CHAPTER clxiv.

An Act to discontinue the division of the parish of Scarborough into townships and to make further and better provision for the improvement health and good government of the borough of Scarborough to authorise the Corporation of the said borough to construct new works and to raise further moneys and for other purposes. A.D. 1889.

[12th August 1889.]

WHEREAS the borough of Scarborough in the north riding of the county of York is a municipal borough under the government of the mayor aldermen and burgesses thereof (hereinafter referred to as "the Corporation") and the Corporation acting by the council of the said borough are the urban sanitary authority for the district of the said borough:

And whereas the several public and local Acts and provisional orders confirmed by Act of Parliament mentioned in the First Schedule to this Act so far as the same have not been amended or repealed are in force within the said borough:

And whereas the townships of Scarborough and Falsgrave in the parish of Scarborough are parishes for which separate overseers are appointed and for other lay and civil parochial purposes And whereas the precinct of Scarborough Castle was formerly an extra-parochial place but became annexed to and incorporated with the township of Scarborough by virtue of the twenty-seventh section of the Poor Law Amendment Act 1868 And whereas the boundary line between the said townships is very irregular and inconvenient and the division of the said parish of Scarborough into such separate parishes or townships is unnecessary and inconvenient and it is expedient that such townships be amalgamated:

And whereas it is expedient that the powers of the Corporation with respect to the prevention of the spread of infectious diseases and sanitary matters be amended and extended and that further and better provision be made with respect to streets and buildings and private street works and with respect to the improvement management regulation and good government of the said borough:

A.D. 1889.

And whereas the Corporation are the owners of the waterworks by which the said borough and a portion of the neighbourhood are supplied with water and it is expedient that their special Acts relating to the supply of water beyond the said borough be amended and further powers conferred on them in relation to the supply of water and for the redemption of the water annuities granted by them under the Scarborough Corporation Waterworks Act 1878 as by this Act provided:

And whereas it is expedient that further and better provision be made for regulating the user by the public of the sands and seashore within and near the said borough and for regulating and preventing the removal of sand rock and other materials therefrom:

And whereas it is expedient that the Corporation be empowered to take a lease of and to regulate the user of the sands and seashore lying to the north of and adjacent to the said borough:

And whereas the Corporation have laid out and are laying out public gardens pleasure grounds and recreation grounds on the North and South Cliffs and in the Weaponness Valley estate belonging to the Corporation and elsewhere within the said borough and it is expedient that the Corporation be empowered to charge for admission to certain public gardens pleasure grounds or recreation grounds now being made or laid out and which are about to be made or laid out by them within the said borough and to close the public gardens pleasure grounds and recreation grounds within the borough to the general public on such occasions as the Corporation may determine and also to agree with the owners of private squares gardens and other enclosures for the transfer thereof to and the maintenance thereof by the Corporation and that further powers be conferred upon the Corporation for the laying out improving maintaining and regulating public gardens pleasure grounds and recreation grounds within the said borough:

And whereas it is expedient that the Corporation be empowered to make and maintain a marine drive or carriage road promenade and sea wall round the Castle Hill and to levy tolls for the use thereof and also to widen and improve Falsgrave Road within the township of Falsgrave in manner by this Act authorised:

And whereas the Second Schedule to this Act contains a statement of the loans of the Corporation authorised and raised and the amounts thereof subsisting on the twenty-fifth day of March one thousand eight hundred and eighty-nine and the periods for which those loans were sanctioned:

And whereas it is expedient that the Corporation be empowered to borrow further moneys for the purposes mentioned in this Act

and to lend money to the Scarborough School Board and to create and issue Corporation stock and that such further provisions be made with respect to loans and with respect to rates and expenses and the levying and recovery thereof and other matters as are contained in this Act:

And whereas it is expedient that provision be made for the future increase in the number of the aldermen and councillors of the said borough:

And whereas estimates have been prepared by the Corporation for the purchase of land for and for the execution of works by this Act authorised and such estimates are as follows (namely):—

For the widening and improvement of Falsgrave Road one thousand five hundred pounds:

For the marine drive or carriage road promenade and sea wall seventy thousand pounds:

For other purposes by this Act authorised for which money is proposed to be borrowed ten thousand pounds:

And whereas the several works and purposes included in such estimates are permanent works within the meaning of the two hundred and thirty-fourth section of the Public Health Act 1875:

And whereas plans and sections describing the lines situations and levels of the road widening and improvement and of the marine drive or carriage road promenade and sea wall authorised by this Act and the lands to be taken for the purposes of this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of all such lands have been deposited with the clerk of the peace for the north riding of the county of York and are in this Act referred to respectively as the deposited plans sections and book of reference:

And whereas an absolute majority of the whole number of the council at a meeting held on the fifth day of December one thousand eight hundred and eighty-eight after ten clear days notice by public advertisement of the meeting and of the purpose thereof in the "Scarborough Evening News" a local newspaper published and circulating in the said 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 paid out of the borough fund borough rate district fund and general district rate and other funds and rates under the control of the Corporation:

And whereas such resolution was published twice in the "Scarborough Evening News" a newspaper published and circulating in the said borough and has received the approval of one of Her

A.D. 1889.

Majesty's Principal Secretaries of State and 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 fourteenth day of January one thousand eight hundred and eighty-nine 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 objects 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 as the Scarborough Improvement Act 1889.

Act divided into parts.

2. This Act is divided into eighteen parts relating to the following subject matters:—

Part I. Preliminary.
Part II. Union of Townships.
Part III. Infectious Diseases.
Part IV. Sanitary Matters.
Part V. Water.
Part VI. Police and Street Traffic.
Part VII. Hackney Carriages.
Part VIII. Licensing.
Part IX. Provisions as to Buildings, Streets, &c.
Part X. Private Street Works.
Part XI. Sands and Seashore.
Part XII. Public Gardens and Pleasure Grounds.
Part XIII. New Works.
Part XIV. Borrowing Powers.
Part XV. Corporation Stock.
Part XVI. Making and Levying of Rates.
Part XVII. Legal Proceedings.
Part XVIII. Miscellaneous.

A.D. 1889.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 (in this Act referred to as "the Lands Clauses Acts") so far as the same are applicable for the purposes of and are not varied by or inconsistent with this Act are incorporated with and form part of this Act.

Interpretation of terms.

4. In construing this Act the following terms and expressions have the meanings hereby assigned to them respectively unless there be something in the subject or context repugnant to such construction (that is to say) :—

"The borough" means the municipal borough of Scarborough;

"The Corporation" and "the council" mean respectively the mayor aldermen and burgesses and the council of the borough;

"The mayor" means the mayor of the borough;

"Borough fund" and "borough rate" mean respectively the borough fund and borough rate of the borough;

"District fund" and "general district rate" mean respectively the district fund and general district rate of the district under the jurisdiction of the Corporation as an urban sanitary authority;

"The town clerk" "the treasurer" "the surveyor" "the medical officer of health" "the chief constable" and "the inspector of nuisances" mean respectively the town clerk or clerk to the urban sanitary authority (as the case may be) the treasurer the surveyor the medical officer of health the chief constable and the inspector of nuisances of the borough and include their respective deputies;

"Municipal Corporations Acts" means the Municipal Corporations Act 1882 and all Acts for the time being in force amending or extending the same;

"Public Health Acts" means the Public Health Act 1875 and all Acts for the time being in force amending or extending the same;

"Corporation Acts" means the several public and local Acts or parts thereof and provisional orders confirmed by Parliament mentioned and referred to in the First Schedule to this Act annexed;

"Daily penalty" means a penalty for each day on which any offence is continued after conviction therefor;

"Infectious disease" means and includes small-pox cholera typhus typhoid scarlet relapsing continued and puerperal fever scarlatina and diphtheria and such other disease as the Local Government Board under the provisions and for the purposes of this Act may from time to time declare to be infectious;

A.D. 1889.

"Public conveyance" means any omnibus hackney carriage fly or other vehicle let or used for the conveyance of passengers for hire within the borough whether such vehicle be licensed by the Corporation or not and whether the same be the property of a person residing or a company having offices within the borough or elsewhere;

"Bicycle" includes tricycle velocipede and any other similar mechanical contrivance;

"Owner" includes in the case of any building or structure in course of construction or alteration any person by whose orders or at whose cost such building or structure is being constructed or altered such person not being any contractor or builder employed to construct the same;

"Dwelling-house" means any building or part thereof used or intended constructed or adapted to be used wholly or partly for human habitation by day or night;

"Structure" as used in this Act includes any building wall bridge fence balcony hoarding scaffold platform stack of bricks or timber pier pillar post door gate or other such erection construction or thing;

"Ground floor" used with reference to any building means that floor thereof which is nearest to and above the level of the street or ground adjoining the principal or only entrance to such building;

"Line of frontage" means the line to which the outer face of an external wall of any building abutting upon any street has been built or can be built without encroaching (in any part of its height) upon the existing or required or intended available width of such street;

"Intended" applied to a new street or new building means the new street or the new building as the case may be as shown on plans deposited with the Corporation;

"Paving" includes asphalte wood-paving tar-paving artificial stone or other improved paving of any kind;

"Ash-pit" includes ash-bin ash-tub and any other receptacle for the ashes and refuse of any house or building;

"Food" includes every article other than water used for food or drink by man;

"Person" includes corporation;

"Rate" includes water rents and charges for supply of water or for the loan of meters or fittings connected therewith:

Terms and expressions to which meanings are assigned in enactments incorporated with this Act or in the Municipal Corporations Acts or in the Public Health Acts or which have therein special

meanings have in this Act the same respective meanings unless there be something in the subject or context repugnant to such construction and—

In this Act and for the purposes of this Act in enactments incorporated with this Act the term "superior courts" or "court of competent jurisdiction" or any other like term shall have effect as if the debt or demand with respect to which it is used were a simple contract debt and not a debt or demand created by statute.

Act to be executed by council.

5. Subject to the provisions of this Act this Act shall be carried into execution by the Corporation acting by the council with all the powers privileges duties and obligations of the Corporation as a municipal authority and as an urban sanitary authority.

Commencement of Act.

6. This Act shall commence and take effect at the passing thereof except where otherwise expressly provided.

Defining borough boundary seawards.

7. The boundary of the borough seawards is hereby declared to be the line of low water and to include the whole of the piers and harbour in the south bay.

Limits of Act.

8. This Act except where otherwise expressed or implied shall apply exclusively to and within the borough.

PART II.—UNION OF TOWNSHIPS.

Amalgamation of townships of Scarborough and Falsgrave.

9. From and after the twenty-fifth day of March one thousand eight hundred and ninety the townships of Scarborough and Falsgrave shall cease to be separate parishes for the purposes of the assessment to the poor rate general district and improvement rates borough police and county rates the Acts relating to the relief of the poor the burial of the dead municipal and local government public health highways elementary education the registration of electors jury lists and all other lay and civil parochial purposes to which a parish may be liable or entitled and the said parish of Scarborough including the precinct of Scarborough Castle shall be deemed to be one parish for the said purposes and it shall accordingly subject to the powers of the Local Government Board as to the dissolution and alteration of unions constitute one of the parishes forming the Scarborough Union in lieu of the said townships.

As to property and debts of separate townships

10. From and after the said twenty-fifth day of March one thousand eight hundred and ninety all property real and personal including easements and things in action vested in or held by the churchwardens and overseers of either of the said townships or any

A.D. 1889.

after amalgamation.

other person or body of persons or trustees on behalf or for the benefit of or in trust for such township or the inhabitants thereof or any class of such inhabitants shall be held on behalf or for the benefit of or in trust for the parish of Scarborough or the inhabitants thereof or the like class of such inhabitants as the case may be subject to all debts and liabilities and (save as to the substitution of the said parish for the township) to all covenants conditions and restrictions affecting the same and for the same estate and interest subject to and for which such property now is or would but for this Act have been held but if any such property was immediately before the said twenty-fifth day of March one thousand eight hundred and ninety vested in the churchwardens or overseers or any other officer or officers of either of the said townships the same shall pass to and vest in and be held as aforesaid by the churchwardens and overseers or the like officer or officers as the case may be of the parish of Scarborough.

Amalgamation not to discharge officers and ratepayers of the separate townships from their liabilities.

11. The passing of this Act or anything in this Act contained shall not extend or be construed to release or discharge any person holding on or before the said twenty-fifth day of March one thousand eight hundred and ninety the office of guardian overseer or assistant overseer of the poor or any other parochial or township office or employment in the township of Scarborough or in the township of Falsgrave from any liability which he shall have incurred before the said twenty-fifth day of March one thousand eight hundred and ninety nor to release or discharge any person assessed before that date to any rate or tax in either of the said townships from the payment of such rate tax or assessment or from the payment of any arrears thereof but all and every such several and respective guardians overseers and assistant overseers of the poor and other officers and persons shall continue to be and shall be accountable for all moneys by them respectively received before that date in respect of such respective rates taxes and assessments and shall continue and be subject to all other liabilities which shall have been incurred by such officers or persons respectively at any time before that date as they would have continued or been subject to if this Act had not been passed Provided always that all debts and liabilities of the churchwardens and overseers of the said townships respectively which shall have been incurred on behalf or for the purposes of either township shall become debts and liabilities of the churchwardens and overseers of the said parish and all such debts and liabilities and all other debts and liabilities incurred on behalf or for the purposes of such townships respectively shall be deemed to have been incurred on behalf or for the purposes of the said parish and shall be satisfied and discharged accordingly.

A.D. 1889.

Rates to continue valid and to be collected &c.

12. All persons assessed before the said twenty-fifth day of March one thousand eight hundred and ninety to any rate or tax in either of the said townships shall continue and be liable to the payment of each and every such rate tax and arrears or so much of the same respectively as shall not have been paid or collected at the said date as if such rates and taxes had respectively been made after that date in or for the parish of Scarborough and notwithstanding the amalgamation of the said townships all rates taxes and assessments made before the said twenty-fifth day of March one thousand eight hundred and ninety in or for or in respect of the said townships or either of them shall continue and be as valid in law as if the same respectively had been made or assessed after such date in or for or in respect of the parish of Scarborough and it shall be lawful for the persons acting after the said date as overseers of the poor of the parish of Scarborough or other the proper officer or officers to collect and levy all rates taxes or assessments made before that date for or within the said townships of Scarborough and Falsgrave or either of them and all arrears of any such rates taxes or assessments accordingly and in like manner as any rates taxes or assessments made or assessed for or within such parish after the same date or any arrears thereof may by law be collected or levied and all moneys collected levied or received before that date in respect of any such rates or taxes in such townships respectively shall be respectively applicable for the like purposes and all accounts relating to such townships respectively shall be audited in like manner and with the like incidents and consequences as if this Act had not been passed.

Saving for contribution orders of guardians.

13. Notwithstanding the amalgamation of the said townships all contribution orders made by the guardians of the Scarborough Union upon the overseers of the said townships or either of them shall be as valid in law as if this Act had not been passed and if and so far as the overseers of either of such townships shall not have discharged the amount required by any such order on or before the said twenty-fifth day of March one thousand eight hundred and ninety and shall not on that date hold moneys arising out of the poor rates of such township applicable in discharge thereof the same shall be paid and discharged by and recoverable from the churchwardens and overseers of the parish of Scarborough in like manner as if the contribution order had been made subsequently to the said date and had been directed to them Provided always that such churchwardens and overseers shall in such case pay the amount which shall be so payable by them out of such moneys as they shall levy in respect of poor rates made for the township before the date aforesaid and so far as the moneys so leviable shall be insufficient

A.D. 1889.

they shall levy such increase of poor rate from the township as shall be sufficient to raise such amount.

As to number of overseers and guardians of the poor for the parish of Scarborough.

14. From and after the said twenty-fifth day of March one thousand eight hundred and ninety the churchwardens of the parish of Scarborough shall be ex officio overseers of the poor of such parish and the number of overseers to be appointed for such parish shall be four And at the election of guardians of the poor to be holden in the months of March and April one thousand eight hundred and ninety or one of those months and at all subsequent elections until otherwise determined by the Local Government Board nine guardians shall be nominated and elected for the parish of Scarborough and the notice of election to be published in the said month of March shall make provision for such election accordingly.

Present overseers and guardians of the poor to continue in the like office for the parish of Scarborough.

15. The several persons who shall immediately before the said twenty-fifth day of March one thousand eight hundred and ninety hold the offices of overseers of the poor and guardians of the poor for the said townships respectively shall from and after the said date hold the like offices and employments in the parish of Scarborough and be according to their several and respective official capacities aforesaid the overseers of the poor and guardians of the poor for and in the said parish and shall be deemed to have been lawfully appointed or elected to such offices or employments respectively and shall and may lawfully hold and execute such offices respectively in the said parish until the respective times for which they respectively were before the passing of this Act appointed or elected to hold such their several and respective offices or employments shall expire or until others shall be appointed nominated or elected in their stead according to law for the said parish and shall be subject to removal and to all regulations liabilities and provisions mentioned imposed or contained in or by any law or statute in force concerning persons appointed to or holding any or either of such offices or employments respectively in any township or parish in England.

Assistant overseer of township of Scarborough to hold like office for parish.

16. The assistant overseer of the poor of the township of Scarborough in office on the said twenty-fifth day of March one thousand eight hundred and ninety shall from and after that date if and when he shall have given or shall give sufficient security to and to the satisfaction of the guardians of the Scarborough Union for the faithful execution of such office by bond with such sureties and in such penalty as they shall require hold and execute the like office in and for the parish of Scarborough until the time for which he was originally appointed to hold office in and for the township of

Scarborough shall expire or another shall be appointed in his stead and shall be subject to removal and to all regulations liabilities and provisions mentioned imposed or contained in or by any law in force concerning persons holding such office in any township or parish in England.

Assistant overseer of township of Falsgrave to receive compensation for loss of office.

17. The office of assistant overseer of the poor of the township of Falsgrave shall from and after the said twenty-fifth day of March one thousand eight hundred and ninety cease and determine and the person who shall hold that office immediately before that date shall account for all moneys received by him and deliver up all books papers and property of the overseers of the poor of that township to the overseers of the poor of the parish of Scarborough Compensation shall be paid to him by the Corporation out of the borough fund for the loss of his office and such compensation shall at his option be in money or by way of annuity and in case of difference between them as to the amount of such compensation the difference shall be finally and conclusively determined by the Local Government Board on the application of either party:

Provided that if such assistant overseer shall accept employment in any office under the Corporation or the guardians of the Scarborough Union or the overseers of the poor of the parish of Scarborough he shall to the extent of the value of the employment be deemed to have waived all right to compensation under this section.

Valuation lists to continue in force.

18. The valuation lists of the said townships of Scarborough and Falsgrave which shall be in force immediately before the twenty-fifth day of March one thousand eight hundred and ninety shall from and after that date together until a new valuation list for the parish of Scarborough shall be allowed and subject in the meanwhile to their being altered or supplemented in accordance with the general law constitute the valuation list in force for the parish of Scarborough.

Paupers settled in either township to be settled in parish of Scarborough.

19. On and after the said twenty-fifth day of March one thousand eight hundred and ninety the parish of Scarborough shall until he shall acquire another settlement be deemed to be the place of the last legal settlement of any pauper whose place of last legal settlement immediately before that date shall have been in either of the said townships of Scarborough or Falsgrave and any pauper who shall be or become chargeable to any other union parish or place from which he would have been removable by law to the Scarborough Union if this Act had not been passed shall notwithstanding the passing of this Act continue to be so removable and the residence of any person in either of the said townships previously

A.D. 1889.

to the said date shall after such date be deemed to have been a residence in the parish of Scarborough.

Saving for mortgages &c.

20. Nothing in this part of this Act contained shall prejudice or affect the validity of any mortgage loan or other security which shall before the said twenty-fifth day of March one thousand eight hundred and ninety have been charged upon the poor or other rates of the said townships of Scarborough and Falsgrave or either of them but every such mortgage loan or security shall be and continue to be charged on the corresponding rates of the parish of Scarborough and may be recovered or enforced accordingly.

PART III.—INFECTIOUS DISEASES.

NOTIFICATION OF INFECTIOUS DISEASE.

Notice to be given of persons suffering from infectious disease.

21. The following provisions shall apply to and be in force in the borough (that is to say):—

(1.) If any inmate of any building used for human habitation 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 illness or other unavoidable cause 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 the town hall;

(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 or other unavoidable cause 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 registered 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 Third Schedule to this Act;

(4.) Every registered 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 the town hall a certificate or declaration stating according to the form set forth in the Third Schedule to this Act 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 registered 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.) Every person who shall wilfully offend against any of the enactments contained in this section shall for every such offence be liable to a penalty not exceeding forty shillings.

Other diseases may be declared to be infectious diseases to which this Act applies.

22. The Local Government Board may from time to time on the application of the Corporation by order declare 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 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 one or more of the local newspapers circulating in the borough and after such public notice has been given the provisions of the section of this Act whereof the marginal note is "Notice to be given of persons suffering from infectious disease" 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 newspaper containing a copy of the order 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 registered medical practitioner residing in the borough but the omission to send any such copy shall not affect the validity of such order.

A.D. 1889.

PROVISIONS AS TO DEALING WITH INFECTIOUS DISEASE.

Cowkeepers and others to furnish lists of customers in certain cases.

23. Whenever it shall be certified to the Corporation by the medical officer of health or by any other registered 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 of a dairy milk-store or milkshop 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 the sum of sixpence and after the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed five 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 forty shillings.

Medical officer of health may inspect dairies &c. without borough in certain cases.

24. In case the medical officer of health shall have reasonable cause to believe that any person in the borough is suffering from infectious disease attributable to milk supplied within the borough from any farmhouse dairy cowshed milk-store milkshop or place situate beyond the borough or that the consumption of milk from such farmhouse dairy cowshed milk-store milkshop or place is likely to cause infectious disease to any person residing in the borough the medical officer of health shall if authorised in that behalf by an order of a justice having jurisdiction in the place where such farmhouse dairy cowshed milk-store milkshop or place is situate have power to inspect such farmhouse dairy cowshed milk-store milkshop or place and if on such inspection he shall be of opinion that infectious disease is caused or is likely to arise from consumption of the milk supplied therefrom he shall report thereon to the Corporation who may thereupon give notice to the occupier of such farmhouse dairy cowshed milk-store milkshop or place not to supply any milk therefrom within the borough until such notice has been withdrawn by the Corporation and the Corporation shall forthwith give notice of the facts to the local authority acting in execution of the Contagious Diseases (Animals) Acts 1878 to 1886 of the district in which such farmhouse dairy cowshed milk-store milkshop or place is situate in order that such further measures may be adopted in relation thereto as may be considered proper and as may be within the province of such last-mentioned authority Any person refusing to permit the medical officer of health on

production of such order as aforesaid to inspect any such farmhouse dairy cowshed milk-store milkshop or place or after any such notice not to supply milk as aforesaid has been given supplying any milk therefrom within the borough or selling it for consumption therein until such notice has been withdrawn shall be deemed guilty of an offence against this Act and shall on summary conviction be liable to a penalty not exceeding five pounds for such offence and to a daily penalty not exceeding forty shillings Provided always that proceedings for the recovery of any penalty under this enactment shall be taken before the justices of the peace having jurisdiction where the said farmhouse dairy cowshed milkstore milkshop or place is situate.

Persons engaged in washing or mangling clothes to furnish lists of owners of clothes in certain cases.

25. Whenever it shall be certified to the Corporation by the medical officer of health that it is desirable with a view to prevent the spread of infectious disease that he should be furnished with a list of the customers of any person earning a livelihood or deriving gain by the washing or mangling of clothes within or near the borough the Corporation may require such person to furnish to them a full and complete list of the names and addresses of the owners of clothes for whom such person washes or mangles or has washed or mangled during the past six weeks and such person shall furnish such list accordingly and the Corporation shall pay to such person for every such list the sum of sixpence and after the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed five 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 forty shillings.

Further powers in relation to disinfection of premises.

26. Where the Corporation are of opinion on the certificate of their medical officer of health or of any other registered 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 could 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 Any person who shall obstruct any

A.D. 1889.

duly authorised officer of the Corporation in carrying out this enactment 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.

27. 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 the medical officer of health or a registered 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 any question 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 shall be liable to a penalty not exceeding ten pounds.

Prohibiting the retention of dead bodies in certain cases.

28. No person shall without the sanction in writing of the medical officer of health or some other registered medical practitioner retain unburied elsewhere than in a mortuary for more than forty-eight hours the dead body of any person who has died from any infectious disease and any person offending against this enactment shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings.

Bodies of persons dying in hospital &c. of infectious diseases to be removed only for burial.

29. If any person shall die from any infectious disease in any hospital or place of temporary accommodation and the medical officer of health or any other registered medical practitioner certifies that in his opinion it is desirable in order to prevent the risk of communicating any infectious disease or of spreading infection that the dead body shall not be removed from such hospital or place except for the purpose of being forthwith buried it shall not be lawful for any person or persons to remove such dead body from such hospital or place except for the last-mentioned purpose and when the dead body is taken out of such hospital or place for that purpose it shall be forthwith carried or taken directly to some cemetery or place of burial and shall be forthwith there buried and any person wilfully offending against this enactment shall be liable to a penalty not exceeding fifty pounds But nothing in this enactment shall prevent the removal of any dead body from any such hospital or place of temporary accommodation to any mortuary and such mortuary shall for the purposes of this section be deemed to be part of such hospital or place of temporary accommodation.

Justices may in certain cases order dead bodies to be buried.

30. Where the body of any person who has died from any infectious disease remains unburied elsewhere than in a mortuary for more than forty-eight hours after death without the sanction of the medical officer of health or other registered medical practitioner or is retained in a room in which persons live or sleep or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or of any adjoining or neighbouring house or building any justice may on the application of the medical officer of health order the body to be removed at the cost of the Corporation to any mortuary provided by the Corporation and may direct the same to be buried within a time to be limited in the order or such justice may in the case of the body of a person who has died from any infectious disease or in any case in which he shall consider immediate burial necessary direct such body to be so buried by such officer of the Corporation as he may appoint for the purpose without requiring the same to be removed to a mortuary and unless the friends or relatives of the deceased undertake to bury and do bury the body within the time limited by such order it shall be the duty of the officer so named to bury such body at the expense of the general district rate but any expense so incurred may be recovered by the Corporation in a summary manner from any person legally liable to pay the expenses of such burial Any person obstructing the execution of an order made by a justice under this enactment shall be liable to a penalty not exceeding five pounds No cemetery regulation made by the burial board for the parish of Scarborough shall operate to prevent the carrying into effect of this section.

Detention of infected person without proper lodging in hospital by order of justice.

31. The provisions of the Public Health Act 1875 respecting infectious diseases and hospitals shall be and are hereby extended so as to authorise any justice of the peace acting in and for the borough upon proper cause shown to him to make an order directing the detention in hospital at the cost of the Corporation of any person in the borough suffering from any infectious disease and not provided with lodging or accommodation in which proper precautions can be taken to prevent the spreading of the disorder by such person Any order so to be made by any such justice shall be limited to some specific time but with full power to any justice if he shall see necessary to enlarge such time as often as may be necessary It shall be lawful for any sanitary officer or inspector of police of the borough on any such order being made to take all necessary measures and do all necessary acts for enforcing the execution thereof.

Corpses not to be carried in public conveyances.

32. Any person who hires or uses a public conveyance other than a hearse for the conveyance of the corpse of a person who has

A.D. 1889.

died from any infectious disease shall be liable to a penalty not exceeding five pounds.

For requiring the disinfection of infected clothes &c.

33. Whereas the Corporation have provided a place and apparatus for the disinfection free of charge of clothes linen and other articles which have been exposed to infection Be it enacted that it shall be the duty of the Corporation free of charge to cause to be separately collected and disinfected any clothes linen or other articles on the application of any person stating that the same have been exposed to infection and that any person who sends to any laundry or other place where the clothes or linen of other persons are washed any clothes linen or other articles which have been exposed to infection before the same have been disinfected to the satisfaction of the medical officer of health shall be liable to a penalty not exceeding ten pounds.

Prohibition of using public conveyances for carriage of linen &c. for the wash.

34. Any person earning a livelihood or deriving gain by the washing of clothes who shall hire or use and any person who on behalf of any such person shall hire or use any public conveyance within the borough for collecting or carrying to any laundry or other place any clothes linen or other articles for the wash shall be liable to a penalty not exceeding five pounds.

Penalty for offences under Public Health Act.

35. Any keeper of a common lodging-house in the borough who fails to give the notice required by section eighty-four of the Public Health Act 1875 shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding five shillings.

Powers of entry for purposes of certain sections of Public Health Act and this Act.

36. For the purpose of carrying into effect any of the provisions of sections one hundred and twenty and one hundred and twenty-one of the Public Health Act 1875 or of this part of this Act the Corporation may by any officer appointed in that behalf and showing his appointment if required to do so enter on any premises between the hours of nine o'clock in the forenoon and six o'clock in the afternoon.

For preventing infectious matter being thrown into ash-pits &c.

37. Any person who shall knowingly cast or cause or permit to be cast into any ash-pit or other receptacle for the deposit of refuse any infectious matter without previous disinfection shall be liable to a penalty not exceeding forty shillings.

Temporary shelter nursing &c.

38.—(1.) The Corporation shall from time to time provide temporary shelter or house accommodation for the members of any family in which any infectious disease has appeared and who have been compelled to leave their dwelling for the purpose of enabling such dwelling to be disinfected and shall also provide or contract with some person or persons to provide nurses for attendance upon persons suffering from any infectious disease within the borough or

upon children who may have been compelled to leave their dwelling as aforesaid and may charge a reasonable sum for the service of any nurse provided by them. A.D. 1889

(2.) The Corporation may from time to time provide temporary shelter or house accommodation for the members of any family who have left their dwelling for the purpose of isolating any other member or members of such family suffering from any infectious disease and may also provide or contract with any person to provide attendants for persons who may have left their dwelling as aforesaid and may charge a reasonable sum for such shelter or accommodation and for the service of any such attendant.

Penalty on non-compliance with directions under section 121 of Public Health Act.

39. Any person who fails to comply with directions given by the Corporation under section one hundred and twenty-one of the Public Health Act 1875 for the destruction of any bedding clothing or other articles which have been exposed to infection from any dangerous infectious disorder shall be liable to a penalty not exceeding ten pounds.

Extension of section 122 of Public Health Act.

40. The Corporation may require any bedding clothing or other articles which have been exposed to infection to be delivered to any of their officers for the purpose of being disinfected free of charge and any person who fails to comply with any such requirement shall be liable to a penalty not exceeding ten pounds.

Penalties only recoverable by Corporation.

41. No penalty under this part of this Act shall be recoverable except on information or complaint of the Corporation.

PART IV.—SANITARY MATTERS.

Rooms over privies not to be used as dwelling or sleeping rooms.

42. No room built before or after the commencement of this Act any portion of which extends immediately over any privy (not being a watercloset) cesspool midden or ash-pit or immediately over any cow-byre or other place in which cows are kept and which is not effectually separated from such room to the satisfaction of the Corporation shall be occupied as a dwelling or sleeping or work room or place of habitual employment of any person in any manufacture trade or business during any portion of the day or night and no person shall after the expiration of one month after the commencement of this Act knowingly occupy or suffer to be occupied as a dwelling or sleeping or work room any such room Any person offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

A.D. 1889.

As to cleansing of privies &c. used in common.

43. If any ash-pit urinal privy earth-closet or watercloset used in common by the inmates of separate dwellings or by the inmates of premises used as separate dwellings or the approaches to or the walls floors seats or fittings of any such ash-pit urinal privy or closet or any of them is or are in the opinion of the medical officer of health or inspector of nuisances in such a state or condition as to be a nuisance for want of the proper cleansing thereof then that one of the persons having the use thereof in common as aforesaid who is in default or in the absence of proof satisfactory to the justices as to which of them is in default each of the persons having the use thereof in common as aforesaid shall be liable to a penalty not exceeding ten shillings and to a daily penalty not exceeding five shillings.

Penalty for injuring a privy &c.

44. If any person injures or improperly fouls any urinal privy earth-closet watercloset or ash-pit used in common by the occupiers of two or more dwelling-houses or any tub or receptacle for belonging to or connected with such urinal privy earth-closet watercloset or ash-pit he shall for every such offence be liable to a penalty not exceeding ten shillings.

Water supply to closets.

45. Every watercloset shall have a good supply of water laid on and an efficient flushing apparatus attached thereto and shall have an opening as near to the top as practicable communicating directly with the external air And the pipes immediately supplying water to a watercloset and to the flushing apparatus attached thereto shall be so arranged that water for any other purpose than flushing the closet cannot be drawn therefrom.

Any owner of any building who fails to provide sufficient flushing apparatus or means of ventilation for any watercloset in or connected with such building in accordance with the provisions of this section and any occupier of any such building who fails to keep a good supply of water to any such watercloset in accordance with the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Soil pipes to be ventilated.

46. The soil pipes of the waterclosets of houses and buildings shall if required by the Corporation be properly ventilated to their satisfaction by means of a pipe carried up therefrom or by such other method as they shall direct and any owner or occupier of a house or building who shall neglect or fail to comply with any requirement of the Corporation under this section for a period of twenty-eight days after notice in writing of such requirement and the mode in which the same is to be complied with shall be liable

to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Rain-water pipes not to be used as soil pipes.

47. No pipe used for the carrying-off of rain water from any roof shall be used for the purpose of carrying-off the soil or drainage from any privy or watercloset.

Power to supply courts with water-closets &c.

48. The Corporation for the purpose of supplying a court or place with a watercloset earth-closet ash-pit or other sanitary accommodation may from time to time purchase by agreement any building and remove the same and execute all consequent structural and other works and the owner or owners of the houses in the court or place benefited thereby shall be liable to pay the cost of the purchase of such building and the other expenses incurred by the Corporation in the execution of this section and the amount thereof shall be apportioned among those owners by the surveyor in proportion to the rateable value of the property held by them in such court or place and the amount apportioned to each owner shall be payable by and recoverable from him in a summary manner or as private improvement expenses under the Public Health Acts Provided that if any owner feels himself aggrieved as regards either the amount of such expenses or the apportionment thereof he may appeal to a court of summary jurisdiction to determine the amount or apportionment as the case may be.

Privies &c. for manufactories &c.

49. Every building used as a workshop manufactory or school whether erected before or after the passing of this Act shall be provided with sufficient privy earth-closet or watercloset and urinal accommodation having regard to the number of persons employed in or in attendance at such workshop manufactory or school and all such urinals privies and waterclosets shall be provided with a proper water supply for flushing purposes.

Public waterclosets urinals and lavatories.

50. The Corporation may erect and maintain or permit to be erected and maintained in any street or public place or on land belonging to them or on land belonging to any person with the consent of the owner lessee or occupier thereof for the time being waterclosets urinals and lavatories for the use of the public and may charge for the use of such waterclosets and lavatories erected and maintained by them such sum as they may think proper and the Corporation may make byelaws for the management of such waterclosets urinals and lavatories and for the conduct of the persons using the same.

The Corporation may from time to time let any such waterclosets urinals and lavatories erected by them to any person or persons for the use of the public for such period not exceeding three years at any one time at such rents payable at such times

A.D. 1889.

and under such covenants and upon such conditions as the Corporation may think fit.

Every watercloset urinal or lavatory erected by permission of the Corporation under this section shall be subject to such terms and conditions as the Corporation may prescribe with respect to the charges (if any) to be made for the use thereof and for repairing and keeping the same in proper order and for closing or removing the same if and when required by the Corporation but nothing herein shall be held to authorise a charge for the use of a public urinal.

No convenience to be placed in a street without consent of Corporation.

51. No person shall after the commencement of this Act make or provide any urinal or similar convenience in or adjoining to any street without the consent in writing of the Corporation and if any urinal or convenience now or hereafter erected in or adjoining any street shall in the opinion of the Corporation be so placed as to be offensive to public decency the Corporation may by notice in writing require the owner to remove such urinal or convenience and any person offending against this enactment shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings :

Provided that nothing in this section contained shall extend or apply to any convenience now or hereafter to be erected by any railway company at or within any railway station or station yard or the approaches thereto belonging to such railway company.

Urinals to be attached to public-houses &c.

52. The Corporation may order the owner or occupier of any inn public-house or beer-house built before or after the passing of this Act to provide and maintain upon or adjoining his premises in a position to be specified in the order urinals to the satisfaction of the Corporation and if any person fails after the expiration of fourteen days from the service of such order to comply with any of the provisions of this section he shall be liable to a penalty not exceeding twenty shillings and to a daily penalty of five shillings.

Steam &c. not to be turned into sewers.

53. Every person who having had notice from the Corporation of the provisions of this section shall at any time after the expiration of seven days from the service of such notice turn or knowingly permit to enter into any sewer or into any drain communicating therewith any waste steam condensing water or heated water from any boiler or other receptacle used with any steam-engine or for any manufacturing or trade purposes (such water being of a higher temperature than one hundred and ten degrees of Fahrenheit's thermometer) shall be liable for every such offence to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds The Corporation by any of their officers

authorised in writing under the hand of the town clerk may demand to enter any premises for the purpose of examining whether the provisions of this section are being contravened and if such admission be refused any justice on complaint thereof on oath by any officer of the Corporation (made after reasonable notice in writing of such intended complaint has been given to the person having custody of the premises) may by order under his hand require such person to admit an officer of the Corporation into the premises and any such order shall continue in force until the offence shall have ceased or the works necessary to prevent the recurrence thereof shall have been executed.

Sewage &c. not to be drained into surface water sewer.

54. No sewage shall be drained into a surface water sewer of the Corporation or into the gutters in the public streets and no surface water shall be allowed to discharge from a stack pipe on to the surface of a footpath or roadway.

Corporation may require old drains to be laid open for examination by surveyor before communicating with sewers.

55. Before any drain existing at the time of the passing of this Act and then not communicating with a sewer of the Corporation shall be made to communicate with any sewer of the Corporation the Corporation may require the same to be laid open for examination by the surveyor and no such communication shall be made until the surveyor shall certify that such drain may be properly made to communicate with such sewer and the surveyor shall cause the ground to be closed and any damage done to be made good as soon as can be and the expense of the works shall be defrayed by the Corporation.

Corporation may make communications between private drains and their sewers on payment &c.

56. If the owner or occupier of any premises within the borough desires that the sewer or drain from such premises shall be made by the Corporation to communicate with any sewer of the Corporation such communication shall be made by the Corporation upon the agreed cost of making the communication being paid in advance to the Corporation and the Corporation may execute all works necessary for that purpose.

Corporation may agree to make drains at expense of owner.

57. The Corporation may agree with the owner of any premises that any sewer or drain required to be made altered or enlarged by such owner or any part of such sewer or drain shall as to so much thereof as shall be in a street be constructed made altered and enlarged by the Corporation and the cost price of making altering or enlarging such sewer or drain and also the cost of preparing the requisite plans and sections for and superintending the execution of the works as estimated or certified by the surveyor shall be paid in advance to the Corporation by the owner so agreeing.

A.D. 1889.

Extension of section 41 of the Public Health Act.

58. In cases where two or more houses belonging to different owners are connected with a single private drain which conveys their drainage into a public sewer and an application is made under section forty-one of the Public Health Act 1875 the Corporation may recover any expenses incurred by them in executing any works under the powers conferred on them by that section from the owners of the houses in such proportions as shall be settled by the surveyor or (in case of dispute) by arbitration under the Public Health Act 1875 and such expenses shall be recoverable summarily or the Corporation may declare them to be private improvement expenses and may recover them accordingly.

Refuse and other injurious matters not to pass into sewers.

59. It shall not be lawful for any person to throw or to permit or suffer to be thrown or to pass into any sewer of the Corporation or into any drain communicating therewith any matter or substance which would interfere with the free flow of the sewage or surface or storm water or which would be injurious to the drains or sewers or produce corrosion or decay in the materials thereof or generate noxious or offensive gases or injure or prejudicially affect the grass herbage crops or vegetation of any sewage lands for the time being held by the Corporation Any person offending against this enactment shall be liable to a penalty not exceeding ten pounds and in the case of a continuing offence to a daily penalty not exceeding twenty shillings.

Extension of sections 116 to 119 (inclusive) of Public Health Act.

60. The provisions contained in sections one hundred and sixteen to one hundred and nineteen (both inclusive) of the Public Health Act 1875 shall extend and apply to all articles intended for the food of man sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale within the borough.

Penalty for not keeping common courts and passages clean.

61. If any court or passage leading to the back of several buildings in separate occupations such passage not being a public highway be not regularly and effectually swept and kept clean and free from rubbish or other accumulation to the satisfaction of the Corporation the Corporation may if they think fit sweep and clean such court or passage and the expense thereby incurred may be recovered in a summary manner in equal proportions from the occupiers of the buildings in the court or to the back of which the passage leads.

Penalty on filling up or embanking building ground with offensive matter.

62. It shall not be lawful to raise fill or embank any ground within the borough with any offensive or unwholesome matter and every person who does or causes to be done any act in contravention of this section shall for every such offence be liable to a penalty

not exceeding five pounds and a daily penalty not exceeding forty shillings.

Power to make bye-laws for sanitary purposes.

63. The Corporation may from time to time make and enforce byelaws for all or any of the following purposes (that is to say) for prescribing the times for the removal or carriage through the streets of any fœcal or offensive or noxious matter or liquid whether such matter or liquid shall be in course of removal or carriage from within or without or through the borough and that the vessel receptacle cart or carriage used therefor shall be properly constructed so as to prevent the escape of any such matter or liquid and for compelling the cleansing of any place whereon such matter or liquid shall have been dropped or spilt in such removal or carriage.

PART V.—WATER.

Application of this part of Act.

64. This part of this Act shall except where otherwise expressed apply throughout the limits within which the Corporation are by the Corporation Acts authorised to supply water as altered by this Act.

Altering limits of water supply by Corporation.

65. From and after the passing of this Act the township of Harwood Dale in the parish of Hackness and so much of the parish of Scalby as lies northwards of the stream known in part as Scalby Beck and in the remaining part as the New Cut shall cease to be included in the limits within which the Corporation may supply water and the Scarborough Corporation Water Act 1878 and the Acts therein referred to as the "special Acts" shall be read and have effect accordingly.

Pressure of water supplied beyond the borough.

66. Water supplied by the Corporation beyond the borough need not be laid on at a pressure greater than that at which they from time to time supply water within the borough.

Water supply to be provided in certain cases.

67. The Corporation on good cause may give notice in writing to the occupier of any shop building or other premises within the borough (not being a house within the meaning of section sixty-two of the Public Health Act 1875 or a building or premises belonging to any railway company) not provided with a proper supply of water requiring him within a time specified in such notice to obtain such supply and to do all such works as may be necessary for that purpose and any person feeling himself aggrieved by such requirement may appeal to a court of summary jurisdiction which court may make such order in the matter as the court thinks just and may also order by whom the costs of the proceedings before them shall be paid.

A.D. 1889.

If such notice is not complied with within the time specified therein or in such order the Corporation may if they think fit do such works and provide such supply and water rates and charges for supplying the same may be made and levied on the premises by the Corporation and may be recovered as if the occupier of the shop building or premises had demanded a supply of water and were willing to pay for the same and any expenses incurred by the Corporation in doing any such works may be recovered in a summary manner from the occupier of the premises.

Regulations of Corporation to be complied with.

68. The Corporation shall not be bound to begin to supply water to any person in respect of any premises unless and until the water regulations of the Corporation applicable to such premises shall have been duly complied with.

Rate payable by owner for small houses &c.

69. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall pay the rate for the supply but the rate may be recovered in the first instance from the occupier and may be deducted by him from any rent from time to time due from him to the owner.

Notice of discontinuance.

70. A notice to the Corporation for the discontinuance of the supply of water shall not be of any effect unless it is in writing and left at the waterworks office of the Corporation.

Detection of waste.

71. Subject to the provisions of this Act the Corporation may for the purpose of detecting waste from time to time affix and maintain meters and similar apparatus on the service pipes and mains of the Corporation and stop-cocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may from time to time for that purpose break up and interfere temporarily with public and private streets roads lanes footways thoroughfares and gas or water pipes and other works.

PART VI.—POLICE AND STREET TRAFFIC.

Restriction on advertising vehicles.

72. It shall not be lawful in any street in the borough to use any vehicle exclusively or principally for the purpose of displaying advertisements without the consent of the Corporation which consent shall be in writing under the hand of the town clerk and may contain such terms and conditions as the Corporation think fit Any person acting in contravention of the provisions of this section or of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds.

Street musicians to depart when required to do so.

73. Any householder personally or by his servant or by any constable may require any band of music street musician or singer to depart from the neighbourhood of the house of such householder and every person who shall sound or play upon any musical instrument or sing in or near any street within hearing of such house after being so required to depart shall be liable to a penalty not exceeding forty shillings.

Prohibition of persons assembling in streets for purposes of betting.

74. Any three or more persons assembled in any part of any street for the purpose of betting shall be deemed to be obstructing the street and each of such persons shall be liable to a penalty not exceeding forty shillings.

Penalty on persons obstructing footway.

75. If two or more persons shall be assembled together in any street at any time of the day or night for the purpose of assaulting insulting or annoying foot passengers or in such a manner as to insult or annoy any foot passenger and if any such person shall not comply with the direction or request of any constable to move away so as to leave the footway clear and unobstructed or shall assault insult or annoy any foot passenger he shall be liable to a penalty not exceeding forty shillings.

Penalty on pulling down notice boards of Corporation.

76. If any person destroys pulls down injures or defaces any boards or conveniences for the reception of advertisements of the Corporation or any advertisement placard or bill affixed thereto or any placard or notice issued and put up by or under the direction of the Corporation or any notice of the position of a fire-plug or hydrant or any board provided by the Corporation on which any byelaw or part of a byelaw of the Corporation is painted or placed such boards placards or notices being affixed in places where the Corporation are legally entitled to affix the same he shall for every such offence be liable to a penalty not exceeding forty shillings.

Indecent shows &c.

77. If any person exhibits any indecent show or exhibition in any street or in any place to which admission is obtained by payment of money he shall for every such offence be liable to a penalty not exceeding five pounds.

For prevention of projections &c. in streets.

78.—(1.) After the passing of this Act it shall not be lawful for any person to place fix or hang any crane hoist windlass lamp lamp-post lamp-iron sign signboard signpost sign-iron showboard barber's pole flag-pole or other pole pipe flag or banner or any other article or thing on to from against or in front of any building or land so as to project into upon or over any street or any part of any street to a greater extent than two feet from the main building line on either side of such street without the consent in writing of

A.D. 1889.

the Corporation first had and obtained which consent may be for a limited time only and on such other terms and conditions as the Corporation think fit and every person who shall act in contravention of the terms and conditions (if any) of such consent or of any of the foregoing provisions of this section shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(2.) If any such crane hoist windlass lamp lamp-post lamp-iron sign signboard signpost sign-iron showboard barber's pole flag-pole or other pole pipe flag or banner or other article or thing were so placed fixed or hung before the passing of this Act the Corporation may give notice to the owner or occupier of the building or land on to from against or in front of which such article or thing shall have been placed fixed or hung to remove or alter the same in such manner as the Corporation shall direct and he shall alter or remove the same accordingly and if such article or thing shall have been lawfully made placed fixed or hung the Corporation shall pay to the said owner or occupier reasonable compensation in respect of such removal or alteration and if such owner or occupier shall fail to remove or alter the same as directed by the Corporation within thirty days after service of such notice upon him the Corporation may cause the same to be removed or altered as they think fit.

Byelaws for regulating street traffic.

79. The Corporation may from time to time make byelaws for all or any of the following purposes (that is to say) :—

For regulating the driving of cattle and dangerous beasts in or through the borough and for prohibiting the driving thereof through certain streets and for prescribing the hours during which and the manner in which the same may be driven and for limiting the number which may be driven at any one time:

For prohibiting at such times and in such places as the Corporation may prescribe by such byelaws the practice of touting for lodgers and the delivery or distribution of handbills circulars and advertisements:

For prescribing the hours within which during any fair or at any other time any show booth caravan circus or exhibition may be kept open and for preventing such places being open on Sundays and for preserving order therein:

And the provisions of section twenty-three of the Municipal Corporations Act 1882 shall apply to such byelaws as if they were byelaws made under that section for the good rule and government of the borough.

Stray dogs.

80. Any constable may take possession of any dog found straying on any street or highway and not under the control of any person and may detain such dog for five clear days and during that time it shall be properly fed and if at the expiration of that time such dog be not claimed and all expenses incurred by its detention paid the same may be sold or destroyed.

Where the owner of any dog taken possession of by any constable is known a letter stating the fact of such dog having been taken possession of shall be sent by the chief constable by post or otherwise to the owner at his usual or last known place of abode.

Refuges &c. in streets.

81. The Corporation may from time to time place and maintain in any street raised paving or places of refuge posts pillars rails bars chains or other fences either permanent or temporary for the protection of passengers and traffic along the street or for making the crossing thereof less dangerous to passengers or for protecting passengers on any of the footways from injury danger or annoyance and may from time to time alter and remove any such raised paving place of refuge post pillar rail bar chain or fence.

Covered shelters.

82. The Corporation may from time to time provide place and maintain on any public road or place and on any land of the Corporation and with consent of the owners lessees and occupiers on any other land covered shelters for the protection of the public against wind and rain and may from time to time remove the same.

Shelters for drivers of hackney carriages.

83. The Corporation may from time to time provide erect place and maintain or authorise to be erected placed and maintained in or near any public street in the borough suitable erections for the use convenience and shelter of the drivers of hackney carriages and other persons holding a license from the Corporation and every such erection shall be subject to removal by the Corporation at any time And the Corporation may from time to time make byelaws for prescribing the terms and conditions of use and the payments if any to be made for the use of such places of shelter and for regulating the conduct of persons using the same.

Public drinking fountains.

84. The Corporation may from time to time when and as they think it expedient put up and continue and from time to time remove or discontinue drinking fountains and cattle troughs with proper conveniences for the gratuitous supply of water for drinking and for watering of cattle and horses at such fountains or troughs respectively and may furnish or discontinue such gratuitous supply (but for such drinking and watering only) in such public places as the Corporation may think fit but not against or in the immediate

A.D. 1889.

proximity of any private dwelling-house warehouse counting-house shop or other building or the fence or wall of any garden or pleasure ground except with the consent of the owner and occupier thereof and every person who shall wilfully use any water so gratuitously supplied elsewhere or otherwise than as herein-before mentioned shall forfeit to the Corporation for every such offence a sum not exceeding ten pounds.

Chairs and seats for public use.

85. The Corporation may from time to time place or authorise any person or persons to place seats or chairs in any street park gardens pleasure ground recreation ground or other public place for the use of the public and may if they think fit charge or allow such person or persons to charge a reasonable sum for the use of the same and may make regulations for the use thereof and for preventing injury or damage thereto.

Captain of fire brigade or other officer to have control of operations at fires.

86.—(1.) The captain or superintendent of the fire brigade of the Corporation or other officer of such fire brigade for the time being in charge of the engine or other apparatus for extinguishing fires attending at any fire within the borough shall from the time of his arrival and during his presence thereat have the sole charge and control of all operations for the putting out of such fire whether by the Corporation or any other fire brigade including the fixing of the positions of fire-engines and apparatus the attaching of hose to any water pipes or water supply and the selection of the parts of the building on fire or of adjoining buildings against which the water is to be directed.

(2.) Such captain superintendent or other officer in charge shall have power to stop or regulate the traffic in any street whenever in his opinion it is necessary or desirable to stop or regulate such traffic for the purpose of extinguishing any fire or for the safety or protection of life or property.

(3.) Any person who during a fire wilfully disobeys any lawful order of any such officer of the fire brigade of the Corporation shall be liable to a penalty not exceeding five pounds.

Power to police constable &c. to enter and break open premises in case of fire.

87. Any police constable acting under the orders of his superintendent or inspector and any member of the fire brigade of the Corporation being on duty and any officer of the Corporation may enter and if necessary break into any building in the borough being or reasonably supposed to be on fire or any buildings or lands adjoining or near thereto without the consent of the owner or occupier thereof respectively and may do all such acts and things as he may deem necessary for extinguishing fire in any such building or for protecting the same or rescuing any person or property therein from fire.

Traction engines.

88. The following provisions with respect to the use of traction engines in the borough shall have effect (that is to say):—

(1.) The Corporation may from time to time prescribe the time (being the same hours as are from time to time prescribed by the county authority) at which and the streets or classes of streets along or across which alone traction engines shall pass and the owner and person in charge of any such engine who shall knowingly and without reasonable cause pass therewith at any time along or across any street not so prescribed shall be liable for such offence to a penalty not exceeding ten pounds in addition to the cost of repairing any damage to such street which may arise by reason of such offence;

(2.) No person using or conducting any such engine shall supply the same with water from any public fountain trough well or receptacle for water situate in any street within the borough except with the license of the Corporation and upon such terms as to payment and otherwise as shall be stated therein and any person offending against this provision shall for every such offence be liable to a penalty not exceeding five pounds;

(3.) The term "traction engine" shall not for the purposes of sub-section (1) of this section be deemed to include a steam or any other tramway engine.

PART VII.—HACKNEY CARRIAGES.

Prescribed distance for omnibuses.

89. The prescribed distance to which within the meaning of sections thirty-seven forty-five forty-six and fifty-one of the Towns Police Clauses Act 1847 a license for any omnibus to ply or stand for hire or to be used by or carry passengers at separate fares shall extend shall be a distance not exceeding ten miles from the General Post Office in the borough Provided that this part of this Act shall not apply to any omnibus not standing or plying for hire or used for the conveyance of passengers within the borough.

Definition of "omnibus."

90. The word omnibus used in this part of this Act shall include omnibuses commonly so called waggonettes char-a-bancs brakes stage-coaches or any similar vehicles standing or plying for hire or used for the conveyance of passengers at separate fares.

Saving for railway companies.

91. Nothing in this part of this Act or in section sixty-eight of the Towns Police Clauses Act 1847 contained shall empower the Corporation to fix the site of the stand of any such omnibus in any railway station station approaches or yard belonging to any railway company except with the consent of such railway company nor shall anything in this part of this Act or in the Towns Police Clauses Act 1847 as amended by this Act apply to or include or

A.D. 1889.

empower the Corporation to interfere in any way with any wheeled carriage of whatever form or construction which may belong to or be hired or used by any railway company for conveying passengers and their luggage to or from their respective railways or the drivers or conductors thereof unless such wheeled carriage shall ply for hire in the ordinary way that hackney carriages or omnibuses do.

Prescribed distance for hackney carriages.

92. The prescribed distance for the purposes of the provisions of the Towns Police Clauses Act 1847 with respect to hackney carriages incorporated with the Public Health Act 1875 within which the Corporation may license to ply for hire hackney carriages shall be ten miles from the General Post Office of the borough Provided always that it shall not be obligatory on the drivers of such licensed hackney carriages to carry persons for hire beyond the borough but subject thereto all byelaws for regulating such hackney carriages and the conduct of the drivers thereof which are now or may hereafter be in force within the borough shall apply to such hackney carriages and the drivers thereof throughout the prescribed distance Provided also that if the hiring takes place within the borough any offence against any such byelaw whether such offence shall have been committed within the borough or not may be brought before and be determined by any justice or justices of the peace for the borough.

Powers of inspector of hackney carriages.

93. The inspector of hackney carriages or such other person as may be appointed by the Corporation for that purpose may from time to time examine all public conveyances plying for hire within the borough and shall see that the laws and byelaws relating to such public conveyances are duly observed If any proprietor driver or conductor or other person shall obstruct or hinder any such inspector or other person appointed as aforesaid in the execution of his duties he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Hackney carriage fares to or from railway stations.

94. The provisions of the Towns Police Clauses Act 1847 as extended by this Act and of any byelaws thereunder with respect to the fares to be charged by the drivers of hackney carriages plying for hire within the borough shall be as fully applicable in all respects to hackney carriages conveying passengers to or from any railway station within the borough as if such railway station were a public stand for hackney carriages.

Corporation may license bath chairs and other similar carriages.

95. The Corporation may license any bath chairs or other wheeled carriages drawn or propelled by any persons to stand or ply for hire within the borough and the provisions of the Public Health Act 1875 and of the Towns Police Clauses Act 1847 incor-

porated therewith with respect to hackney carriages shall as far as applicable extend and apply to such carriages and the persons drawing or propelling the same.

PART VIII.—LICENSING.

Power to license persons following certain callings.

96.—(1.) The Corporation may from time to time grant to every person they think fit a license to carry on the calling of luggage porter light porter public messenger or commissionaire and may charge a fee of one shilling for any such license.

(2.) The Corporation may from time to time make byelaws for regulating the conduct of any persons so licensed and the charges to be made by them.

(3.) Any such license may be granted for a year or for any less period according as the Corporation may think fit and may be suspended or revoked or endorsed by the Corporation for a breach of such byelaws or whenever they shall deem such suspension or revocation or endorsement to be necessary or desirable in the interests of the public Provided that the existence of this power to suspend or revoke or endorse a license shall be plainly set forth in the license itself.

Conditions as to licenses.

97. Every such license whensoever issued shall expire on the thirty-first day of May next following the date of its issue and may contain conditions as to the badge which the holder of any such license shall wear.

Penalty on persons misrepresenting themselves to be licensed.

98. If any person while unlicensed represents himself to be licensed or wears any badge for the purpose of holding himself out as licensed to carry on any of the callings specified in the foregoing section in this part of this Act whereof the marginal note is "Power to license persons following certain callings" he shall be liable to a penalty not exceeding twenty shillings.

Places for dancing music and other entertainments to be licensed.

99. For the regulation of places for public dancing or music or other public entertainment of the like kind the following provisions shall have effect (namely) :—

(1.) After the expiration of six months from the passing of this Act a house room garden or other place whether or not licensed for the sale of wine spirits beer or other fermented or distilled liquors shall not be kept or used for public dancing singing music or other public entertainment of the like kind without a license for the purpose or purposes for which the same respectively is to be used first obtained from the justices acting for the borough for which license and for the registration

A.D. 1889.

thereof a fee of five shillings shall be paid by the person applying therefor.

(2.) Such justices may under the hands of a majority of them assembled at any annual licensing meeting or at any adjournment thereof or at any special session convened with fourteen days previous notice grant licenses to such persons as they think fit to keep or use houses rooms gardens or places for all or any of the purposes aforesaid upon such terms and conditions and subject to such restrictions as they by the respective licenses determine and every license shall be in force for one year or for such shorter period as the justices on the grant of the license shall determine unless the same shall have been previously revoked as herein-after provided.

(3.) Such justices may from time to time at any such special session aforesaid transfer any such license to such person as they think fit.

(4.) Each person shall in each case give fourteen days notice to the clerk of the justices and to the chief constable of his intention to apply for any such license or for the transfer of any such license.

(5.) Any house room garden or place kept or used for any of the purposes aforesaid without such license first obtained shall be deemed a disorderly house and the person occupying or rated as occupier of the same shall be liable to a penalty not exceeding five pounds for every day on which the same is kept or used for any of the purposes last aforesaid.

(6.) There shall be affixed and kept up in some conspicuous place on the door or entrance of every house room garden or place so kept or used and so licensed as aforesaid an inscription in large capital letters in the words following "Licensed in "pursuance of Act of Parliament for " with the addition of words showing the purpose or purposes for which the same is licensed.

(7.) Any house room garden or place so kept or used although so licensed as aforesaid shall not be opened for any of the said purposes except on the days and between the hours stated in the license.

(8.) The affixing and keeping up of such inscription as aforesaid and the observance of the days and hours of opening and closing shall be inserted in and made a condition of every such license.

(9.) In case of any breach or disregard of any of the terms or conditions upon or subject to which the license was granted the holder thereof shall be liable to a penalty not exceeding

twenty pounds and to a daily penalty not exceeding five pounds and such license shall be liable to be revoked by the order of any two justices.

(10.) No notice need be given under sub-section (4) of this section when the application is for a renewal of any existing license held by the applicant for the same premises.

(11.) The justices in any petty sessions may if and as they think fit grant to any person applying for the same a license to keep or use any house room garden or place for any purpose within the meaning of this section for any period less than one year which they shall specify in such license notwithstanding that no notices shall have been given under sub-section (4) of this section.

Further powers as to slaughter-houses.

100. With respect to slaughter-houses the following provisions shall have effect:—

(1.) Licenses granted after the passing of this Act for the use and occupation of places as slaughter-houses or knackers yards shall be in force for such time or times only as the Corporation shall think fit to specify in such licenses.

(2.) The Corporation may require any slaughter-house existing at the passing of this Act to be discontinued as such on payment to the owner and occupier thereof of such compensation as shall be agreed or as in default of agreement shall be determined by arbitration in manner provided by the Public Health Act 1875.

PART IX.—PROVISIONS AS TO BUILDINGS STREETS &c.

What to be deemed new buildings.

101. From and after the passing of this Act—

The erection of any building;

The re-erection wholly or partially on the same site of any building of which an outer wall is pulled down to or within ten feet of the surface of the adjoining ground and of any frame building so far pulled down as to leave only the framework of the ground floor storey thereof;

The conversion into or using as a dwelling-house of any building not originally constructed for human habitation;

The re-conversion into or using as a dwelling-house of any building which has been discontinued as and appropriated for any purpose other than that of a dwelling-house;

The conversion into or using as two or more dwelling-houses of any building constructed originally as one dwelling-house;

A.D. 1889.

The conversion into one dwelling-house of two or more buildings constructed originally as separate dwelling-houses;

The conversion of a building which when originally erected was legally exempt from the operation of any building byelaw in force within the borough into a building which had it been originally erected in its converted form would have been within the operation of the building byelaws;

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

The roofing or covering over of an open space between walls or buildings;

shall for all the purposes of this part of this Act and of the Public Health Acts and of any byelaw made thereunder respectively be deemed to be the erection of a "new building" and the word "building" shall for all such purposes include an erection or building of a permanent character of whatever material constructed Provided always that any building which under any byelaws now in force is exempt from the operation of such byelaws shall not be brought within the operation of such byelaws by reason of anything in this section.

Exemptions.

102. There shall be exempted from so much of the provisions of this Act as relates to buildings and structures—

(A.) Every building structure or work vested in or in the occupation of Her Majesty Her heirs and successors either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or for public services also any building structure or work vested in or in the occupation of any department of Her Majesty's Government for public purposes or for the public service.

(B.) Every building (not being a dwelling-house) belonging to a railway company and used by such company as a part of or in connexion with their railway.

Approval of plans and sections.

103. The approval by the Corporation whether before or after the passing of this Act of any plan and section of new buildings shall be null and void if the execution of the work specified in such plan and section be not commenced within three years from the date of such approval And at the expiration of that period fresh notice deposits and approval shall unless the Corporation otherwise determine be requisite.

The Corporation shall give notice of the provisions of this section to every person intending to erect a new building the plans and

sections for which shall have been approved before the passing of this Act but the erection of which building shall not have been commenced.

The foregoing provisions of this section shall apply to plans and sections of new streets.

Buildings abutting on streets.

104. For the purposes of this part of this Act buildings and lands shall be deemed to be in a street when they abut upon a street or when they have an access covered or uncovered to a street.

Hoards to be set up during progress of buildings &c.

105. Before commencing the removal or taking down or the erection or repair of any building abutting on or near any street or any other operations whereby any part of any street may be obstructed or rendered inconvenient or dangerous the contractor or other person having control of the work shall cause to be put up a hoard or fence and also if required an overhead covering or hood and a convenient platform and hand-rail to serve as a footway for passengers in such position and of such dimensions and for such period and subject to such conditions as the surveyor may approve on application being made to him and shall maintain the same respectively in good condition to the satisfaction of the surveyor and such contractor or other person shall on receiving permission from the surveyor and before putting up such hoard or fence pay to the Corporation a sum equal to twopence per month for every superficial yard of land enclosed from the street during the period for which permission is granted.

The said erections shall be removed by such contractor or other person within the period limited by the surveyor and on the removal of such erections the pavement or flagging of the street shall be restored or made good by the Corporation and the cost thereof shall be paid by such contractor or other person.

Levels of new dwelling-houses and construction of cellars.

106. The level of the ground floor of every new dwelling-house shall unless otherwise allowed by the Corporation be at least six inches above the level of the footway street or court adjoining such dwelling-house at the point where the same adjoins such dwelling-house whether there shall be a cellar to such dwelling-house or not and the floor of every cellar in every such dwelling-house shall be laid with hard flags or tiles or with such other non-absorbent material as may be approved by the Corporation.

Fireplaces of buildings to have hearths of certain dimensions.

107. Every fireplace opening or chimney opening in a new building shall have a sufficient hearth or horizontal slab of durable and incombustible material at the level of the floor extending throughout the length and depth of such opening and to a distance of at least eighteen inches beyond the face of the chimney breast

A.D. 1889.

and at least six inches beyond each side of the opening of the chimney-piece Every such hearth shall be laid upon a bed of cement concrete or brick or on a trimmer arch or on other compact and incombustible material having a depth of at least seven inches below the upper surface of the hearth and in no case shall the hearth be supported or rest on wood or timber.

Rooms in roofs.

108. In any case where there are rooms in a roof whether habitable rooms or not the roof shall be deemed a storey for any of the purposes of this Act or of any byelaw thereunder.

Buildings to be used for public resort to have sufficient means of ingress and egress.

109. Every building which shall after the passing of this Act be used as a place of public resort shall be substantially constructed and provided with ample safe and convenient means of ingress and egress for the use of the public regard being had to the purposes for which such building is intended to be used and to the number of persons likely to be assembled at any one time therein and no such building shall at any time be used as a place of public resort unless the provisions of this section shall have been complied with and the means of ingress and egress to and from such building shall be during the whole time that such building shall be so used as available and unobstructed as the Corporation shall require and whenever any building shall be used as a place of public resort contrary to the provisions of this section the occupier or person in charge thereof and where such place is let for any period less than one year the owner thereof as well shall be deemed to have committed an offence against the provisions of this section Every person who shall offend against the provisions of this section shall for every such offence be liable to a penalty not exceeding twenty pounds Provided that any court before which a penalty is sought to be recovered under this section may refuse to inflict such penalty where they are satisfied that a reasonable time has not elapsed to admit of the necessary alterations being made and that the necessary alterations are in progress.

Public buildings to be ventilated and drained.

110. Every building used as a place of public resort whether erected before or after the passing or this Act shall be provided with sufficient ventilation and drainage Every person offending against the provisions of this section or permitting such building to be used without such sufficient ventilation and drainage after notice in writing of this enactment from the Corporation shall for every such offence be liable to a penalty not exceeding five pounds.

Power of entry for purposes of

111. The Corporation by their officers may subject to the provisions of the three hundred and fifth section of the Public Health

Act 1875 at all reasonable times between the hours of nine in the forenoon and six in the afternoon enter upon any building used as a place of public resort for the purpose of examining and laying open the same and ascertaining if the foregoing provisions of this Act in relation to such building have been or are being duly complied with and any person who wilfully obstructs any such officer in the performance of his duties shall for every such offence be liable to a penalty not exceeding five pounds.

foregoing provisions.

112. The expression in the preceding sections "place of public resort" shall mean a building used or constructed or adapted to be used either ordinarily or occasionally as a church chapel or other place of public worship or as a college school (not being merely a dwelling-house so used) theatre public hall public concert room public ball room public lecture room or public exhibition room or as a public place of assembly for persons admitted thereto by tickets or by payment or used or constructed or adapted to be used either ordinarily or occasionally for any other public purpose but shall not include a private dwelling-house used occasionally or exceptionally for any of those purposes.

Definition of place of public resort.

113. All vaults arches and cellars at any time existing under any street within the district and all openings into such vaults arches or cellars in the surface of any such street and all cellar-heads gratings lights and coal-holes existing in the surface of any such street and all landings flags or stones of the path or street supporting the same respectively shall be by the owners or occupiers of the same or of the houses or buildings to which the same respectively belong kept in substantial repair and in good and proper condition and so as not to occasion any injury to the street or to passengers therein and in default thereof it shall be lawful for the Corporation after twenty-four hours notice in that behalf to cause the same respectively to be repaired and kept in good order and the expenses of so doing shall be settled by the surveyor and be paid to the Corporation by such owner or occupier respectively.

As to repair of vaults &c. under streets.

114. The owner of any oven used by any baker for the first time after the passing of this Act and of any furnace used by any tradesman or artificer for the first time after the passing of this Act shall construct a wall of not less than nine inches in thickness between the fire of the oven or furnace and the wall of the building in which such oven or furnace shall be and such wall shall be constructed above below and around the oven or furnace to the satisfaction of the Corporation.

Ovens and furnaces to have protecting walls.

A.D. 1889.

Fencing in of vacant land.

115. If the owner or occupier of any vacant or waste land allows the same to remain unfenced or the fence thereof to continue out of repair after the expiration of fourteen days notice from the surveyor the Corporation may cause such land to be fenced or such fence to be repaired in such manner as they may think fit and the expense thereby incurred shall be recoverable from such owner or occupier summarily or as a debt in any court of competent jurisdiction.

Power to make bye-laws as to advertisement hoardings.

116. The Corporation may from time to time make and enforce byelaws for regulating the erection of hoardings for the exhibition thereon of advertisements for requiring the proper maintenance and repair of such hoardings when erected and the removal thereof if the same are unsafe.

Prevention of lock-up shops and other places of business being improperly used for purposes of habitation.

117.—(1.) Where on the plan of any building (whether built before or after the passing of this Act) as submitted to and approved by the Corporation such building or any part thereof is described or shown as or has been approved only as a lock-up shop workshop shed or place of business and not as a dwelling-house the use of such building or part thereof for the purposes of habitation or the alteration or adaptation thereof for purposes of habitation without fresh approval by the Corporation shall be an offence and every person wilfully so using or permitting to be so used such building or part of such building shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding ten shillings.

(2.) Provided that if such building or part of such building has in the rear thereof and adjoining and exclusively belonging thereto such an open space as is required by any Act or byelaw for the time being in force with respect to buildings intended to be used as dwelling-houses and has undergone the structural alterations (if any) necessary in the opinion of the Corporation for converting it into a dwelling-house the Corporation may on the application of the owner thereof authorise the same to be used as a dwelling-house.

(3.) The mayor or his deputy or any justice of the peace by warrant under his hand may authorise any officer of the Corporation at any time to enter and examine any building suspected of being used in contravention of this section and any person who prevents or obstructs any such officer so authorised and showing his authority from or in making such inspection shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding ten shillings.

Existing courts not to be re-built.

118. No building shall be erected (without the consent in writing of the Corporation) in any existing court on any land on which a

building shall not be standing at the commencement of this Act and when in any existing court any building shall be burnt or pulled down to or below half the front elevation thereof such building shall unless the Corporation consent otherwise in writing be entirely pulled down and removed and shall not without such consent be re-built.

Except in cases where the owner is prohibited by existing byelaws to erect a building on any building land in a court the Corporation shall make compensation to the owner of such building land for any loss or damage sustained by him in consequence of the building being so pulled down removed and not re-built or of no building being erected as the case may be and in case of dispute as to the amount of compensation to be made by the Corporation under this section the same shall be settled by arbitration in manner provided by the Public Health Act 1875.

Certificate that houses fulfil certain requirements.

119. No building which was not at the passing of this Act occupied as a dwelling-house shall be so occupied until the drainage thereof shall have been made and completed and a proper water supply shall have been laid on thereto nor until a certificate shall have been granted by the surveyor to the owner that such house is in every respect in accordance with the byelaws and requirements for the time being in force Provided that if the surveyor shall fail to give such certificate within twenty-one days after a written application for it shall have been made to him by the owner of such building and shall not in the meantime have specified to the owner which of the aforesaid byelaws and requirements have not been complied with with respect to such building then such building shall be thenceforth deemed to be in every respect in accordance with the aforesaid byelaws and requirements and may be occupied as a dwelling-house and if any building shall be occupied contrary to the provisions of this section the owner of such building if he shall occupy or shall allow to be occupied and every person who shall wilfully and knowingly occupy such building as a dwelling-house shall be deemed to have committed an offence against the provisions of this section and shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Entrance to courts &c. not to be interfered with.

120. The entrance to any court or place not being a highway repairable by the inhabitants at large shall not at any time after the passing of this Act be closed or narrowed or built over or the height or headway thereof lowered without in each case the consent of the Corporation in writing.

A.D. 1889.

Every person offending against this enactment shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Courts and passages to be paved drained &c.

121. The owner or owners of any existing or future court or passage or of any part thereof shall flag or pave such court or passage or part thereof and make a drain through or along the same or such part thereof as the Corporation require and keep such flagging or paving and drain in good repair to the satisfaction of the Corporation and if any such owner or owners for one month after notice in writing from the Corporation fail in any respect to comply with this enactment he or they shall be liable to a penalty not exceeding five pounds and to a daily penalty of ten shillings and the Corporation may themselves do the work and recover the expense incurred by them in that behalf from such owner or owners summarily or as private improvement expenses.

Gardens forecourts &c. to be fenced off.

122. Whenever the person erecting any building shall be desirous of leaving any opening or placing any steps or other projections in any garden forecourt area or space left in front of such building such garden forecourt area or space shall be well and sufficiently fenced off from the footpath or street by a railing or parapet or dwarf wall or dwarf wall and palisades or otherwise to the satisfaction of the Corporation but where such garden forecourt area or space is free from any steps or other projections the extent of the same or such portion thereof as the person erecting the building may not wish to give to the street may be defined by the owner if he desire so to do instead of constructing a fence by a line of stones or other suitable material three inches or thereabouts wide by twelve inches or thereabouts deep laid flush with the surface of the footpath the object of this enactment being that footpaths shall be freed from objectionable obstructions and inconvenient differences of level and the owner of the building at the same time secured in his full rights over any land he may wish to retain in front of his building.

No buildings allowed until street formed &c.

123. No person except with the consent of the Corporation shall in any new street commence to erect any new building or to excavate for the foundation thereof until the whole length of the street shall have been defined by posts or in some other sufficient manner to the satisfaction of the Corporation to indicate the approved line and level thereof Any person who shall offend against this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Power to vary line of new streets.

124. The Corporation may by order vary or alter the intended position or direction of any intended new street for the purpose of causing it to communicate in a direct line with any other street adjoining or leading thereto The Corporation shall make compensation to any person who may be injuriously affected by the exercise of the powers conferred by this section.

Continuations of existing streets to be deemed new streets.

125. Every continuation of an existing street shall for the purposes of the Public Health Acts and of this Act and of any byelaws made thereunder and for the time being in force within the borough be deemed to be a new street.

Power to define streets.

126. The Corporation may by order from time to time determine and declare the points or limits at or within which any street is to be taken as beginning and ending.

Back streets to be laid out.

127. Every new continuous line of dwelling-houses shall unless the Corporation otherwise allow have provided and set out in connexion with them one or more back streets eighteen feet wide in such manner as to afford access for carts to the back of every house in such continuous line of dwelling-houses and such back streets shall be kept free from any obstruction and uncovered.

Corporation may define future line of streets.

128.—(1.) Where any street in the borough is in the opinion of the Corporation narrow or inconvenient or without any sufficiently regular line of frontage or where in their opinion it is necessary or desirable that the line of frontage should be altered 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 the 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 whose name and address they can ascertain No new building erection excavation or obstruction (being of a permanent character) shall be made nearer to the centre of the street than such line.

(2.) 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.

(3.) 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 immediately interested

A.D. 1889.

in any new building for any loss or damage they may sustain in consequence of such new building being set back and the Corporation shall also make to the owner of any adjoining land or building and to all other persons interested in any such land or building 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 manner provided by the Public Health Act 1875.

(4.) If after any such line shall be so defined and prescribed as aforesaid any person shall wilfully or negligently act contrary to this enactment he shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty of like amount.

Coal-shoots &c.

129. No coal-shoot area or cellar grating or opening shall be hereafter placed in the footway or carriageway of any street except with the consent of the Corporation and then only if formed of the materials and size and in the manner and in such position and with such protection as may be approved by the surveyor in writing.

Crossings for horses or vehicles over footways.

130. Every person desirous of forming a communication for horses or vehicles across any kerbed footpath so as to afford access to any premises from a street repairable by the inhabitants at large shall first give notice in writing of such desire to the Corporation and shall if so required by them submit to them for their reasonable approval a plan of the proposed communication showing where it will cut the footpath and what provision (if any) is made for kerbing for gullies and for a paved crossing and the dimensions and gradients of necessary works and shall execute the works at his own expense under the supervision and to the reasonable satisfaction of the surveyor and in case a plan shall have been required then in accordance with the plan so approved and not otherwise and if any person drives or permits or causes to be driven any horse or vehicle across any such footpath unless and until such communication as aforesaid has been so made he shall for each such offence be liable to a penalty not exceeding twenty shillings.

Recovery of damages caused to footways by excavations.

131. If any street or road or the footway of any street or road belonging to or under the management of the Corporation be injured by or in consequence of any excavations on lands adjoining to such street road or footway the Corporation may repair or replace the street road or footway injured and all damages and expenses of and arising from such injury and repair or replacement shall be paid to the Corporation by the owner of the lands on which such excavation has been made and may be recovered by the Corporation in a summary manner.

Under-takings &c. to bind successive owners.

132. Every undertaking or agreement in writing given by or to the Corporation to or by or on behalf of any owner of property on the passing of plans or for the removal of obstructions or otherwise in connexion with the property of such owner shall be binding upon the owner of the property for the time being and upon his successors in title and upon the Corporation and may be enforced by either party in any court of summary jurisdiction by a penalty not exceeding five pounds for each breach of such undertaking or agreement and a daily penalty not exceeding twenty shillings for each such breach and such owner shall be entitled to require from the Corporation a copy of such undertaking or agreement.

"Paved" to include asphalte &c. in section 152 of Public Health Act.

133. With respect to the provisions of the Public Health Act 1875 for declaring any street within the district to be a highway the word "paved" in section one hundred and fifty-two of that Act shall be construed so as to include a street or part of a street asphalted or paved with wood tar paving or artificial stone or other improved paving of any kind.

PART X.—PRIVATE STREET WORKS.

Private street works.

134.—(1.) Where any street (not being a highway wholly repairable by the inhabitants at large) or the carriageway or footway or any other part of such street is not sewered levelled paved metalled flagged kerbed channelled or made good or is not lighted to the satisfaction of the Corporation the Corporation may from time to time resolve with respect to such street or part to do any one or more of the following works (in this Act called private street works) that is to say to sewer level pave metal flag kerb channel or make good or to provide proper means for lighting such street or part and the expenses incurred by the Corporation in executing private street works shall be apportioned (subject as in this Act mentioned) on the premises fronting adjoining or abutting on such street or part Any such resolution may include several streets or parts of streets or may be limited to any part or parts of a street.

(2.) The surveyor shall prepare as respects each street or part of a street—

(A.) A specification of the private street works referred to in the resolution with plans and sections (if applicable);

(B.) An estimate of the probable expenses of the works;

(C.) A provisional apportionment of the estimated expenses among the premises liable to be charged therewith under this Act:

Such specifications plans and sections estimates and provisional apportionments shall comprise the particulars prescribed in Part I. of

A.D. 1889.

the Fourth Schedule to this Act and shall be submitted to the Corporation who may by resolution approve the same respectively with or without modification or addition as they think fit.

(3.) The resolution approving the specifications plans and sections (if any) estimates and provisional apportionments shall be published in manner prescribed in Part II. of the Fourth Schedule to this Act and copies thereof shall be served on the owners of the premises shown as liable to be charged in the provisional apportionment within seven days after the date of the first publication During one month from the date of the first publication the approved specifications plans and sections (if any) estimates and provisional apportionments (or copies thereof certified by the surveyor) shall be kept deposited at the Corporation offices and shall be open to inspection at all reasonable times.

Objections to proposed works.

135. During the said month any owner of any premises shown in a provisional apportionment as liable to be charged with any of the expenses of executing the works may by written notice served on the Corporation object to the proposals of the Corporation on any of the following grounds (namely) :—

(*a.*) That an alleged street or part is not or does not form part of a street within the meaning of this part of this Act;

(*b.*) That a street or part is (in whole or in part) a highway repairable by the inhabitants at large;

(*c.*) That there has been some material informality defect or error in or in respect of the resolution notice plans sections or estimate;

(*d.*) That the proposed works are insufficient or unreasonable or that the estimated expenses are excessive;

(*e.*) That any premises ought to be excluded from or inserted in the provisional apportionment;

(*f.*) That the provisional apportionment is incorrect in respect of some matter of fact to be specified in the objection or (where the provisional apportionment is made with regard to other considerations than frontage as herein-after provided) in respect of the degree of benefit to be derived by any persons or the amount or value of any work already done by the owner or occupier of any premises:

For the purposes of this Act joint tenants or tenants in common may object through one of their number authorised in writing under the hands of the majority of such joint tenants or tenants in common.

Hearing and determination of objections.

136.—(1.) The Corporation at any time after the expiration of the said month may apply to a court of summary jurisdiction to appoint a time for determining the matter of all objections made as

in this Act mentioned and shall publish a notice of the time and place appointed and copies of such notice shall be served upon the objectors and at the time and place so appointed any such court may proceed to hear and determine the matter of all such objections in the same manner as nearly as may be and with the same powers and subject to the same provisions with respect to stating a case as if the Corporation were proceeding summarily against the objectors to enforce payment of a sum of money summarily recoverable The court may quash in whole or in part or may amend the resolution plans sections estimates and provisional apportionments or any of them on the application either of any objector or of the Corporation The court may also if it thinks fit adjourn the hearing and direct any further notices to be given.

(2.) No objection which could be made under this Act shall be otherwise made or allowed in any court proceeding or manner whatsoever.

(3.) The costs of any proceedings before a court of summary jurisdiction in relation to objections under this Act shall be in the discretion of the court and the court shall have power if it thinks fit to direct that the whole or any part of such costs ordered to be paid by an objector or objectors shall be paid in the first instance by the Corporation and charged as part of the expenses of the works on the premises of the objector or objectors in such proportions as may appear just.

Incidental works.

137.—(1.) The Corporation may include in any works to be done under this part of this Act with respect to any street or part any works which they think necessary for bringing the street or part as regards sewerage drainage level or other matters into conformity with any other streets (whether repairable or not by the inhabitants at large) including the provision of separate sewers for the reception of sewage and of surface water respectively.

(2.) The Corporation in any estimate of the expense of private street works may include a commission not exceeding five pounds per centum (in addition to the estimated actual cost) in respect of surveys superintendence and notices Such commission shall be carried to the credit of the district fund.

Apportionment of expenses.

138. In a provisional apportionment of expenses of private street works the apportionment of expenses against the premises fronting adjoining or abutting on the street or part in respect of which the expenses are to be incurred shall unless the Corporation otherwise resolve be apportioned according to the frontage of the respective premises but the Corporation may if they think just resolve that in

A.D. 1889.

settling the apportionment regard shall be had to the following considerations (namely) :—

(*a.*) The greater or less degree of benefit to be derived by any premises from such works;

(*b.*) The amount and value of any work already done by the owners or occupiers of any such premises :

They may also if they think just include any premises which do not front adjoin or abut on the street or part of a street but which in their opinion will be benefited by the works and may fix the sum or proportion to be charged against any such premises accordingly.

Amendment of plans &c.

139. The Corporation may from time to time amend the specifications plans and sections (if any) estimates and provisional apportionments for any private street works but if the total amount of the estimate in respect of any street or part of a street is increased such estimate and the provisional apportionment shall be published in manner prescribed by Part II. of the Fourth Schedule to this Act and shall be open to inspection at the Corporation offices at all reasonable times and copies thereof shall be served on the owners of the premises affected thereby and objections may be made to the increase and apportionment and if made shall be dealt with and determined in like manner as objections to the original estimate and apportionment.

Final apportionment and recovery of expenses.

140.—(1.) When any private street works have been completed and the actual expenses thereof ascertained the surveyor shall make a final apportionment by dividing the actual expenses and the commission aforesaid in the same proportions in which the estimated expenses were divided in the original or amended provisional apportionment as the case may be and such final apportionment shall be conclusive for all purposes and notice of such final apportionment shall be served on the owners of the premises affected thereby and the sums apportioned thereby shall be recoverable in manner provided by this Act or in the same manner as private improvement expenses are recoverable under the Public Health Act 1875 including the power to declare any such expenses to be payable by instalments.

(2.) Within one month after such notice the owner of any premises charged with any expenses under such apportionment may by a written notice to the Corporation object to such final apportionment on the following grounds or any of them—

(*a.*) That the actual expenses have without sufficient reason exceeded the estimated expenses by more than fifteen per cent.

(*b.*) That the final apportionment has not been made in accordance with this section.

(*c.*) That there has been an unreasonable departure from the specification plans and sections.

(*d.*) That the interest has been increased by unreasonable delay in ascertaining the expenses or making the apportionment.

(3.) Objections under this section shall be determined in the same manner as objections to the original apportionment.

Charge on premises.

141.—(1.) Any premises included in the final apportionment and all estates and interests from time to time therein shall stand and remain charged (to the like extent and effect as under section two hundred and fifty-seven of the Public Health Act 1875) with the sum apportioned against them or if objection has been made against the apportionment determined to be due as from the date of the final apportionment with interest at the rate of five pounds per centum per annum and the Corporation shall for the recovery of such sum and interest have all the same powers and remedies under the Conveyancing and Law of Property Act 1881 and otherwise as if they were mortgagees having powers of sale and lease and of appointing a receiver.

(2.) The Corporation shall keep a register of charges under this Act and of the payments made in satisfaction thereof and the register shall be open to inspection to all persons at all reasonable times on payment of not exceeding one shilling in respect of each name or property searched for and the Corporation shall furnish copies of any part of such register to any person applying for the same on payment of such reasonable sum as may be fixed by the Corporation.

Recovery of expenses summarily or by action.

142. The Corporation may if they think fit from time to time (in addition and without prejudice to any other remedy) recover summarily in a court of summary jurisdiction or as a simple contract debt by action in any court of competent jurisdiction from the owner for the time being of any premises in respect of which any sum is due for expenses of private street works the whole or any portion of such sum together with interest at a rate not exceeding five pounds per centum per annum from the date of the final apportionment till payment thereof Provided that any proceeding in any court under this section may be commenced at any time within twelve months and not afterwards of the time when the matter of such proceedings arose.

Contribution by Corporation to expenses.

143. The Corporation if they think fit may at any time resolve to contribute the whole or a portion of the expenses of any private

A.D. 1889.

street works and may pay the same out of the district fund or general district rate.

Adoption of private streets.

144. Whenever all or any of the private street works in this Act mentioned have been executed in a street or part of a street by the Corporation and the Corporation are of opinion that such street or part ought to become a highway repairable by the inhabitants at large they may by notice to be fixed up in such street or part declare the whole of such street or part to be a highway repairable by the inhabitants at large and thereupon such street or part as defined in the notice shall become a highway repairable by the inhabitants at large:

Provided that no such street shall become a highway so repairable if within one month after such notice has been put up the owner or the majority in number or value of owners of such street by notice in writing to the Corporation object thereto and in ascertaining such majority joint owners shall be reckoned as one owner.

On street being paved &c. Corporation to declare same public highway.

145. If any street is now or shall hereafter be sewered levelled paved metalled flagged kerbed channelled and made good (all such works being done to the satisfaction of the Corporation) then on the application in writing of the greater part in value of the owners of the houses and land in such street the Corporation shall within three months from the time of such application declare in writing under their common seal the same to be a public highway and thereupon the said street shall become a public highway and shall be thereafter repaired by the Corporation.

Separate accounts of expenses of works.

146. The Corporation shall keep separate accounts of all moneys expended and recovered by them in the execution of the provisions of this part of this Act relating to private street works.

Power for limited owners to borrow for expenses.

147. All owners of buildings or lands being persons who under the Lands Clauses Consolidation Act 1845 are empowered to sell and convey or release lands may charge such buildings or lands with such sums as may be necessary to defray the whole or any part of any expenses which the owners of or any persons in respect of such buildings or lands for the time being are liable to pay under this part of this Act and the expenses of making such charge and for securing the repayment of such sum with interest may mortgage such buildings or lands to any person advancing such sum but so that the principal due on any such mortgage shall be repaid by equal yearly or half-yearly payments within thirty years.

Power to apply general district fund

148. Whenever the Corporation are by this Act or any byelaw for the time being in force within the district authorised to execute

re-execute or alter any work act or thing in default of the owner occupier or other person required to do the same and whenever the Corporation execute any works under this Act or any byelaw under this Act upon the application of or by agreement with the owner of the lands houses or other property for or in respect of which the same are to be executed the Corporation may apply the district fund and the general district rate in or towards the executing re-executing or altering of such work act or thing but this section shall not affect the liability of any such owner occupier or other person to repay the moneys expended by the Corporation.

A.D. 1889.

in executing works for private owners.

149. No incumbent minister or trustee of any church chapel or place appropriated to public religious worship which is now by law exempt from rates for the relief of the poor shall be liable to any expenses under this part of this Act of sewering levelling paving metalling flagging kerbing or channelling or making good or lighting any street as the owner or occupier of such church chapel or place or of any churchyard or burial ground attached thereto situate within any street nor shall any such expenses be deemed to be a charge on such church chapel or other place or on such churchyard or burial ground or to subject the same to distress execution or other legal process and the Corporation shall undertake any works from the expenses of which any such incumbent minister or trustee is hereby exempted and shall defray the expenses thereof out of the general district rates.

No incumbent of any church &c. liable to expenses for draining and paving.

150. No railway company shall be liable in respect of any of their premises fronting adjoining or abutting on any street to sewer level pave metal flag channel make good or provide the means of lighting such street or the carriageway footway or any other part thereof or to pay any part of the expenses of the execution of such works in cases where such premises shall be used by such company solely as a part of their actual line of railway or sidings and shall have no communication with such street but the whole of such expenses shall be borne and paid by the other owners having premises fronting adjoining or abutting on such street and in such proportion as shall be settled by the surveyor and in the event of such railway company subsequently making a communication with such street they shall notwithstanding such payment as aforesaid pay to the Corporation the expenses which but for the foregoing provisions of this section such railway company would in the first instance have been liable to pay and the Corporation shall divide among the other owners for the time being having premises fronting adjoining or abutting on such street the amount so paid by such

Railway company's premises abutting on but not communicating with streets not to be chargeable with expenses under Public Health Act or this part of Act.

A.D. 1889.

railway company to the Corporation in such proportion as shall be settled by the surveyor whose decision shall be final and conclusive.

PART XI.—SANDS AND SEASHORE.

Corporation may make byelaws as to user of seashore &c.

151. The Corporation may from time to time make byelaws for all or any of the following purposes (that is to say) :—

For regulating the erection or placing on the sands and seashore within the borough for the time being in their possession or occupation or the approaches thereto or any part or parts thereof of any booths tents sheds stands stalls shows exhibitions performances swings roundabouts or other erections vans photographic carts or other vehicles whether drawn or propelled by animals or persons and the playing of any games on the said sands and seashore and generally for regulating the user for such purposes as shall be prescribed by such byelaws of the said sands and seashore or any part thereof.

For regulating the selling and hawking of any article commodity or thing on the said sands and seashore.

For regulating the user of the said sands and seashore or any part thereof for riding and driving.

For the preservation of order and good conduct among persons frequenting the said sands and seashore.

Restriction on use of bicycles on foreshore roads.

152. It shall be lawful for the Corporation from time to time by order to prohibit during such period as may be specified in the order the use of bicycles on the foreshore roads constructed by the Corporation on the North and South Bays or either of them or the approaches thereto respectively.

Provisions as to bathing.

153. The Corporation may by resolution from time to time fix and determine and alter the hours during which bathing may take place from those parts of the said sands and seashore within the borough or within a distance of three hundred and fifty yards from any part of the borough which are not comprised in any public bathing place or any stand for bathing machines :

And any person who shall undress on the said sands and seashore or bathe in the sea within the borough or within a distance of three hundred and fifty yards from any part of the borough except from a bathing machine or from a public bathing place or from a boat distant from the shore not less than one hundred yards and from any stand for ladies bathing machines not less than two hundred yards at any other time than between the hours so

appointed shall for every such offence be liable to a penalty not exceeding forty shillings:

And the Corporation may from time to time make and when made vary amend or rescind byelaws for the preservation of decency and order at public bathing stations on the said sands and seashore within the limits aforesaid and for regulating the hours during which bathing may take place therefrom and may by such byelaws prescribe the use of decent and sufficient bathing garments.

Protection of bathers.

154. The Corporation may employ and pay boatmen for the purpose of protecting persons whilst bathing.

Sand &c. not to be removed from seashore without license of Corporation.

155. Any person who at any time digs carries away or removes any sand gravel shingle rock stone clay soil or other material from the said sands and seashore within the borough without having first obtained the license in writing of the Corporation or who having obtained such license digs carries away or removes any sand gravel shingle rock stone clay soil or other material from any part of the said sands and seashore within the borough or in any quantity or manner other than the part quantity or manner permitted by such license shall for every such offence be liable to a penalty not exceeding twenty pounds.

Sands and seashore to be street for police purposes.

156. Every part of the sands and seashore within the borough shall be deemed to be a street for the purposes of sections twenty-eight and twenty-nine of the Towns Police Clauses Act 1847 and of the provisions of this Act with respect to offences in streets.

Power to lease sands and seashore within and beyond the borough.

157. The Corporation may from time to time by agreement take a lease or leases of any part of the sands and seashore within the precinct of Scarborough Castle or lying to the north of and adjacent to the borough between Peasholm Beck and Scalby Mills and any easement power or privilege therein thereunder thereover or thereupon respectively for such period or periods at such rent or rents and on and subject to such terms and conditions as the Corporation may think fit During the continuance of any such lease the provisions of this part of this Act (except sections one hundred and fifty-two and one hundred and fifty-five) and of section one hundred and seventy-one with respect to public bathing and section one hundred and seventy-two of the Public Health Act 1875 and any byelaws and resolutions made by the Corporation thereunder respectively and for the time being in force shall extend and apply to and in respect of the sands and seashore or portion thereof lying between Peasholm Beck and Scalby Mills included in such lease.

A.D. 1889.

PART XII.—PUBLIC GARDENS AND PLEASURE GROUNDS.

Power to charge for admission to public gardens pleasure grounds &c.

158. The Corporation may close the gardens and pleasure grounds or recreation grounds which are now being made or laid out and are about to be made or laid out by them on the North Cliff and in the Weaponness Valley estate of the Corporation or any of them or any part or parts thereof respectively at any time or times and may charge the public for admission thereto at all or any times or time or on special days or on the occasion of the playing of any band of music or on any other occasion as they may think fit and may charge for bathing or fishing in or boating or skating on any lake mere or water in any public garden or pleasure ground belonging to or under the control of the Corporation Provided that not less than five acres (whereof some portion shall be contiguous to the mere) of the pleasure grounds to be laid out in the Weaponness estate shall be always open to the free use of the public and that not less than ten acres of water shall be set apart for skating purposes and be available to the public free of charge.

Power to close pleasure grounds &c. on special occasions &c.

159. The Corporation may on any special occasion but not exceeding twelve days in any one year nor more than four consecutive days on any one occasion close any public park garden pleasure ground or recreation ground against the public and may on such occasions admit thereto the members of any society or of any public or private institution or persons being attendants at or supported by any public or private institution or such other persons as the Corporation may think fit and the admission of every individual to any such park garden or ground on such occasions may be either with or without payment as directed by the Corporation.

Corporation may erect boat-houses conservatories &c.

160. The Corporation may erect maintain and remove caretakers residences boat-houses conservatories refreshment rooms and other buildings and conveniences in or near any public park garden pleasure ground or recreation ground which may be required or convenient for the purposes of such park garden or ground and the public resorting there and may charge for admission thereto or in respect of the use thereof.

The Corporation may also agree with any person to provide boats and apparatus and appliances for games and recreation for the use of the public frequenting any public park garden pleasure ground or recreation ground and may authorise such person to charge for the use of such boats apparatus and appliances.

A.D. 1889.

Application of moneys received from admission to public recreation grounds &c.

161. The moneys received from the admission of any persons to any public park garden pleasure ground or recreation ground shall be applied to the maintenance of the public parks gardens pleasure grounds and recreation grounds or any of them or such other purposes as the Corporation may direct.

Power to Corporation to let boat-houses.

162. The Corporation may let any boat-houses conservatories refreshment rooms and other buildings with their appurtenances erected or maintained and used in connexion with any garden pleasure ground or recreation ground belonging to them or under their control to such person or persons for such term of years or any less period not exceeding three years at any one time at such rent payable at such times under such covenants and upon such conditions and with under and subject to such rights (including the right to charge for admission thereto or in respect thereof) powers privileges and authorities relating thereto respectively as the Corporation may think fit.

Power to make bye-laws for regulation of public pleasure grounds.

163. For the purpose of regulating the use of the public parks gardens pleasure grounds and recreation grounds for the time being of the Corporation within the borough and subject to and in accordance with the provisions of this Act the Corporation may from time to time make byelaws for all or any of the following purposes :—

For regulating the places at which and the days and hours at or during which skating fishing bathing cricket lawn tennis bowling football and other games gymnastics and other amusements are to be permitted or for otherwise regulating or prohibiting games gymnastics or other amusements therein ;

For regulating the days on which and the hours at or during which bands of music or music of any sort and musicians (whether instrumental or vocal) are or is to be admitted or permitted to perform therein ;

For defining the portions of any such park garden or ground which may be set apart for any of the purposes aforesaid ;

For letting and regulating refreshment rooms booths or stalls therein and for determining the days and hours on or during which they are to be opened and closed subject to the provisions of the Licensing Acts 1872 and 1874 ;

For prohibiting the use of abusive or insulting language by or other misconduct on the part of persons using or resorting to the same ;

For prohibiting or regulating the smoking of tobacco therein or in any part thereof or in any public building or part of a public building therein ;

For preventing or regulating the admission therein of dogs ;

A.D. 1889.

For preventing males from intruding upon or using places therein set apart for the use of females and vice versâ;

For preventing or regulating the admission therein of vehicles (including bicycles) horses and other animals.

For transfer of squares and gardens to Corporation.

164.—(1.) The Corporation on the one hand and the owner of any enclosure or place within the borough set apart as a pleasure ground or garden for the use or enjoyment of the inhabitants of any houses abutting on or in the immediate vicinity of the same (hereinafter referred to as "the privileged houses") may from time to time enter into agreement for the transfer of such enclosure or place to and the maintenance thereof by the Corporation either absolutely or for a term of years for such consideration if any and on such terms and conditions as to the maintenance thereof whether for the exclusive use of the persons entitled to the use and enjoyment thereof or as a public pleasure ground or garden or otherwise as may be agreed between the parties.

(2.) From and after such transfer the Corporation shall if and so long as such enclosure or place shall be maintained for the exclusive use of such persons as aforesaid be entitled to the benefit and shall perform the obligations of any subsisting covenants and agreements made and entered into between or binding upon the owner of such enclosure or place and the owners of the privileged houses and shall be entitled from time to time to receive any annual or other sums payable by the owners of such houses for the maintenance of such enclosure or place except so far as such covenants agreements or payments may be altered rescinded or discontinued by consent as herein-after provided.

(3.) If any such agreement shall provide for the maintenance of any such ground or garden by means of a rate or rates to be levied upon the occupiers of the privileged houses in lieu of any annual or other payment for the like purpose the Corporation may assess levy and collect upon and from each and every occupier of the privileged houses a rate or rates according to the rateable value of such houses of such amount (but not exceeding the agreed amount) as will be sufficient to defray the annual expenses of such maintenance which rate or rates shall be levied and collected by the Corporation in the same manner and with and subject to the same powers and provisions as a private improvement rate may be levied and collected by the Corporation under the Public Health Act 1875.

(4.) Provided always that no such subsisting covenants and agreements shall be altered or rescinded and no such rate or rates shall be levied and no such enclosure or place shall be maintained as

a public garden or place without in each case the consent in writing of the owners and of the occupiers of two thirds of the privileged houses first had and obtained.

(5.) For the purpose of obtaining any such consents as aforesaid the word "owners" shall mean any persons for the time being receiving on their own account or as agents or trustees for any other person as mortgagee or other incumbrancer in possession the rackrent of any such houses or who would be entitled so to receive the same if such houses were let at a rackrent.

(6.) The expenses of maintaining any such enclosure or place as a public garden or place may be defrayed by the Corporation in the same manner as other public pleasure grounds or places in the borough.

Power to lease land for a passenger lift on North Cliff.

165. The Corporation may let or lease any land belonging to them to any person for the purpose of making and maintaining a passenger lift or elevator from and to the upper part of the North Cliff to and from the new foreshore road for such rent payable at such times under such covenants and upon such terms and conditions and with under and subject to such rights powers and privileges relating thereto as the Corporation may think fit including the right to carry such lift or elevator by means of a bridge or arch bridges or arches over the present road leading from the Queen's Parade to the new foreshore road aforesaid but in the case of land for the alienation of which the consent of any public department is required only with such consent.

PART XIII.—NEW WORKS.

Falsgrave Road Improvement.

Power to widen and improve Falsgrave Road.

166. The Corporation may in the lines and on the lands in that behalf delineated and described in the deposited plans and book of reference and according to the levels shown on the deposited sections make and maintain the following work namely :—

A widening and improvement of Falsgrave Road in the township of Falsgrave in the parish of Scarborough commencing at the east side of the premises numbered 69 in the said road and terminating at the western side of the house numbered 145 in the said road :

Together with all necessary works and conveniences connected therewith and may for that purpose enter upon take and use such of the said lands as may be required for that purpose.

Owners may be required to sell parts only

167. And whereas in the execution of the widening and improvement of Falsgrave Road aforesaid portions only of certain of the

A.D. 1889.

of certain properties.

lands and premises shown on the deposited plans will be sufficient for the purposes of the same Therefore notwithstanding section ninety-two of the Lands Clauses Consolidation Act 1845 the owners of and persons interested in the lands and premises described in the Fifth Schedule to this Act whereof parts only are required for the purposes of this Act may be required to sell and convey to the Corporation the portions only of the lands and premises so required without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof the Corporation paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise Provided always that nothing in this section contained shall be held as determining that the properties described in the said Fifth Schedule are properties within the meaning of the provisions of section ninety-two of the Lands Clauses Consolidation Act 1845.

Marine Drive.

Power to make marine drive and sea wall.

168. Subject to the provisions of this Act the Corporation may make and maintain in the lines and situation and according to the levels shown on the deposited plans and sections the following works (that is to say) :—

A marine drive or carriage road with a promenade for foot passengers and sea wall (herein-after referred to as the road or drive) commencing at the eastern end of the present marine drive or carriage road and promenade on the North Bay and terminating at the shore end of the East Pier of the harbour with all requisite and proper groynes buttresses barriers walls slopes steps approaches ways footpaths channels drains culverts walls embankments fences railings works and conveniences connected therewith All which said works will be situate in the township of Scarborough in the parish of Scarborough in the north riding of the county of York:

And for the purposes aforesaid may enter upon take and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for those purposes and may stop up any footpaths upon such lands so acquired by them and thereupon all right of way over any such footpaths shall be extinguished.

Power to deviate in constructing works.

169. In making the road or drive by this Act authorised the Corporation may deviate from the lines thereof shown upon the deposited plans to any extent within the limits of deviation marked on those plans and may deviate from the levels thereof shown upon

the deposited sections to any extent not exceeding twenty feet upwards or five feet downwards Provided that no deviation either lateral or vertical below high-water mark shall be made without the consent in writing of the Board of Trade.

Works not to be constructed on seashore without consent of Board of Trade.

170. The Corporation shall not construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and re-flows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Corporation shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the Corporation and the amount of such costs and charges shall be a debt due from the Corporation to the Crown and shall be recoverable accordingly with costs.

Survey of works by Board of Trade.

171. If at any time the Board of Trade deem it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Corporation on in over through or across tidal lands or tidal water or of the intended site of any such work the Corporation shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Corporation to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Corporation.

Abatement of works abandoned or decayed.

172. If a work constructed by the Corporation on in over through or across tidal lands or a tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Corporation and the amount of such expense shall be a debt due from the Corporation to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Corporation.

Power to remove loose stones &c. from sea-

173. The Corporation their agents and workmen may for the purpose of obtaining materials for constructing and maintaining the sea wall and other works by this Act authorised enter upon the

A.D. 1889.

shore for constructing works.

seashore between high and low water mark in the township of Scarborough or within a distance of three hundred yards from the boundary of the said township and dig remove and carry away any loose stones rocks sand and gravel without making compensation or satisfaction to any person provided that in so doing they shall not injure or endanger any work or property of any other body or person Provided always that the Corporation their agents and workmen shall not enter upon or dig remove or carry away any loose stones rocks sand or gravel or in any manner interfere with any such seashore belonging to the Queen's most Excellent Majesty in right of Her Crown without the consent in writing of the Commissioners of Her Majesty's Woods Forests and Land Revenues or one of them on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby respectively authorised to give) and nothing in this section contained shall extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Corporation may erect toll-gates and toll-houses.

174. For the more conveniently collecting and receiving the tolls by this Act authorised to be taken for the use of or passage over the said road or drive the Corporation may from time to time erect and maintain upon across and on the sides of the said road or drive such and so many toll-gates and toll-houses as they think fit.

Tolls to be taken.

175. The Corporation may from time to time demand and take for the use of or passage over the said road or drive or any part thereof such tolls as the Corporation from time to time direct not exceeding the sums following (that is to say) :—

For every horse mule ass or other beast drawing any carriage vehicle or machine passing through any gate on the said road or drive or the sides thereof respectively the sum of sixpence ;

For every horse mule or ass laden or unladen and not drawing the sum of threepence ;

For every drove of oxen cows or herd of neat cattle the sum of tenpence per score and so in proportion for a greater or less number ;

For every drove of calves sheep lambs or swine the sum of sixpence per score and so on in proportion for a greater or less number ;

For every carriage propelled or drawn by steam or any power other than animal or human power the sum of one shilling for each wheel thereof :

And the tolls hereby made payable at any such gate shall be paid before any animal carriage vehicle or machine whatsoever liable to

the payment thereof shall be permitted to pass through the same and shall be paid for each and every time of passing through such gate :

For every passenger or person on foot (except the driver of any vehicle) passing any gate from time to time erected on the said road or drive or at each or either end of the said road or drive the sum of one penny and the like sum of one penny for every person (except the driver) passing through any such last-mentioned gate riding in or upon any cart or other like carriage (not being a cart or carriage usually employed for the conveyance of passengers) or riding upon any horse or beast drawing such cart or other such carriage ;

For any bicycle bath-chair perambulator truck or other machine propelled or driven by human power the sum of twopence :

And such respective tolls shall be paid before any such person or any such bicycle bath-chair perambulator truck or other machine shall be entitled to pass through such gate and shall be paid for each and every time of passing through such gate :

Provided always that not more than one full toll in the whole shall be payable or paid for once entering upon using and passing out of the whole or any part of the said road or drive :

Provided also that the tolls hereby made payable shall be paid for all horses mules asses or other beasts drawing any carriage travelling for hire as often as a new hiring shall take place in the same manner as if no previous payment of toll in respect of such horses mules asses or other beasts had been made.

Exemptions from tolls.

176. No toll shall be demanded or taken by virtue of this Act in respect of the use of or passage over the said road or drive or any part thereof by the following persons (that is to say) :—

Her Majesty the Queen and the members of the Royal Family ;

Sailors marines militia or volunteers or other persons in Her Majesty's service in uniform and in the course and actual exercise of their duty passing over the whole or any part of the said road or drive ;

The persons named or referred to in section one hundred and ninety-six of the Customs Consolidation Act 1876 ; and

Any person or horse or carriage or other vehicle employed in conveying or guarding postal packets under the authority of Her Majesty's Postmaster-General either when employed in conveying fetching or guarding such postal packets or in returning from conveying or guarding the same The term "postal packet" in this section has the same meaning as in the Post Office (Protection) Act 1884 :

A.D. 1889.

And no toll shall be demanded or taken by virtue of this Act for or in respect of the horses or other beasts carriages or carts of any persons as aforesaid.

Power to vary or reduce tolls.

177. It shall be lawful for the Corporation from time to time to vary or reduce all or any of the tolls hereby made payable for such time as they shall think proper and again to raise the tolls so varied or reduced or any part thereof so that the same do not exceed the tolls hereby made payable and the tolls so varied reduced or again raised shall be collected and recovered in the same manner as the tolls hereby made payable are authorised or directed to be collected and recovered.

Fractional part of tolls.

178. In all cases in which there shall be a fractional part of a halfpenny on the amount of tolls by this Act authorised to be collected the sum of one halfpenny shall be taken in lieu of such fractional part.

Power to grant licenses of exemption.

179. It shall be lawful for the Corporation to grant licenses or tickets of exemption to any person or persons from all or any of the tolls authorised to be taken by this Act for such limited periods not exceeding one year and subject to such conditions limitations and restrictions as the Corporation from time to time shall deem expedient and to take such remuneration either by a single payment or by periodical payments as to the Corporation shall seem fit but the Corporation shall grant the same terms in similar circumstances to every person desiring them.

Power to stop any person refusing to pay toll.

180. If any person subject to the payment of any toll hereby made payable or any person having charge of any animal carriage vehicle or machine in respect of which toll is payable under this Act shall after demand thereof made by any collector appointed to receive toll neglect or refuse to pay the same or any part thereof it shall be lawful for such collector by himself or taking such assistance as he may think necessary to stop and prevent the passage of the person so neglecting or refusing or of the animal carriage vehicle or machine for or in respect of which such tolls ought to have been paid until full payment thereof be made or to seize and distrain any such animal together with the bridles saddles gear harness and accoutrements thereunto belonging or any carriage vehicle or machine drawn by any such animal or any article or thing in or upon the same or belonging to such person and if such tolls and the reasonable charges of such seizure and distress be not paid within the space of four days next after any such seizure and distress made the person so seizing and distraining shall and may sell the animal carriage vehicle machine articles or things so seized or distrained or

any part thereof returning to the owner thereof upon demand the surplus (if any) and what shall remain unsold after such tolls and the reasonable charges occasioned by such seizure distress and sale have been deducted.

Penalty for evading toll.

181. If any person shall by any means evade the payment of any toll by this Act made payable or shall forcibly pass along the said road or drive or promenade or any part of the same respectively or through any toll-gate without having paid such toll or shall assault interrupt or obstruct any person employed in the collection of such toll every person offending in any of such cases shall for every such offence forfeit any sum not exceeding five pounds.

Application of tolls.

182. The tolls received by the Corporation under this Act shall be carried to the district fund.

Corporation may lease tolls.

183. The Corporation may from time to time lease all or any of the tolls by this Act made payable for any time not exceeding three years at any one time to such person or persons at such rents payable at such times and under such covenants and upon such conditions as the Corporation think fit which rents shall be applied in the same manner as the said tolls are by this Act directed to be applied.

List of tolls to be exhibited on a board.

184. A list of all the tolls authorised by this Act to be taken shall be published by the same being painted upon one toll-board or more in distinct black letters on a white ground or white letters on a black ground or by the same being printed in legible characters on paper affixed to such board and such board shall be exhibited at every gate where such tolls shall be made payable.

Corporation may make and vary byelaws.

185. The Corporation may from time to time make such byelaws as they think fit for all or any of the following purposes (that is to say) :—

For regulating the use of the road or drive and works connected therewith authorised to be executed and for preventing nuisances and obstructions therein or the immediate approaches thereto.

GENERAL.

Errors and omissions in plans &c. to be corrected.

186. If any omission mis-statement or erroneous description has been made of any lands or of the owners lessees or occupiers of any lands described in the deposited plans or book of reference it shall be lawful for the Corporation after giving ten days notice to the owners lessees and occupiers of the lands affected by such proposed correction to apply to two justices for the correction thereof and if it appear to such justices that such omission mis-statement

A.D. 1889.

or erroneous description arose from mistake they shall certify the same accordingly and they shall in such certificate state the particulars of any such omission mis-statement or erroneous description and in what respect any such matter has been mis-stated or erroneously described and such certificate shall be deposited with the clerk of the peace for the north riding of the county of York and shall be kept by the said clerk of the peace along with the documents to which it relates and thereupon the said plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to make the works by this Act authorised in accordance with such certificate.

Copies of plans &c. to be evidence.

187. Copies of the deposited plans and book of reference or of any alteration or correction thereof or extracts therefrom certified to be correct by the clerk of the peace for the said north riding (which certificate such clerk of the peace shall give to all parties interested when required) shall be received in all courts of justice or elsewhere as primâ facie evidence of the contents thereof.

Period for compulsory purchase of lands.

188. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of the following periods from the passing of this Act :—

For the purposes of the widening and improvement of Falsgrave Road three years;

For the purposes of the road or drive seven years.

Period for completion of works.

189. If the works by this Act authorised and next herein-after specified are not completed within the respective periods herein-after mentioned then on the expiration of those respective periods the powers by this Act granted to the Corporation for making the same and otherwise in relation thereto shall cease except as to so much thereof as is then completed (that is to say) :—

As regards the widening and improvement of Falsgrave Road five years from the passing of this Act;

As regards the road or drive ten years from the passing of this Act.

PART XIV.—BORROWING POWERS.

Loans to school board.

190.—(1.) Subject to the provisions of this Act the Corporation may from time to time advance by way of loan to the Scarborough School Board (herein-after referred to as "the school board") such sum or sums of money as the school board is by law for the time being authorised to borrow and is desirous of borrowing from the Corporation upon the security of any rates or funds which the

school board is authorised to charge for the repayment of the money borrowed and every loan so advanced shall be for a period not exceeding the period for which the school board is authorised to borrow or re-borrow the same;

(2.) The Corporation may borrow any sum or sums required by them for a loan to the school board and for that purpose may mortgage or charge the borough fund and borough rate;

(3.) The following provisions shall apply to moneys borrowed by the Corporation under this section and to payments of interest and principal in respect thereof:—

(*a.*) The sum shall be lent by the Corporation to the school board for a period not exceeding that for which the school board is authorised to borrow or re-borrow the same and with a provision for repayment by annual instalments;

(*b.*) The sum shall be repaid by the Corporation within a period to expire not more than one year after that for which the same was lent by them to the school board;

(*c.*) All sums received by the Corporation for interest shall be applied towards the payment of interest payable in respect of moneys borrowed by them under this section the balance (if any) being carried to the credit of the borough fund;

(*d.*) All sums received by the Corporation for principal shall be applied towards the repayment of the principal payable in respect of moneys borrowed by the Corporation under this section and until so applied shall be invested in any statutory securities as herein-after defined the Corporation being at liberty from time to time to vary and transpose such investments The interest derived from such investments shall be applied in making good any loss or deficiency of or in the principal so invested that may arise by depreciation of the investments or otherwise and if not required for this purpose shall be applied as if the same had been received for interest on the moneys lent by the Corporation;

(*e.*) If any sum payable to the Corporation for principal shall not be received within six months of the time appointed for the payment thereof a like sum shall be set apart out of the borough fund and applied or invested in place thereof by the Corporation and if after such application or investment the sum or any part thereof shall be received by the Corporation the same shall be carried to the credit of the borough fund;

(*f.*) Provided that paragraphs (*b.*) (*c.*) and (*d.*) of this sub-section shall not be applicable to any money raised by the issue of stock but in such case all sums received for interest and principal

A.D. 1889.

or to be set apart out of the borough fund under paragraph (*e.*) of this sub-section shall be paid into the loans fund under this Act;

(*g.*) The town clerk shall within twenty-one days after the expiration of each year ending on the twenty-fifth day of March in which any sum is payable to the Corporation in respect of moneys lent by them under the provisions of this section and raised otherwise than by issue of stock transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing for the year next preceding the making of such return the amounts which have been received from the school board for principal the amounts which have been applied directly towards the repayment of the principal payable in respect of moneys raised under this section and the amounts which have been invested and the description of the securities upon which any investment has been made and the purposes to which any portion of the investment and the interest thereof has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of any wilful default in making such return the town clerk shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act;

(*h.*) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to apply or invest as required by paragraphs (*d.*) and (*e.*) of this sub-section any sum by those paragraphs required to be applied or invested or have mis-applied any of the investments or the produce of the sale thereof or any interest thereof the Local Government Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which such default or mis-application has occurred shall be applied directly towards repayment of principal or be invested and any such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Power to redeem water annuities.

191.—(1.) The Corporation may at any time if and when they think fit but by agreement only redeem or purchase any annuity granted by them under the Scarborough Corporation Water Act 1878

(herein-after referred to as "the Act of 1878") at a price to be agreed on between the Corporation and the annuitant and on any annuity being redeemed or purchased the same shall be extinguished.

(2.) The Corporation may subject to the provisions of this Act borrow on security of the revenue arising from their waterworks undertaking and of the borough fund and borough rate or upon either of such securities such sums as they may require to borrow for the redemption or purchase of such of the water annuities as the Corporation may from time to time agree with the annuitants to redeem or purchase.

(3.) Section twenty-eight section forty-eight except so far as it prescribes a period for the extinction of the water annuities section forty-nine and section fifty so far as it relates to the sinking fund for the extinction of the water annuities of the Act of 1878 are hereby repealed.

(4.) The Corporation in order to provide for the extinction of the water annuities and to repay any moneys to be borrowed for the redemption and purchase of such annuities shall out of the revenue arising from their water undertaking or out of the borough fund or borough rate annually pay into a sinking fund which the Corporation shall form for that purpose such a sum or sums as will (together with the sum or sums (if any) which will at the passing of this Act be standing to the credit of the sinking fund (if any) established under section forty-eight of the Act of 1878) with accumulations in the way of compound interest at the rate of three pounds five shillings per centum per annum be sufficient after payment of all expenses to extinguish the water annuities and to repay the moneys so borrowed within the period by that Act prescribed for the extinction of the water annuities.

(5.) Any sum (if any) which is standing to the credit of the sinking fund (if any) established under section forty-eight of the Act of 1878 shall be forthwith carried to the credit of the sinking fund to be established under sub-section (4.) of this section.

(6.) The Corporation shall invest the sinking fund mentioned in sub-section (4.) of this section and the income thereof in the purchase of any statutory securities as herein-after defined the Corporation being at liberty from time to time to vary and transpose such investments.

(7.) The payments into the sinking fund mentioned in sub-section (4.) of this section shall be made on or before the seventeenth day of June one thousand eight hundred and ninety and on or before the seventeenth day of June in each succeeding year.

(8.) The Corporation may at any time apply the whole or any part of the sinking fund mentioned in sub-section (4.) of this section

A.D. 1889.

in extinction of any of the water annuities or in or towards the discharge of the borrowed money for the repayment of which such fund is established Provided that the Corporation pay into such fund each year and accumulate until provision has been made for the extinction of the whole of the water annuities and the whole of the money borrowed is discharged a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.

(9.) The amounts to be annually paid to the sinking fund provided under sub-section (4.) of this section shall be such as the Local Government Board having regard to the provisions of this section shall from time to time approve.

Power to borrow.

192. The Corporation may from time to time (in addition to any moneys now borrowed by them or which they are now authorised to borrow or which they may be authorised to borrow under the provisions of any public Act) borrow at interest for the following purposes such moneys as they may at any time or from time to time think requisite not exceeding the following sums (that is to say):—

For paying the costs charges and expenses preliminary to and of and incidental to the preparing and applying for and the obtaining and passing of this Act and of and in relation to the borrowing paying off and re-borrowing of moneys under the powers of this Act the sums requisite for those purposes:

For the widening and improvement of Falsgrave Road one thousand five hundred pounds:

For the new carriage road or drive promenade and sea wall seventy thousand pounds but no part of the said sum of seventy thousand pounds shall be borrowed for that purpose without the consent of the owners and ratepayers of the borough to be expressed by resolution in the manner provided in the fourth section of the Act 35 and 36 Vict. cap. 91 but no person lending money to the Corporation shall be bound to inquire whether such consent has been duly given:

For erecting caretakers residences boat-houses conservatories refreshment rooms shelters lavatories and other buildings and conveniences and laying out planting and improving public gardens pleasure grounds and recreation grounds ten thousand pounds:

And in calculating the sums the Corporation may borrow under any other enactment or by the order or sanction of any public department of State any sums they may borrow under this Act shall not be reckoned and the powers of the Corporation as to borrowing

and re-borrowing under this Act shall not be restricted by any of the provisions of the Public Health Acts.

The moneys so borrowed and the interest payable thereon shall be respectively charged as follows (namely) :—

Money borrowed for paying the costs charges and expenses in relation to the promotion of this Act upon the district fund and general district rate.

Money borrowed for paying the costs charges and expenses of and in relation to the borrowing paying off and re-borrowing of money upon the same funds rates and other securities as the moneys borrowed are respectively charged.

Money borrowed for the widening and improvement of Falsgrave Road upon the district fund and general district rate.

Money borrowed for the new carriage road or drive promenade and sea wall upon the tolls receivable in respect thereof the district fund and general district rate.

Money borrowed for erecting caretakers residences boat-houses conservatories refreshment rooms shelters lavatories and other buildings and conveniences and laying out and improving public gardens pleasure grounds and recreation grounds the borough fund and borough rate and district fund and general district rate or either of them.

Provision as to mode of raising moneys on mortgage.

193.—(1.) The Corporation may raise any moneys which they are by this Act authorised to borrow by mortgage of the funds rates tolls and revenues on the security of which such moneys are authorised to be raised.

(2.) All the mortgages of the Corporation under this Act shall subject to the provisions of any subsequent Act rank together without any priority on account of the date of the mortgage deed or on any other account.

(3.) The provisions contained in sections two hundred and thirty-six to two hundred and thirty-nine (both inclusive) of the Public Health Act 1875 with respect to the mortgages to be executed by a local authority shall apply in the case of all mortgages granted under this Act except where any such provisions are expressly altered or varied by this Act and for purposes of such application the term local authority in the said provisions shall be construed to mean the Corporation.

Period for repayment of borrowed moneys.

194. All moneys borrowed by the Corporation under the two last preceding sections of this Act shall be repaid within the several periods herein-after mentioned from the respective dates of borrowing the same (that is to say) :—

In respect of money borrowed for paying the costs charges and expenses in relation to the promotion of this Act ten years :

A.D. 1889.

In respect of money borrowed for paying the costs charges and expenses of and in relation to the borrowing paying off and re-borrowing of money the period for which the money is actually borrowed or re-borrowed:

In respect of money borrowed for the widening and improvement of Falsgrave Road thirty years:

In respect of money borrowed for the new carriage road or drive promenade and sea wall fifty years:

In respect of money borrowed for erecting caretakers residences boat-houses conservatories refreshment rooms shelters lavatories and other buildings and conveniencies and laying out and improving public gardens pleasure grounds and recreation grounds twenty years:

And such repayment shall be effected either by equal yearly or half-yearly instalments of principal or of principal and interest;

Or by means of sinking funds;

Or partly by such instalments and partly by sinking funds:

Provided that when the payment shall not be made by equal yearly or half-yearly instalments the instalment or instalments payable in each year together with the interest payable in such year in respect of the principal moneys of which such instalment or instalments form part shall in every year amount to the same sum and every such instalment or instalments shall be paid out of the funds rates tolls and revenues on the security of which the principal moneys in respect of which it or they are so paid were borrowed:

And the sinking funds shall be provided as follows:—

The Corporation in every year after the respective dates in that behalf by this section prescribed shall appropriate and set apart out of the funds rates tolls and revenues on the security of which such moneys shall have been borrowed such a sum as will with the accumulations thereof by way of compound interest calculated at the rate of three pounds five shillings per centum per annum be sufficient to pay off the whole of the principal moneys borrowed on such security within the periods by this Act prescribed;

The payment to the said sinking funds shall commence on the twenty-fifth day of March next following the time of the borrowing of such moneys respectively;

The yearly sums so to be appropriated and set apart shall be invested from time to time and accumulated in the way of compound interest by investing the same and the dividends

interest and annual income thereof respectively in statutory securities ;

The Corporation may at any time apply the whole or part of any sinking fund set apart by them in or towards the repayment of the borrowed moneys for the repayment of which such sinking fund was set apart in such order and manner as they deem proper Provided that in such case they pay into such sinking fund in each year afterwards and accumulate as herein-before prescribed until the whole of the borrowed moneys to which such sinking fund is applicable are discharged a sum equal to the interest produced by the sinking fund or part thereof so applied at the rate per centum on which the annual payments to the sinking fund are based Provided also that whenever and so long as the yearly income arising from the sinking fund would if invested at the same rate of interest as the borrowed moneys then outstanding be equal to the annual interest of such borrowed moneys the Corporation may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to such sinking fund of the yearly sums required to be paid thereto.

Power to re-borrow.

195. If the Corporation pay off any moneys borrowed by them under the preceding sections of this part of this Act otherwise than by instalments or by means of a sinking fund or out of the proceeds of the sale of lands or other property or of fines or premiums on leases or other moneys received on capital account they may re-borrow the same and so from time to time Provided that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing has been made and that the moneys originally borrowed and any amounts from time to time re-borrowed under the foregoing provisions for the repayment of such moneys shall for the purpose of repayment be deemed to form the same loan and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by reason of such re-borrowing.

Power of Corporation to borrow for private street works.

196. The Corporation may from time to time with the sanction of the Local Government Board borrow on the security of the district fund and general district rate moneys for the purpose of forming a fund for temporarily providing for the expenses of executing private street works and the powers of the Corporation to borrow under the Public Health Act 1875 shall be available as if the execution of private street works under this Act were one of the purposes of the Public Health Act 1875.

A.D. 1889.

Expenses of Local Government Board.

197. The Corporation shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries under this Act including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

For repayment of loans under the Scarborough Valley Bridge Company's Act 1864.

198. In lieu of the sinking fund required by section eighty-nine of the Scarborough Valley Bridge Company's Act 1864 to be provided by the Corporation for paying off any moneys which they may borrow on mortgage under section seventy-nine of that Act on the credit of the rates tolls and duties therein mentioned the Corporation may pay off the moneys so borrowed by them within thirty years from the date of borrowing out of the said rates tolls and duties either by equal yearly or half-yearly instalments of principal or of principal and interest or by setting apart as a sinking fund in each year such sum as will with accumulations in the way of compound interest calculated at the rate of three pounds five shillings per centum per annum be sufficient after payment of all expenses connected therewith to pay off the said moneys within that period And they may at any time apply the whole or any part of the sinking fund in or towards the discharge of the said moneys provided that they pay into the fund in each year and accumulate until the whole of the said moneys is discharged a sum equivalent to the interest which would have been produced by the sinking fund or part of the sinking fund so applied If the Corporation pay off any of the said moneys otherwise than by instalments or by means of a sinking fund or out of the proceeds of the sale of lands or other property or of fines or premiums on leases or other moneys received on capital account they may re-borrow the same from time to time provided that all moneys so re-borrowed shall be repaid within the said period of thirty years and the obligations of the Corporation with respect to the repayment of such moneys shall be in no way affected by reason of such re-borrowing.

Corporation may lend sinking fund for one loan to repay any other loan.

199. The Corporation may at any time transfer moneys belonging to one sinking fund to another sinking fund for the purpose of paying off debt but in every such case the amount so transferred together with interest thereon at the rate per centum on which the payments to the sinking fund from which the moneys were transferred are based shall be a debt due to such sinking fund from the other sinking fund and in the meantime the said transfer shall be deemed an investment of the first-mentioned sinking fund authorised by this Act Provided that the amount which the Corporation shall be bound to pay into any sinking fund shall not be altered by

such transfer except that such amount shall be increased if necessary for the repayment of the debt to the sinking fund from which the transfer was made.

Annual return to Local Government Board with respect to sinking funds.

200. The treasurer shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid in respect of moneys borrowed under this Act (other than moneys borrowed for loans to the school board) or under the Scarborough Valley Bridge Company's Act 1864 transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year next preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of any wilful default in making such return the treasurer shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act If it appear to the Local Government Board by such return or otherwise that the Corporation have failed to pay any instalment or to set apart any sum for the sinking fund as required by this Act as aforesaid or by the Scarborough Valley Bridge Company's Act 1864 or have applied any portion of the moneys set apart for that fund or any interest thereof to any other purposes than those authorised by this Act or by that Act as the case may be the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested or applied by the Corporation as part of the sinking fund and any such order may be enforced by Mandamus to be obtained by the Local Government Board out of the High Court of Justice and the provisions of this section shall mutatis mutandis apply to appropriations and annual repayments

Power to borrow under Local Loans Act.

201. The Corporation may if they think fit borrow any moneys which they are by any statutory borrowing power as herein-after defined authorised to borrow under the powers and subject to the

A.D. 1889.

provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another Any moneys borrowed by the Corporation in manner by this section authorised shall be a charge upon and shall be paid out of the same funds rates and revenues as they would be charged upon and paid out of if raised by way of mortgage under such statutory borrowing power and such funds rates and revenues shall in each case be deemed to be the local rate as defined by the Local Loans Act 1875 Every such loan shall be discharged within the time prescribed in that behalf All sums paid into any sinking fund formed for the purpose of such discharge may be invested by the Corporation in the manner in which sinking funds are by this Act authorised to be invested.

Investment of sinking funds.

202. The sinking funds prescribed by this Act may be invested by the Corporation in statutory securities as herein-after defined.

For protection of lenders.

203. A person lending money to the Corporation shall not be bound to inquire as to the observance by them of any provision of this Act or be bound to see to the application or be answerable for the loss mis-application or non-application of such money or any part thereof.

Corporation not to regard trusts.

204. The Corporation shall not be bound to see to the execution of any trust whether expressed or implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register book of the Corporation shall from time to time be a sufficient discharge to the Corporation in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Corporation have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register and the Corporation shall not be bound to see to the application of the money for which such receipt shall have been given or be answerable or accountable for the loss mis-application or non-application of such money or any part thereof.

Application of moneys borrowed.

205. All moneys raised under the provisions of this Act shall be applied only to the purposes for which they are respectively authorised to be raised and to which capital is properly applicable.

Saving priority of existing charges.

206. Nothing in this Act shall prejudicially affect any charge on the tolls funds rates and revenues or the estates and property

of the Corporation subsisting at the passing of this Act and every annuitant mortgagee or person for the time being entitled to the benefit of any such charge shall have the same priority of charge and all the like rights and remedies in respect of any funds rates rents tolls charges duties revenues or property subject to such charge as if this Act had not been passed and all such charges created before the passing of this Act shall during the subsistence thereof have priority over any mortgage or charge granted under this Act on the same rents tolls charges duties funds rates revenues and property.

PART XV.—CORPORATION STOCK.

Interpretation in this part of this Act.

207.—(1.) In the provisions of this part of this Act relating to Corporation stock—

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

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

"Sixth Schedule" means the Sixth Schedule to this Act.

"Statutory borrowing power" means and includes every 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.

"Statutory security" means and includes 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 other than the Corporation or of any other local authority within section thirty-four of the Local Loans Act 1875.

(2.) The provisions of this part of this Act referring to interest apply to and include instalments of an annuity and half-yearly or

A.D. 1889.

other payments of or in respect of a rentcharge rent or other statutory security.

CREATION AND CHARGE OF STOCK.

Creation of Corporation stock.

208.—(1.) Where the Corporation have for the time being any statutory borrowing power then subject and according to the provisions of this part of this Act the Corporation may from time to time by resolution of the council exercise the power by creation of redeemable stock 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 bearing one and the same rate of dividend and redeemable at the option of the Corporation at one and the same date not being more than 60 years from the first creation of stock.

(2.) All stock at any time or from time to time so created shall rank equally without any priority or preference by reason of 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 Corporation stock granted by the Corporation in pursuance of any statutory borrowing power.

(3.) The resolution for the first creation of Corporation stock shall provide that such stock shall be redeemable at the option of 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.) Each resolution for creation of stock shall specify that the stock thereby created is redeemable.

(5.) Stock so created shall be designated by the Corporation as Scarborough Corporation Redeemable Stock and is herein-after referred to as "Corporation stock."

Borrowing power to be exerciseable for actual sum raiseable.

209. 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 raiseable by the 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.

210.—(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 lands tolls duties water and other undertakings and other 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 at any time after the date of the first issue of Corporation stock granted or created by the Corporation 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 revenues 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 Corporation loans fund.

211. 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 Scarborough Corporation Loans Fund (in this part of this Act referred to as "the loans fund").

Contributions to loans fund for dividends.

212.—(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 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 interest would have been payable

A.D. 1889

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.

213.—(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 the same amounts as would in the same respective cases have been payable towards a sinking fund or towards payment off as aforesaid those contributions to be subject to accumulation if and as in the same respective cases accumulation was prescribed.

(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.

214.—(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.

215.—(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

A.D. 1889.

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 and all principal moneys received by the Corporation on the payment off or on account of any loan made by the Corporation by means of the creation and issue of Corporation stock under the powers of this Act.

(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 and all moneys received by the Corporation as interest on any loan made by the Corporation by means of the creation and issue of Corporation stock under the powers of this Act.

(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.

216. 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 stock according to the terms of issue and purchasing for extinction Corporation stock.

Extinction of stock redeemed or purchased.

217. All Corporation stock redeemed by the Corporation or 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.

218.—(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 or principal received on payment off of any loan made by the Corporation by means of the creation and issue of Corporation stock under the powers of this Act 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 money 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

(*i.*) 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

(*j.*) 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; and

(*k.*) All money paid into the loans fund as interest on any loan made by the Corporation by means of the creation and issue of Corporation stock under the powers of this Act; and

(*l.*) All money being unclaimed dividends paid into the loans fund as herein-after provided.

Application of income in reduction of

219.—(1.) Where any money is standing on a separate account in the loans fund being money paid into the loans fund as rents

A.D. 1889.

contributions.

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.

220. 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 determine 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.

CONVERSION OF OTHER SECURITIES INTO STOCK. A.D. 1889.

Payment off or substitution for existing securities.

221.—(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.

(2.) The Corporation may in every such case make such reasonable payment as they may think fit to the holder of any security for his consent or for otherwise compensating him for the payment off or redemption of or substitution for his security and any such payment may be either in money or Corporation stock or partly in one and partly in the other.

(3.) 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.

(4.) 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.

(5.) Where the holder of the security is one of the persons described in section seven 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.

(6.) 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

A.D. 1889.

money secured or represented by the security was subject to 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.

222. 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.

223. Money raised by Corporation stock shall be applied for purposes for which money raiseable 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.

224.—(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 CERTIFICATES. A.D. 1889.

Appointment of registrar.

225.—(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.

226.—(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.

227.—(1.) On demand of a holder of Corporation stock the Corporation may if they think fit give to him 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 stock certificate lost or destroyed.

(5.) An entry of the issue of a stock certificate or a substituted stock certificate as the case may be shall be made in the Corporation stock register.

A.D. 1889.

TRANSFER.

Power for stockholder to transfer.

228. 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.

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

230.—(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.

231.—(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.

232.—(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.

233. 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.

234.—(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

A.D. 1889.

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 bankruptcy &c.

235.—(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 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 term "transmission" includes any case of apparent transmission in consequence of the change of name of the stockholder although the actual ownership of the stock may remain unaltered.

DIVIDENDS.

Payment of dividends.

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

Dividends to executors &c.

237. 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.

238. 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 one or more competent persons or of such other nature as the Corporation or the registrar may require.

Dividends to joint holders.

239.—(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.

240.—(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.

241.—(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 no such certificate or coupons shall give a title to dividends beyond the time limited for redemption of the stock.

A.D. 1889.

(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 provision 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 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 deed 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.

(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.) All coupons issued under this Act in respect of any Corporation stock certificate to bearer shall for the purposes of the Acts relating to stamp duties be deemed to have been attached to and issued with such stock certificate.

(13.) 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.

242.—(1.) Corporation stock is personal property.

(2.) Corporation stock is not liable to foreign attachment by the custom of London or otherwise.

Notice of trusts.

(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.

243.—(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

A.D. 1889.

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 the 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.

Holding of Corporation stock by trustees.

244.—(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 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 such securities.

(2.) Provided that where two or more persons are or may under the instrument creating the trust become successively interested in trust money no investment thereof shall be made in Corporation stock at a price exceeding the redemption value of the stock.

Protection of holders of Corporation stock.

245. 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 mis-application thereof.

Annual return to Local Government Board.

246.—(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 treasurer 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 treasurer the treasurer 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.

247.—(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 newpaper 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

248. Nothing in this part of this Act shall affect any power of the Corporation to raise otherwise than by Corporation stock any

A.D. 1889.

borrow otherwise.

money which they do not think fit to raise by Corporation stock but whenever from time to time after the date of the first issue of Corporation stock 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.

249. 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.

250. 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 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.

251.—(1.) Nothing in this part of this Act shall affect any power or duty of the Corporation to sell mortgage 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 mortgage 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 mis-application thereof.

Saving for existing securities.

252. 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 and subsisting at 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.

253.—(1.) Corporation stock shall be deemed capital stock of a body corporate within the Act of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty chapter ninety-

eight intituled "An Act to consolidate and amend the statute "law of England and Ireland relating to indictable offences by "forgery." A.D. 1889.

(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.

254. 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 two hundred and ninety-four and two hundred and ninety-six of the Public Health Act 1875 shall apply to hearings inquiries and other proceedings to which this section relates.

Regulations by Bank of England.

255. 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.

256. The forms given in the Sixth Schedule to this Act may if the Corporation think fit be used for the purposes therein indicated and the same or forms to the like effect with such variations

A.D. 1889.

or additions as circumstances require shall be effectual for those purposes.

Fees.

257.—(1.) Fees not exceeding those specified in the Sixth Schedule to this Act 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.

258.—(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 XVI.—MAKING AND LEVYING OF RATES.

Buildings erected since last valuation list may be valued and rated.

259.—(1.) If after the making of the valuation list or if there be none then after the making of the last poor rate and before the making of the next borough or general district rate by the Corporation any building be newly erected which would be assessable to the poor rate the Corporation may cause such building to be valued by a competent valuer and the Corporation may in making the assessment for such borough or general district rate include such building therein.

(2.) For the purpose of every such valuation the valuer with his assistants may at all reasonable hours until the same is completed enter and survey all and every part of the property to be valued and do any act or thing necessary for the making of such valuation and the valuer may accept any valuation tendered to him which he may consider just and true.

(3.) If any person think himself aggrieved by any rate made on the basis of such valuation he may at the first practicable meeting of the Corporation held not earlier than twenty-one clear days after

notice in writing by the Corporation to such person after publication of such rate and after giving three days notice in writing to the Corporation apply to the Corporation for relief and they may grant such relief as they may think right and may amend such rate accordingly and if any such person think himself aggrieved by the determination of the Corporation he may appeal to the next practicable court of quarter sessions under and according to the provisions of the two hundred and sixty-ninth section of the Public Health Act 1875 as amended by the Summary Jurisdiction Acts.

Power to levy rates by instalments.

260. The Corporation may levy any rate they are for the time being authorised to make either in one sum or by any number of instalments not exceeding four of such amounts and to be paid at such times within the financial year as they shall from time to time fix and determine at the time of making the rate but if the rate is made payable by instalments and is collected by the Corporation the demand note shall in addition to other requisite particulars state the time appointed for payment of each instalment and all the powers rights and remedies of the Corporation and their officers for levying and recovering any such rate shall be extended and apply to each instalment thereof as if the same were a separate rate.

Paid auditors.

261. The Corporation may from time to time appoint and pay one or more competent persons to act as auditor or auditors of the accounts of the Corporation in such manner as the Corporation may direct in addition to the auditors appointed under the Municipal Corporations Acts.

PART XVII.—LEGAL PROCEEDINGS.

General provisions as to byelaws.

262. All the provisions with respect to byelaws contained in sections one hundred and eighty-two to one hundred and eighty-five (both inclusive) of the Public Health Act 1875 (except so much thereof as relates to byelaws made by a rural sanitary authority) shall apply to all byelaws and regulations from time to time made by the Corporation under the powers of this Act except byelaws made under Part VI. of this Act Provided that all byelaws and regulations may be partly in print and partly in writing (including lithograph).

Information by whom to be laid.

263. All informations under or for the breach of any of the provisions of this Act or of the Towns Police Clauses Act 1847 incorporated with the Public Health Act 1875 may be laid by any officer of the Corporation duly authorised in that behalf or by the town clerk or by the chief constable on behalf of and as agent for the Corporation.

A.D. 1889.

Form and service of notices by Corporation.

264.—(1.) Any instrument (including a notice order resolution requisition declaration consent approval disapproval demand or other document) made given delivered or served by the Corporation under this or any other Act or any byelaw may be either in print or in writing (including lithograph) or partly in print and partly in writing (including lithograph) and shall be sufficiently authenticated by the name of the town clerk treasurer surveyor or other proper officer of the Corporation (according to the subject of the particular instrument) being affixed thereto in print or writing on behalf of the Corporation.

(2.) Where any such instrument is required to be given to or served on the owner or occupier of any premises it shall be sufficient to address it to such owner or occupier by his description as owner or occupier (as the case may be) of the premises (naming them) in respect of which it is given or served without further name or description and any such instrument may be addressed to owners or occupiers of any adjoining or neighbouring premises collectively and when so addressed may be served on more owners or occupiers than one so that separate copies be served on the respective owners and occupiers of the premises concerned.

(3.) Any such instrument may be served on any such owner occupier or other person either personally or on his known agent by sending the same through the post in a prepaid letter addressed to him or to his known agent by name at his last known place of abode or business or by delivering the same to some inmate at his last known or usual place of abode or business or in case of an occupier to any inmate of the premises in respect of which it is given or served or if the premises are unoccupied and the place of abode of the person to be served is after diligent inquiry unknown it shall be sufficient to affix it or a copy thereof on some conspicuous part of such premises Provided that where any such instrument is required to be served on any railway company incorporated by Act of Parliament or other company such instrument shall be served at the office of the secretary of such company or forwarded to him by post in a letter addressed to the head office or registered office of such company.

(4.) Service by letter under this section shall be deemed to be effected on the day on which such letter would be delivered in the ordinary course of post and in proving such service it shall be sufficient to prove that the letter was properly addressed and put into the post.

Service of notices on Corporation.

265. Except where otherwise expressed to the contrary any notice to or demand on the Corporation under this Act may be served on the Corporation by being delivered to the town clerk

or by being sent through the post in a registered letter directed to the town clerk in which latter case service shall be deemed to be effected on the Corporation on the day on which such letter would be delivered in the ordinary course of post.

Damages and charges in case of dispute to be settled by justices.

266. Where any damages expenses costs or charges are directed or authorised to be paid or recovered in addition to any penalty for any offence in this Act mentioned the amount of such damages expenses costs or charges in case of dispute respecting the same may be settled and determined by the justices before whom any offender is convicted and may be levied by distress.

Compensation how to be determined.

267. When any compensation damages expenses costs or charges is or are directed to be paid under this Act and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided for by the Public Health Acts.

Amount of penalties under this Act.

268. Any person offending against any of the preceding provisions contained in this Act or against any order byelaw or regulation made thereunder shall except as otherwise provided forfeit and pay for every such offence a penalty not exceeding five pounds and in case of a continuing offence a daily penalty not exceeding forty shillings.

Prosecution of offences and recovery of penalties.

269. All offences penalties forfeitures damages costs and expenses by this Act or by any byelaw made under this Act authorised or directed to be prosecuted or recovered summarily or in a summary manner or before any justice or justices or court of summary jurisdiction or the prosecution or recovery of which is not otherwise expressly provided for by this Act or by any byelaw made under this Act may be prosecuted and recovered before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts.

Penalty on occupiers refusing execution of Act.

270. In case the occupier of any house or other building or part of any house or other building prevents the owner thereof from carrying into effect in respect thereof any notice given by the Corporation under this Act or under any byelaw for the time being in force then after notice of this provision given by the owner to the occupier any justice upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the work required by such notice to be done and if after the expiration of seven days from the service of such order the occupier continues to refuse to permit the owner to execute the said work he shall for every day during which he so continues to refuse be liable to a penalty not exceeding five pounds and during the continuance of such refusal the owner shall be discharged from any penalties to

A.D. 1889.

which he might otherwise have become liable by reason of his default in executing such work.

If the occupier of any premises when requested by or on behalf of the Corporation to state the name of the owner of the premises occupied by him refuses (unless he shows cause to the satisfaction of the court for his refusal) or wilfully omits to disclose or wilfully mis-states the same he shall be liable to a penalty not exceeding five pounds.

Consent of Corporation how given.

271. Where compliance with any provision of this Act or bye-law made thereunder may be dispensed with by consent or allowance of the Corporation no such consent or allowance shall be valid unless granted in pursuance of a resolution of two thirds of the members of the council or committee of the council present at the meeting and no such consent or allowance shall be withdrawn except in pursuance of a like resolution.

As to breach of conditions of consent of Corporation.

272. Where the Corporation give their consent to the execution of any work or the doing of any act or thing subject to any terms or conditions any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required consent.

Judges not disqualified.

273. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being a member of the council or being liable to any rate under any of the Corporation Acts or this Act.

Several sums in one summons.

274. Any summons or warrant issued for any purpose of this Act may contain in the body thereof or in a schedule thereto several sums.

Penalties to be paid over to the treasurer &c.

275. All penalties recovered under this Act or under any Act incorporated with this Act or under the Corporation Acts or the Public Health Acts or under any byelaw thereunder respectively shall except in the case of penalties recovered against the Corporation be paid to the treasurer and be by him carried to the credit of the borough fund or the district fund or to such other fund as the Corporation may direct.

Penalties not to be cumulative.

276. Penalties imposed for one and the same offence by several Acts of Parliament shall not be cumulative and for this purpose this Act and the Acts incorporated with this Act and the Corporation Acts shall be deemed separate Acts.

Saving for indictments &c.

277. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by

this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act.

Act not to sanction nuisances.

278. Nothing in this Act shall be construed to render lawful any act or thing which but for this Act would be deemed to be a nuisance.

As to appeal.

279. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate license or consent or approval of or by the Corporation or of or by any officer or valuer of the Corporation or by any conviction or order by a court of summary jurisdiction under any provision of this Act may appeal to the next practicable court of quarter sessions under and according to the provisions of section two hundred and sixty-nine of the Public Health Act 1875 as amended by the Summary Jurisdiction Acts.

PART XVIII.—MISCELLANEOUS.

Provision for increasing number of aldermen and councillors.

280.—(1.) If two thirds of the council of the borough agree to petition and the council thereupon petition the Queen for an increase of the number of the aldermen and councillors of the borough it shall be lawful for Her Majesty by Order in Council to increase the number of aldermen and councillors and to apportion the councillors among the wards and to make such other provisions as appear to Her said Council to be necessary or proper for carrying such purposes into effect.

(2.) Such petition shall be referred to a committee of the Lords of Her Majesty's Privy Council provided that one month at least before the petition is taken into consideration by the said committee notice thereof and of the time when it will be so taken into consideration shall be published in the London Gazette and otherwise as the said committee direct for the purpose of making it known to all persons interested.

(3.) The expenses of and incidental to any proceedings under this section shall be defrayed by the Corporation out of the borough fund by order of the council of the borough.

(4.) Notwithstanding anything herein contained or anything done hereunder all the provisions of the Municipal Corporations Acts shall continue to apply to and within the borough.

Application of district fund and rates to works executed by the

281. Whenever the Corporation are by this or any other Act or by any byelaw for the time being in force authorised to execute re-execute or alter any work act or thing in default of the owner occupier or other person required to do the same and whenever the

A.D. 1889.

Corporation in default of owners &c.

Corporation execute any works upon the application of or by agreement with the owner of the premises for or in respect of which the same are to be executed the Corporation may apply the district fund or general district rate in or towards defraying the expenses incurred in the executing re-executing or altering of such work act or thing but this section shall not affect the liability of any such owner occupier or other person to repay the moneys expended by the Corporation.

In executing works instead of owner Corporation only liable for negligence.

282. Whenever the Corporation or the surveyor under this or any other Act or any byelaw for the time being in force within the borough execute re-execute or alter any work or do any act or thing in default or at the request of the owner occupier or other person required to do such work act or thing the Corporation shall not as between themselves and such owner occupier or other person in the absence of any negligence on the part of the Corporation or the surveyor or of any contractor or other person employed by them or him be liable to pay any damages penalties costs charges or expenses for or in respect of or consequent upon the executing re-executing or altering of such work or the doing of such act or thing And any such damages penalties costs or expenses paid by the Corporation in the absence of negligence as aforesaid may be recovered from such owner occupier or other person or may be added to and shall be deemed part of any private improvement expenses payable by such owner or occupier.

Additional lands by agreement.

283. The Corporation may (in addition to the lands they are authorised to acquire and hold under the other powers of this Act) from time to time acquire by agreement any lands not exceeding in the whole ten acres in extent which the Corporation may deem necessary for all or any of the purposes of this Act either in fee simple by purchase or by way of exchange or on lease for a term of years and any easement power right or privilege therein thereover thereunder or thereupon not being an easement or privilege of water.

The consideration for any such acquisition may be either money or land or any yearly sum or rentcharge or other rent or a mixed consideration of money and land and on any exchange the Corporation may give or take any money for equality of exchange.

Corporation may use their own lands for purposes of this Act.

284. The Corporation may from time to time with the consent of the Local Government Board appropriate and use for any of the purposes of this Act the Public Health Acts or any other Act which the Corporation are for the time being empowered to execute any lands for the time being vested in them as a municipal or urban sanitary authority and not required for the purposes for which the same were acquired.

Compensation may be in land &c.

285. The Corporation when they are authorised or required by any enactment to make compensation to any person interested in any lands may by agreement with such person make such compensation wholly or partly in works land or money.

Consent of Local Government Board to sale &c. of land.

286. Nothing in this Act shall be taken to dispense with the consent of the Local Government Board to any sale lease or other disposition of land in any case where the consent of the Board would have been required if this Act had not been passed.

Persons empowered by Lands Clauses Acts to sell lands may grant easements.

287. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement of water) required by the Corporation for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Application of moneys from sale &c. of land.

288. The Corporation shall apply all moneys from time to time received by them in respect of any sales exchanges or disposition of lands and premises by this Act authorised or by way of fine or premium on any lease in or towards paying off moneys borrowed and for the time being owing under this Act or if there shall be no moneys owing under this Act such proceeds shall be applied in or towards paying off any other moneys for the time being owing by the Corporation Provided that such proceeds when used to pay off borrowed moneys shall not be applicable to the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board.

Restriction on taking houses of labouring class.

289. The Corporation shall not under the powers of this Act without the consent of the Local Government Board purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of

A.D. 1889.

thirty shillings a week and the families of any of such persons who may be residing with them.

Saving for Acts relating to dairies slaughter-houses &c.

290. Nothing in or done under this Act shall interfere with the operation or effect of the Contagious Diseases (Animals) Acts 1878 to 1886 or of any order license or act of Her Majesty's Privy Council or the Local Government Board made granted or done or to be made granted or done thereunder or of any order regulation license or act of a local authority made granted or done or to be made granted or done under any such order of the Privy Council or the Local Government Board or exempt the dairies milk-stores or milkshops or slaughter-houses to which this Act relates or any building or thing whatsoever or any body or person from the provisions of any general Act relating to dairies milk or animals already passed or to be passed in this or any future session of Parliament.

Saving rights of Corporation.

291. Nothing in this Act shall take away abridge or affect any estate interest right franchise power or authority which the Corporation as lords of the manor or reputed manor of Scarborough and Falsgrave or otherwise have or may enjoy under any Act of Parliament or by charter law prescription custom or otherwise independently of this Act.

Saving rights of the Crown.

292. Nothing contained in this Act shall authorise the Corporation to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby authorised to give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Costs of Act.

293. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or the House of Commons shall be paid by the Corporation out of the district fund and the general district rate or out of moneys borrowed on the security thereof under the powers of this Act.

SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

Setting forth the several Acts or parts of Acts and Orders in the foregoing Act referred to collectively as "the Corporation Acts."

The Municipal Corporations Acts as defined by the foregoing Act so far as the same relate to the borough:

The Local Act 45 George III. chapter XCIV. so far as the same is in force within the borough:

The Local Government Supplemental Act 1860 so far as the same relates to the borough:

The Local Act 8 and 9 Victoria chapter LXVIII. the Scarborough Waterworks Amendment Act 1856 the Scarborough Waterworks Amendment Act 1863 the Scarborough Waterworks Amendment Act 1878 and the Scarborough Corporation Water Act 1878 so far as the same respectively are in force within and beyond the borough:

The Scarborough Electric Lighting Order 1883 confirmed by the Electric Lighting Orders Confirmation (No. 4) Act 1883:

The Local Government Board's Provisional Orders Confirmation Act 1883 so far as the same relates to the borough:

The Public Health Acts as defined by the foregoing Act so far as the same relate to the borough: and

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 Acts altering amending or affecting the same Acts for the time being in force.

A.D. 1889.

Schedule II.

THE SECOND SCHEDULE.

Existing Loans of the Corporation.

Act under which Loan authorised.	Amount originally borrowed.	When borrowed.	Object of Loan.	Balance of Loan, 25th March 1889.
	£			£ s. d.
The Sanitary Acts and the Public Health Act 1875.	55568	At various dates from 16th May 1861 to 17th April 1885.	Street improvements and construction.	31903 14 11
Ditto - -	32472	At various dates from 16th May 1862 to 12th November 1885.	Sewerage works -	19182 10 4
The Sanitary Acts -	3000	16th May 1861 -	Repayment of improvement commissioners debt.	562 16 5
Public Health Act 1875.	1440	16th May 1876 -	Corporation stables	1028 7 11
Ditto - -	500	14th Feb. 1884 -	Constructing public urinals.	409 7 8
Ditto - -	4400	14th Feb. 1884 - and 4th Sept. 1888.	Tar paving - -	3397 8 11
Ditto - -	400	17th April 1885 -	Steam road roller -	296 0 0
Ditto - -	3200	21st Oct. 1886 - 1st Dec. 1886 4th Sept. 1888.	Public pleasure grounds.	3115 14 4
Ditto - -	24900	1st Dec. 1886 - 25th May 1887 1st Jan. 1888 4th Sept. 1888.	North Cliff improvement works.	24557 6 0
The Prison Acts -	17598	16th Nov. 1864 and 1st March 1879.	Borough gaol -	6312 16 8
Municipal Corporation Acts.	3500	27th January 1875	Rebuilding old town hall.	1450 0 0
Ditto - -	3500	1st January 1888 -	Constructing roads on Weaponness estate.	3500 0 0
Scarborough Corporation Water Act 1878.	135000 (Capitalised value of Annuities of 5400*l.* at 25 years purchase).	Ditto 1878 -	Waterworks -	135000 0 0
Ditto - -	55070	At various dates from 1878 to 1888.	Ditto - -	55070 0 0
	£340548			£285786 3 2

THE THIRD SCHEDULE.

Certificate of Infectious Disease under the Scarborough Improvement Act 1889.

To the Corporation of Scarborough.

Pursuant to the above-mentioned Act I hereby certify and declare that in my opinion the under-mentioned person is suffering from a disease within the terms of the above-mentioned Act.

Dated the day of 18

(Signed)

Name of person suffering from the disease }

Situation of the house building or room wherein such person is }

Name of occupier or other person having the charge management or control of such house building or room }

Nature of disease }

Note.—This certificate must (under a penalty of not exceeding *forty shillings*) be forthwith delivered or sent to the Medical Officer of Health of the Borough at the Town Hall.

THE FOURTH SCHEDULE.

Private Street Works.

PART I.

Particulars to be stated in Specifications Plans and Sections Estimates and Provisional Apportionments.

Specifications.—These shall describe generally the works and things to be done and in the case of structural works shall specify as far as may be the foundation form material and dimensions thereof.

Plans and Sections.—These shall show the constructive character of the works and the connexions (if any) with existing streets sewers or other works and the lines and levels of the works subject to such limits of deviation (if any) as shall be indicated on the plans and sections respectively.

Estimates.—These shall show the particulars of the probable cost of the whole works including the commission provided for by this Act.

A.D. 1889.

Schedule IV.

Provisional Apportionments.—These shall state the amounts charged on the respective premises and the names of the respective owners or reputed owners and shall also state whether the apportionment is made according to the frontage of the respective premises or not and the measurements of the frontages and the other considerations (if any) on which the apportionment is based.

PART II.

PUBLICATION OF NOTICE.

Any resolution notice or other document required by this Act to be published in the manner prescribed by this schedule shall be published once in each of two successive weeks in some local newspaper circulating within the borough and shall be publicly posted in or near the street to which it relates once at least in each of three successive weeks.

Schedule V.

THE FIFTH SCHEDULE.

LANDS AND PREMISES OF WHICH PORTIONS ONLY ARE REQUIRED TO BE TAKEN.

Township.	Numbers on the Deposited Plans.
Falsgrave	3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 24, 25, 26, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38.

Schedule VI.

THE SIXTH SCHEDULE.

FORMS.

(A.)

RESOLUTIONS ON CREATION OF SCARBOROUGH CORPORATION REDEEMABLE STOCK.

BOROUGH OF SCARBOROUGH.

[29th September 188 .]

At a meeting of the council of the borough of Scarborough holden on [Tuesday the day of 188] at [eleven o'clock in the forenoon] in the [council chamber within the] municipal offices [as a special council].

Present:

[A.B.] Mayor and absolute majority of the council.

Resolved first—

That under the authority and subject to the provisions of the Scarborough Improvement Act 1889 the Corporation acting by the council do hereby in

exercise of their several statutory powers create stock to be called Scarborough Corporation Redeemable Stock and to be issued to an amount which shall be sufficient for the following purposes but not exceeding [state the sum]:—

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 [ ];

(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 [ ].

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):—

A.D. 1889.

Schedule VI.

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 at £ per cent. per annum payable [half-yearly].

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 £10.

J. Stock to be transferable in [books and not by deed].

Resolved thirdly—

That such stock shall be redeemable as follows : [State terms].

Resolved fourthly—

That subject to the approval of the Commissioners of Inland Revenue an agreement may be entered into with the said Commissioners for the payment to them of composition for stamp duty on transfers of stock issued under the foregoing resolutions under the provisions of the Customs and Inland Revenue Act 1887.

(B.)

STOCK RECEIPT.

SCARBOROUGH CORPORATION REDEEMABLE 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 Scarborough Corporation Redeemable 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, 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 SCARBOROUGH CORPORATION REDEEMABLE STOCK.

(£ PER CENT.)

PAYMENT OF DIVIDENDS.

Dividends are due on [*the* 1*st January*, 1*st April*, 1*st July*, *and* 1*st October*] unless the [1*st*] of any 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, or in the Channel Islands, or the Isle of Man, 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 at 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.

A.D. 1889.

Schedule VI.

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, except in the case of stock held upon any trust.

(C.)

SCARBOROUGH CORPORATION REDEEMABLE STOCK
(£ PER CENT.)

(STOCK CERTIFICATE.)

Number

This is to certify that A.B. of [ ] is the proprietor of [ ] pounds of Scarborough Corporation Redeemable Stock subject to the Acts of Parliament relating thereto.

Given under the common seal of the mayor aldermen and burgesses of the borough of Scarborough this [ ] day of [ ] 18 [ ].

(D.)

TRANSFER IN BOOKS.

SCARBOROUGH CORPORATION REDEEMABLE STOCK
(£ PER CENT.)

No.

this day of in the year of our Lord one thousand eight hundred and do assign and transfer

£	*s.*	*d.*

Entered by

interest or share in the Scarborough Corporation Redeemable 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

Witness to the identity of

Executors administrators or assigns Witness hand

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]

_____

_____

_____

_____ Scarborough Corporation Redeemable 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

SCARBOROUGH CORPORATION REDEEMABLE 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

Scarborough Corporation Redeemable 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.

A.D. 1889.

Schedule VI.

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 SCARBOROUGH.

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 Scarborough Corporation Redeemable Stock standing [*or* part of the stock standing] in my name in the books of the mayor aldermen and burgesses of the borough of Scarborough 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 [ ].

(H.)

DIVIDEND WARRANT.

SCARBOROUGH CORPORATION REDEEMABLE 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 £ Scarborough Corporation Redeemable 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 of one [quarter of a year's] dividend, due as abovesaid.

Witness my hand this , 188 .

_____

Witness

A.D. 1889.

Schedule VI.

(I.)

DIVIDEND WARRANT BY POST.

(1.)

SCARBOROUGH CORPORATION REDEEMABLE STOCK

(£ per Cent.)

REQUEST FOR TRANSMISSION OF DIVIDEND WARRANTS BY POST.

To the Governor and Company of the Bank of England.

Amount. "my" or "our." A sum of £ Scarborough Corporation Redeemable Stock (£ per Cent.) is now standing in name as follows :—

Names, addresses, and descriptions as recorded in the bank books.

"I" or "we." "myself" or "our *nominee*." "my" or "our." As the person entitled to the dividends upon the above-mentioned amount of stock hereby authorise the Accountant-General of the Bank 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, or on the amount for the time being standing in name :

"I" or "we." "my" or "our." And hereby request the said Accountant-General to send through the post at risk and until further notice, the warrants so drawn to—

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*.

Name _____

Present address _____

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 SCARBOROUGH CORPORATION REDEEMABLE 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.)

N.B.—This arrangement does not apply to stockholders whose addresses are beyond the United Kingdom the Channel Islands and the Isle of Man.

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 [1*st January*, 1*st April*, 1*st July*, and 1*st October*].

When the [1*st*] 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 [1*st January*] the balance is struck on or about the [1*st December*].

For the dividend payable [1*st April*] the balance is struck on or about the [1*st March*].

For the dividend payable [1*st July*] the balance is struck on or about the [1*st June*].

For the dividend payable [1*st October*] the balance is struck on or about the [1*st 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.

A.D. 1889.

Schedule VI.

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 endorsed; 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 a 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.

(2.)

POST DIVIDEND WARRANT.

SCARBOROUGH CORPORATION REDEEMABLE 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 the 1st day of 188 ,

on the sum of £ { Scarborough Corporation Redeemable Stock (£ per cent.) }

Less property tax at per £

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.

SCARBOROUGH CORPORATION REDEEMABLE 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 of Scarborough Corporation Redeemable Stock with dividend thereon at the rate of £ per cent. per annum transferable at the Bank of England pursuant to the Scarborough Improvement Act 1889.

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

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.

SCARBOROUGH CORPORATION REDEEMABLE STOCK.

Coupon for shillings pence
(Less Income Tax)
being Three Months' Dividend at £ per Cent. per Annum.

A00000 Due [1*st January*, 1891]
on Certificate for FIFTY POUNDS SCARBOROUGH CORPORATION REDEEMABLE STOCK.

£0. *Payable at the Bank of England.*

5 Div.

SCARBOROUGH CORPORATION REDEEMABLE STOCK.

[*Due* 1*st Jan.*, 1891]

A00000
£0.

4 Div.

SCARBOROUGH CORPORATION REDEEMABLE STOCK.

Coupon for shillings pence
(Less Income Tax)
being Three Months' Dividend at £ per Cent. per Annum.

A00000 Due [1*st October*, 1890]
on Certificate for FIFTY POUNDS SCARBOROUGH CORPORATION REDEEMABLE STOCK.

£0. *Payable at the Bank of England.*

4 Div.

SCARBOROUGH CORPORATION REDEEMABLE STOCK.

[*Due* 1*st Oct.*, 1890]

A00000
£0.

3 Div.

SCARBOROUGH CORPORATION REDEEMABLE STOCK.

Coupon for shillings pence
(Less Income Tax)
being Three Months' Dividend at £ per Cent. per Annum.

A00000 Due [1*st July*, 1890]
on Certificate for FIFTY POUNDS SCARBOROUGH CORPORATION REDEEMABLE STOCK.

£0. *Payable at the Bank of England.*

3 Div.

SCARBOROUGH CORPORATION REDEEMABLE STOCK.

[*Due* 1*st July*, 1890]

A00000
£0.

2 Div.

SCARBOROUGH CORPORATION REDEEMABLE STOCK.

Coupon for shillings pence
(Less Income Tax)
being Three Months' Dividend at £ per Cent. per Annum.

A00000 Due [1*st April*, 1890]
on Certificate for FIFTY POUNDS SCARBOROUGH CORPORATION REDEEMABLE STOCK.

£0. *Payable at the Bank of England.*

2 Div.

SCARBOROUGH CORPORATION REDEEMABLE STOCK.

[*Due* 1*st April*, 1890]

A00000
£0.

A.D. 1889.

Schedule VI.

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

Printed by Eyre and Spottiswoode
FOR
T. Digby Pigott, Esq., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, East Harding Street, Fleet Street, E.C.; or
ADAM AND CHARLES BLACK, 6, North Bridge, Edinburgh; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.