(3.) Provided that the first return under this section, and a like return with reference to the year one thousand eight hundred and ninety-one, shall be made within six weeks after the passing of this Act, and the population estimated upon the basis of such returns shall for the purposes of this Act be the population of the parish for the year beginning on the sixth day of April one thousand eight hundred and ninety-four.

(4.) If any authority making the poor rate fail to make a return under this section within one month after the time at which such return is required, each of the persons constituting the authority who is in fault shall be liable on summary conviction to a fine not exceeding fifty pounds, and not exceeding ten pounds for every day during which the failure continues after the first conviction for such failure.

Definitions, commencement of Act, short title.

4.—(1.) In this Act, unless the context otherwise requires,—

The expression "London" means the administrative county of London.

The expression "sanitary authority" has the same meaning as in the Public Health (London) Act, 1891, but does not include the port sanitary authority, and "sanitary district" means the district of any authority as so defined.

54 & 55 Vict. c. 76.

The expression "population" means population according to the last published census for the time being, including the census taken in pursuance of this Act, or in any year in which a census is not taken according to the population estimated by the Registrar General under this Act.

The expression "prescribed" means prescribed by the Local Government Board.

(2.) This Act shall, except for the purposes of section three thereof, come into operation on the thirtieth day of September one thousand eight hundred and ninety-four, and the amount of half the Equalisation Fund for the half year beginning on that day shall be equal to threepence in the pound on the rateable value of London according to the valuation lists as they stood on the said day.

(3.) This Act may be cited as the London (Equalisation of Rates) Act, 1894.

CHAPTER 54.

An Act to amend the Railway and Canal Traffic Act, 1888. [25th August 1894.]

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:

Complaints as to rates or

1.—(1.) Where a railway company have, either alone or jointly with any other railway company or companies, since the last

day of December one thousand eight hundred and ninety-two directly or indirectly increased, or hereafter increase directly or indirectly, any rate or charge, then if any complaint is made that the rate or charge is unreasonable, it shall lie on the company to prove that the increase of the rate or charge is reasonable, and for that purpose it shall not be sufficient to show that the rate or charge is within any limit fixed by an Act of Parliament or by any Provisional Order confirmed by Act of Parliament. charges raised since 1892.

(2.) Under and subject to any regulations which may be made by the Board of Trade, every railway company shall keep the books, schedules, or other papers, specifying all the rates, charges, and conditions of transport in use upon such railway on the thirty-first day of December one thousand eight hundred and ninety-two, open for inspection at its head office, and shall upon demand supply copies of or extracts from such books, schedules, and papers.

(3.) The Railway and Canal Commissioners shall have jurisdiction to hear and determine any complaint with respect to any such increase of rate or charge, but not until a complaint with respect thereto has been made to and considered by the Board of Trade under section thirty-one of the Railway and Canal Traffic Act, 1888. 51 & 52 Vict. c. 25.

(4.) Unless the court shall before or at the hearing of the complaint otherwise order, a complainant to the Railway and Canal Commissioners under this section shall, before or within fourteen days after filing his complaint, pay to the railway company such sum in respect of any rate or charge complained of as would have been payable by him to them had the rate or charge in force immediately before the increase remained in force; or if that rate or charge is higher than the rate or charge in force on the last day of December one thousand eight hundred and ninety-two, then such sum as would have been payable on the footing of the last-mentioned rate or charge; any dispute as to the amount so payable shall be decided by the registrar, or in such other mode as the court may order, but such payment or decision shall be without prejudice to any order of the court upon the complaint.

(5.) Section twelve of the Railway and Canal Traffic Act, 1888, shall apply in the case of any such complaint, and in the case of any rate or charge increased before the passing of this Act shall have effect as if six months after the passing of this Act were substituted for the limit of one year therein mentioned, but the Board of Trade may, if they think fit, extend the said period of six months with respect to any complaints made to them during that period. 51 & 52 Vict. c. 25.

2. In proceedings before the Railway and Canal Commissioners, other than disputes between two or more companies, the Commissioners shall not have power to award costs on either side, unless they are of opinion that either the claim or the defence has been frivolous and vexatious. Restrictions on power to award costs.

Amendment of 36 & 37 Vict. c. 48. s. 14 as to division of rates.

3. The provisions of section fourteen of the Regulation of Railways Act, 1873, with respect to the power to make orders and failure to comply with such orders, shall extend to any rates entered in books kept in pursuance of section thirty-four of the Railway and Canal Traffic Act, 1888.

Rebate on id ings rates.

4. Whenever merchandise is received or delivered by a railway company at any siding or branch railway not belonging to the company, and a dispute arises between the railway company and the consignor or consignee of such merchandise as to any allowance or rebate to be made from the rates charged to such consignor or consignee in respect that the railway company does not provide station accommodation or perform terminal services, the Railway and Canal Commissioners shall have jurisdiction to hear and determine such dispute, and to determine what, if any, is a reasonable and just allowance or rebate.

Short title.

5. This Act may be cited as the Railway and Canal Traffic Act, 1894, and shall be read with the Railway and Canal Traffic Acts, 1873 to 1888.

CHAPTER 55.

An Act to explain the provisions of Part II. of the Housing of the Working Classes Act, 1890, with respect to powers of borrowing. [25th August 1894.]

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:

Borrowing powers under a scheme for reconstruction. 53 & 54 Vict. c. 70.

1. For any purpose for which a local authority are, by a scheme for reconstruction duly sanctioned under Part II. of the Housing of the Working Classes Act, 1890, or by the order sanctioning the scheme, authorised to borrow, the authority shall have power and shall be deemed always to have had power to borrow in like manner and subject to the like conditions as they may borrow under section forty-three of that Act for the purpose of raising the sums required for the purchase money or compensation therein mentioned, and sections forty-three and forty-six of that Act shall apply accordingly.

h or t title.

2. This Act may be cited as the Housing of the Working Classes Act, 1894.