The Board, in order to raise money for purposes of this section, may from time to time reate consolidated stock.

Money lent by the Board under this section shall, notwithstanding anything in any other Act, be repaid to them, with interest, within such time after the borrowing as the Board and the borrowers, with the approval of the Treasury, agree, not exceeding, in case of a loan for purposes of improvements effected by the widening of streets or bridges, or for the purpose of purchase of land in fee simple, sixty years, and for any other purpose thirty years.

In case of a loan required to be for not exceeding thirty years, the Board shall, from time to time, carry to the consolidated loans fund such sums as the Treasury approve as being, in their opinion, sufficient to redeem, within the period for which the loan is made, not exceeding thirty years from the date of the creation of stock for purposes of this section, an amount of consolidated stock equal to that so created.

Nothing in this section shall apply to the case of the managers of the Metropolitan Asylum District or of the School Board for London.

Extension of amount of loans by Board for Metropolitan Asylum District.

7. The Board may from time to time up to the thirty-first day of December one thousand eight hundred and seventy-six, lend to the managers of the Metropolitan Asylum District, in addition to the sum of five hundred thousand pounds authorised by section thirty-seven of The Metropolitan Board of Works (Loans) Act, 1869, and to the sum of one hundred thousand pounds authorised by section seventeen of The Metropolitan Board of Works (Loans) Act, 1871, such sums as the managers are from time to time authorised by the Local Government Board to borrow in pursuance of the Acts in the first-mentioned section referred to, not exceeding in the whole one hundred thousand pounds; and the first-mentioned section shall be construed as if seven hundred thousand pounds were therein substituted for five hundred thousand pounds.

Power for Board to expend for incidental charges on consolidated stock.

8. The Board may from time to time expend for composition for stamp duty, charges payable to the Bank of England, costs of advertising, brokers commission, and other expenses incidental to the raising of money by consolidated stock, such amount as they require for that purpose, and as the Treasury approve, and in order to raise the same may from time to time create consolidated stock.

Alteration of limitation of borrowing power.

9. The limitation on the borrowing power of the Board contained in section thirty-eight of The Metropolitan Board of Works (Loans) Act, 1869, shall not extend to money raised by the Board for purposes mentioned in this Act.

Repayments to go to consolidated loans fund.

10. All sums received by the Board in respect of interest on or principal of any loan made by them under this Act shall be carried to the consolidated loans fund.

Not to affect certain loans herein named.

11. Nothing in this Act shall affect any loan made by the Board before the passing of this Act, or any loan made by the Board after the passing of this Act, in pursuance of a resolution of the Board, passed before the passing of this Act.

Future Loan Bills to have tables of information accompanying.

12. Where the Board are desirous of obtaining a further Act empowering them to raise money, they shall cause the Bill for the same, as proposed to be submitted to Parliament, to be accompanied with tables giving such information as the Treasury require for the purpose of enabling a comparison to be made between the rateable value of the Metropolis and the liabilities of the Board.

Returns respecting money raised and valuation, liabilities, &c. of parishes and other districts.

13. The Board shall every year frame and deliver to the Treasury returns showing—

i. All money raised by the Board under this or any further Act for purposes mentioned in this Act;

ii. In relation to every parish, district, union, or place in respect whereof a loan is obtained from the Board under this Act or any further Act;

(1.) the annual rateable value of the property therein;

(2.) as nearly as may be, the actual indebtedness of each parish, district, union, or place in respect of loans previously contracted.

The Treasury shall cause every such return to be laid before both Houses of Parliament.

Power for Board to require returns from bodies borrowing.

14. Where application for a loan is made to the Board by any body to which the Board are authorised by this or any other Act to lend money, the Board may, as a condition precedent to the making of the loan, and to the payment from time to time of any money as part thereof, require that body to frame and deliver to the Board from time to time returns giving, in relation to the parish, district, union, or place in respect whereof the loan is applied for, such information respecting the financial condition of the body applying as the Board think expedient.

Fee of auditor of Board's accounts.

15. The auditor of the accounts of the Board shall be paid by the Board a fee of such amount not exceeding one hundred guineas (including any expenses that he is put to in the audit) as the Treasury in each case direct.

CHAPTER 66.

An Act for further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary. [11th August 1875.]

WHEREAS, with a view to the revision of the Statute Law, and particularly to the preparation of the Revised Edition of the Statutes now in progress, it is expedient that certain enactments (mentioned in the schedule to this Act) which may be regarded as spent, or have ceased to be in force otherwise than by express and specific repeal by Parliament, or have, by lapse of time and change of circumstances, become unnecessary, should be expressly and specifically repealed:

Be it therefore 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:

Enactments in schedule repealed.

Saving.

1. The enactments described in the schedule to this Act are hereby repealed, subject to the exceptions and qualifications in the schedule mentioned:

Provided that where any enactment not comprised in the schedule has been repealed, confirmed, revived, or perpetuated by any enactment hereby repealed, such repeal, confirmation, revivor, or perpetuation shall not be affected by the repeal effected by this Act:

and the repeal by this Act of any enactment shall not affect any enactment in which such enactment has been applied, incorporated, or referred to;

nor shall such repeal of any enactment affect any right to any hereditary revenues of the Crown, or affect any charges thereupon, or prevent any such enactment from being put in force for the collection of any such revenues, or otherwise in relation thereto;

and this Act shall not affect the validity, invalidity, effect, or consequences of anything already done or suffered,—or any existing status or capacity,—or any right or title already acquired or accrued, or any remedy or proceeding in respect thereof,—or any release or discharge of or from any debt, penalty, claim, or demand,—or any indemnity,—or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law or equity, or established jurisdiction, form or course of pleading, practice, or procedure, or existing usage, franchise, liberty, custom, privilege, restriction, exemption, office, appointment, payment, allowance, or emolument, notwithstanding that the same respectively may have been in any manner affirmed, recognised, or derived by, in, or from any enactment hereby repealed;

nor shall this Act revive or restore any jurisdiction, office, duty, drawback, fee, payment, franchise, liberty, custom, right, title, privilege, restriction, exemption, usage, practice, procedure, or other matter or thing not now existing or in force;

and this Act shall not extend to repeal any enactment so far as the same may be in force in any part of Her Majesty's Dominions out of the United Kingdom, except where otherwise expressed in the said schedule.