CHAPTER clxiv.

An Act to authorise the mayor aldermen and burgesses of the borough of Wimbledon to purchase lands in and adjoining the borough to divide the Saint Mary's and South Park Wards of the borough and to make further provision in regard to the electricity undertaking of the Corporation and the health local government and improvement of the borough and for other purposes. A.D. 1914.

[7th August 1914.]

WHEREAS the borough of Wimbledon in the county of Surrey (in this Act called "the borough") is a municipal borough under the management and local government of the mayor aldermen and burgesses of the borough (in this Act called "the Corporation") and the Corporation acting by the council of the borough are the sanitary authority of the borough with the powers and obligations of an urban sanitary authority:

And whereas it would be of great local and public advantage if certain lands (in this Act referred to as "the Wimbledon Park Estate") comprising one hundred and fifty-five acres or thereabouts and situate as to one hundred and twenty-two acres or thereabouts in the borough and as to thirty-three acres or thereabouts in the metropolitan borough of Wandsworth in the county of London were acquired by the Corporation:

And whereas the Corporation have entered into a provisional agreement for the purchase of the Wimbledon Park Estate for the sum of sixty-six thousand five hundred pounds and it is expedient that the Corporation should be empowered to purchase the same and that the use management control appropriation

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and disposition of the Wimbledon Park Estate should be regulated and controlled in accordance with the powers and provisions in this Act contained:

And whereas the borough is now divided into six wards and the council consists of six aldermen and eighteen councillors and it is expedient that the Saint Mary's Ward and the South Park Ward should each be divided into two wards and that the number of aldermen and councillors respectively should be increased to eight and twenty-four:

And whereas the Corporation are the owners of the undertaking whereby the borough the parish of Merton in the urban district of Merton and Morden and the urban district of The Maldens and Coombe are supplied with electricity and it is expedient to confer further powers upon the Corporation in relation to that undertaking:

And whereas it is expedient to make further and better provision in regard to streets and buildings in the borough and that the powers of the Corporation in relation to the health local government and improvement of the borough be enlarged as by this Act provided:

And whereas it is expedient that the other provisions contained in this Act be enacted:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed and the approval of the Local Government Board has been obtained:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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:—

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Wimbledon Corporation Act 1914.

Division of Act into Parts.

2. This Act is divided into Parts as follows:—

Part I.—Preliminary.
Part II.—Wimbledon Park Estate.
Part III.—Division of Saint Mary's and South Park Wards.
Part IV.—Electricity.
Part V.—Public buildings baths and recreation grounds.
Part VI.—Streets and buildings.
Part VII.—Watercourses.
Part VIII.—Sewers drains &c.
Part IX.—Infectious disease and sanitary provisions.
Part X.—Financial.
Part XI.—Miscellaneous.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845 and except the provisions with respect to the purchase and taking of lands otherwise than by agreement) so far as they are applicable for the purposes and are not inconsistent with the provisions of this Act are hereby incorporated with and form part of this Act.

Interpretation.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts have the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Act unless the subject or context otherwise requires—

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

"The borough" means the borough of Wimbledon;

"The council" means the council of the borough;

"The Wimbledon Park Estate" means certain freehold lands and land partly covered with water buildings and hereditaments generally known as the Wimbledon Park situate partly in the borough and partly in the metropolitan borough of Wandsworth in the county of London and containing one hundred and fifty-five acres

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or thereabouts which said lands buildings and hereditaments are delineated and shown on a plan signed in triplicate by William Middlebrook Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred;

"The area of supply" means the limits within which the Corporation are for the time being authorised to supply electricity;

"The town clerk" "the treasurer" "the medical officer" "the surveyor" and "the inspector of nuisances" mean respectively the town clerk the treasurer the medical officer of health the surveyor and the inspector of nuisances of the borough and respectively include any person duly authorised to discharge temporarily the duties of those offices;

"The borough fund" "the borough rate" "the district fund" and "the general district rate" mean respectively the borough fund the borough rate the district fund and the general district rate of the borough;

"Infectious disease" means any infectious disease to which the Infectious Disease (Notification) Act 1889 for the time being applies within the borough;

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

"Statutory security" means 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 stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

"Statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing 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 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;

"Revenues of the Corporation" includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation.

PART II.

WIMBLEDON PARK ESTATE.

Power of Corporation to purchase Wimbledon Park Estate.

5. The Corporation may purchase by agreement subject to any existing tenancies the Wimbledon Park Estate and any other lands not exceeding twelve acres in extent adjoining any part of the Wimbledon Park Estate or convenient to be held therewith and may enter into and carry into effect any contracts or agreements necessary or proper for the purpose and the Corporation shall hold and may use manage control and dispose of the Wimbledon Park Estate and other lands so acquired by them for the purposes and subject to and in accordance with the powers and provisions set forth in this Act.

Deposit of plans of Wimbledon Park Estate. Copies of plan to be evidence.

6.—(1) The signed plans of the Wimbledon Park Estate shall be deposited as to one in the Parliament Office of the House of Lords as to another in the Private Bill Office of the House of Commons and as to the other in the office of the town clerk.

(2) Copies of or extracts from the signed plan of the Wimbledon Park Estate deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of such plan.

Management of Wimbledon Park Estate.

7. The Corporation shall have the control and management of the Wimbledon Park Estate and other lands acquired and held in connection therewith together with all buildings now

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(1) They may improve and extend the parklands and buildings and lay out form fence construct and maintain grounds for games sports entertainments recreation and other purposes and also gardens roads footpaths ways walks fences plantations ornamental lakes and spaces for military drill and exercise and may plant trees and shrubs for the purpose of shelter or ornament and erect and provide buildings enclosures pavilions stands lavatories kiosks and seats:

(2) They may let for such term not exceeding twenty-one years and subject to such covenants and conditions as they think fit any part or parts of the Wimbledon Park Estate and other lands acquired and held in connection therewith for games or for purposes of recreation:

(3) They may let for a period not exceeding twenty-one years any rights exclusive or otherwise of selling and supplying refreshments to the public resorting to and using any portion of the Wimbledon Park Estate and other lands acquired and held in connection therewith to which the public have access and may permit the erection for those purposes of such buildings and the enclosure and provision of such space and accommodation as may be requisite or necessary for adequate and proper catering:

(4) They may set apart and appropriate any portion of the Wimbledon Park Estate and other lands acquired and held in connection therewith for such purposes of public utility instruction or benefit for such periods and on such terms and conditions as they may think fit:

(5) They may in any portion or portions of the Wimbledon Park Estate and other lands acquired and held in connection therewith lay out and maintain bowling greens cricket hockey and football grounds lawn tennis courts and croquet lawns and grounds for other games and recreation and provide the necessary apparatus for the use of the same and may do all such acts and employ such persons as may be required

for that purpose and may make such reasonable charges for the use of such bowling greens cricket hockey and football grounds lawn tennis courts and croquet lawns and grounds for other games and recreation and the apparatus in connection therewith respectively as they may from time to time prescribe and may make and enforce byelaws with respect thereto and for regulating the use thereof respectively and the conduct of persons using the same or resorting thereto:

(6) They may appoint pay and remove officers servants and workmen to perform any services in connection with the Wimbledon Park Estate and other lands acquired and held in connection therewith:

(7) They may from time to time with the consent of the Local Government Board appropriate all or any portion of the Wimbledon Park Estate and other lands acquired and held in connection therewith for any special purpose for which the Corporation whether as a municipal education or sanitary authority or otherwise are now or may hereafter be authorised by statute to acquire and hold lands.

Power to maintain golf course.

8.—(1) The Corporation may hold and use and appropriate for the purposes of a municipal golf course such part of the Wimbledon Park Estate and other lands acquired and held in connection therewith as may be necessary or expedient for that purpose and may thereon maintain alter regulate manage and use a golf course with all proper and convenient houses pavilions works buildings and conveniences and may in connection therewith appoint and pay officers and servants.

(2) The Corporation may make charges for the use of such golf course and may permit the use thereof by any club or other body subject to such conditions as they may think fit.

(3) The Corporation may make and enforce byelaws with respect to such golf course and for regulating the use thereof and the conduct of persons using the same or resorting thereto.

Temporary use of parts of Wimbledon Park

9.—(1) The Corporation may temporarily and from time to time allow the use of any part or parts of the Wimbledon Park Estate and other lands acquired and held in connection therewith

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Estate as pleasure grounds &c.

for the purposes of a public walk pleasure ground public park or recreation ground for such period or periods as they may think fit.

(2) During such period or periods the said part or parts of the Wimbledon Park Estate and other lands so used shall be deemed to be public walks or pleasure grounds within the meaning of the Public Health Acts.

(3) At the expiration of such period or periods the Corporation shall have and may exercise over and in respect of the said part or parts of the Wimbledon Park Estate and other lands so used the same powers as they had and might exercise prior to such user.

(4) Provided that during such period or periods the Corporation shall exhibit and keep exhibited at each gate or entrance to the said part or parts of the Wimbledon Park Estate and other lands so used a notice specifying the period during which the same is to be used for the purposes of a public walk pleasure ground public park or recreation ground and a printed copy of the byelaws made by the Corporation under section 164 of the Public Health Act 1875.

Appropriation of part of Wimbledon Park Estate as public walk and pleasure ground.

10. Notwithstanding anything in this Part of this Act contained the Corporation shall from and after the expiration of a period of five years from the passing of this Act appropriate and maintain not less than twenty acres (not being land covered with water) of the Wimbledon Park Estate for the purpose of a public walk pleasure ground public park or recreation ground.

Application of provisions of Public Health Acts as to public walks and pleasure grounds.

11. From and after the date when the Corporation shall have appropriated any portion of the Wimbledon Park Estate and other lands acquired and held in connection therewith for the purpose of a public walk pleasure ground public park or recreation ground the provisions of the Public Health Acts as amended and extended by this Act shall apply thereto as if such portion had been acquired by the Corporation in pursuance of section 164 of the Public Health Act 1875.

Power to lease lands.

12.—(1) The Corporation may when and as they shall think fit so to do and with the consent of the Local Government Board demise and lease any portion or portions of the Wimbledon Park Estate and any other lands acquired and held in connection there-

with (all of which are in this and the next succeeding section referred to as "the said lands") on building leases either altogether or in parcels to any person or persons who shall erect and build or covenant and agree to erect and build thereon or on any part thereof dwelling-houses or other erections or buildings of such size design or class of building and upon such plan and elevation and of such height and with such storeys as the Corporation shall think proper for such term or number of years as they may think fit so that there be reserved in every such demise or lease such peppercorn or other yearly rent to be incident to the immediate reversion of the premises therein comprised as to the Corporation shall seem reasonable and so that in every such demise or lease there be contained a covenant for the payment of the rent thereby to be reserved and such other covenants on the part of the tenant or lessee to be therein named as the Corporation shall require and also a clause in the nature of a condition of re-entry on non-payment of the rent thereby to be reserved or on non-observance or non-performance of the covenants therein to be contained and on the part of the tenant or lessee to be observed and performed and every such tenant or lessee shall give such good and sufficient security for the erecting finishing and completing of every such house erection and building which he shall covenant or agree to erect within the time in which he shall have contracted to finish the same as the Corporation shall order and direct and such contract may be enforced by the Corporation accordingly.

(2) The Corporation may if they think fit accept and take any fine or premium for the granting of any lease and may enter into any agreement for the granting of any lease of the said lands or any parts thereof and may in any such lease or agreement for a lease give to the lessee or intended lessee an option or right to purchase the fee simple in reversion in the premises leased or agreed to be leased together with all dwelling-houses and other erections or buildings thereon at the time of the exercise of such option at such time and on such terms and conditions as they may think fit and on granting leases in pursuance of such agreements may alter the amount of the rents agreed to be reserved in such leases and may apportion the same and grant separate leases of any part of the hereditaments by any such agreement agreed to be leased as the Corporation think fit and may also alter or rescind any agreement as aforesaid and may accept any surrender of any lease in all respects as the Corporation shall think fit and any part

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of the said lands may be appropriated for and left as gardens or yards to be attached to any premises agreed to be leased as the Corporation shall think fit.

As to sale of land and ground rents.

13.—(1) The Corporation may with the consent of the Local Government Board sell and dispose of or cause to be sold and disposed of the ground rents or other rents to be reserved by the leases or demises or agreed to be reserved by any agreements for leases of any of the said lands made under the authority of this Act and also the fee simple in reversion in such lands and in the dwelling-houses or other erections or buildings thereon either altogether or in parcels by public auction or by private contract for such price or prices or sum or sums of money as the Corporation shall think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Corporation shall think fit.

(2) The Corporation may with the like consent sell and dispose of all or any of the said lands without having previously granted or agreed to grant any lease thereof for such price or prices or sum or sums of money as the Corporation shall think reasonable and subject to such stipulations and provisions for the enjoyment thereof and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Corporation shall think fit.

(3) The Corporation may in any conveyance or other instrument whereby they convey or transfer the fee simple in possession in the said lands or any part or parts thereof or of any lands for the time being and from time to time vested in them include covenants and provisions with respect to the time within which buildings shall be erected thereon by the purchaser or his assignees or successors and as to the approval by the Corporation of the elevation and height of such buildings and the materials for constructing the same and may attach to such covenants and provisions a condition of re-entry in respect of any breach thereof Subsections (1) and (2) of section 14 of the Conveyancing and Law of Property Act 1881 shall apply to any such condition of re-entry as if the conveyance or instrument were a lease within the meaning of those subsections and the expressions "the lessor" and "the lessee" contained in such

subsections shall for the purposes of this section mean respectively the Corporation and the purchaser and his assignees and successors.

Restriction on lease and sale of lands.

14. Notwithstanding anything contained in the sections of this Act of which the marginal notes are "Power to lease lands" and "As to sale of land and ground rents" the Corporation shall not demise and lease on building leases or sell or otherwise dispose of more than seventy-five acres in the aggregate of the lands in the said sections referred to.

As to expenditure for purposes of Wimbledon Park Estate.

15. Any expenditure incurred by the Corporation in pursuance of this Part of this Act other than expenditure defrayed out of borrowed money shall be defrayed out of the rents or revenue of the Wimbledon Park Estate and other lands acquired and held in connection therewith and so far as the same may be deficient out of the district fund or general district rate.

Application of revenue from Wimbledon Park Estate.

16. All revenue from the Wimbledon Park Estate and other lands acquired and held in connection therewith shall be applied—

First—In payment of the expenses properly chargeable to revenue of conducting managing maintaining improving and laying out the Wimbledon Park Estate and other lands and of maintaining a golf course thereon;

Secondly—In payment of the interest on moneys borrowed by the Corporation for the purpose of the purchase of or in connection with the Wimbledon Park Estate and other lands and for the purpose of such golf course;

Thirdly—In providing the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the purchase of the Wimbledon Park Estate and other lands and for the purposes of such golf course:

And the Corporation shall carry to the district fund or general district rate so much of the balance remaining in any year as may in the opinion of the Corporation not be required for carrying on managing maintaining and improving the Wimbledon Park Estate and other lands and the said golf course and for paying current expenses in connection therewith.

As to application of moneys received from

17. Any capital money received by the Corporation upon the sale leasing or disposal of lands or buildings forming a portion of the Wimbledon Park Estate and other lands acquired

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sale of Wimbledon Park Estate.

and held in connection therewith shall be applied in or towards the extinguishment of any loan raised by the Corporation for the purposes of the purchase of or otherwise in connection with the Wimbledon Park Estate and other lands and for the time being outstanding or to such other purposes as the Corporation with the approval of the Local Government Board may determine.

Widening of Wimbledon Park Road.

18. In the event of the Corporation purchasing the Wimbledon Park Estate they shall forthwith give notice thereof in writing to the London County Council and shall if so required by the said council in writing within six months after the receipt of such notice give up free of cost for the widening and improvement of Wimbledon Park Road so much of the lands comprised in the said estate as is shown by red colour on the plan marked B signed by William Middlebrook Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (of which plan one copy has been deposited in the Private Bill Office of the House of Commons and one copy has been deposited in the Parliament Office of the House of Lords).

Saving for London County Council.

19. Nothing in this Part of this Act shall exempt any buildings or structures or additions to or alterations of buildings structures or works erected constructed or made upon any lands in the administrative county of London acquired under or in pursuance of the powers of this Part of this Act from the provisions of the London Building Acts 1894 to 1909 and any Act amending the same and any byelaws and regulations in force thereunder.

PART III.

DIVISION OF SAINT MARY'S AND SOUTH PARK WARDS.

Division of wards.

20.—(1) The existing Saint Mary's Ward of the borough shall be divided into two wards to be called the Saint Mary's Ward and the Wimbledon Park Ward respectively.

(2) The existing South Park Ward of the borough shall be divided into two wards to be called the South Park Ward and the Haydon Park Ward respectively.

(3) The boundaries of the Saint Mary's Wimbledon Park South Park and Haydon Park Wards shall be as set forth in the First Part of the First Schedule to this Act.

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Constitution and number of council.

21. After the division of the Saint Mary's Ward and the South Park Ward each into two wards under the provisions of this Act the council shall consist of eight aldermen and twenty-four councillors and each ward shall return three councillors.

Assignment &c. of councillors

22.—(1) The first councillors for the new Saint Mary's Wimbledon Park South Park and Haydon Park Wards and the dates of their several retirements shall be as set forth in the Second Part of the First Schedule to this Act.

(2) On the second day of November one thousand nine hundred and fourteen there shall be elected one councillor for the Saint Mary's Ward three councillors for the Wimbledon Park Ward one councillor for the South Park Ward and three councillors for the Haydon Park Ward.

(3) The councillors elected on the second day of November one thousand nine hundred and fourteen for the Wimbledon Park and the Haydon Park Wards shall respectively retire as follows:—

(A) The councillor who is elected for each of the said wards by the smallest number of votes on the first day of November one thousand nine hundred and fifteen:

(B) The councillor who is elected for each of the said wards by the largest number of votes on the first day of November one thousand nine hundred and seventeen:

(C) The other councillor who is elected for each of the said wards on the first day of November one thousand nine hundred and sixteen.

(4) The councillors elected on the second day of November one thousand nine hundred and fourteen for the Saint Mary's and the South Park Wards shall retire on the first day of November one thousand nine hundred and seventeen.

Election of additional aldermen.

23. On the ninth day of November one thousand nine hundred and fourteen the council shall elect two additional aldermen one of whom as the council shall at the time of election determine shall go out of office on the election of aldermen in the year one thousand nine hundred and seventeen and the other of them shall go out of office at the election of aldermen in the year one thousand nine hundred and twenty.

Returning officers.

24. The council shall at their first meeting after the passing of this Act assign to the new Saint Mary's Wimbledon

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Park South Park and Haydon Park Wards respectively an alderman or councillor of the borough to be the returning officer therefor.

Further provisions as to elections &c.

25. Anything to be done under the provisions of the Municipal Corporations Acts the Ballot Act 1872 and any other Act or Acts in relation to elections and other matters incidental thereto or by the mayor aldermen or town clerk in relation to each of the said four wards before the second day of November one thousand nine hundred and fourteen may be done in like manner as if such wards were and had been wards of the borough at the time of the passing of this Act.

As to elections and rotation generally.

26. Subject to the provisions of this Act all elections vacations of office and rotation of the aldermen and councillors shall be governed and regulated by the Municipal Corporations Acts.

Ward rolls.

27. For the purposes of the ward rolls to be made after the passing of this Act under the Municipal Corporations Acts and in relation to the functions and offices of the mayor town clerk and other officers under those Acts the Saint Mary's Ward shall be deemed to have always been divided into the said Saint Mary's and Wimbledon Park Wards and the South Park Ward shall be deemed to have always been divided into the said South Park and Haydon Park Wards Provided that no such ward roll so to be made as aforesaid shall be deemed to be invalid by reason only that the same shall not have been made and published or any notice or notices given at the time or times required prior to the passing of this Act if such roll or notice or notices be made given or published as soon after the passing of this Act as may be practicable.

Application of Municipal Corporations Acts.

28. Subject to the provisions of this Act all the provisions of the Municipal Corporations Acts with respect to the division of the borough into wards or the alteration of wards shall apply to the borough and nothing in this Act shall take away or affect the power to alter the number or boundaries of the wards of the borough under the provisions of the Municipal Corporations Acts.

PART IV.

ELECTRICITY.

Electrical fittings.

29.—(1) The Corporation may subject to the provisions of this section sell let for hire and fix repair and remove but

shall not manufacture lamps meters electric lines fuses switches lampholders motors and other electrical fittings for lighting and motive or other purposes (all of which are in this section referred to as "fittings") and may provide all materials and work necessary or proper in that behalf and with respect thereto may make such charges terms and conditions as may be agreed upon.

(2) The Corporation shall not themselves execute the wiring of private property except between the main of the Corporation and the consumer's meter but they may enter into contracts for the execution of any of the powers of this section including the wiring of private property provided that the contractor acts independently of the Corporation in the execution of the contract The Corporation shall not sell any such fittings except through a contractor carrying on his business independently of the Corporation.

(3) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or liable to be taken in execution under process of law or proceedings in bankruptcy against the person in whose possession the same may be Provided that such fittings are marked or impressed with a sufficient mark or brand indicating the Corporation as the actual owners thereof.

(4) Provided as follows:—

(A) The Corporation shall so adjust the charges to be made by them for any such fittings or for the fixing repairing or removal thereof as to meet the sum properly chargeable for the costs and expenses incurred by them under the powers of this section in connection therewith (including interest upon moneys borrowed for those purposes and all sums applied to sinking fund for repayment of moneys so borrowed):

(B) The sums properly chargeable and received by the Corporation in connection with the purposes in this section mentioned in each year (including interest and sinking fund) shall be separately shown in the published accounts of the electricity undertaking of the Corporation for that year:

(C) Every sum charged by the Corporation to a consumer in respect of the provision of such fittings or the

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fixing repairing or removal thereof shall be separately stated on every demand note delivered by the Corporation to the consumer.

Byelaws as to wires apparatus and fittings.

30. The Corporation may make byelaws for the purpose of preventing fire in any building or premises supplied with electrical energy by the Corporation with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply and the provisions of section 6 of the Electric Lighting Act 1882 shall apply to any byelaws made under this section.

Power to lay electric lines &c. in streets not dedicated to public use.

31. The Corporation may on the application of the owner or occupier of any premises within the area of supply abutting on or erected or being erected in any street laid out or made but not dedicated to public use supply such premises with electrical energy and may lay down take up alter relay repair remove and renew in across along or out of such street such electric lines and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Wimbledon Electric Lighting Order 1897 the Wimbledon Electric Lighting (Extension) Order 1903 the Wimbledon Electric Lighting (Extension) Order 1911 the Electric Lighting Acts 1882 to 1909 and the Electric Lighting (Clauses) Act 1899 so far as they are applicable for the purposes of this section shall extend and apply to and for the purposes hereof and to any works constructed or executed by the Corporation under the powers of this section.

For protection of certain railway companies.

32. Any electric lines or apparatus which under the powers of the section of this Act whereof the marginal note is "Power "to lay electric lines &c. in streets not dedicated to public "use" the Corporation may lay down under or over or which may affect any railway works or roadway belonging to the London and South Western Railway Company and the London Brighton and South Coast Railway Company and the Wimbledon and Sutton Railway Company or any of them (which companies are in this section referred to severally or jointly as "the railway company") shall be laid down and executed and subsequently maintained by the Corporation under the direction and superintendence and to the reasonable satisfaction of the chief engineer of the railway company and in accordance with plans and sections previously submitted to and approved by

him and the Corporation shall make the railway company full compensation for all damage sustained by them by reason of the exercise of the powers of this section.

If any difference shall arise between the Corporation and the railway company under this section such difference shall be settled by an engineer to be appointed by the President for the time being of the Institution of Civil Engineers at the request of either party and the provisions of the Arbitration Act 1889 shall apply to any such reference.

Power to construct electrical sub-stations under streets.

33.—(1) The Corporation may construct and maintain in or under any street repairable by the inhabitants at large or dedicated to public use sub-stations transforming stations and other works in connection with their electricity undertaking and may in any such street provide and maintain all such means of access and approach to such sub-stations transforming stations and works as may be necessary or convenient The Corporation shall give seven days' notice in writing to the commissioner of police of the metropolis of their intention to construct any work under this section.

(2) The provisions of the Electric Lighting (Clauses) Act 1899 shall apply to any work constructed by the Corporation under this section as though such work had been a box within the meaning of section 13 of the said Act.

(3) Provided that the Corporation shall not under the powers of this section construct any work which shall so interfere with the access to any passenger or goods station of the London and South Western Railway Company and the London Brighton and South Coast Railway Company and the Wimbledon and Sutton Railway Company or any of them as to obstruct the free ingress and egress of traffic into and from any such station and if any difference arise between the Corporation and such companies or either of them as to whether such access will be interfered with the question shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the Board of Trade.

Attachment of brackets and wires to buildings.

34. The Corporation may with the consent of the owner of any building wall or bridge attach to that structure such brackets wires and apparatus as may be required for lighting any street in the area of supply:

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Provided that—

(1) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a court of summary jurisdiction who shall have power having regard to the character of the building and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable in the circumstances or to disallow the same and to determine by which of the parties the costs of the appeal are to be paid:

(2) Any consent of an owner and any order of a court of summary jurisdiction under this section shall not have effect after the owner ceases to be in possession of the structure but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed Where such notice is given the preceding provisions of this section shall apply and the court of summary jurisdiction shall have the same powers as under the first proviso to this section:

(3) The owner may require the Corporation temporarily to remove the attachments where necessary during any reconstruction or repair of the structure.

For the purpose of this section any occupier of a structure whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rack-rent shall be deemed to be the owner.

For protection of railway companies.

35.—(1) Nothing in the section of this Act of which the marginal note is "Attachment of brackets and wires to buildings" shall authorise the Corporation to affix brackets wires or apparatus to the structure of any railway bridge or viaduct belonging to any railway company without the previous consent in writing of such company.

(2) In the case of any building (other than a bridge or viaduct) of which a railway company are the owner for the

purposes of the said section any question which pursuant to the said section is to be determined by a petty sessional court shall in lieu thereof be referred to and determined by an engineer to be agreed on by the parties to such question or failing such agreement to be appointed as arbitrator on the application of either party by the President of the Institution of Civil Engineers The provisions of the Arbitration Act 1889 shall apply to any such reference and the said section of this Act shall be read and construed as if references to an arbitrator and his award were substituted for the references to a petty sessional court and its order.

As to overhead wires.

36.—(1) The consent of the Merton and Morden Urban District Council to the placing of electric lines above ground by the Corporation under section 14 of the Electric Lighting Act 1882 and section 10 (*b*) of the schedule to the Electric Lighting (Clauses) Act 1899 shall not be unreasonably withheld.

(2) If any question arises between the Corporation and the said council as to whether such consent is unreasonably withheld that question shall be decided by the Board of Trade on the application of either party after notice in writing to the other.

Provisions as to supply of electricity by agreement.

37.—(1) If any consumer of electricity supplied by the Corporation under the terms of any agreement uses the energy supplied to him by the Corporation in any manner contrary to the terms of such agreement the Corporation may if they think fit discontinue to supply electrical energy to such consumer until they are satisfied that any energy so supplied will be consumed in accordance with the terms of such agreement Provided that before discontinuing any such supply the Corporation shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify in what respect the energy is used contrary to the terms of such agreement.

(2) A consumer supplied with electrical energy by the Corporation under the terms of any agreement shall be deemed to be a person to whom the Corporation may be and are required to supply energy within the meaning of section 30 of the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of that section shall apply to the supply afforded by the Corporation under such agreement unless the provisions of that section are expressly excluded from application in any such agreement and if the Corporation fail to supply energy to

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such consumer they shall not be liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Corporation Provided that the provisions of this subsection shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions.

Further powers as to entry upon premises.

38. Any person who shall hinder an officer appointed by the Corporation from entering any premises in pursuance of section 24 of the Electric Lighting Act 1882 or from exercising the powers contained in that section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Period of error in defective meters.

39.—(1) In the event of a meter of a construction and pattern approved by the Board of Trade used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter.

(2) The amount of the allowance to be paid to or the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and shall be recoverable in the like manner as charges for electricity are recoverable by the Corporation.

Notice to discontinue supply of electricity.

40.—(1) A notice to the Corporation from a consumer for the discontinuance of a supply of electricity shall not be of any effect unless it be in writing signed by or on behalf of the consumer and left with or sent by post to the Corporation or be given by the consumer personally at the office of the electrical engineer to the Corporation.

(2) Notice to the effect of this section shall be endorsed upon any demand note for charges for electricity.

Power to refuse to supply electrical energy in certain cases.

41. The Corporation may refuse to supply electrical energy to any person whose payments for the supply of electricity or meter rent are for the time being in arrear (not being the subject of a bonâ fide dispute) whether any such payments be due to the Corporation in respect of a supply to the premises in respect of which such supply is demanded or in respect of other premises.

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As to expenses and receipts.

42.—(1) Any expenses incurred by the Corporation in carrying into effect the provisions of this Part of this Act relating to the supply of electricity and for which no other provision is made by this Act shall be deemed to be expenses incurred by the Corporation under the Electric Lighting Act 1882 and not otherwise provided for and the provisions of sections 7 and 8 of that Act shall extend and apply accordingly to such expenses.

(2) Any moneys received by the Corporation under the said provisions shall be applied in manner provided by section 7 of the schedule to the Electric Lighting (Clauses) Act 1899.

For protection of Metropolitan Water Board.

43. The following provision for the protection of the Metropolitan Water Board shall notwithstanding anything in this Act contained and unless otherwise agreed between the Corporation and the said Water Board apply and have effect (that is to say):—

The notice required by section 18 of the Electric Lighting (Clauses) Act 1899 shall as regards any work constructed by the Corporation under the section of this Act of which the marginal note is "Power to construct electrical substations under streets" be not less than ten days instead of three days.

PART V.

PUBLIC BUILDINGS BATHS AND RECREATION GROUNDS.

Power to provide and let town hall and other buildings.

44.—(1) The Corporation may with the consent of the Local Government Board for the purposes of this section on lands already belonging to them or to be acquired by them for the purpose erect and construct and hold furnish equip maintain insure and carry on a town hall municipal buildings public hall assembly rooms and other public buildings with all necessary and suitable offices committee rooms entertainment rooms anterooms refreshment rooms kitchens cloak rooms lavatories gardens outbuildings conveniences and appurtenances The Corporation may for the purposes of this subsection alter adapt extend or otherwise deal with existing buildings belonging to the Corporation.

(2) The Corporation may grant or let with or without charge the use of the whole or any part of any buildings acquired or constructed by them under the powers of this section for the

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purpose of any public or other meetings or any musical or other entertainments or for other purposes approved by the Corporation on such terms and conditions as they may think fit.

(3) Any moneys received by the Corporation in connection with the execution of the purposes of this section shall be carried to the credit of the borough fund.

Turkish medicated and other baths.

45.—(1) The Corporation may erect construct provide maintain furnish equip regulate and manage Turkish medicated and other baths including baths the efficient properties of which are due to agencies other than water and they may demand and take such reasonable charges for the use thereof as they may think fit.

(2) The provisions of the Baths and Washhouses Acts 1846 to 1899 relating to charges shall not apply to the charges to be made by the Corporation to persons using the baths provided under this section.

Further provision as to swimming baths and open bathing places.

46. Notwithstanding anything to the contrary in the Baths and Washhouses Acts 1846 to 1899 contained the following provisions shall have effect:—

(1) The power of the Corporation to make byelaws for the management use and regulation of the public baths and open bathing places shall extend to enable them to permit any swimming bath or open bathing place to be used for the purpose of family bathing (that is to say by any males and females members of families bathing together at the same time) or of mixed bathing (that is to say by males and females bathing together at the same time) during such hours and subject to such regulations as shall be prescribed in such byelaws provided that by such byelaws provision shall be made for ensuring that separate dressing accommodation shall be provided and used by males above eight years old and females respectively and proper costumes worn:

(2) The Corporation may make a charge for each person using any open bathing place not exceeding sixpence.

Use of swimming baths and open bathing places

47. The Corporation may close to the public and may reserve the exclusive use of any swimming bath or open bathing place belonging to them and may grant the use thereof either gratuitously or for payment for swimming contests practices

aquatic exercises or for any other entertainment or exhibition or for meetings and may demand and take or authorise to be demanded and taken at the door or entrance of such swimming bath or open bathing place such sums for the exclusive use of such bath or place or for admission of persons thereto as they may think fit.

for exhibitions and entertainments.

48. The Corporation may during the winter months from the first day of November to the first day of April close or cover over any swimming bath or open bathing place belonging to them and utilise or from time to time let the same for games sports meetings or entertainments of any description or for any other purpose free from any restriction contained in the Baths and Washhouses Acts 1846 to 1899 or any Act amending the same.

Use of swimming baths during winter.

49. Section 76 of the Public Health Acts Amendment Act 1907 shall extend and apply so as to authorise the Corporation to make such reasonable charges as they may think fit for the use of any portion of any of their public parks or pleasure grounds set apart under the provisions of that section for the purposes of cricket football or any other game or recreation and specially laid out and maintained for any such purpose.

Power to charge for portions of pleasure grounds set apart for games.

PART VI.

STREETS AND BUILDINGS.

50.—(1) Where any street or road in the borough which is a highway repairable by the inhabitants at large or any part thereof 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 in any part of such street or road 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 such street or road or any part thereof 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

Corporation may define future line of streets.

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to every owner interested whose name and address they can ascertain and in cases where such name and address cannot be ascertained by affixing such notice to or on the premises No new building erection excavation or obstruction (being of a permanent character) shall be made nearer to the centre of the street or road than such line.

(2) The Corporation may and if required so to do by the owner shall purchase and the owner shall if required so to do by the Corporation sell the land for the time being unbuilt upon lying between any such line as aforesaid and the street or road and the same when purchased shall vest in the Corporation as part of the street or road and the amount of purchase money shall in case of difference be settled by arbitration under the Arbitration Act 1889.

(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 interested in any land for any loss or damage they may sustain in consequence of the line of frontage 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 adjoining land or building full compensation in respect thereof for all damage loss or injury (if any) sustained by them to such land or building by reason of the Corporation requiring the said line to be observed and kept.

(4) In estimating the amount of compensation or purchase money to be paid by the Corporation under this section the benefits accruing to the person to whom the same shall be paid by reason of the widening or improvement of the street or road shall be fairly estimated and shall be set off against the said compensation or purchase money.

(5) If after any such line has been defined and prescribed as aforesaid any person offends against this section he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Application of purchase money in certain cases.

51. The provisions of the Lands Clauses Consolidation Act 1845 with respect to the purchase-money or compensation coming to parties having limited interests or prevented from treating or not making title are hereby incorporated with this Act and shall apply to any purchase-money or compensation payable under the foregoing provisions of this Part of this Act.

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Width of new streets in certain cases.

52. Where in the opinion of the Corporation a new street not being a back street will form a continuation of or means of communication with a main thoroughfare in the borough or a continuation of or means of communication with a main approach to the borough it shall be lawful for the Corporation to require the houses or other buildings intended to be erected in such new street to be set back from the centre line thereof to such distance not exceeding forty feet as they may determine and the Corporation shall thereupon make full compensation to the owner or owners of and to any other person interested in the lands abutting upon the said new street for any damage which may be sustained by him or them by reason of such houses or other buildings being required to be set back as aforesaid and failing agreement the amount of such compensation shall be determined by arbitration in accordance with the provisions of the Arbitration Act 1889:

Provided always that the Corporation may if they think fit instead of paying the compensation to such owner or owners under this section agree with him or them for the purchase of the said lands or any part or parts thereof.

All moneys payable by the Corporation by way of compensation or for the purchase of lands under this section may be defrayed out of moneys authorised by this Act to be borrowed with the sanction of the Local Government Board.

For the purpose of this section "back street" means any street or passage intended to be used only as an access to the back of any building.

Further provisions as to new streets.

53. When a road or lane within the borough is about to become a new street within the meaning of the Public Health Act 1875 but the land on only one side of such street has been or is in course of being built on the Corporation may instead of requiring the owner of the land built on or in course of being built on to widen such road or lane to a width prescribed by the byelaws in force in the borough require such owner to widen such road or lane so as to give a width not less than one-half of such prescribed width from the old centre line of such road or lane to the boundary thereof adjoining such land Provided that if and when the land on the opposite side of such road or lane shall be in course of being built on the owner of such land shall complete the widening of such road or lane so as to comply in all respects with the byelaws of the Corporation.

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Continuation of existing streets to be deemed new streets.

54. 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.

Exchange of parts of streets disused.

55. The Corporation may agree with the owner of any land in any street to give up land for the purpose of widening opening enlarging or otherwise improving such street in exchange for any part of such street which shall front other land belonging to such owner and shall be behind the general line of such street and which shall be no longer required for public use or for approach to any property adjoining the same and for such other consideration (if any) as may be agreed and all public rights of way over any portion of any street so exchanged shall be extinguished.

No building allowed until street defined.

56.—(1) 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 indicate the approved line and level thereof.

(2) 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 grant licences for bridges over streets.

57. The Corporation may grant to the owner or with the consent of the owner to the lessee or occupier of any premises abutting upon any street repairable by the inhabitants at large a licence to construct and use a way (exclusive or otherwise) for himself his servants and agents at all times with or without trucks by means of a bridge over such street for such term as shall be co-extensive with or less than the interest of such owner lessee or occupier in the premises in respect of which such licence shall be given but not exceeding twenty-one years on such terms or at such rent and with under and subject to such covenants conditions and agreements as to the Corporation may seem fit:

Any bridge erected under the provisions of this section shall have a headway of at least eighteen feet above the level of the street and no piers or supports shall be constructed or placed in the carriageway or on the footpath of such street:

Provided that any licence given under this power shall not in any way interfere with the convenience of persons using such street or affect the rights of the owners of the property adjoining and up to the line of the street:

Provided also that in the event of the construction of any such bridge involving the alteration of a telegraphic line of the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to such alteration and any such bridge shall for the purposes of the placing or maintenance of overground telegraphic lines under the powers conferred by the Telegraph Acts 1863 to 1913 be deemed part of the street or road which it crosses:

Provided further that any bridge erected under the provisions of this section shall be so constructed as not to interfere unnecessarily with the overhead equipment of the London United Tramways Limited and if by reason of the construction of any such bridge any alteration of such equipment becomes necessary the same may if the company so desire be carried out by them at the expense of the person to whom the licence to construct such bridge is granted.

If any person shall construct such bridge without such licence or shall not construct or use the same in accordance with the terms and conditions of the licence he shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

Erection of bridges.

58. All bridges (other than bridges which the inhabitants are by law liable to maintain and repair and other than bridges authorised to be made by any railway company) hereafter erected and which form a continuation of any street laid out or to be laid out in accordance with the byelaws relating to new streets and the approaches to such bridges shall be of such width and gradients as the Corporation approve and shall be built substantially in accordance with specifications plans and sections to be submitted to and approved by the Corporation and it shall not be lawful to erect any such bridge except in accordance with the provisions of this section and any person acting in contravention of such provisions shall be liable to a penalty not exceeding twenty pounds and the Corporation may remove alter or pull down any work begun or done in contravention of this section and recover the expenses from such person summarily.

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Prevention and removal of projections over streets.

59. Sections 69 and 70 of the Towns Improvement Clauses Act 1847 (incorporated with the Public Health Acts) shall extend and apply to any crane or apparatus for hoisting or lowering goods and any other like projection from or at any building and whether erected before or after the passing of this Act which the Corporation may determine to be dangerous or an obstruction to the safe or convenient use of any street.

Trees or shrubs overhanging street and footpaths.

60.—(1) Where any tree hedge or shrub overhangs any street or footpath so as to obstruct or interfere with the light from any public lamp or to interfere with vehicular traffic or with the free passage or comfort of passengers the Corporation may serve a notice on the owner of the tree hedge or shrub or on the occupier of the premises on which such tree hedge or shrub is growing requiring him to lop the tree hedge or shrub within seven days so as to prevent such obstruction or interference and in default of compliance the Corporation may themselves carry out the requisition of their notice doing no unnecessary damage.

(2) Any person aggrieved by any requirement of the Corporation under this section may appeal to a court of summary jurisdiction within seven clear days after the service of such notice provided he gives written notice of such appeal and the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs such costs to be recoverable as a civil debt Notice of the right to appeal shall be endorsed on every requirement of the Corporation under this section.

Courts to be flagged and drained.

61.—(1) The owner or owners of premises the occupiers of which use in common any court or yard or passage (not being a highway repairable by the inhabitants at large) or any part of such court yard or passage shall if so required by the Corporation flag asphalte concrete or pave such court yard or passage or any part thereof and make a drain through or along the same and provide gulleys and grids in suitable positions and at proper levels and keep such flagging asphalting concreting or paving and drain gulleys and grids in good repair.

(2) If such owner or owners shall for one month after notice in writing from the Corporation fail in any respect to comply with any requirements of the Corporation under the provisions of subsection (1) of this section he or they shall be liable to a penalty not exceeding forty shillings and to a daily penalty

not exceeding twenty shillings and the Corporation may themselves if they think fit do the work and recover the expense incurred by them in that behalf from such owner or owners.

For preventing soil sand and other debris from being washed into streets.

62.—(1) The owners or occupiers of all lands adjoining or near to any public street shall construct such works as may be necessary for the purpose of preventing so far as reasonably practicable the soil sand and other debris of such lands from falling upon or being washed or carried into any public street sewer or gully in such quantities as will obstruct the highway or choke up such sewer or gully or cause the houses in such street to be flooded.

(2) If any person shall for one month after notice in writing from the Corporation fail in any respect to comply with the provisions of subsection (1) of this section he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) For the purpose of this section "public street" means a street repairable by the inhabitants at large.

Elevation of buildings erected on front lands to be subject to approval of Corporation.

63. All buildings or parts of buildings which may in future be erected on the site of any building or on any land which site or land in consequence of any improvement made by the Corporation becomes front land shall be erected according to such elevation as the Corporation approve and if the owner lessee or occupier of any building or land which on the making of any such improvement acquires a frontage to the street makes any door or entrance opening upon or communicating with the street or any wall or fence by the side of the street every such owner lessee or occupier shall make the building wall or fence in a line and the elevation thereof fronting to or towards the street in accordance with a drawing approved by the Corporation and in case the Corporation for a space of six weeks after any drawing of such elevation is submitted to them neglect to notify their determination in writing with reference thereto they shall be deemed to have approved thereof Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings The Corporation shall make compensation to the owner of any building or land for any loss or damage he may suffer by reason of the setting back or bringing forward of such building wall or fence.

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Forecourts to be fenced off from streets.

64. Whenever any person erecting any building shall be desirous of leaving an opening which may be a source of danger to the public or of placing any steps or other projection in any forecourt area or space left in front of such building such forecourt area or space shall if required by the Corporation be well and sufficiently fenced off from the footpath or street and any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Provisions as to houses without water supply.

65. The owner of any dwelling-house which is not provided with a proper and sufficient water supply who shall occupy or allow to be occupied such dwelling-house shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings unless the dwelling-house was erected before the passing of this Act and such supply is not available.

Byelaws as to materials and construction of buildings.

66. The Corporation may make byelaws with respect to the following matters viz.:—

(1) The materials with which new buildings shall be constructed and the manner in which and the materials with which grates stoves and fireplaces shall be set in new buildings or be newly set or reset in existing buildings and the thickness and construction of walls of all ovens and furnaces wholly or partially built after the passing of this Act:

(2) The uniting of buildings and the making and stopping up of openings in party walls of buildings and the provision of fire-resisting doors in connection therewith and as to the occupation of buildings when united:

(3) Woodwork in external walls of buildings Provided always that any byelaw made under this subsection may authorise the Corporation if they think fit to exempt from the operation of such byelaw oak teak or other wood which the Corporation may approve:

(4) The testing of drains of new buildings.

Byelaws as to staircases in new buildings.

67. Section 157 of the Public Health Act 1875 shall be extended so as to empower the Corporation to make byelaws for securing the adequate lighting of staircases in new buildings in order to prevent danger to persons using such staircases.

Erection of buildings to greater height than adjoining buildings.

68.—(1) In case any building is at any time after the passing of this Act erected or raised to a greater height than the adjoining building and any flues or chimneys of such adjoining building are in the outer or party wall or against the building so erected or raised the person erecting or raising such building shall at his own expense build up those flues and chimneys so that the top thereof may be of the same height as the top of the chimneys of the building so erected or raised.

(2) Any person who shall offend against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Sanitary conveniences for workmen engaged on buildings.

69.—(1) The contractor or builder engaged in or upon the construction reconstruction or alteration of any building in the borough shall if practicable provide to the reasonable satisfaction of the Corporation and until the completion of any such work or operation sufficient water or other closets and urinals for the use of workmen.

(2) Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Means of escape from buildings in case of fire.

70.—(1) Every new building exceeding two storeys in height used or intended to be used as flats or as a tavern hotel restaurant hospital boarding-house common lodging-house or school or as a shop in which building sleeping accommodation is or is intended to be provided for the use of persons employed in or about such shop shall be provided on each of the storeys above the second storey (hereinafter referred to as the "upper storey") with such means of escape in the case of fire for the persons dwelling sleeping or employed in each upper storey or resorting thereto as may be reasonably required under the circumstances of the case and no such building shall be occupied until the Corporation shall have issued a certificate that the provisions of this section have been complied with in relation thereto.

(2) From and after the first day of January one thousand nine hundred and sixteen the Corporation in the case of every existing building exceeding two storeys in height and used or intended to be used as a shop and in which building sleeping accommodation is or is intended to be provided if in their opinion such building is not provided with proper and sufficient means

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of escape from each upper storey in case of fire for the persons dwelling or sleeping therein may at any time serve on the owner of such building a notice requiring him within a reasonable time to be specified in such notice to provide such means of escape as in the circumstances of the case can reasonably be required and the owner shall thereupon take the necessary steps to provide the means of escape so required.

Any person aggrieved by any requirement of the Corporation under this subsection may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and award costs.

Notice of the right to appeal shall be endorsed on every requirement of the Corporation under this subsection.

(3) The means of escape in case of fire provided in any building in pursuance of this section shall be maintained in good and efficient condition and free from obstruction.

(4) Nothing in this section contained shall be deemed to interfere with the operation of sections 14 and 15 of the Factory and Workshop Act 1901 or of any Act amending the same.

(5) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Area of habitable rooms.

71. Section 23 of the Public Health Acts Amendment Act 1890 in its application to the borough shall have effect as if the words "and floor area" had been inserted therein after the word "height" in subsection (1) of that section.

Food storage accommodation to be provided in new houses.

72. The owner of any dwelling-house the erection of which is commenced after the passing of this Act which is not provided with sufficient and suitable food storage accommodation who shall occupy or allow to be occupied such dwelling-house shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

As to accommodation for cooking of food in tenement houses.

73. If at any time it appear to the Corporation that in any tenement house within the borough sufficient and suitable accommodation for the cooking and storage of food is not provided for the use of each family occupying such house

the Corporation may cause notice to be served on the owner of such house requiring him within such reasonable time as may be specified in the notice to provide sufficient and suitable accommodation for the purpose aforesaid and any owner failing to comply with any such requirement within a period prescribed in the notice shall be liable on summary conviction to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings Provided that this section shall not apply to any tenement house used or occupied as such before the passing of this Act.

Gipsy and other encampments.

74. If any squatter or gipsy or other person dwelling in a tent or van or other similar structure shall occupy any land within twenty yards of any dwelling-house so as to cause damage inconvenience or annoyance to residents in the neighbourhood or be a nuisance or dangerous or injurious to health a court of summary jurisdiction may on complaint by the Corporation make an order prohibiting (either absolutely or subject to conditions) the further occupation of the land by any squatter gipsy or other person so as to cause such damage inconvenience or annoyance or be a nuisance or dangerous or injurious to health as aforesaid and if the order be not complied with the owner or lessee of the land or other person who suffers the land to be so occupied and the squatter gipsy or other person shall each be liable to a penalty not exceeding five pounds and to a further penalty not exceeding twenty shillings for every day on which the land shall be so occupied after the date from which the said order takes effect Provided that the Corporation before making any complaint shall give to the said owner or lessee or other person who has suffered the land to be so occupied not less than twenty-four hours' notice in writing of their intention so to complain and shall at the same time give a similar notice to any squatter gipsy or other person who shall then be occupying the land in respect of which the complaint is intended to be made:

Provided that the powers conferred upon the Corporation under this section shall be deemed to be in addition to and not in derogation of their powers under any general Act of Parliament.

This section shall not apply to any person dwelling in a tent or van or other similar structure who is a roundabout proprietor or showman or stall-holder (not being a pedlar or

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hawker) nor to any owner or lessee or other person who suffers any land to be occupied by such persons in such manner aforesaid.

PART VII.

WATERCOURSES.

Water-courses not to be covered over except in accordance with approved plans.

75.—(1) Before the owner of any land within the borough shall culvert or cover over any watercourse thereon forming part of the natural drainage of the area involved he shall submit for the approval of the Corporation plans sections and specifications of such watercourse and the method of culverting or covering over the same and the Corporation may subject as hereinafter provided require such owner so to construct any such culvert or so to cover over any such watercourse as to secure the free and uninterrupted passage of the water flowing in any such watercourse:

Provided that—

(A) No requirement of the Corporation under this section shall operate or compel any such owner to receive upon his land or to make provision for the passage of a greater quantity of water than he would have been obliged to receive or to permit to pass if this section had not been enacted:

(B) If with the consent of such owner the Corporation shall require him to make provision for the passage of a larger quantity of water than he is obliged to permit to pass at the time of the commencement of any work under this section any additional cost occasioned by such requirement shall be borne by the Corporation.

(2) If any difference shall arise between the Corporation and such owner as to the expediency necessity or otherwise of the works required by the Corporation to be executed such difference shall be referred to arbitration and the provisions of the Arbitration Act 1889 shall apply thereto.

(3) Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(4) Nothing in this section contained shall apply to any culvert or covering constructed or to be constructed by the

London and South Western Railway Company and the London Brighton and South Coast Railway Company or either of them under any Act of Parliament but such companies shall on completion of any such culvert or covering as is mentioned in subsection (1) of this section hereafter constructed by them forward to the Corporation for the purpose of a record only a plan of the culvert or covering as completed.

Watercourse choked up to be a nuisance under Public Health Act 1875.

76. Any river stream or watercourse or any part or parts thereof respectively within the borough so choked or silted up as to obstruct or impede the proper flow of water along the same and thereby to cause or render probable an overflow of such river stream or watercourse on to or into the land and property adjacent thereto shall be deemed to be a nuisance within the meaning of section 91 of the Public Health Act 1875 and all the provisions of that Act relating to nuisances shall apply to every such river stream or watercourse notwithstanding that the same may not be injurious to health.

Power to cleanse and improve rivers and watercourses.

77.—(1) The Corporation may within the borough cleanse and scour as they think fit and so far as may be necessary for the purpose of securing the free flow of water therein may excavate the waterway or bed and course or any parts or part thereof respectively of the River Wandle and of the Beverley Brook and the streams and watercourses within the borough flowing into such river and brook Provided that the Corporation shall make compensation to the owners and occupiers of the lands adjoining the said river or brook for any damage done in the exercise of the powers of this section.

(2) Provided also that in the exercise of the powers of this section the Corporation shall not interfere with any works or materials constructed or placed in the waterway bed or course of the said river and brook by any railway company in accordance with the provisions of any Act for the purpose of protecting their railway or works nor shall the Corporation interfere with the stability of the piers or abutments of any bridge or viaduct forming part of the railway of any railway company.

(3) The Corporation shall not with respect to the Beverley Brook exercise any of the powers conferred upon them by this section except with the consent in writing of the Urban District Council of The Maldens and Coombe so far as any part of the Beverley Brook forms part or is within the boundary of

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the said urban district (which consent shall not be unreasonably withheld) and the said council may contribute towards the cost of any works carried out by the Corporation under this section and for that purpose may with the consent of the Local Government Board borrow such moneys as may be necessary for the purpose as if such works or contributions were purposes of the Public Health Act 1875.

(4) The Corporation with respect to any part of Beverley Brook or any streams or watercourses flowing into the same which is or are vested in the Wimbledon and Putney Commons Conservators under the provisions of the Wimbledon and Putney Commons Act 1871 shall not exercise any of the powers conferred upon them by this section except with the consent in writing of the conservators which consent shall not be unreasonably withheld.

(5) If any question arises as to whether any consent under subsections (3) or (4) of this section is unreasonably withheld or not the matter shall be referred to an arbitrator to be appointed by the Local Government Board.

(6) Provided that the Corporation shall not exercise any of the powers of this section in relation to such part of the River Wandle as is a sewer vested in the London County Council (other than those relating to the cleansing and scouring of the waterway or bed and course of the said river) except with the previous consent in writing of the said Council.

PART VIII.

SEWERS DRAINS &C.

Separate sewers for surface water and sewage may be required.

78.—(1) The Corporation may by resolution declare that any sewer for the time being belonging to or vested in them shall thenceforth be appropriated and used for sewage (in this section called a "sewage sewer") and they may also declare that any other sewer for the time being belonging to or vested in them shall thenceforth be appropriated and used for surface water (in this section called a "surface-water sewer").

(2) Where under the provisions of any Acts for the time being in force in the borough the Corporation have power to require any street to be sewered they may require the provision of separate sewage sewers and surface-water sewers and the provisions of those Acts shall apply to such sewers accordingly Provided that the provisions of this subsection shall not be

exercised unless and until the Corporation shall have provided sewers adequate and proper for the purpose of receiving the sewage from such separate sewage sewers and shall have provided sewers or other outlets adequate and proper for the purpose of receiving the surface-water from such separate surface-water sewers.

(3)—(A) Where in any street separate sewage sewers and surface-water sewers shall have been provided (whether before or after the passing of this Act) no sewage shall be allowed to pass from any premises into the surface-water sewers and so far as practicable no surface or storm water shall be allowed to pass into the sewage sewers except with the consent in writing of the Corporation.

(B) Any person who shall offend against the provisions of this subsection shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(C) Provided that in the case of any premises existing at the time of the provision of separate sewers the drains whereof were already connected with a sewer and would but for the provisions of this section have been sufficient effectually to drain such premises the provisions of this subsection shall not apply to such premises until the Corporation have at their own expense made all necessary alterations to the drains and pipes of such premises in order to keep separate the sewage and surface-water drainage thereof and the Corporation may if they think fit make all such alterations.

Corporation may require enlarged sewer.

79. If in any street not repairable by the inhabitants at large the Corporation for the purpose of main drainage or otherwise shall require a larger sewer to be made than they consider necessary for the ordinary sewerage of such street the person laying out such street shall construct such enlarged sewer in accordance with the requirements of the Corporation and the additional cost thereof as ascertained by the surveyor shall be paid by the Corporation.

Prohibiting entry of petrol &c. into sewers.

80. Every person who wilfully turns or permits to enter into any sewer of the Corporation or any drain communicating therewith any petrol oil or other like deleterious substances from any workshop motor garage or other like premises shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds.

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Corporation may order houses to be drained combined drained.

81.—(1) If it appears to the Corporation that two or more houses may be drained more economically or advantageously in combination than separately and a sewer of sufficient size already exists or is about to be constructed within one hundred feet of any part of the premises the Corporation may when the drains of such houses are first laid order that such houses be drained by a combined drain to be constructed either by the Corporation if they so decide or by the owners in such manner as the Corporation shall direct and the costs and expenses of such combined drain and the repair and maintenance thereof shall be apportioned between the owners of such houses in such manner as the Corporation shall determine and if such drain is constructed by the Corporation such costs and expenses may be recovered by the Corporation from such owners.

(2) Any combined drain constructed in pursuance of this section shall for the purposes of the Public Health Acts be deemed to be a drain and not a sewer.

(3) Provided that the Corporation shall not exercise the powers conferred by this section in respect of any house plans for the drainage of which shall have been previously approved by the Corporation.

Amendment of section 19 of Public Health Acts Amendment Act 1890.

82. The powers given by section 19 of the Public Health Acts Amendment Act 1890 in relation to two or more houses belonging to different owners shall extend and apply to two or more houses belonging to the same owner.

Power to lay drains in private streets.

83. The Corporation may on the application and at the expense of any person owning or occupying premises abutting or fronting on any street not repairable by the inhabitants at large wherein a sewer has been laid lay down take up alter relay or renew in across or along such street such drains as may be requisite or proper for connecting such premises with the sewer doing as little damage as may be in the execution of the powers hereby granted and making compensation for any damage which may be done in the execution of such powers such compensation to be ascertained by and recovered before a court of summary jurisdiction.

Corporation to make communication between drains and sewers.

84. If the owner or occupier of any premises desires that the sewer or drain from such premises shall be made to communicate with any sewer of the Corporation such communication shall be made by the Corporation upon the cost or

estimated cost of making the communication being paid to the Corporation or the payment thereof to them being secured to their satisfaction and the Corporation may execute all works necessary for that purpose.

Power to reconstruct drain if laid in contravention of Public Health Act 1875.

85. Where any person has been convicted of causing any drain to be constructed in contravention of section 25 of the Public Health Act 1875 the court may in addition to imposing a penalty under that section order that the drain shall be laid relaid or amended or remade as the case may require in accordance with the provisions of that section and if such person shall not comply with the order within one month after the date thereof the Corporation may cause the drain in respect of which such conviction has been obtained to be laid relaid or amended or remade as the case may require and may recover from such person in a summary manner as a civil debt the expenses incurred by them in so doing.

Reconstruction of drains.

86.—(1) It shall not be lawful for any person to reconstruct or alter the course of any drain communicating with any sewer of the Corporation except in accordance with the provisions of the byelaws of the Corporation relating to the drainage of existing buildings.

(2) Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Notice of intention to repair drains.

87.—(1) It shall not be lawful for any person to repair any drain communicating with any sewer of the Corporation without giving to the Corporation twenty-four hours' previous notice in writing of his intention to do so except in case of emergency and in that case it shall not be lawful for any person to cover over the drain without giving the like notice of his intention to do so.

(2) Free access to such drain or work of repair shall be afforded to the surveyor the inspector of nuisances or to any other officer of the Corporation authorised in writing by the town clerk for the purpose of inspection.

(3) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds.

(4) This section shall not apply in the case of any drain belonging to the London and South Western Railway Company

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and the London Brighton and South Coast Railway Company or either of them which is used only for the purpose of carrying off storm or surface water.

Extension of section 49 of Public Health Acts Amendment Act 1907.

88. Section 49 (Summary power to provide sinks and drains for buildings) of the Public Health Acts Amendment Act 1907 shall be construed and have effect as if the expression therein "building" had been "building or tenement."

Improper construction or repair of water-closet or drain.

89. If a water-closet drain or soil pipe is so constructed or repaired as to be a nuisance or injurious or dangerous to health the person who undertook or executed such construction or repair shall unless he shows that such construction or repair was not due to any wilful act neglect or default be liable to a penalty not exceeding twenty pounds Provided that where a person is charged with an offence under this section he shall be entitled upon information duly laid by him to have any other person being his agent servant or workman whom he charges as the actual offender brought before the court at the time appointed for hearing the charge and if he proves to the satisfaction of the court that he had used due diligence to prevent the commission of the offence and that the said other person committed the offence without his knowledge consent or connivance he shall be exempt from any penalty and the said other person may be summarily convicted of the offence.

Wilful damage to drains water-closets &c.

90. If any person cause any drain water-closet earth-closet privy or ashpit to be a nuisance or injurious or dangerous to health by wilfully destroying or damaging the same or any water supply apparatus pipe or work connected therewith or by otherwise wilfully stopping up or wilfully interfering with or improperly using the same or any such water supply apparatus pipe or work he shall be liable to a penalty not exceeding five pounds Provided that nothing in this section shall prejudice any right which the owner or occupier of any premises aggrieved by any such act may have to recover compensation in respect of any damage suffered by him by reason of such act.

Street orderly bins.

91. The Corporation may provide and maintain orderly bins or other receptacles for the collection and temporary deposit of street refuse and waste paper and the storage of sand grit or shingle in upon or under the streets of the borough of such dimensions and in such positions as the Corporation after consultation with the Commissioner of Police of the Metropolis may from time to time determine.

Soil pipes to be ventilated.

92.—(1) The soil pipe of any water-closet within a house or building shall be properly ventilated by means of a pipe carried up therefrom or by such other method subject to the provisions of section 37 of the Public Health Acts Amendment Act 1907 as the Corporation shall direct.

(2) Any owner or occupier of such 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 forty shillings.

PART IX.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

Information to be furnished in case of infectious disease.

93.—(1) The occupier of any building in the borough which is used for human habitation and in which there is or has been any person suffering from an infectious disease shall on the application of the medical officer at any time during the illness of such person or within six weeks from the occurrence of such illness furnish such information within his knowledge as the medical officer may reasonably require for the purpose of enabling measures to be taken to prevent the spread of the disease.

(2) Any occupier knowingly furnishing false information shall be liable on summary conviction to a penalty not exceeding forty shillings.

(3) In this section the expression "occupier" shall have the same meaning as in the Infectious Disease (Notification) Act 1889.

Power to require names of laundrymen &c. to whom clothes &c. from infected houses are sent.

94.—(1) If the medical officer shall at any time receive notice of a case of infectious disease he may apply to the person who is required by section 3 (1) (A) of the Infectious Disease (Notification) Act 1889 to send a notice of the case of infectious disease for the name and address of any laundryman cleaner or dyer to whom any clothes or other things may from time to time during the continuance of the infectious disease be sent for mangling washing cleaning or dyeing from the house in which the case of infectious disease exists and such person shall forthwith furnish such information accordingly.

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(2) Any person who shall offend against this section shall for every such offence be liable to a penalty not exceeding five pounds.

Compensation to dairymen.

95. If any dairyman shall at the request of the Corporation stop his milk supply within the borough on account of the spread or suspected spread of infectious disease or the probability that the consumption of such milk may cause tuberculosis to persons residing within the borough the Corporation may if they think fit make compensation to him for any loss occasioned by such stoppage.

Compensation to persons ceasing employment.

96. If any person shall at the request of the Corporation or of the medical officer stop his employment for the purpose of preventing the spread of infectious disease the Corporation may if they think fit make compensation to him for any loss he may sustain by reason of such stoppage.

For preventing spread of infectious disease.

97.—(1) Any parent or guardian having personal charge of a child in attendance at a school who is aware of or has reason to suspect the occurrence of any infectious disease in any member of the family and who fails forthwith to notify such occurrence to the head teacher of the school shall be liable to a penalty not exceeding twenty shillings.

(2) If any person not less than sixteen years of age while suffering from any infectious disease wilfully exposes himself without proper precautions against spreading the disease in any place of public resort shop inn or any public conveyance or being in charge of any person so suffering wilfully exposes such sufferer he shall be liable to a penalty not exceeding five pounds.

(3) The provisions of this section shall come into operation at such time not being less than one month after the first publication of the advertisement referred to in the section of this Act of which the marginal note is "Public notice to be given of provisions of this Part of Act" as the Corporation may fix.

(4) The provisions of this section shall cease to be in force at the expiration of three years from the date of the passing of this Act unless they shall have been continued by Act of Parliament or by Provisional Order made by the Local Government Board and confirmed by Parliament which Order the Local Government Board are hereby empowered to make in accordance with the provisions of the Public Health Act 1875.

(5) In this section the expression "infectious disease" includes measles german measles whooping cough and chicken pox the expression "school" includes a Sunday school and the expression "place of public resort" means a place of public resort as defined in subsection (6) of section 36 of the Public Health Acts Amendment Act 1890.

Power to close Sunday schools to prevent spread of infectious disease.

98.—(1) If the Corporation or the public health committee or other the committee appointed by the Corporation to put into operation and to carry out the provisions of this section acting on the advice of the medical officer with the view of preventing the spread of infectious disease in the borough require the closing of any Sunday school or any department thereof or the exclusion of certain children for a specified time such requirement shall be at once complied with.

(2) Any person responsible for the conduct or management of any Sunday school wilfully failing to comply with any such requirement shall for every such failure be liable to a penalty not exceeding one pound.

Removal of body of person who has died of infectious disease.

99. When any person suffering from infectious disease whereof notice shall have been given to the medical officer shall die in the borough of such disease the medical officer may give notice thereof to the person responsible for the conduct of the burial of the body of such person and in such case it shall not be lawful to transport any such body by railway or other public conveyance (not being a conveyance reserved for such purpose) unless and until the medical officer has certified that every precaution necessary for the public safety has been adopted to his satisfaction and any undertaker and any person so responsible who shall after the giving of such notice knowingly remove or assist in removing such body without such certificate and any person who unless unaware of such notice shall procure or endeavour to procure the removal of such body without having obtained such certificate shall be liable to a penalty not exceeding ten pounds.

No place used for storage &c. of food to be used as a sleeping place.

100.—(1) No room shop or other part of a building in which any food is sold or exposed for sale or deposited for the purpose of sale or of preparation for sale or with a view to future sale shall be used as a sleeping place but no penalty shall be imposed for an offence against this subsection if in the opinion of the court the occupation of such room shop or other part of a building in contravention of this section has not caused risk of infection or of contamination of food.

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(2) If any person occupies or lets or knowingly suffers to be occupied any such room shop or other part of a building as a sleeping place in contravention of this section he shall be liable to a penalty not exceeding for a first offence twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings.

(3) The Corporation or any of their officers shall have the like right of entry into any such room shop or other part of a building as they would have had under section 102 of the Public Health Act 1875 if there had been a nuisance arising in respect of any business carried on therein.

(4) Any person refusing entry into or inspection of such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings.

Houses infested with vermin to be cleansed.

101.—(1) If the medical officer has reasonable cause to suppose that any house or any articles therein is or are infested with vermin he or any inspector of nuisances may enter into such house and may inspect and examine the same and any articles therein for the purpose of ascertaining whether such house or any articles therein is or are infested with vermin.

(2) Where on the certificate of the medical officer it appears to the Corporation that any house or any articles therein is or are infested with vermin the Corporation shall give notice in writing to the occupier of such house or if the same be vacant to the owner thereof requiring him within a period to be specified in such notice to cleanse such house or the portion thereof specified in the notice and any articles therein and if so required in the notice to remove the wall paper from the walls of such house or the portion thereof specified in the notice and to take such other steps for the purpose of destroying and removing vermin as the case may require.

(3) If the person to whom such notice is given fails to comply therewith within the time therein specified he shall on proof that the certificate of the medical officer was justified be liable on summary conviction to a fine not exceeding ten shillings for every day during which he makes default in complying with the requirements of such notice and the Corporation may if they think fit at any time after the expiration of the period specified in the notice themselves do any work required by the notice to be done and all reasonable costs and expenses

incurred by the Corporation in so doing shall (subject as hereinafter provided) be recoverable summarily as a civil debt from the person making the default.

(4) Any person who shall wilfully obstruct any authorised officer or servant of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(5) Upon any proceedings under this section the court may inquire as to whether any work done by the Corporation was reasonable and as to whether the costs and expenses incurred by the Corporation in doing such work or any part thereof ought to be borne wholly or in part by the person to whom the notice was given and the court may make such order concerning such costs and expenses or their apportionment as appears to the court to be just and equitable under the circumstances of the case.

Cleansing of verminous persons.

102.—(1) The Corporation may from time to time provide free of charge temporary shelter or house accommodation with any necessary attendants and apparatus for cleansing and freeing from vermin the person and clothes of any person who shall be certified by the medical officer to be infested with vermin or in a foul or filthy condition and may on the certificate of the medical officer cause any such person who consents to leave his house or whose parent or guardian (where the person is a child) consents to his leaving the house to be removed therefrom to such temporary shelter or house accommodation for the purpose of disinfecting and cleansing his person and clothing and in the like case and on the like certificate may cause any such person who does not consent or whose parent or guardian (where the person is a child) does not consent to be removed therefrom to any such temporary shelter or house accommodation where two justices on the application of the Corporation and on being satisfied of the necessity of the removal make an order for the removal subject to such conditions (if any) as are imposed by the order The Corporation shall in every case cause the removal to be effected and the conditions of any order satisfied without charge to the person removed or to the parent or guardian of that person.

(2) Any person who wilfully disobeys or obstructs the execution of an order under this section shall be liable to a penalty not exceeding five pounds.

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(3) If any person at the request of the Corporation or under an order of such justices shall cease his employment in order to comply with such order the Corporation may make compensation to him for any loss he may suffer thereby.

(4) For the purpose of this section the word "house" includes any tent van shed or similar structure used for human habitation.

Extension of sections 5 and 6 of Infectious Disease (Prevention) Act 1890.

103. The expression "infectious disease" in sections 5 and 6 of the Infectious Disease (Prevention) Act 1890 in its application to the borough shall include pulmonary tuberculosis.

Removal of persons suffering from pulmonary tuberculosis to hospital.

104.—(1) If the medical officer certifies in writing that any person is suffering from pulmonary tuberculosis and is in an infectious state and that the lodging or accommodation with which such person is provided is such that proper precautions to prevent the spread of the infection cannot be taken or that such precautions are not being taken the medical officer may make application to a court of summary jurisdiction and such court upon oral proof of the allegations in such certificate and subject to examination by a medical man to be nominated by them if they think fit may make an order for the removal of such person to a suitable hospital or place for the reception of the sick provided within the borough or within a convenient distance of the borough and for the detention and maintenance of such person therein for such period not exceeding three months as may be determined by such order or such further period not exceeding three months as may be determined by any further order made under and in accordance with the provisions of this section.

(2) The medical officer shall give the person so suffering or some person being in charge of the person so suffering three clear days' notice of his intention to make such application and of the time and place when and where such application will be made.

(3) The Corporation may in their discretion make good any probable financial loss falling upon the relatives of or those actually dependent upon any person so suffering occasioned by the removal of any such person to a suitable hospital or place as aforesaid whether voluntarily or in pursuance of an order made by the court as aforesaid and on the hearing of any

application under this section the court shall take into consideration the before-mentioned loss and shall not make an order unless they are satisfied that the Corporation will make good such loss.

(4) An order under this section may be addressed to such officer of the Corporation as the court making the same may think expedient and any person who wilfully disobeys or obstructs the execution of such order shall be liable to a penalty not exceeding ten pounds.

(5) At any time after the expiration of six clear weeks from the making of the order an application may be made to the court by or on behalf of the person in respect of whom the order was made for the rescission of the order and such court may make a rescission order accordingly if having regard to the circumstances of the case they are of opinion that it is right and proper that such rescission order should be made Such person or other person making the application shall give to the medical officer not less than three clear days' notice of his intention to make the application and of the time and place when and where the application will be made.

(6) The provisions of this section shall cease to be in force within the borough at the expiration of five years from the date of the passing of this Act unless they shall have been continued by Act of Parliament or by Provisional Order made by the Local Government Board and confirmed by Parliament which Order the Local Government Board are hereby empowered to make in accordance with the provisions of the Public Health Act 1875.

Supply of humanised or other prepared milk.

105. The Corporation may from time to time provide sell and supply or contract with any company person or firm to provide sell and supply humanised or other prepared milk for infants under two years of age.

Slaughtering prohibited except in Corporation slaughter-houses when provided.

106.—(1) At any time after the passing of this Act the Corporation may—

(A) Acquire by agreement any premises within the borough used for the purpose of slaughtering cattle (hereinafter referred to as a "slaughter-house") and the interest or interests of any owner lessee and occupier of such premises:

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(B) Agree with the owner lessee and occupier of any slaughter-house for the abolition of slaughtering therein on such terms and conditions as may be arranged between the parties.

(2) At any time after the expiration of three years from the passing of this Act and after the Corporation have provided adequate slaughter-house accommodation conveniently situated (to the satisfaction of the Local Government Board) and after the expiration of six calendar months from the date of publication by the Corporation in a local newspaper circulating in the borough of notice to that effect no person shall slaughter in the way of trade any cattle within the borough except in slaughter-houses provided by the Corporation but this shall not apply to the slaughtering on premises by the owner lessee or occupier thereof of any cattle belonging to him and not slaughtered for the purpose of trade and if any person acts in contravention of this section he shall be liable for each offence to a penalty not exceeding five pounds Provided that nothing in this section shall prevent a farmer from slaughtering on land occupied by him for agricultural purposes only any cattle belonging to him with the consent of the Corporation or in case of emergency without such consent but no part of the carcase of any animal so slaughtered by a farmer shall be removed from the farm until after inspection by the medical officer or the inspector of nuisances such inspection to be made within a reasonable time.

(3) The Corporation shall pay compensation to the owner lessee and occupier of every slaughter-house who may be injuriously affected by the exercise of the above powers and the amount of such compensation shall in case of difference be settled as cases of disputed compensation are settled under the Lands Clauses Acts and the provisions of those Acts shall apply accordingly.

(4) The fees and charges to be demanded and received by the Corporation in respect of the use of any slaughter-house provided by them or of any convenience connected therewith shall be regulated by byelaws to be approved by the Local Government Board and the Corporation may make byelaws accordingly Provided that the Corporation shall have power to charge for separate accommodation in any slaughter-house such weekly monthly or other rent as may be agreed upon by the Corporation and the renters.

(5) Nothing in this section shall interfere with the operation or effect of the Diseases of Animals Act 1894 or of any order or licence of the Board of Agriculture and Fisheries made or granted thereunder.

Prohibition of blowing or inflating carcases.

107. It shall not be lawful to blow or inflate the carcase or any part of the carcase of any animal slaughtered within or brought into the borough and any person offending against this enactment or exposing or depositing for sale within the borough a carcase so blown or inflated or any part thereof shall be liable to a penalty not exceeding twenty shillings:

Provided that a person shall not be guilty of an offence under this section if he satisfies the court that the carcase was purchased at the Metropolitan Cattle or London Central Meat Market and that the blowing or inflation was effected before purchase by mechanical means and not by the human breath and that the apparatus used was clean.

For regulating manufacture and sale of ice-cream &c.

108.—(1) Any person being a manufacturer vendor or merchant of or dealer in ice-cream or other similar commodity who within the borough—

(A) Causes or permits ice-cream or any similar commodity or any materials used in the manufacture thereof to be manufactured sold or stored in any sleeping room or in any room cellar or place which is in a condition likely to render such commodity injurious to health or in which there is an inlet or opening to a drain; or

(B) In the manufacture sale or storage of any such commodity does any act or thing likely to expose such commodity to infection or contamination or omits to take any proper precaution for the due protection of such commodity from infection or contamination; or

(C) Omits on the outbreak of any infectious disease amongst the persons employed in his business to give notice thereof to the medical officer;

shall be liable to a penalty not exceeding forty shillings.

(2) In the event of any inmate of any building (any part of which is used for the manufacture of ice-cream or similar commodity) suffering from any infectious disease the medical officer may seize and destroy all ice-cream or similar commodity

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or materials for the manufacture of the same in such building and the Corporation shall compensate the owner of the ice-cream commodity or materials so destroyed.

(3) Every dealer in ice-cream or other similar commodity vending his wares from any cart barrow or other vehicle or stand shall have his name and address legibly painted or inscribed on such cart barrow vehicle or stand and any person who shall fail to comply with this subsection shall be liable upon conviction to a penalty not exceeding forty shillings.

(4) Any officer duly authorised by the Council in that behalf shall at all reasonable times have the same power of entry into and inspection of the premises of any manufacturer vendor or merchant of or dealer in ice-cream or other similar commodity for the purpose of inspecting such premises and the materials or commodities or articles of food therein as an officer of the Corporation would have under section 102 of the Public Health Act 1875 in the cases therein mentioned and any person refusing entry into or inspection of such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable upon conviction to a penalty not exceeding forty shillings.

Prohibiting sale &c. of articles of food for human consumption by rag and bone dealers.

109.—(1) It shall not be lawful for any collector of or dealer in rags or bones or similar articles or any person carrying on the business of rag and bone merchant or any person acting on behalf of any such person as aforesaid to sell or distribute within the borough any articles of food for human consumption from any cart barrow or other vehicle used for the collection of rags bones or similar articles or in or from any shop or premises used for or in connection with the business of rag and bone merchants.

(2) Every person offending against this enactment shall be liable for each offence to a penalty not exceeding five pounds.

Amendment of law as to offensive trades.

110. For the purposes of section 112 of the Public Health Act 1875 as extended by section 51 of the Public Health Acts Amendment Act 1907 a trade business or manufacture shall be deemed to be established not only if it is established anew but also if it is removed from any one set of premises to any other premises or if it is renewed on the same set of premises after having been discontinued for a period of six months or upwards or if any premises on which it is for the time being carried on

are enlarged without the consent in writing of the Corporation but a trade business or manufacture shall not be deemed to be established anew on any premises by reason only that the ownership of such premises is wholly or partially changed or that the building in which it is established having been wholly or partially pulled down or burnt down has been reconstructed without any extension of its area.

Regulation of dustbins.

111.—(1) The Corporation may by notice in writing require the owner or occupier of any dwelling-house warehouse or shop to provide portable galvanized iron or enamelled iron dustbins in lieu of ashpits or ashtubs or other receptacles for refuse and such dustbins shall be of such size and construction as may be approved by the Corporation.

(2) Any owner or occupier who fails within fourteen days after notice given to him to comply with the requirements of the Corporation under this section shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding five shillings.

(3) Provided that this section shall not apply to any ashpits or ashtubs or other receptacles for refuse in use at the passing of this Act so long as the same are of suitable material size and construction and in proper order and condition.

Power to appoint additional inspectors of nuisances.

112. The Corporation may appoint more than one inspector of nuisances and sections 189 and 191 of the Public Health Act 1875 shall for the purposes of the execution of that Act within the borough be construed accordingly:

Provided that the Surrey County Council shall not be required to pay any part of the salary of more than one inspector of nuisances for the borough.

Public notice to be given of provisions of this Part of Act.

113.—(1) Public notice of the foregoing provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the borough and by a notice affixed outside the town hall and by the distribution of handbills amongst persons affected or likely to be affected so far as such persons can reasonably be ascertained.

(2) Copies of the newspapers containing the advertisement shall be sufficient evidence that the provisions of this section have been complied with.

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Expenses of this Part of Act.

114. Any expenses of the execution by the Corporation of this Part of this Act shall be defrayed out of the district fund and general district rate.

PART X.

FINANCIAL.

Power to borrow.

115.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment thereof and the payment of interest thereon they may mortgage or charge the respective revenues funds and rates mentioned in the third column of the said table and they shall pay off all moneys so borrowed within the respective periods (each of which is in this Act referred to as "the prescribed period") mentioned in the fourth column thereof (namely):—

1	2	3	4
Purpose.	Amount.	Charge.	Period for Repayment.
(*a*) For the purchase of the Wimbledon Park Estate and expenses in connection therewith.	70,000*l.*	The district fund and general district rate.	Sixty years from the date or dates of borrowing.
(*b*) For paying the costs charges and expenses of this Act.	The sum requisite.	The borough fund and borough rate and district fund and general district rate.	Five years from the passing of this Act.

(2)—(A) The Corporation may also with the consent of the Local Government Board borrow such further money as may be necessary for any of the purposes of this Act.

(B) In order to secure the repayment of the money borrowed under this subsection and the payment of the interest thereon the Corporation may mortgage or charge such fund rate or revenue as the Local Government Board may prescribe.

(c) Any money borrowed under this subsection shall be repaid within such period (in this Act referred to as "the prescribed period") as may be prescribed by the Local Government Board.

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(3) The provisions of this section shall not limit the powers conferred upon the Corporation by the section of this Act of which the marginal note is "Power to use one form of mortgage for all purposes."

Application of money borrowed.

116. All moneys borrowed by the Corporation under the powers of this Act shall be applied only to the purposes for which they are authorised to be borrowed and (except in the case of money borrowed for current expenses) to which capital is properly applicable.

Mode of raising money.

117. The Corporation may raise all or any moneys which they are authorised to borrow under this Act by mortgage or by the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in another or others Provided that the provisions contained in the section of this Act whereof the marginal note is "Sinking fund" shall apply to sinking funds formed for the repayment of moneys borrowed under the Local Loans Act 1875 instead of the provisions of sections 15 and 16 of that Act.

Provisions as to mortgages.

118. The provisions of sections 236 237 and 238 of the Public Health Act 1875 with respect to mortgages to be executed by a local authority shall (subject to the provisions of the section of this Act the marginal note of which is "Power to use one form of mortgage for all purposes") apply in the case of all mortgages granted by the Corporation under the powers of this Act as if they were with necessary modifications re-enacted in this Act.

Protection of lender from inquiry.

119. A person lending money to the Corporation shall not be bound to inquire as to the observance by them of any provisions of this Act nor be bound to see to the application nor be answerable for any loss misapplication or non-application of the money lent or any part thereof.

Mode of payment off of money borrowed.

120. The Corporation shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within twelve months if by yearly repayments or within six months if by half-yearly repayments

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from the time of borrowing the sum in respect of which the payment is made.

Sinking fund.

121.—(1) If the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Act such fund shall be formed and maintained either—

(A) By payment to the fund throughout the prescribed period of such equal yearly or half-yearly sums as will together amount to the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is hereinafter called a "non-accumulating sinking fund"; or

(B) By payment to the fund throughout the prescribed period of such equal yearly or half-yearly sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed A sinking fund so formed is hereinafter called an "accumulating sinking fund."

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed or in accordance with the provisions of the section of this Act of which the marginal note is "Power to use sinking fund instead of borrowing" be immediately invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal yearly or half-yearly payments to the fund.

(4) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year or half year (as the case may be) and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part thereof so applied if

invested at the rate per centum per annum on which the yearly or half-yearly payments to the sinking fund are based.

(5)—(A) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the yearly or half-yearly payments to the fund are based any deficiency shall be made good by the Corporation:

(B) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the yearly or half-yearly payments to the fund are based any such excess may be applied towards such payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Corporation in addition to the payments provided for by this Act.

(7) If it appear to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose Provided that if it appear to the Local Government Board that any such increase is necessary the Corporation shall increase the payments to such extent as the Board may direct.

(8) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to the sinking fund either temporarily or permanently

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to such amounts as will in the opinion of the Local Government Board be sufficient to repay within the prescribed period the money for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may with the consent of that Board discontinue the payments to such sinking fund until the Board shall otherwise direct.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Local Government Board may determine.

Appointment of receiver.

122.—(1) Any mortgagee of the Corporation by virtue of this Act may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver The amount of arrears of principal due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall be not less than one thousand pounds in the whole.

(2) The application for the appointment of a receiver shall be made to the High Court.

Power to invest all sinking funds in statutory securities.

123. When under the provisions of any Act of Parliament or of any order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a sinking fund for the payment off of moneys borrowed or payable by them they may (in addition to any other powers for the time being vested in them) invest such sinking fund and the interest on the investments of such sinking fund in statutory securities.

As to temporary borrowing.

124.—(1) For the purpose of providing temporarily during any financial year for their current expenses as a municipal education or sanitary authority (whether under the provisions of public general or local Acts) or for the current expenses of their electricity undertaking and after the commencement

of such year it shall be lawful for the Corporation to borrow by way of temporary loan or overdraft from any bank or on temporary loan on deposit receipt from any person such sums as they may from time to time resolve not exceeding in each case an amount equal to one-third of the amount of the before-mentioned expenses for the immediately preceding financial year for any such purpose as aforesaid and any amount so borrowed shall form a charge upon the rates or revenue of the undertaking in respect of which it is borrowed as the same may be specified in the resolution of the Corporation authorising such borrowing pari passu with any Corporation stock bond or mortgage affecting the same and it shall further be lawful for the Corporation to utilise for providing temporarily for any such expenses any sinking funds which they may have in hand crediting the said sinking funds with such fair rate of interest not being less than three pounds per centum per annum as they may resolve Provided that—

(A) Any sum so borrowed together with the interest thereon shall in the case of any sum borrowed on the credit of a rate be repaid out of such rate within the financial year during which the same was borrowed and in any other case the same shall be repaid out of the income on the credit of which the sum was borrowed within three months after the expiration of such financial year :

(B) The treasurer shall within forty-two days after the end of each financial year furnish to the Local Government Board a special report showing precisely the operation of the powers of this section during such year and such report shall be in such form and shall contain such information as that Board shall approve or require :

(C) The Local Government Board may make such investigation as may be necessary to satisfy themselves that the requirements of this section as to repayment have been complied with and if it appear to the Local Government Board by the said report or by such investigation that the Corporation have failed to comply with the requirements of this section as to repayment that Board may by order suspend the operation of the powers of this section for such period as they may think fit.

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(2) The provisions of this section shall cease to be in force at the expiration of five years from the thirty-first day of March one thousand nine hundred and fifteen unless they shall have been continued by Act of Parliament or Provisional Order made by the Local Government Board and confirmed by Parliament which Order the Local Government Board are hereby empowered to make in accordance with the provisions of the Public Health Act 1875 and in the event of that Board making any such Order they are hereby empowered to make such modifications or amendments in the provisions of this section as may appear to them to be necessary.

Corporation not to regard trusts.

125. The Corporation shall not be bound to see to the execution of any trust whether express 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 of mortgages of the Corporation shall 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 encumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register.

Power to use one form of mortgage for all purposes.

126.—(1) Where the Corporation have for the time being any statutory borrowing power they may for the purpose of exercising such power grant mortgages in pursuance of the provisions of this section.

(2) Every mortgage granted under this section shall be by deed truly stating the consideration and the time or the mode of ascertaining the time and the place of payment and shall be sealed with the common seal of the Corporation and may be made in the form contained in the Second Schedule to this Act or to the like effect.

(3) All mortgages granted under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other ground whatsoever and shall also rank equally with all other securities granted by the Corporation at any time after the date of the first grant of a mortgage under this section.

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this

section shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation.

(5) Nothing in this section contained shall alter or affect the obligations of the Corporation to provide for the repayment of the sums secured by mortgages granted under this section and all such sums shall be repaid within the periods by the means and out of the funds rates or revenues within by and out of which they would have been repayable respectively if this section had not been enacted.

(6) Nothing in this section contained shall alter or affect the obligations of the Corporation to provide for the payment of interest upon the sums secured by mortgages granted under this section and the interest upon such sums shall be paid out of the funds rates or revenues out of which such interest would have been payable respectively if this section had not been enacted.

(7) There shall be kept at the office of the Corporation a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed Every such register shall be open to public inspection during office hours at the said office without fee or reward and the town clerk or other the person having the custody of the same refusing to allow such inspection shall be liable to a penalty not exceeding five pounds.

(8) Any mortgagee or other person entitled to any mortgage granted under this section may transfer his estate and interest therein to any other person by deed duly stamped truly stating the consideration and such transfer may be according to the form contained in the Second Schedule to this Act or to the like effect.

(9) There shall be kept at the office of the Corporation a register of the transfers of mortgages granted under this section and within thirty days after the date of every deed of transfer if executed within the United Kingdom or within thirty days after its arrival in the United Kingdom if executed elsewhere the same shall be produced to the town clerk who shall on payment of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of

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transfer and until such entry is made the Corporation shall not be in any manner responsible to the transferee.

(10) On the registration of any transfer the transferee his executors or administrators shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby and any transferee may in like manner transfer his estate and interest in any such mortgage and no person except the last transferee his executors or administrators shall be entitled to release or discharge any such mortgage or any money secured thereby.

(11) If the town clerk wilfully neglects or refuses to make in the register any entry by this section required to be made he shall be liable to a penalty not exceeding twenty pounds.

Power to use sinking fund instead of borrowing.

127.—(1) Where the Corporation are authorised by any statutory borrowing power to raise money for any purpose they may instead of exercising such borrowing power by the issue of any fresh security in respect thereof exercise the said power and raise the said money either wholly or partially by using for such purpose so much of any money for the time being forming part of a sinking fund as shall be available for the repayment of—

(A) A loan which is secured by a charge on the same rate fund or revenue as would be specifically chargeable as the security for the repayment of a loan under the statutory borrowing power if the same were raised by the issue of a fresh security and which is not shown by the deed to be raised in exercise of a particular borrowing power specified therein; or

(B) Moneys borrowed and charged upon all the revenues of the Corporation in manner provided by the section of this Act whereof the marginal note is "Power to use one form of mortgage for all purposes" and not shown by the deed to be raised in exercise of a particular borrowing power specified therein.

(2) The Corporation when exercising the powers conferred on them by this section shall—

(A) Withdraw from the sinking fund a sum equal to the amount of the statutory borrowing power proposed to be exercised by the user of money from such sinking fund;

(b) Credit such sinking fund with the repayment of an amount of the principal moneys for the repayment of which the fund is established equal to the sum withdrawn from the sinking fund and thereupon the amount so credited shall be deemed to be principal moneys discharged by application of the sinking fund;

(c) Debit the account of the statutory borrowing power proposed to be exercised with an amount of the principal money equal to the sum withdrawn from such sinking fund and thereupon the statutory borrowing power shall be deemed to have been exercised as fully as if the said amount had been raised by the issue of a fresh security and the provisions of any enactment as to the repayment and re-borrowing of sums raised under the statutory borrowing power shall apply thereto accordingly.

(3) The provisions of this section shall not apply to any sinking fund formed under the Local Loans Act 1875.

(4) The Corporation shall furnish all such information (if any) to the Local Government Board with regard to the exercise of the powers contained in this section as that Board shall require.

Power to re-borrow.

128.—(1) The Corporation shall have power—

(a) To borrow for the purpose of paying off any moneys previously borrowed under any statutory borrowing power which are intended to be forthwith repaid; or

(b) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

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(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(A) By instalments or annual payments; or

(B) By means of a sinking fund; or

(C) Out of moneys derived from the sale of land; or

(D) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Returns to Local Government Board as to sinking funds.

129.—(1) The treasurer shall within forty-two days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in respect of any of the moneys raised by the Corporation in pursuance of any statutory borrowing power and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and if required by that Board verified by a statutory declaration of the treasurer showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest 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 his failing to make such return the treasurer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

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(2) If it appear to the Local Government Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by the Act in pursuance of which the moneys are raised or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of the sinking fund to any purposes other than those authorised the Local Government Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Scheme for fixed equated periods.

130.—(1) The Corporation may at any time hereafter and from time to time make a scheme for prescribing one or more equated periods within which all or any loans contracted by them under statutory borrowing powers shall be discharged and such scheme may extend or vary the periods within which such loans shall be discharged and may make provision in regard to all matters incidental thereto.

(2) No scheme made by the Corporation under this section shall have any force or effect until confirmed by the Local Government Board who may by order confirm the same with or without modifications and when so confirmed the scheme shall notwithstanding any enactment order or sanction to the contrary have full force and effect and such scheme shall be deemed to be within the powers of this Act Provided that nothing in any scheme made under this section shall prejudice or affect the security rights and remedies of any mortgagee under any mortgage existing at the time of the confirmation of the scheme or of the holder of any stock existing at that time except with the consent of such mortgagee or holder.

(3) The Corporation may with the sanction of the Local Government Board and on the security of the revenues funds or rates respectively on the security of which the moneys included in the scheme were respectively authorised to be borrowed borrow uch sums as may be necessary for the purpose of giving effect to such scheme and for compensating the holders of securities of

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the Corporation for their consent thereto and any moneys so borrowed shall be repaid within such period as the Local Government Board may sanction.

(4) Any scheme confirmed under this Act may be altered extended amended or annulled by any other scheme prepared and confirmed in like manner as the original scheme.

Expenses of execution of Act.

131. Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made shall be defrayed by the Corporation out of the borough fund and borough rate or the district fund and general district rate as the Corporation may in their discretion having regard to the object of the expenditure deem just.

Audit of accounts.

132. The provisions of the Municipal Corporations Acts relating to the keeping and auditing of accounts and the accounts kept of sums of money received and paid under those Acts shall extend to the keeping and auditing of accounts kept of sums of money received and paid under this Act.

PART XI.

MISCELLANEOUS.

In executing works for owner Corporation liable for negligence only.

133. Whenever the Corporation or the surveyor or other duly authorised officer of the Corporation under any enactment or 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 (not being undertakers under any Act or Order under the Tramways Act 1870 or the Light Railways Act 1896) 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 other such officer as aforesaid 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 charges or expenses paid by the Corporation in the absence of negligence as aforesaid shall be deemed to be part of the expenses payable by such owner occupier or other person and shall be recoverable accordingly.

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Evidence of appointments authority &c.

134. Where in any legal proceedings taken by or on behalf of or against the Corporation or any officer servant solicitor or agent of the Corporation or of any committee of the council under this Act or under any general or local Act for the time being in force in the borough it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Corporation or of any committee of the council or to prove any resolution or order of the council or any resolution order or report of any committee of the council a certificate of such appointment authority resolution order or report purporting to be authenticated by the signature of the mayor or of the town clerk shall be primâ facie evidence of such appointment authority resolution order or report without further proof of the holding of any meeting or the production of any minute book or other record or document.

Consent of Corporation to be in writing.

135. All consents given by the Corporation under the provisions of this Act shall be given in writing and unless otherwise prescribed may be given under the hand of the town clerk.

As to breach of conditions of consent of Corporation.

136. Where under this Act or under any general or local Act for the time being in force in the borough 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 which they are authorised to impose 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.

Penalty on occupiers refusing execution of Act.

137. If the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Corporation under Part VI. (Streets and Buildings) Part VII. (Watercourses) and Part VIII. (Sewers Drains &c.) of this Act or under any byelaw made thereunder then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding two pounds and during the continuance of his refusal the owner shall be discharged from any penalties to

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

Expenses may be declared private improvement expenses.

138. The Corporation may declare any expenses incurred by them under the provisions of this Act which are recoverable from the owner or owners of any premises to be private improvement expenses and thenceforth those expenses may be recovered and shall be charged upon the premises in respect of which they were incurred in accordance with the provisions of section 257 of the Public Health Act 1875.

Authentication and service of notices &c.

139.—(1) Where any notice or demand under this Act or under any local Act Provisional Order or byelaw for the time being in force within the borough requires authentication by the Corporation the signature of the town clerk or other duly authorised officer of the Corporation shall be sufficient authentication.

(2) Notices demands orders and other documents required or authorised to be served under this Act or under any local Act Provisional Order or byelaw for the time being in force within the borough may be served in the same manner as notices under the Public Health Act 1875 are by section 267 of that Act authorised to be served Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post addressed to the secretary of the company at their registered office or at their principal office or place of business.

Confirmation of byelaws.

140. The provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to all byelaws made by the Corporation under the powers of this Act except the byelaws made under the section of this Act of which the marginal note is "Byelaws as to wires apparatus and fittings."

As to appeal.

141. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence consent or approval of or by the Corporation or of or by any officer of the Corporation under the provisions of this Act or by any conviction or order made by a court of summary jurisdiction under any provision of this Act may if no other mode of appeal is provided by this Act appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts.

Apportionment of expenses in case of joint owners.

142. Where under the provisions of this Act the Corporation shall construct or do any works for the common benefit of two or more buildings belonging to different owners the expenses which under this Act are recoverable by the Corporation from the owners shall be paid by the owners of such buildings in such proportions as shall be determined by the surveyor or in case of dispute by a court of summary jurisdiction.

Recovery of penalties &c.

143. Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner Provided that costs and expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of demands.

144. Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Informations by whom to be laid.

145. Save as otherwise by this Act expressly provided all informations and complaints under or in respect of the breach of any of the provisions of this Act or of any byelaws made thereunder may be laid and made by any officer of the Corporation authorised in that behalf or by the town clerk.

Penalties to be paid over to treasurer.

146. All penalties recovered on the prosecution of the Corporation or any officer of the Corporation on their behalf under this Act or under any byelaw thereunder shall be paid to the treasurer and be by him carried to the credit of the borough fund or to such other fund as the Corporation shall direct.

Damages and charges to be settled by justices.

147. 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 a court of summary jurisdiction before whom any offender is convicted.

Compensation how to

148. When any compensation costs damages or expenses is or are by this Act directed to be paid and the method of

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be determined.

determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided by the Public Health Acts.

Power of entry.

149. The provisions of section 102 (Power of entry of local authority) and section 103 (Penalty for disobedience of order) of the Public Health Act 1875 shall extend and apply to the purposes of Parts VI. (Streets and Buildings) VII. (Watercourses) VIII. (Sewers Drains &c.) and IX. (Infectious Disease and Sanitary Provisions) of this Act as if those purposes had been mentioned in the said sections.

Saving as to railway companies.

150. The provisions of Part VI. (Streets and Buildings) Part VII. (Watercourses) and Part VIII. (Sewers Drains &c.) of this Act shall not extend or apply to any building (not being a dwelling-house) belonging to and used and occupied by a railway company as a part of or in connection with their railway under any Act of Parliament.

Inquiries by Local Government Board.

151.—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon them or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(2) The Corporation shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries referred to in this section 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.

Persons acting in execution of Act not to be personally liable.

152. No matter or thing done or contract entered into by the Corporation nor any matter or thing done by the town clerk or by any member or officer of the Corporation or any person whomsoever acting under the direction of the Corporation shall if the matter or thing be done or the contract be entered into bonâ fide for the purpose of executing this Act subject them or any of them personally to any action liability claim or demand whatsoever and any expense incurred by the Corporation or town clerk member officer or person acting as

last aforesaid shall be borne and repaid out of any of the funds at the disposal of the Corporation. A.D. 1914.

Judges not disqualified.

153. 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 liable to any rate.

Saving for indictments &c.

154. 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 Provided that nothing in this Act shall make a person liable to be punished more than once for the same offence.

Powers of Act cumulative.

155. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred upon them or on any committee appointed by the council by Act of Parliament charter law or custom and the Corporation or such committee (as the case may be) may exercise such other powers and be entitled to such other rights and remedies as if this Act had not been passed Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

For protection of Port of London Authority.

156. Nothing in this Act shall extend to or be construed to extend to prejudice or derogate from the estates rights interests privileges liberties or franchises of the Port of London Authority or to prohibit defeat alter or diminish any power authority or jurisdiction which at the time of the passing of this Act the Port of London Authority did or might lawfully claim use or exercise.

Crown rights.

157. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Costs of Act.

158. The costs charges and expenses preliminary to and of and incidental to preparing applying for obtaining and passing of this Act including the costs charges and expenses preliminary to and of and connected with the compliance with the provisions of the Borough Funds Acts 1872 and 1903 as taxed and ascertained by the taxing officer of the House of Lords or of

A.D. 1914.

the House of Commons shall be paid by the Corporation out of the borough fund or out of the district fund or out of both of them in such proportions as the Corporation may by resolution determine or out of money to be borrowed under this Act for that purpose.

The SCHEDULES referred to in the foregoing Act. A.D. 1914.

FIRST SCHEDULE

Part I.

Names and Boundaries of Wards.

Saint Mary's Ward.

Consisting of so much of the borough of Wimbledon as is comprised and lies within the following boundary line (that is to say):—

A line commencing at a point in the centre of the public road bridge where it crosses the London and South Western Railway Company's railways at Wimbledon Station and continuing thence in a north-easterly direction along the centre of the main line of such railways to a point in the centre of the public road bridge carrying Gap Road over the said railways thence in a northerly and westerly direction along the centre of the Wimbledon and Fulham branch of the said company's railways to a point where such branch railway meets the northern boundary of the borough thence in a westerly and southerly direction along such northern boundary to a point where that boundary intersects the centre of Robin Hood Road thence in an easterly direction along the centre of Robin Hood Road to a point in such road 266 yards or thereabouts east of Springwell Cottage thence in an easterly direction in a straight line to North View thence along North View to West Place thence in a southerly direction along West Place and West Side to South Side thence in a north-easterly direction along South Side to its junction with High Street thence in a north-easterly and south-easterly direction along the centres of High Street Wimbledon Hill and Wimbledon Hill Road to the point of commencement.

Wimbledon Park Ward.

Consisting of so much of the borough of Wimbledon as is comprised and lies within the following boundary line (that is to say):—

A line commencing at a point in the centre of the public road bridge carrying Gap Road over the London and South Western Railway Company's railways and continuing along the centre

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of the Wimbledon and Fulham branch of such railways in a northerly and westerly direction to a point where such branch railway meets the northern boundary of the borough thence along such northern boundary in an easterly direction to a point where such northern boundary meets the main line of the London and South Western Railway Company's railways thence in a south-westerly direction along the centre of such main line to the point of commencement.

South Park Ward.

Consisting of so much of the borough of Wimbledon as is comprised and lies within the following boundary line (that is to say) :—

A line commencing at a point in the centre of the public road bridge where it crosses the London and South Western Railway Company's railways at Wimbledon Station and continuing thence in a north-easterly direction along the centre of the main line of the said railways to a point where the railway leading to Tooting Junction joins the said main line thence in a north-easterly and easterly direction along the centre of the said railway leading to Tooting Junction to a point in the centre of the public road bridge carrying Haydon's Road over such railway thence in a southerly direction along the centre of Haydon's Road to a point opposite its junction with Quicks Road thence in a southerly and westerly direction along the centre of Quicks Road to the centre of Merton Road thence in a northerly and westerly direction along the centre of Merton Road the Broadway and the public road bridge at Wimbledon Station to the point of commencement.

Haydon Park Ward.

Consisting of so much of the borough of Wimbledon as is comprised and lies within the following boundary line (that is to say) :—

A line commencing at a point in the centre of the main line of the London and South Western Railway Company's railways where the railway leading to Tooting Junction joins the said main line thence in a north-easterly direction along the centre of such main line to a point where such main line meets the eastern boundary of the borough thence in a southerly direction along such boundary of the borough to a point where such boundary meets Byegrove Road thence in a westerly direction along the centre of Byegrove Road and South Road to the centre of Haydon's Road thence in a northerly direction along

the centre of Haydon's Road to a point in the centre of the public road bridge carrying Haydon's Road over the railway leading to Tooting Junction thence in a westerly direction along the centre of such last-named railway to the point of commencement.

Part II.

Names of First Councillors for the Saint Mary's Wimbledon Park South Park and Haydon Park Wards and Dates of Retirement.

Name of Ward.	Names of Councillors.	Date of Retirement.
Saint Mary's - -	John Hugh McAuley Ryan - -	1st November 1915.
	Shirl Mussell - - - -	1st November 1916.
	One person to be elected on the 2nd day of November 1914.	1st November 1917.
Wimbledon Park -	Three persons to be elected on the 2nd day of November 1914.	—
South Park - -	James Samuel Holland Abbott -	1st November 1915.
	Herbert Edward Hickox - - -	1st November 1916.
	One person to be elected on the 2nd day of November 1914.	1st November 1917.
Haydon Park -	Three persons to be elected on the 2nd day of November 1914.	—

SECOND SCHEDULE.

Form of Mortgage.

By virtue of the Wimbledon Corporation Act 1914 and of other their powers in that behalf them enabling the mayor aldermen and burgesses of the borough of Wimbledon (hereinafter called "the Corporation") in consideration of the sum of
pounds paid to the treasurer of the Corporation by
(hereinafter called "the mortgagee") do hereby grant and assign unto the mortgagee [his] executors administrators and assigns such proportion of the revenues of the Corporation in the said Act defined as the said sum so paid doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee [his] executors administrators and assigns from the day of the date of these presents until the said sum of pounds shall be fully paid and satisfied with interest for the same (subject as hereinafter provided) at the rate of per centum per annum from

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the day of one thousand nine hundred and until payment of the said principal sum such interest to be paid half-yearly [on the day of and the day of in each year] And it is hereby agreed that the said principal sum of pounds shall be repaid at the office of the borough treasurer [(subject as hereinafter provided) on the day of one thousand nine hundred and] [by]:

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be mentioned and specified in an endorsement to be made hereon under the hands of the mayor and town clerk for the time being respectively and that upon any such endorsement being made whether relating to extension of time only or to extension of time with alteration of rate of interest the provisions thereof shall be incorporated herewith and shall operate and take effect as though they had been originally inserted herein.

In witness whereof the Corporation have caused their common seal to be hereunto affixed this day of one thousand nine hundred and .

THE ENDORSEMENT WITHIN REFERRED TO.

The within-named consenting the within-mentioned time for repayment of the within-mentioned principal sum of is hereby extended to the day of one thousand nine hundred and [and the interest to be paid thereon on and from the day of one thousand nine hundred and is hereby declared to be at the rate of per centum per annum].

Dated this day of one thousand nine hundred and .

FORM OF TRANSFER OF MORTGAGE.

I [the within-named] [of] in consideration of the sum of pounds paid to me by of (hereinafter called "the transferee") do hereby transfer to the transferee

his executors administrators and assigns [the within-written security] [the mortgage number of the revenues of the Wimbledon Corporation bearing date the day of] and all my right and interest under the same subject to the several conditions on which I hold the same at the time of the execution hereof and I the transferee for myself my executors administrators and assigns do hereby agree to take the said mortgage security subject to the same conditions. A.D. 1914.

Dated this day of one thousand nine hundred and .

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