CHAPTER ccxi.

A.D. 1883.

An Act for making further provision respecting the borrowing of money by the Corporation of Portsmouth; and for other purposes. [20th August 1883.]

WHEREAS the borough of Portsmouth (in this Act called "the borough") is a municipal borough under the government of the mayor aldermen and burgesses thereof (in this Act called "the Corporation") and the Corporation acting by the Council of the borough are the urban sanitary authority for the district of the borough:

And whereas the borough is subject to the Acts relating to Municipal Corporations and to the several public and local Acts and Provisional Orders mentioned and referred to in the First Schedule to this Act annexed and now in force which Acts and Orders together with the Acts altering amending or affecting any of such public Acts so far as the same relate to the borough are in this Act referred to collectively as "the Corporation Acts":

And whereas the Corporation are empowered under the Corporation Acts from time to time to levy rates and to borrow moneys for the purposes of the said Acts respectively:

And whereas the Corporation acting in execution of the Corporation Acts have from time to time borrowed various moneys and on the 25th day of March 1882 owed on account of such moneys several sums amounting in the whole to the sum of three hundred and thirty-nine thousand seven hundred and seventy-one pounds sixteen shillings and tenpence:

And whereas such sums are now respectively secured in different modes with different priorities at different rates of interest and subject to different conditions as to time of repayment and otherwise:

And whereas it is expedient that the Corporation should be authorised to borrow the further sums herein-after specified for the purposes in this Act mentioned:

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And whereas the Corporation will or may from time to time require to borrow further moneys for the purposes of the Corporation Acts or some of them:

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

And whereas the loans of the Corporation authorised and raised and the amounts thereof subsisting on the 25th day of March 1883 and the periods for which those loans were sanctioned are as set forth in the Fourth Schedule to this Act:

And whereas notwithstanding that the equivalent period for repayment of the several loans mentioned in the said Fourth Schedule to this Act is twenty-four years it is expedient having regard to the present heavy pressure of taxation on the inhabitants of the borough that such of those loans as are converted into Corporation stock under the provisions of this Act should be repaid within a uniform period of forty years:

And whereas it is expedient that certain further powers in relation to infectious diseases the regulation of bathing and other matters herein-after specified should be conferred upon the Corporation as in this Act provided:

And whereas an absolute majority of the whole number of the Council of the borough at a meeting held on the 28th day of November 1882 aften ten clear days notice by public advertisement of such meeting and of the purposes thereof in the "Evening News" being a local newspaper 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 the borough fund and borough rate and the general district rate for the borough:

And whereas such resolution was published twice in the said "Evening News" newspaper and has received the approval of the Local Government 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 9th day of January 1883 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 the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act:

And whereas the purposes of this Act 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 (that is to say):—

PART I.—PRELIMINARY.

Short title.

1. This Act may be cited for all purposes as the Portsmouth Corporation Act 1883.

Division of Act into Parts.

2. This Act shall be divided into Parts as follows:—

Part I.—Preliminary.
Part II.—Public Health and Local Government.
Part III.—Financial.
Part IV.—Erection of Town Hall &c.
Part V.—Payment of Expenses.

Limits and execution of Act.

3. This Act except where otherwise thereby expressed or implied shall apply exclusively to the borough and shall be carried into execution by the Corporation acting by the Council and according to the Municipal Corporation Acts and Public Health Acts respectively and other Acts for the time being affecting the Corporation as a municipal body or urban sanitary authority and with all the rights powers privileges exemptions and authorities conferred by those Acts respectively on the Corporation and on the Council and committees of the Council and the officers agents and servants of the Corporation with respect to matters provided for by or comprised in the before-mentioned 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 the Corporation by or under this Act were vested in imposed on or enjoyed by them by or under those Acts respectively.

Interpretation.

4. In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which by the Public Health Act 1875 or the Corporation Acts meanings are assigned have the same respective meanings and the following words or expressions have the meanings following (that is to say):—

The borough means the borough of Portsmouth;

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

The Council the Town Clerk and the borough fund and borough rate mean the Council the Town Clerk and the borough fund and borough rate of the borough;

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District fund and general district rate mean the district fund and general district rate of the district of the Corporation acting by the Council as a sanitary authority;

Person includes Corporation.

PART II.—PUBLIC HEALTH AND LOCAL GOVERNMENT.

Infectious Diseases.

Infectious diseases.

5. "Infectious disease" means and includes small-pox cholera typhus typhoid scarlet relapsing continued and puerperal fever scarlatina and diphtheria.

Notice to be given of persons suffering from infectious disease.

6. 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 take 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 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 herein-after 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.

7. 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 lists of customers in certain cases.

8. 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

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of a dairy milk store or milk shop 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.

9. 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.

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

10. 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.

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Corpses not to be carried in public conveyances.

11. 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.

New Buildings Streets &c.

What to be deemed new buildings.

12. From and after the passing of this Act—

The erecting of any building;

The re-erecting of any building pulled down to or below the ground floor or of any frame building of which only the framework is left down to the ground floor;

The converting of any building not originally constructed for human habitation into a dwelling-house;

The converting of any building originally constructed as one dwelling-house into more than one; and

The making of any addition to an existing building by raising any part thereof or by making any projection therefrom but so far as regards such addition only;

shall for the purposes of the Public Health Acts and this Act be deemed the erecting of a new building: Provided always that the term building or wooden building in this Act shall not apply to any building whether now erected or to be erected or existing on lands for the time being belonging to any railway company or to the owner of any canal or navigation and used for the purposes of their respective railway canal or navigation under the provisions of any Act of Parliament but this exception shall not so far as respects sanitary arrangements apply to any dwelling-house belonging to any such company or owner.

Means of ingress and egress and ventilation in public buildings.

13. Every new building used or intended to be used as a place of public amusement or entertainment or for the meeting of one hundred or a larger number of persons for any purposes whatsoever shall be provided by the owner with ample and convenient means of ingress and egress and with adequate means of ventilation respectively to the satisfaction of the Corporation. Every owner and occupier of any such building as aforesaid who knowingly permits the same to be used as in this section mentioned without such means of ingress and egress and ventilation having been provided as by this section required shall be liable to a penalty not exceeding

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five pounds for every such offence and in the case of a continuing offence to a further penalty not exceeding forty shillings for every day after the first day during which such offence continues and any such penalties may be recovered in a summary manner before a court of summary jurisdiction.

Corporation may define future line of streets.

14. Where any street in the borough is in the opinion of the Corporation narrow or inconvenient or without any sufficiently regular line of frontage the Corporation may from time to time prescribe and define what shall thereafter be the line of frontage to be observed on either side of any such street. The line which in any case the Corporation propose so to prescribe and define shall be distinctly marked and shown on a plan to be signed by the Town Clerk and deposited with the surveyor and such plan shall be at all reasonable times thereafter open for inspection of the public without charge and one month at least before the Corporation formally prescribe and define the line they shall give notice in writing of the deposit of the said plan to every owner interested. No new building as defined by this Act nor any excavation or obstruction (being of a permanent character) shall be made nearer to the centre of the street than such line. The Corporation may purchase the land lying between any such line as aforesaid and the centre of the street and the same when purchased shall vest in the Corporation as part of the street. Whenever in any of the above cases the Corporation shall require the said line to be observed and kept they shall make full compensation to the owner and other persons interested in the erection of any new building for any loss or damage they may sustain in consequence of the same being set back and the Corporation shall also make to the owner of any adjoining land or building and all other persons interested therein full compensation in respect thereof for all loss damage or injury (if any) sustained by them by reason of the Corporation requiring the said line to be observed and kept. All compensation under this section shall in case of difference be settled by arbitration in the manner provided by the Public Health Act 1875. If after any such line is so defined and prescribed as aforesaid any person wilfully or negligently acts contrary to this enactment he shall for every such offence be liable to a penalty not exceeding five pounds and a further penalty not exceeding the like sum for every day during which such offence is continued after the day on which such first penalty is incurred.

Prevention and removal of projections over street

15. From and after the passing of this Act no crane or apparatus for hoisting goods porch projecting window lamps lamp-post lamp-iron sign sign-post sign-iron show-board window shutters or any other projection shall be placed or made in such a manner as to

project over any part of any footway or carriageway (not being a footway or carriageway belonging to any railway canal or navigation company and being an approach to any railway railway station or wharf or being within the boundary of the premises of such railway canal or navigation company) in any street within the borough without the express consent of the Corporation unless such projection is of the same general construction and character and placed in the same position as and in substitution for some projection existing at the passing of this Act and every person so placing or making any such projection as aforesaid contrary to the provisions of this section shall for every such offence be liable to a penalty not exceeding forty shillings and to a further penalty not exceeding twenty shillings for every day upon which the offence is continued after the day on which the first penalty is incurred and the Corporation may require any person so making or placing any such projection to forthwith remove the same or may themselves remove the same and recover the expenses of such removal from such person in a summary manner and where any such projection has been so placed or made as aforesaid whether before or after the passing of this Act a court of summary jurisdiction upon complaint made if they are of opinion that such projection is or is likely to become dangerous to the public safety may notwithstanding any such consent as aforesaid make an order directing and authorising the removal of such projection by such person and upon such terms as they may think fit.

Level of new streets.

16. Every new street or part of a new street shall be laid out and formed at such level as the Corporation shall in each case determine or approve but so that the Corporation shall in no case require any new street or part of a new street to be laid out or formed at a higher level than thirty feet above Ordnance datum.

Notice of the particulars of any determination made or approval given by the Corporation under this section shall upon the application of any person interested be given to such person by the Corporation as soon as conveniently may be after such application is made. In any case where the land upon or over which a new street or part of a new street is to be laid out or formed is situate at a lower level than the levels determined or approved as aforesaid the site of the carriageway and footways of such new street or part of a new street shall unless with the consent of the Corporation under their common seal be raised with dry rubbish or gravelly soil free from animal vegetable or other decaying matter or with such other material as may be approved of by the Corporation in that behalf to the reasonable satisfaction of the Corporation and so that no part of the carriageway or footways of such new street when made up and

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metalled shall be at a lower level than the level so determined or approved as aforesaid.

As to filling up for houses &c. where level of new street raised.

17. The space within the external walls of every new dwelling-house to be erected fronting adjoining or abutting upon any new street or part of a new street which may be raised in accordance with the requirements of the last preceding section shall be filled up and the site of the approaches or footpaths to and the watercloset privy ashpit and sink traps of every such dwelling-house shall be raised with the like material and to the like satisfaction as mentioned in the last preceding section to the level of the footway of the street upon which such dwelling-house shall front adjoin or abut as such level shall be determined or approved pursuant to such section: Provided that nothing in this section shall be construed to prevent or interfere with the construction of any cellars or other places below the ground floor in any case in which such cellars or other places may be in other respects lawfully constructed.

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

18. Every person who shall lay out a new street shall lay out such street at such level as will afford the easiest practicable gradients throughout the entire length of such street for the purpose of securing easy and convenient means of communicating with any other street or intended street with which such new street may be connected or may be intended to be connected and as will allow of compliance with the provisions of any statute or byelaw for the time being in force for the regulation of new streets and buildings and the Corporation may require the intended level position or direction of any new street or any part thereof to be varied or altered for the purpose of securing and so as to secure easy and convenient means of communication with any other street or intended street with which such new street may be connected or intended to be connected. The Corporation shall make reasonable compensation to any owner of land for any injury sustained by him by reason of any variation or alteration of the intended position or direction or level of any new street or any part thereof in pursuance of any requisition by the Corporation under this section.

Formation of new streets.

19. No person shall except with the consent of the Corporation erect or build or begin to erect or build any new building adjoining any new street or part of a new street unless the Corporation have previously approved of the level and width of such new street or part of a new street or until the site of the carriageway and footways of such new street or part of a new street has been formed to such a level and of such a width and constructed in such a manner as to comply with the requirements of the Corporation Acts and this Act and any byelaws made thereunder relating to new streets.

New buildings to be provided with gutters &c.

20. The occupier of every house or building in adjoining to or near any street shall within seven days next after the service of an order of the Corporation for that purpose put up and keep in good condition sufficient gutters spouts or drains for carrying off the water falling on the roof of such house or building so as to prevent its dropping on to the ground or causing dampness on the walls or flowing over or across the footpath: Provided always that such water may if the Corporation in their discretion think fit to permit it be allowed to flow over or across the footpath where proper and sufficient gutters are constructed to the satisfaction of the borough engineer in order to carry such water over or across the footpath without annoyance to the public.

Notice of construction of drain to communicate with sewer.

21. No drain shall be constructed or communicate with any sewer of the Corporation or with a sewer which they are entitled to use (in this Act called a Corporation sewer) until notice has been given to the Corporation in such form and manner and subject to such conditions and accompanied by such plans and sections as may be from time to time prescribed by the Corporation by any byelaw made by them under the provisions of this Act.

Drains.

22. No drain in connexion with any new building shall be commenced to be constructed without twenty-four hours previous notice being given to the surveyor of the Corporation that such drain is intended to be constructed and an opportunity being given to such surveyor or any other person duly authorised by the Corporation to superintend the construction of such drain and no such drain shall communicate with any watercloset unless such watercloset is provided with a proper cistern and a water supply laid on from the main.

Yards to be flagged &c.

23. The occupier of every yard used in connexion with a dwelling-house shall within seven days next after the service of an order of the Corporation for that purpose cause such yard to be properly flagged cemented asphalted or paved in such manner as the Corporation may approve and to be drained with a suitable gully to the satisfaction of the borough engineer: Provided that except in the case where such order is served upon the occupier in consequence of some alteration by such occupier in the yard or the use to which such yard is put the occupier (unless it has been otherwise specially provided by the contract of letting under which such yard is held by him) may deduct the expense of such flagging cementing asphalting or paving from the rent payable or becoming payable by him to the owner of the yard in respect of such yard and any other premises held by him therewith.

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New buildings not to be occupied till house drainage completed &c.

24. No new building intended for human habitation shall be allowed by the owner thereof to be occupied or be occupied by any such owner until the house drainage has been made and completed nor until such new building has been certified by the Medical Officer of Health and borough engineer after examination to be in their opinion in every respect fit for human habitation.

Byelaws as to sewers &c.

25. The Corporation may from time to time make byelaws for all or any of the following purposes :—

(1) For providing for the construction of a proper sewer in such position and of such dimensions as may be approved of by the Corporation in every new street at the expense of the person or persons laying out or constructing such street;

(2) For regulating the mode in which the communications between any new street and any existing streets are to be effected and providing for the laying down of proper kerbs and the construction of proper crossings to the approval of the Corporation at the expense of the person or persons laying out or constructing such new street;

(3) For prescribing the materials to be employed in the construction of new streets and the manner in which such materials are to be employed and the time and manner at and in which sewers manholes flushing shafts and ventilating chambers street gullies drains and similar works are to be constructed and the kerbing and channelling is to be effected and gas mains and water mains and other pipes or wires which may be lawfully placed in such new streets are to be laid down in such streets and generally for regulating the mode of construction of such streets;

(4) For regulating the level at which the ground floor of any new building intended for human habitation is to be with reference to the adjoining ground;

(5) For regulating the height of rooms intended for human habitation in any new building;

(6) For prescribing the forms of notices to be given by any person proposing to construct a drain to communicate with a Corporation sewer and by any other persons who under this Act or under any byelaws made by the Corporation under this Act or the Public Health Act 1875 may be required to give any notice to the Corporation and the time when and any other conditions under which such notices are to be given and the plans and sections (if any) which are to accompany such notices;

(7) Nothing in such byelaws shall extend to any telegraph wires or other property belonging to Her Majesty's Postmaster-General.

Works to be in accordance with plans and sections.

26. Where under the provisions of any byelaws made by the Corporation under the Public Health Act 1875 or this Act plans or sections of any proposed work are required to be delivered to the Corporation and such plans or sections are approved of by the Corporation such work shall except with the consent of the Corporation be carried out in strict accordance with such plans or sections and any deviation from such plans or sections shall be deemed to be in contravention of and an offence against the byelaws under which such plans or sections were required to be delivered and to be punishable accordingly.

Inspection of works by surveyor.

27. The surveyor may from time to time inspect any works or buildings in progress of construction at any reasonable time when he may think fit or when he may be required so to do by the Corporation but the person laying out the work or the master builder shall give two days notice in writing to the surveyor before the commencement of such work and before any foundations of new buildings or any sewers or drains are covered up and the like notice shall be given after the works which may have been required by the surveyor to be done in amendment of any irregularity have been completed and before such works shall be covered up.

Cutting into work for inspection.

28. In order the better to ascertain whether the provisions of any enactment or byelaw for the time being in force with respect to new buildings have been complied with the surveyor may at any time during the progress of any excavation or any new building open uncover or cut into any work when it shall be necessary to do so for the purpose of ascertaining whether such provisions have been complied with and if the surveyor shall discover any particular in which the work is not in compliance with any of such provisions he shall give notice thereof in writing to the owner contractor or master builder or other person in charge of such work or by whose order or under whose superintendence such work is being executed and require him to amend or alter the same in conformity with such provisions and thereupon such owner contractor master builder or other persons shall forthwith cause the same to be amended or altered accordingly: Provided that if any such work shall be so cut into as aforesaid and the same shall thereupon be found to be constructed in conformity with such provisions the costs and expenses of so cutting into such work and of repairing the damage thereby incurred shall be paid by the Corporation but if such work shall be found not so in conformity all such costs and expenses shall be paid by such owner contractor or master builder and may be sued for and recovered by the Corporation from such owner contractor or master builder as they may elect in like manner as penalties under this part of this Act may be sued for and recovered.

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Corporation may alter &c. works improperly executed &c.

29. If the formation or construction of any street or building or the construction of any sewer or drain be commenced before deposit of the plans and sections for and description of the same in accordance with any enactment or byelaw for the time being in force or be commenced after notice of the disapproval thereof by the Corporation or before the time within which the same may be disapproved by the Corporation (unless the same shall have been approved) or be commenced continued or recommenced without a fresh deposit and approval of plans as required by any such enactment or byelaw or be in any respect not in conformity with the approved plans or whenever by any enactment or byelaw for the time being in force or any notice or order of the Corporation any work act or thing is required to be done by any owner occupier or other person and default is made therein or if any such work act or thing is in the opinion of the surveyor improperly or insufficiently done the Corporation may determine that they will themselves cause such work act or thing to be executed or re-executed or done and shall give notice of any such determination to the person so making default as aforesaid and may thereupon proceed to cause such work act or thing to be executed or re-executed or done accordingly (as the case may require) and also whenever any work act or thing is by any such enactment byelaw notice or order as aforesaid prohibited being done and nevertheless is done the Corporation may determine that they will remove abate or alter the work act or thing so done and shall give notice of any such determination to the person unlawfully executing or doing such work act or thing and may thereupon proceed to remove abate or alter such work act or thing accordingly and the expenses incurred by the Corporation in any such case may be recovered by the Corporation in a summary manner from the person making default in the execution or doing of or improperly or insufficiently or unlawfully executing or doing such work act or thing as the case may be notwithstanding any penalty may be imposed upon such person by such enactment or byelaw or the Corporation may by order declare such expenses to be private improvement expenses.

Penalty for laying out new streets or executing work &c. contrary to Act.

30. If any person begin to make or lay out any new street or shall lay out make or build in any street or erect any building or execute any work or do anything contrary to the provisions of this part of this Act or shall fail to comply with any of such provisions or any lawful order of the Corporation thereunder he shall without prejudice to any other remedy or proceeding by the Corporation for each offence for which no penalty is expressly provided by this Part of this Act be liable to a penalty not exceeding five pounds and to a further penalty not exceeding the sum of forty shillings for every

day upon which such offence is continued after the day on which the first penalty is incurred. A.D. 1883.

Appeal.

31. Any person deeming himself aggrieved by any order determination or decision of the Corporation or of any officer of the Corporation under this Act may appeal to the next quarter sessions for the borough holden not less than twenty-one days after notice of such order determination or decision shall have been given to such person in the same manner and subject to the same provisions as in the case of an appeal from the decision of a court of summary jurisdiction under section 269 of the Public Health Act 1875 or he may appeal to the Local Government Board under the provisions of section 268 of the same Act.

Bathing.

Bathing from boats &c.

32. No person shall without wearing a bathing dress bathe in the sea from or shall dress or undress in public view in any boat or vessel within four hundred yards of any part of the sea shore included in the borough of Portsmouth except before the hour of nine o'clock in the morning or after sunset and no person shall at any time bathe in the sea from or dress or undress in public view in any boat or vessel within one hundred yards of any pier or any ladies bathing machines situate or placed within the borough of Portsmouth.

Bathing dresses &c.

33. No person shall undress on the beach or sands within the borough of Portsmouth or bathe in the sea there without wearing a bathing dress after the hour of nine o'clock in the morning and before sunset and no person shall at any time undress on the beach or sands of the borough within one hundred yards of any pier or any ladies bathing machines.

Corporation may make byelaws as to bathing.

34. In addition to any byelaws which may be made by the Corporation under any other Act or Acts the Corporation may from time to time with respect to bathing make byelaws for any of the following purposes :—

For regulating the places in which and the hours during which persons shall be permitted to bathe and prohibiting persons bathing elsewhere or at other hours;

For preventing any indecent exposure of the persons of the bathers and for such purposes prescribing the use of drawers or such garments as may be deemed expedient;

For preventing indecent and offensive language and behaviour and nuisances in or near any bathing place.

Byelaws.

35. All byelaws made by the Corporation under this Act shall be deemed to be byelaws made by a local authority under and for the

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purposes of the Public Health Act 1875 and all the provisions of that Act with respect to byelaws shall apply to any byelaws made by the Corporation under this Act.

PART III.—FINANCIAL.

Interpretation.

36. (1) In this Part of this Act:—

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

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

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

"Schedule" means the schedule to this Act relating to this Part of this Act;

(2) Any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing 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 is for the purposes of this Part of this Act a statutory borrowing power.

(3) 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 passed of any municipal corporation in Great Britain including the Corporation or of any other local authority within section 34 of the Local Loans Act 1875 is for the purposes of this Part of this Act a statutory security.

(4) 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 or other statutory security.

Creation and charge of Stock.

Creation of Corporation stock.

37. (1) Where the Corporation have for the time being any statutory borrowing power then subject and according to the pro-

visions 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 both redeemable and irredeemable at any time and 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 any 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 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 Portsmouth Corporation redeemable stock or as Portsmouth 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 raisable.

38. 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 raisable by the

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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 rentcharge rent or other security granted or created by the Corporation.

Charge of Corporation stock.

39. (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 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 of the Corporation at any time after the date of the first issue of any Corporation stock created or granted 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 revenue 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.

Establishment of Consolidated Loans Fund.

40. 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 Portsmouth Corporation Consolidated Loans Fund (in this Part of this Act referred to as the loans fund).

Contributions to Loans Fund for dividends.

41. (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) specially 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.

42. (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 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 such amounts as with accumulations at the rate of three and a half per centum per annum shall be from time to time calculated to be sufficient to purchase at its nominal amount the portion of stock towards the purchase and extinction whereof those con-

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tributions are payable within the periods following (that is to say) :—

(A) In case of money raised or to be raised under any statutory borrowing power existing immediately before the passing of this Act and in the case of stock issued for the purpose of converting or redeeming annuities or rentcharges granted or to be granted under any statutory borrowing power existing at the passing of this Act within forty years from the passing of this Act ;

(B) In case of money to be raised under any statutory borrowing power not existing immediately before the passing of this Act within such period as the Act or Provisional Order or Departmental Order or sanction authorising the raising of that money shall prescribe for the payment off thereof ;

(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 maintenance 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.

43. (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.

44. (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.

45. 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.

Purchase of irredeemable stock.

46. (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

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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 so 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 that 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 or extinguish that 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.

47. 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.

48. (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 moneys 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

(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.

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Application of income in reduction of contributions.

49. (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.

50. 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 determined 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.

Existing Securities.

Payment off or substitution for existing securities.

51. (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 Corporation stock or they may with the consent of the holder thereof issue Corporation stock in substitution for the security. Provided that in the case of loans raised or to be raised under any statutory borrowing power existing immediately before the passing of this Act the foregoing powers of this section shall be exercised as far as practicable pari passu with respect to all such loans.

(2) The Corporation may create and issue Corporation stock to such amount as may be requisite for 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.

(3) 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.

(4) 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 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.

(5) 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

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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.

52. 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 re-borrowed 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.

53. Money raised by Corporation stock shall be applied for purposes for which money raisable 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.

54. (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.

55. (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.

56. (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.

57. (1) On demand of a holder of Corporation stock the Corporation may if they think fit give to them a certificate of the proprietorship thereof under their common seal specifying 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.

(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.

58. 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.

59. (1) If and where the resolution for creation of any portion of Corporation stock makes the same transferable in books and not

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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.

60. (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 be entitled to receive any dividend thereon.

Evidence on transfer.

61. (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.

62. (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.

63. 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.

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

(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.

65. (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 or than the death of a stockholder that transmission shall be authenticated by a statutory

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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 expression "transmission" includes any case of apparent transmission in consequence of the change of name of the holder of the stock although the actual ownership of the stock may remain unaltered.

Dividends.

Payment of dividends.

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

Dividends to executors &c.

67. 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.

68. 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 competent persons or of such other nature as the Corporation or the registrar may require.

Dividends to joint holders.

69. (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.

70. (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.

71. (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 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 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

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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 to bearer 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 deeds 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: Provided that for the purpose of the Acts relating to stamp duties any coupons issued in respect of any stock certificate shall be deemed to have been attached to and issued with such security.

(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) 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.

72. (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.

73. (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.

(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.

74. (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

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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.

75. 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.

76. (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 Town Clerk 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 Town Clerk the Town Clerk 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.

77. (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 showing 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.

Saving for power to borrow otherwise.

78. 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 passing of this Act 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.

79. 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.

80. Except as in this Part of 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

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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.

81. (1) Nothing in this Part of this Act shall affect any power or duty of the Corporation to sell 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 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.

82. 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 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.

Forgery.

83. (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.

84. 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.

Regulation by Bank of England.

85. 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.

86. The forms given in the Schedule may be used for the purposes therein indicated and the same or forms to the like effect with such variations or additions as circumstances require shall be effectual for those purposes.

Fees.

87. (1) Fees not exceeding those specified in the 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.

88. (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 book-keeping 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 IV.—ERECTION OF TOWN HALL &c.

Power to borrow for building Town Hall &c.

89. The Corporation may from time to time purchase by agreement and hold any land not exceeding in the whole seven acres within the borough and thereon or on any land belonging to or held in trust for the Corporation may build a town hall council house justices room with or without a police station and cells or lock-ups or a quarter and petty sessions house or a polling station or any other building which may in their opinion be suitable and proper for any purpose of the borough and may for such purposes borrow on the security of the borough fund and borough rate any moneys not exceeding in the aggregate the sum of one hundred and twenty thousand pounds and any moneys so borrowed shall be deemed to be borrowed under the Municipal Corporations Act 1882 for the building of a building which the Corporation are by that Act authorised to build provided that the period within which any money so borrowed shall be repaid as by that Act provided shall be forty years from the time when such money is first borrowed.

PART V.—PAYMENT OF EXPENSES.

Power to borrow.

90. The Corporation are hereby empowered to borrow on the security of the borough fund and borough rate and of the general district rate such sums as they may require for the costs charges and expenses by this Act directed to be paid by the Corporation and any moneys so borrowed shall be deemed to be borrowed under the Corporation Acts and shall be borrowed with the consent of the Local Government Board and shall be paid off within the period of forty years from the time of borrowing.

Costs of Act.

91. The costs charges and expenses of and incidental to the preparing applying for and obtaining this Act shall be paid by the Corporation out of the borough fund borough rate and general district rate or out of money borrowed on the security thereof respectively and in such proportions as the Corporation shall think equitable and such costs shall include the costs incurred by the Corporation in or with the object of complying with the provisions of the Act of the session of Parliament held in the thirty-fifth and thirty-sixth years of the reign of Her present Majesty chapter ninety-one with respect to the Bill for this Act and all matters relating thereto as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons but they shall pay off all moneys borrowed under the provisions of this section within fifteen years from the borrowing of the same by any one or more of the methods including a sinking fund mentioned in the Local Loans Act 1875 with respect to the discharge of loans borrowed in the manner provided by that Act.

The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

An Act 6 Victoria chapter 35 intituled "An Act for Paving Lighting Cleansing Watering regulating and otherwise improving the town of Portsea in the county of Southampton and for removing and preventing nuisances and annoyances therein."

An Act 10 and 11 Victoria chapter 257 intituled "An Act for Paving Lighting Cleansing Watering regulating and otherwise improving the town of Portsmouth in the county of Southampton and for removing and preventing nuisances and annoyances therein."

The Towns Improvement Clauses Act 1847.

The Landport and Southsea Improvement Act 1857.

The Local Government Supplemental Act 1864 (No. 2).

An Act 3 Victoria chapter 72 intituled "An Act for enlarging the town quay of the borough of Portsmouth and for improving that portion of the Harbour of Portsmouth called the Camber."

The Portsmouth Camber Quay Act 1868.

The Portsmouth Docks Act 1859.

The Baths and Washhouses Acts 1846 and 1847 and the Acts altering amending or affecting the same.

The Lunatic Asylums Act 1853 and the Acts altering amending or affecting the same.

The Public Libraries Act 1855 and the Acts altering amending or affecting the same.

The Artizans and Labourers Dwellings Improvement Act 1875 and the Acts altering amending or affecting the same.

The Public Health Act 1875 and the Acts altering amending or affecting the same.

The Local Government Board's Provisional Orders Confirmation Act 1882 (Portsmouth Order).

The Electric Lighting Act 1882.

The Municipal Corporation Act 1882.

All public Acts passed before the passing of the foregoing Act so far as the same relate to the borough and authorise the borrowing of money by the Corporation and any Act altering amending or affecting the same for the time being in force.

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THE SECOND SCHEDULE.

CERTIFICATE OF DISEASE, &c.
THE PORTSMOUTH CORPORATION ACT 1883.

To the Corporation of the Borough of Portsmouth.

Pursuant to the above-mentioned Act I hereby certify and declare that in my opinion the under-mentioned person is suffering from an infectious 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 ten pounds in case of neglect) be forthwith sent to the Medical Officer of Health of the Corporation at his Office.

THE THIRD SCHEDULE.
Relating to Part III. of Foregoing Act.

Forms.

(A.)

Resolutions on creation of Stock.

Borough of Portsmouth.

[29th September 188 .]

At a Meeting of the Council of the Borough of Portsmouth 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 a full Council.

Resolved First—

That under the authority and subject to the provisions of the Portsmouth Corporation Act 1883 the Corporation acting by the Council do hereby in exercise of their several statutory powers create Stock to be called Portsmouth

Corporation [Irredeemable] Stock and to be issued to an amount which shall be sufficient for the following purposes but not exceeding [five hundred thousand] pounds (£500,000) :—

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 [Waterworks] ;

(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 re-borrowing 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 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 re-borrow.

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 re-borrow.

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) :—

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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 of £ 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;

I. 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.

PORTSMOUTH 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 Portsmouth Corporation Stock (£3 10*s.* 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.*

[*Indorsement.*]

NOTICE TO HOLDERS OF PORTSMOUTH CORPORATION STOCK
(£ PER CENT.)

PAYMENT OF DIVIDENDS.

Dividends are due on the [1st January 1st April 1st July and 1st October] unless the [1st] 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 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 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.

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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 Portsmouth.

Number

This is to certify that A.B. of [ ] is the Proprietor of [ ] pounds of Portsmouth 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 Portsmouth this [ ] day of [ ] 18[ ].

(D.)

TRANSFER IN BOOKS.

PORTSMOUTH CORPORATION STOCK (£ PER CENT.)

No.

	£	s.	d.

Entered by this day of in the year of our Lord One Thousand Eight Hundred and do Assign and Transfer

Witness to the identity of

Interest or Share in the Portsmouth 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

Executors Administrators or Assigns.

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*]

_____

_____ Portsmouth Corporation Stock (£ per cent.)

To G.H. [*the intended Attorney*]

_____

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

(F.)

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

Corporate Account.

PORTSMOUTH 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

PORTSMOUTH 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.

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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 Corporate Body and who must be present when the Corporate Seal is affixed.

For further instructions see other side.

[*Indorsement.*]

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 PORTSMOUTH.

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 Portsmouth 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 Portsmouth 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 [ ] 18 .

(H.)

DIVIDEND WARRANT.

PORTSMOUTH 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 £ Portsmouth 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 for one quarter of a year's Dividend due as above said.

Witness my hand this 188 .

Witness.

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(I.)

Dividend Warrant by Post.

(1.)

PORTSMOUTH 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 £ Portsmouth Corporation Stock

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

Names addresses and descriptions as recorded in the bank books.

As the person entitled to the Dividends upon the above-mentioned amount

"I" or "we." 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:

"I" or "we." And hereby request the said Accountant General to send through

"my" or "our." the Post at risk and until further notice the Warrants so drawn to—

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 Portsmouth 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).

are beyond the United Kingdom.

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].

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 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.

A.D. 1883.

(2.)

POST DIVIDEND WARRANT.

PORTSMOUTH 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 1st day of 188 , on the sum £ { Portsmouth Corporation Stock per Cent. }

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.

(K.)

STOCK CERTIFICATE WITH COUPONS TO BEARER.

PORTSMOUTH 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 Portsmouth Corporation [Redeemable] Stock with dividend thereon at the rate of £ per cent. per annum transferable at the Bank of England pursuant to the Portsmouth Corporation Act 1883.

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

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. PORTSMOUTH CORPORATION STOCK. Coupon for Shillings and Pence (Less Income Tax) being Three Months Dividend at £ Per Cent. Per Annum. A00000 Due [1st January 1886.] on Certificate for FIFTY POUNDS PORTSMOUTH CORPORATION STOCK. £ Payable at the Bank of England.	5 Div. PORTSMOUTH CORPORATION STOCK. Due [1st Jan. 1886.] A00000 £	4 Div. PORTSMOUTH CORPORATION STOCK. Coupon for Shillings and Pence (Less Income Tax) being Three Months Dividend at £ Per Cent. Per Annum. A00000 Due [1st October 1885.] on Certificate for FIFTY POUNDS PORTSMOUTH CORPORATION STOCK. £ Payable at the Bank of England.	4 Div. PORTSMOUTH CORPORATION STOCK. Due [1st Oct. 1885.] A00000 £
3 Div. PORTSMOUTH CORPORATION STOCK. Coupon for Shillings and Pence (Less Income Tax) being Three Months Dividend at £ Per Cent. Per Annum. A00000 Due [1st July 1885.] on Certificate for FIFTY POUNDS PORTSMOUTH CORPORATION STOCK. £ Payable at the Bank of England.	3 Div. PORTSMOUTH CORPORATION STOCK. Due [1st July 1885.] A00000 £	2 Div. PORTSMOUTH CORPORATION STOCK. Coupon for Shillings and Pence (Less Income Tax) being Three Months Dividend at £ Per Cent. Per Annum. A00000 Due [1st April 1885.] on Certificate for FIFTY POUNDS PORTSMOUTH CORPORATION STOCK. £ Payable at the Bank of England.	2 Div. PORTSMOUTH CORPORATION STOCK. Due [1st Apr. 1885.] A00000 £

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

THE FOURTH SCHEDULE.

Statement of and relating to Loans of the Corporation.

Object of Loan.	Date.	Amount.	Amount.	Prescribed Term for Repayment.	Amount borrowed.	Amount Repaid.	Amount now Outstanding.
		£	£	Years.	£	£ s. d.	£ s. d.
Portsea Commissioners -	—	1,000	1,000	None	1,000	—	1,000 0 0
Landport and Southsea Commissioners - - -	1859 and 1860	10,000	10,000	None	10,000	500 0 0	9,500 0 0
Draining and Sewering - -	Nov. 6th, 1865	5,000					
Ditto - -	Feb. 9th, 1866	10,000					
Ditto - -	June 5th, 1866	10,000					
Ditto - -	July 3rd, 1866	10,000					
			35,000	30	35,000	12,955 12 11	22,044 7 1
Ditto - -	Dec. 4th, 1866	20,000					
Ditto - -	Ditto	5,000					
Ditto - -	Jan. 8th, 1867	5,000					
Ditto - -	Feb. 5th, 1867	5,000					
Ditto - -	Mar. 5th, 1867	5,000					
Ditto - -	April 2nd, 1867	5,000					
Ditto - -	July 2nd, 1867	10,000					
			55,000	30	55,000	19,115 0 4	35,884 19 8
Ditto - -	Dec. 1st, 1868	35,000					
Ditto - -	Mar. 1st, 1870	17,500					
Ditto - -	Sept. 6th, 1870	17,500					
			70,000	30	70,000	19,696 16 8	50,303 3 4
Widening Golden Lion Lane -	June 6th, 1871	2,500	2,500	30	2,500	534 11 7	1,965 8 5
Laying out and planting People's Park erection of Stables and Buildings -	June 16th, 1877	5,000	5,000	30	5,000	465 7 5	4,534 12 7
Widening Kings and adjoining Terraces - - -	Ditto	2,392	2,392	20	2,392	426 0 8	1,965 19 4
Horses Carts Harness, &c. -	Ditto	2,500	2,500	10	2,500	1,120 8 0	1,379 12 0
Private Improvements - -	Oct. 14th, 1878	2,000	2,000	5	2,000	1,565 0 10	434 19 2
Ditto - -	Ditto	10,300	10,300	5	10,300	8,059 18 6	2,240 1 6
Scavenging depôt and premises adjoining Stables - -	Ditto	3,200	3,200	30	3,200	228 15 5	2,971 4 7
Extension of Outfall - -	Ditto	2,000	2,000	30	2,000	142 19 8	1,857 0 4
Ventilation of Sewers - -	Ditto	2,000	2,000	20	2,000	275 16 0	1,724 4 0
Private Improvements - -	Mar. 4th, 1879	20,500	20,500	5	20,500	16,031 7 7	4,468 12 5
Esplanade Extension and steam road roller - -	Oct. 7th, 1879	2,050	2,050	10	2,050	522 7 4	1,527 12 8
Eastern Outfall storm drain and improving Butcher Street	Ditto	5,950	5,950	30	5,950	303 10 0	5,646 10 0
Private Improvements - -	Mar. 24th, 1881	5,100	5,100	5	5,100	1,912 6 9	3,187 13 3
Infectious Diseases Hospital and Extension of Stables -	Oct. 10th, 1882	6,000	6,000	30	6,000	—	6,000 0 0
Construction of Camber Dock -	1860 to 1862	25,050	—	None	24,050	21,550 0 0	3,500 0 0
Ditto - -	Aug. 1st, 1877	7,200	—	30	7,200	1,320 0 0	5,880 0 0
Improving the Camber - -	Aug. 16th, 1873	5,500					
Ditto - -	Dec. 11th, 1874	900					
Ditto - -	June 23rd, 1875	1,100					
			7,500	None	7,500	—	7,500 0 0
Ditto - -	Dec. 2nd, 1876	5,000	5,000	None	5,000	3,500 0 0	1,500 0 0
Erection of Gaol - -	Jan. 8th, 1875	10,000					
Ditto - -	April 9th, 1875	10,000					
Ditto - -	July 27th, 1875	10,000					
Ditto - -	Oct. 15th, 1875	10,000					
Ditto - -	Mar. 6th, 1877	5,000					
			45,000	30	45,000	6,429 5 7	38,570 14 5
Erection of Lunatic Asylum -	Jan. 8th, 1875	15,000					
Ditto - -	July 27th, 1875	10,000					
Ditto - -	Oct. 15th, 1875	10,000					
Ditto - -	Mar. 6th, 1877	10,000					
Ditto - -	Oct. 9th, 1877	15,000					
			60,000	30	60,000	7,708 0 11	52,291 19 1
Ditto - -	Oct. 16th, 1878	40,000	40,000	30	40,000	3,010 4 3	36,989 15 9
Ditto - -	Oct. 15th, 1879	16,000	16,000	30	16,000	1,600 0 0	14,400 0 0
Ditto - -	April 20th, 1880	6,000	6,000	30	6,000	500 0 0	5,500 0 0

LONDON: Printed by Eyre and Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1883.