from the owner or from the occupier for the time being in the same manner as water rates may by law be recovered: Provided always, that proceedings shall not be taken against the occupier until notice shall have been given to him or left at his dwelling-house to pay the amount due for water rate out of the rent then due or that may thereafter become due from him, and he shall have omitted so to pay such water rate; and provided also, that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him, or which shall have accrued due from him since such notice shall have been given or left as aforesaid, and that every such occupier shall be entitled to deduct from the rent payable by him the sum so recovered from him or which he shall have paid on demand.

Penalty on cutting off of supply in contravention of the Act.

5. In the event of any such supply being cut off in contravention of this Act, the company cutting off the same shall be liable to a penalty not exceeding five pounds for each day during which the water shall remain cut off, which penalty shall be recoverable summarily from the company by, and shall be paid to, the person

CHAPTER 22.

An Act to amend the Public Libraries Acts.

[8th August 1887.]

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:—

Preliminary.

Short titles.

1. This Act may be cited as the Public Libraries Acts Amendment Act, 1887, and may, together with the Acts mentioned in the schedule hereto, be cited as the Public Libraries (England) Acts, 1855 to 1887.

Construction of Act.

2. This Act shall be construed with the Public Libraries (England) Acts, 1855 to 1884, and expressions used in this Act shall, unless the context requires a different construction, have the same meaning as in those Acts, and where any section in any of those Acts has been modified by a subsequent Act, the reference herein made to such section shall be construed to refer to the section so modified, and the reference shall have effect accordingly.

Extent of Act.

3. This Act shall not apply to Scotland, Ireland, or the city of London.

Definitions.

4. In this Act—

"Metropolis" shall mean the metropolis as defined by the Metropolis Management Act, 1855, excluding the city of London;

18 & 19 Vict. c. 120.

"Library authority" means the Council, Commissioners, Board, or other persons or authority carrying into execution the Public Libraries Acts.

"District board" means a district board constituted under the Metropolis Management Act, 1855, and "district" shall have a corresponding signification.

Lending library. 18 & 19 Vict. c. 70.

5. The power to erect, establish, and maintain a library, given by the Public Libraries Act, 1855 (herein-after called the principal Act) shall be extended so as to empower the library authority to establish and maintain a lending library without providing any separate building for containing the same, and to enable them to place such lending library under the care and superintendence of such person as they shall think fit, and in a building or room not appropriated for the purposes of the said Act, or erected, purchased, or rented by the library authority, and all the powers of the said Acts shall be applicable for the purposes of this section.

Amendment of Acts.

6. So much of section fifteen of the principal Act as incorporates with that Act certain clauses of the Towns Improvement Clauses Act, 1847, is hereby repealed.

The Public Libraries Amendment Act, 1877, shall have effect as if the Public Libraries Act, 1855, were recited therein.

General Provisions.

Borrowing by library authorities. 38 & 39 Vict. c. 55.

7. Sections two hundred and thirty-three, two hundred and thirty-four, and two hundred and thirty-six to two hundred and thirty-nine, both inclusive, of the Public Health Act, 1875, shall apply, with the necessary modifications, to all money borrowed by any library authority after the passing of this Act, as if the library authority were an urban sanitary authority and as if references to the Public Libraries (England) Acts, 1855 to 1887, were substituted in those sections and in the forms therein mentioned for references to the Sanitary Acts or the Public Health Act, 1875.

So much of section seventeen of the principal Act as incorporates the clauses and provisions of the Companies Clauses Consolidation Act, 1845, with respect to the borrowing of money on mortgage or bond is hereby repealed except as to any money borrowed before the passing of this Act.

Transfer to Local Government Board of certain functions of Treasury.

8. The powers and duties of the Commissioners of Her Majesty's Treasury under the Public Libraries (England) Acts, 1855 to 1887, shall from and after the passing of this Act be transferred to the Local Government Board, and sections sixteen and eighteen of the principal Act shall be construed and have effect as if a reference to the approval of the Local Government Board were therein substituted for a reference to the approval of Her Majesty's Treasury.

Provision as to parish partly within and partly without a borough or district. 29 & 30 Vict. c. 114.

9. Where any parish is partly within and partly without any borough or district which shall have adopted or shall contemplate the adoption of the principal Act, the part of such parish without the borough or district shall, for the purposes of the fourth section of the Public Libraries Amendment Act (England and Scotland), 1866, be considered a parish within the meaning of the said section; and the overseers of the poor for the said parish shall, for the purposes of the said section, be considered the overseers of the part

of the parish situate without the borough or district, and the expenses referred to in the said section shall, so far as such part of the parish is concerned, be defrayed out of a rate to be levied by the overseers in such part of the parish, either as an addition to the poor rate, or as a separate rate to be made and recovered in the same way as a poor rate, and to be subject to the same rights of appeal.

Provisions affecting the Metropolis only.

Power for district in the *metropolis* to adopt the Act.

10. In the metropolis any district shall have power to adopt the principal Act, and for such purpose the said Act shall be altered and have effect as follows:—

(1.) Sections eight, nine, twelve, fifteen, twenty-one, and twenty-two shall be read as if the word "district" was substituted for the word "parish"; and the words "district board", instead of the word "overseers" and the word "vestry" as the case may be.

(2.) Section thirteen shall not apply, and instead thereof the following provisions shall have effect:—

The expenses of calling and holding the meeting of the ratepayers, whether the principal Act shall be adopted or not, and the expenses incurred by the Commissioners in carrying the said Act and the Acts amending the same into execution in any district, to such amount as shall be from time to time sanctioned by the district board, shall be paid out of the funds of the district board applicable to the general expenses incurred by them in the execution of the Metropolis Management Act, 1855, and the sums required for the purpose of defraying the expenses incurred by the Commissioners as aforesaid shall be paid by the district board to such person as shall be appointed by the Commissioners to receive the same, but nothing herein contained shall enable district boards to levy or expend for the purposes of the principal Act and the Acts amending the same any greater sum in any year than one penny in the pound.

See 34 & 35 Vict. c. 71. s 3.

(3.) Section fourteen shall be read as if the words "district boards" were substituted for the word "vestries"; the word "district" for "parish"; and "funds applicable to the general "expenses incurred by the district board in the execution of "the Metropolis Management Act, 1855," for "money to be "raised for the relief of the poor," and section sixteen shall be read as if the words "district board" were substituted for the word "vestry," and the words "rates out of which the "expenses of the Commissioners are payable" for the words "rates levied in pursuance of this Act."

(4.) Where any parish has, previously to the passing of this Act, adopted the principal Act, or shall subsequently adopt the same:—

(*a.*) No person shall, by reason of being a ratepayer of such parish, be accounted as a ratepayer of the district of which it forms a part.

(*b.*) No representative on the district board for such parish shall take any part in any proceedings under this section.

(*c.*) Such parish shall not be called upon to contribute towards any expenses incurred, and no part of the funds of such parish shall be expended in or towards calling or holding the meeting of the ratepayers of the district, or carrying the Act into execution in the district.

(*d.*) And, in every respect, such parish shall, for the purposes of this section, be treated as if it were outside the district.

(*e.*) Any question of accounts arising between such parish and the other parishes in the district, or between such parish and the district, in consequence of this section, shall be decided *finally* by the Local Government Board.

Power of parish preserved.

11. This Act shall not deprive any parish in the metropolis of the power of adopting the principal Act, but after any district shall have adopted the said Act, no parish within such district shall also adopt it in manner provided by section one of the Public Libraries Amendment Act, 1877, or hold a meeting for considering its adoption, without the consent of the Local Government Board.

40 & 41 Vict. c. 54.

SCHEDULE.

PUBLIC LIBRARIES (ENGLAND) ACTS. Section 1.

Session and Chapter.	Title.
18 & 19 Vict. c. 70	The Public Libraries Act, 1855.
29 & 30 Vict. c. 114.	The Public Libraries Amendment Act, (England and Scotland) 1866.
34 & 35 Vict. c. 71.	The Public Libraries Act, 1855, Amendment Act, 1871.
40 & 41 Vict. c. 54.	The Public Libraries Amendment Act, 1877.
47 & 48 Vict. c. 37.	The Public Libraries Act, 1884.

CHAPTER 23.

An Act to amend the Incumbents Resignation Act, 1871.

[8th August 1887.]

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

Short title.

1. This Act may be cited for all purposes as the Incumbents Resignation Act, 1871, Amendment Act, 1887, and the Incumbents Resignation Act, 1871 (hereinafter called "the principal Act"), and this Act may together be cited as the Incumbents Resignation Acts, 1871 and 1887.

34 & 35 Vict. c. 44.