



CHAPTER ccxxxix.

An Act to consolidate the city of Chester into one parish ; A.D. 1884.
 make improved provision for the levying of rates ; pro-
 vide for the issue of Corporation stock ; make provision as
 to markets and fairs ; for freeing the Dee bridges of
 tolls ; and for the improvement government and health
 of the city ; to amend the Improvement Act ; and for
 other purposes. [7th August 1884.]

WHEREAS the city of Chester and county of the same city is a
 municipal borough under the government of the Corporation
 of the city and is subject to the Municipal Corporations Act 1882 :

And whereas the Corporation acting by the Council of the city
 are the sanitary authority for the city with the powers duties and
 obligations of an urban sanitary authority :

And whereas an Act (herein-after called " the Improvement Act ") 8 & 9 Vict.
 was passed in the eighth and ninth years of the reign of Her c. xv.
 present Majesty intituled " An Act for the better paving lighting and (1845.)
 " improving the borough of Chester and for establishing new
 " Market-places therein " which Act is still in force within the said
 city :

And whereas there are at present thirteen parishes or townships
 or parts of parishes or townships comprised within the city of
 Chester and the rateable value of the city according to the poor rate
 valuation for the present year is one hundred and fifty-eight
 thousand pounds and the number of inhabitants at the last census
 was thirty-six thousand seven hundred and ninety-four and there is
 very considerable difference in the rateable value and number of
 inhabitants in the respective parishes and townships and the raising
 of rates by calls or precepts directed to the overseers of each parish
 and township causes great inequality in the amount of rate in the
 pound actually levied in the respective parishes and townships and
 the employment of assistant overseers for each separate parish and
 township also causes considerable expense and it is expedient that

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And whereas the Seventh Schedule to this Act contains a statement of the loans of the Corporation authorised and raised or in the course of being raised and the amounts thereof subsisting on the twenty-fifth day of March one thousand eight hundred and eighty-four and the periods for which such loans were sanctioned (exclusive of moneys borrowed under section twenty-six of the Improvement Act) :

And whereas the equivalent period for repayment of the several loans mentioned in the said Seventh Schedule to this Act is twenty years and it is reasonable such period should be extended and it is expedient that the whole of the said loans should be repaid within the periods by this Act prescribed :

And whereas the Corporation have prepared estimates showing that they will or may require to borrow for the purposes of this Act (being permanent works or improvements within the meaning of section 234 of the Public Health Act 1875) the sum of fifty thousand pounds :

And whereas it is expedient that the Corporation be authorised to borrow and raise the same on security of their rates as herein-after provided and also to exercise their statutory borrowing powers for the time being by means of the creation and issue of Corporation stock :

And whereas it is expedient that the Improvement Act be amended in divers particulars and that further powers be conferred upon the Corporation as herein-after provided :

And whereas it is expedient that the Corporation should be authorised to execute street improvements as herein-after provided and to take lands for the purposes of this Act :

And whereas it is expedient that such provision as is herein-after contained should be made in respect of markets and fairs within the city and to alter and amend the tolls payable thereat :

And whereas it is expedient that the powers herein-after mentioned with respect to closed burial grounds should be conferred on the Corporation :

6 Geo. 4.
c. cxxiv.

And whereas an Act was passed in the sixth year of the reign of King George the Fourth intituled “ An Act for erecting an additional
“ bridge over the River Dee in the city of Chester for opening and
“ making convenient roads and approaches thereto and for taking
“ down and rebuilding the parish church of Saint Bridget within
“ the said city and for repairing the present bridge over the River
“ Dee ” which Act is herein-after referred to as “ the first Dee Bridge Act ” :

[47 & 48 VICT.] *Chester Improvement Act, 1884.* [Ch. ccxxxix.]

And whereas further powers were conferred by an Act passed in A.D. 1884. the second year of the reign of King William the Fourth intituled 2 Will. 4. "An Act for extending the time for completing the additional bridge c. xli. "over the River Dee in the city of Chester" which two Acts are herein-after referred to as "the Dee Bridges Acts":

And whereas certain commissioners (herein-after called "the Dee Bridges Commissioners") are acting in the execution of the Dee Bridges Acts:

And whereas the said additional bridge was erected and the Dee Bridges Commissioners were authorised to levy tolls for the purposes of the said Acts at toll gates thereby authorised to be erected at or upon the same bridge and also at or upon the said other bridge referred to in the first Dee Bridge Act (which bridges are herein-after called "the Dee bridges") or at or upon the roads or approaches leading thereto respectively:

And whereas the amount of the mortgage debt on the Dee bridges secured on the tolls thereof is thirty-two thousand six hundred and fifty-two pounds ten shillings:

And whereas the sum of two hundred pounds per annum is payable by the Dee Bridges Commissioners to the Corporation under the Dee Bridges Acts and the sum of five thousand eight hundred and ninety-five pounds is also payable by the said commissioners to the Corporation out of the tolls when the whole of the mortgage debt shall have been discharged:

And whereas the Duke of Westminster and divers other owners and occupiers of property on the south side of the said river and also divers other persons who use the Dee bridges and the approaches thereto and pay the tolls levied under the Dee Bridges Acts have agreed to contribute towards the amount required for freeing the Dee bridges and it is expedient and will be for the benefit of the public that such bridges should be freed from toll and that powers should be conferred on the Corporation for effecting that object immediately or as soon as practicable:

And whereas by the Chester Tramways Act 1878 the Chester Tramways Company are required to pay certain annual sums in lieu 41 & 42 Vict. c. clxxiv. of tolls for the use of one of the Dee bridges known as the Grosvenor Bridge and it is right that that company should also contribute towards freeing the Dee bridges from toll:

And whereas the works executed under the authority of the Dee Bridges Acts were of great advantage to the county of Chester and the neighbouring counties of Flint and Denbigh and it is expedient that the justices of those counties respectively should be authorised to contribute towards freeing the Dee bridges from toll:

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And whereas plans of the lands which may be taken under the compulsory powers of this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of such lands were duly deposited with the clerk of the peace for the county of the city of Chester and are herein-after respectively referred to as the deposited plans and books of reference :

And whereas an absolute majority of the whole number of the Council of the borough at a meeting held on the eleventh day of July one thousand eight hundred and eighty-three after ten clear days notice by public advertisement of such meeting and of the purposes thereof in the "Chester Chronicle" a local newspaper published and circulating in the city (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund :

And whereas such resolution was published twice in the said "Chester Chronicle" and has received the approval of the Local Government Board in respect of matters within the jurisdiction of that Board and the approval of one of Her Majesty's principal Secretaries of State in respect of other matters :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Council at a further special meeting held in pursuance of a similar notice on the ninth day of January one thousand eight hundred and eighty-four being not less than fourteen days after the deposit of the Bill in Parliament :

And whereas the owners and ratepayers of the city by resolution in the manner provided in Schedule III. of the Public Health Act 1875 consented to the promotion of the Bill for this Act :

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

PART I.—PRELIMINARY.

Short titles
of Acts.

1. The Improvement Act may be cited as the Chester Improvement Act 1845 and this Act may be cited as the Chester Improvement Act 1884 and that Act and this Act may be cited together as the Chester Improvement Acts 1845 and 1884.

2. This Act is divided into parts as follows :

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Part I.—Preliminary.

Part II.—Consolidation of parishes and levying of rates.

Act divided
into parts.

Part III.—Financial.

Part IV.—Corporation stock.

Part V.—As to certain streets and bridges.

Part VI.—Markets, fairs, and slaughter houses.

Part VII.—Purchase of Lands &c.

Part VIII.—Closed burial grounds.

Part IX.—Dee bridges.

Part X.—Infectious diseases.

Part XI.—Miscellaneous.

3. The Lands Clauses Consolidation Acts 1845 (except section one hundred and twenty-seven) 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 herein-after referred to as the Lands Clauses Acts (so far as the same are applicable for the purposes of and not varied by or inconsistent with this Act) are hereby incorporated with this Act.

Lands
Clauses
Acts in-
corporated.

4. Subject as in this Act otherwise expressly provided this Act shall commence and take effect on its passing.

Commence-
ment of Act.

5. In this Act

“The city” and “the sanitary district” mean respectively the city and borough of Chester and county of the same city and the sanitary district of the city and borough of Chester :

Interpreta-
tion.

“The Corporation” means the mayor aldermen and citizens of the city :

“The Council” means the Council of the city :

“The town clerk” “the treasurer” and “the surveyor” mean respectively the town clerk the treasurer and the surveyor of the city :

“Justice” or “justices” mean respectively a justice and justices of the peace of the city :

“County court” means the county court of Cheshire holden at Chester :

“The borough fund” “the borough rate” “the improvement rate” “the lamp rate” and “the watch rate” mean respectively the borough fund the borough rate the improvement rate the lamp rate and the watch rate of the city :

“The Municipal Corporation Acts” means the Municipal Corporations Act 1882 and all Acts for the time being in force amending the same :

“The Public Health Acts” means the Public Health Act 1875 and all Acts for the time being in force amending the same :

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“Street” applies to part of a street or road but shall not include any road or approach to the station or premises of any railway company so far as such road or approach belongs to and is maintained by such company :

“Statutory declaration” means declaration under the Statutory Declarations Act 1835 :

“Person” includes Corporation.

Meaning of words defined by Improvement Act and Public Health Acts.

6. Words and expressions to which meanings are assigned in the Improvement Act the Public Health Acts and any Act wholly or partially incorporated herewith so far as is consistent with the tenor of this Act and unless there be something in the subject or context repugnant to such construction have in this Act the same respective meanings Provided that the expression “superior courts” or “court of competent jurisdiction” or any other like term shall have effect as if the debt or demand with respect to which it is used were a simple contract debt and not a debt or demand created by statute.

Interpretation of “special Act.”

7. In the construction of the provisions of any Act incorporated with this Act the term “the special Act” means this Act the term “the limits of the special Act” means the limits of the city and sanitary district and the Corporation shall be deemed to be “the promoters of the undertaking” or “the undertakers” as the case may be.

Execution of Act.

8. This Act shall be carried into execution by the Corporation acting by the Council with all the powers privileges duties and obligations of the Corporation as a municipal authority and as an urban sanitary authority respectively.

Limits of Act.

9. The limits of this Act shall save as otherwise in this Act provided be the city.

Power to appoint committees and delegate powers to such committees.

10. It shall be lawful for the Council and they are hereby empowered from time to time to appoint out of their own body one or more committee or committees consisting of such number of persons as they may think fit to execute carry out do perform manage and transact all or any of the powers authorities measures acts and things which the Corporation or the Council are by this Act the Improvement Act the Municipal Corporation Acts the Public Health Acts and other Acts respectively for the time being affecting the Corporation as a municipal corporation and as a sanitary authority directed or authorised expressly or by reference to do execute or perform which committee or committees shall have so many and such of the powers authorities and discretions by such Acts respectively given to and reposed in the Corporation or the Council as the Council shall think proper to delegate to such committee or committees Provided that in no case shall a committee be authorised to borrow any money or to make any rate.

PART II.—CONSOLIDATION OF PARISHES AND LEVYING OF RATES. A.D. 1884.

11. Sections 276 to 313 (both included) of the Improvement Act relating to the levying and collection of rates and assessments shall be repealed as from the twenty-fifth day of March one thousand eight hundred and eighty-five and from and after that day the following provisions shall apply and have effect in lieu thereof (that is to say):—

Consolidation of all the parishes of the city into one parish and levying of rates.

- (A) The area included within the city shall for all purposes other than exclusively ecclesiastical purposes become one parish to be called (and herein-after referred to as) “the parish of Chester:”
- (B) Where a part of any township or of any parish has by virtue of this Act become part of and been included in the parish of Chester the remaining part (if any) of such township or parish respectively shall thenceforth for all purposes (other than exclusively ecclesiastical purposes) be and constitute a separate township or parish:
- (C) All and every right custom privilege or power (other than in matters exclusively ecclesiastical) vested in or exerciseable by the parishioners ratepayers or inhabitants in vestry assembled of any parish or township which or any part of which is by this Act included within the parish of Chester shall as to the parish or township or part of the parish or township so included within the parish of Chester cease to be so vested or exerciseable and all offices (other than offices exclusively ecclesiastical) in or for all such parishes and townships and parts of parishes and townships shall be vacated and determine. Provided nevertheless that all officers whose offices are hereby declared to be vacated and who are charged with or liable for the collection of any rate shall notwithstanding the vacation of their respective offices complete and be responsible for the completion of the collection and recovery of all rates and arrears of rates made previously to the twenty-fifth day of March one thousand eight hundred and eighty-five and the determination of their respective offices shall not take away prejudice or affect any security right or remedy for those purposes or any proceeding or thing pending or in course of being done on the said twenty-fifth day of March one thousand eight hundred and eighty-five or any liability to account or audit: Provided also that the guardians for all such parishes and townships shall continue in office till the date of their successors coming into office:

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- (D) All and every such right custom privilege or power as aforesaid and with the exception aforesaid shall for and in respect of the parish of Chester vest in and be exerciseable by the inhabitants of the parish of Chester in vestry assembled and all rights powers duties liabilities obligations privileges and immunities not exclusively ecclesiastical incident or attaching to or to the office of any parish officer shall be incident and attach to or to the office of the like officer of the parish of Chester :
- (E) Vestry meetings for the parish of Chester shall unless otherwise determined in vestry be held at the town hall in the city and the first vestry meeting shall be summoned by the town clerk by notice advertised twice in two newspapers published in the city and affixed for the space of ten clear days before the meeting on at or near the principal door of the town hall and subsequent vestry meetings shall be summoned by the overseers or assistant overseer of the parish or one of them by notice published in manner herein-after mentioned :
- (F) Any assistant overseer or collector of poor rates of or for any parish or township or part of a parish or township by this Act made part of the parish of Chester who was in office before the twenty-seventh day of July one thousand eight hundred and eighty-three and who shall be in office at the commencement of this part of this Act shall as and from the last-mentioned date if willing to continue to discharge the duties hitherto appertaining to his office or analogous and equivalent duties within the area of the parish or township or part of the parish or township of which he was such assistant overseer or collector of poor rates (or any other area which may be agreed on) be and be deemed (subject to his first giving proper security for the due honest and faithful discharge of such duties) an officer of the parish of Chester holding office by the same or the like tenure and on and subject to the same or like terms and conditions as he held his former office and entitled to the like salary and emoluments as he was entitled to in respect of his former office for the year ending the twenty-fifth day of March one thousand eight hundred and eighty-four and subject to the duties obligations and liabilities of and incident to his former office or as near thereto as circumstances will admit Provided nevertheless that if such officer and the vestry of the parish of Chester shall either before or after the said twenty-fifth day of March one thousand eight hundred and eighty-five so agree it shall be lawful for the vestry instead of retaining such officer's services to award him compensation for loss of office Such compensation may be paid by way of annuity or in a gross sum

or otherwise and the amount thereof shall be determined by agreement between such officer and the vestry or in the event of dispute by the Local Government Board and shall be provided by the Corporation out of the borough fund :

- (g) Full compensation shall be paid by the Corporation to any officer of the Corporation in respect of the loss of the whole or any part of the salary and emoluments of his office by reason of the passing of this Act. Such compensation may be by way of annuity or in a gross sum or otherwise and shall be paid by the Corporation out of the borough fund and the amount of such compensation shall be determined by agreement or in the event of dispute by the Local Government Board. Provided that at any time after the passing of this Act any such officer may be appointed to any other office the duties of which being analogous to those of his abolished office he is competent to perform and such new office shall be held by the same or the like tenure and on and subject to the same or the like terms and conditions (except as to remuneration) as the abolished office. If the remuneration of such new office having regard to relative duties be equal to or greater than the salary and emoluments of the abolished office the appointment to such new office shall satisfy such officer's claim to compensation under this section but if relatively as aforesaid it be less it shall only satisfy such claim pro tanto and any difference arising out of this proviso shall be determined by the Local Government Board :
- (h) Any doubt question or difficulty which may arise as to the status of any officer or as to the apportionment or adjustment of any property debt or liability as between any of the parishes or townships or parts of parishes or townships which or part of which are or is by this Act included in the parish of Chester shall be determined by the Local Government Board and any costs which may be incurred by the Board under this section shall be paid by the Corporation :
- (i) Notwithstanding anything herein-before contained the provisions of this part of this Act shall not extend to or in anywise affect the administration of or any right to the benefit of any charity or charitable trust or property :
- (j) The representation of the parish of Chester on the board of guardians of the poor for the union of Chester unless and until it be otherwise determined or ordered by the Local Government Board and (subject as herein provided) the mode of election of such guardians shall be the same as before the incorporation of the parishes or townships and parts of parishes or townships in

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the city by this Act into one parish and if any difficulty shall arise in determining the number of such guardians the same shall be settled by the Local Government Board. The wards of the city shall be deemed wards for the election by the parish of Chester of such guardians in like manner as though the parish of Chester had been divided into the said wards for the election of guardians by an order of the Local Government Board pursuant to the thirty-ninth and fortieth Victoria chapter sixty-one section twelve and the Local Government Board may from time to time by order alter such division or make a new division of the said parish into wards and may determine the number of guardians to be assigned to each ward having regard to the total number of guardians for the time being of the parish of Chester and to the value of the rateable property in the several wards thereof :

- (K.) The Council may if they think fit yearly appoint three members of the Council and such members shall from the date of their appointment form part of the assessment committee of the Chester union and the Council may from time to time supply any vacancies in the number of members of the said committee appointed by them (whether caused by such members ceasing to be members of the Council or otherwise) by appointing another member or other members of the Council to fill such vacancies. Provided that the number of members representing the parish of Chester on the said committee shall not (including the members appointed by the Council) at any one time exceed one half the whole number of members of the said committee or such other proportion as may be from time to time determined by an order of the Local Government Board. Provided also that subject as aforesaid the constitution and powers of the said assessment committee shall not be affected by the passing of this Act :
- (L) The improvement rate and lamp rate which the Council are authorised by the Improvement Act to make shall and may be made and enforced by the Council in like manner as they make and enforce the borough rate and the same shall be raised and paid by the overseers of the parish of Chester by means and out of the poor rates in like manner in all respects as the borough rate is raised and paid subject always to such exemptions and deductions provided for in the Improvement Act as are not hereby repealed :
- (M) The accounts required by section 316 of the Improvement Act shall be made up to the twenty-fifth day of March yearly instead of half yearly up to the first day of March and first day of September as provided by that section :

- (N) So much of section 317 of the Improvement Act as relates to the audit of the accounts of the moneys received and expended for or on account of the improvement rate and lamp rate and the vouchers and papers relating thereto is hereby repealed and such accounts shall be audited by the persons at the times and in the manner the other accounts of the Corporation are by law audited without prejudice to audit by the district auditor of the accounts of the overseers of the parish of Chester :
- (O) Every occupier notwithstanding that the improvement rate is collected as part of the poor rate shall be entitled to deduct one half the amount he shall have paid in respect of the improvement rate out of the next rent payable by him to the owner up to but not exceeding a sum equal to the amount of such rate in the pound on one half the amount of the rent paid or payable by him for the year of the rate to such owner and the overseers shall state upon the face of the voucher for such rate the amount in the pound of such rate and the rateable value upon which it is charged :
- (P) If any person rated within the parish of Chester shall remove or reside beyond the limits of that parish it shall be lawful for the overseer of the poor or any assistant overseer of the poor to send a demand of any rate through the post by registered letter to the last known address of such person and such demand shall be a sufficient and lawful demand of the rate due or deemed to be due from such person :
- (Q) It shall be a lawful and sufficient publication of any rate for the parish of Chester and of notice of any meeting of the vestry of the said parish if notice of the making or allowance of any such rate or of such meeting be given in the usual manner on at or near the principal entrance to the town hall for the time being or any other public place which the vestry of the parish of Chester may appoint for the purpose and it shall not be necessary to publish the making or allowance of any rate or notice of any vestry meeting otherwise than as is herein-before provided :
- (R) The provisions of this Act in respect of rates shall unless herein otherwise provided or implied be in addition to and shall not derogate from prejudice or affect any powers rights remedies or means for the time being by law available for the assessment and collection of poor rates :
- (S) At any meeting of the vestry of the parish of Chester the mayor of the city if present and willing to preside shall take the chair and in the case of his absence or unwillingness to preside a chairman shall be appointed by the meeting :

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(T) Notwithstanding anything herein-before contained any power by this section conferred on the Local Government Board may be exercised and any proceedings (including the giving of any notice) preliminary to the election of guardians for the parish of Chester may be taken before the twenty-fifth day of March one thousand eight hundred and eighty-five and it shall be the duty of the clerk to the guardians and of all other persons to take such proceedings so as to conform to the provisions of this section.

Railways and canals to be assessed at one-fourth only.

12. In any rate levied within the city either by precept or otherwise under the provisions of the Improvement Act or this Act the occupier of any land covered with water or used only as a canal or towing-path for the same or as a railway constructed under the powers of any Act of Parliament for public conveyance shall be assessed in respect of the same in the proportion of one-fourth part only of the net annual value thereof.

PART III.—FINANCIAL.

Power to borrow.

13. The Corporation may at any time or from time to time (in addition to any moneys which they are now authorised to borrow) borrow at interest on the security of all or any of the rates which they are or hereafter may be authorised to levy and for the following purposes such moneys as they may at any time or from time to time think requisite not exceeding the following sums (that is to say):—

- (1) For the purchase of the Dee bridges undertaking the sum of fifteen thousand pounds:
- (2) For the purchase of property and effecting street and other improvements by this Act authorised and for any other purposes of this Act and the Improvement Act the sum of thirty-five thousand pounds.

Period for repayment of borrowed moneys.

14.—(1) All moneys borrowed under the preceding section shall be repaid within the period of forty years from the time or respective times when the same shall be respectively borrowed.

(2) The several loans mentioned in Part I. of the seventh schedule to this Act shall be repaid within thirty-eight years from the commencement of this Act and the several loans mentioned in Part II. of that schedule shall be repaid within forty years from the commencement of this Act.

Provisions as to mode of raising moneys.

15.—(1) The Corporation may raise any moneys which they are by this Act authorised to borrow by mortgage of all or any of their rates or by the creation and issue of Chester Corporation stock under the powers conferred by this Act.

(2) All the mortgages of the Corporation under this Act shall subject to the provisions of any subsequent Act rank together without any priority on account of the date of the deed or on any other account. A.D. 1884.

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

16. All moneys raised under the provisions of the Improvement Act or of this Act shall be applied only to the purposes for which they are by the said Acts respectively authorised to be raised and to which capital is properly applicable and for no other purposes. Application of moneys borrowed.

17. Nothing in this Act contained shall in anywise prejudice or affect the rights of the holders of existing mortgages or bonds of the Corporation and all mortgages or charges to be created under this Act shall as regards the rates charged therewith be subject to the mortgages and bonds at present existing and secured upon the same rates. Priority of existing mortgages.

18. Save as by this Act provided the Corporation shall pay off all moneys borrowed by them on mortgage under this Act as well as the several loans mentioned in the seventh schedule to this Act by equal yearly or half-yearly instalments of principal and interest or by means of a sinking fund or sinking funds created invested and applied in manner provided by the Local Loans Act 1875 and section fifteen of that Act shall apply accordingly Provided that any moneys repaid by the Corporation otherwise than by instalments or appropriations or by means of a sinking fund or out of the proceeds of sale of surplus lands or other moneys received on capital account before the expiration of the respective prescribed periods may be re-borrowed from time to time so that they be finally discharged within the said respective periods and for the purposes of section fifteen of the Local Loans Act 1875 the moneys re-borrowed and the moneys originally borrowed shall be deemed to form the same loan. Mode of discharge of money borrowed on mortgage.

19.—(1) The Corporation may if they see fit in manner provided by the Local Loans Act 1875 borrow and re-borrow for the time being any sums by this Act authorised to be borrowed or re-borrowed. Power to borrow under Local Loans Act.

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(2) Any sum borrowed in manner provided by that Act shall be discharged within such period not exceeding the period prescribed by this Act as the Corporation determine and the period so determined shall be the prescribed period within the meaning of the Local Loans Act 1875.

(3) The Corporation may raise the loan or any part thereof by the issue of debenture stock.

(4) Any loan raised under this section may be repaid by means of a sinking fund.

(5) If any part of a loan is re-borrowed then for the purposes of the time within which the sum re-borrowed is to be repaid and of sections fourteen and fifteen of the Local Loans Act 1875 the said loan and the sum re-borrowed shall be deemed to form the same loan and all moneys re-borrowed shall be paid off within the period prescribed in the case of the original loan.

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

20. The treasurer of the city shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or to be paid by way of instalment under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been paid off by way of instalment and the amount which has been invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same and the interest thereof have been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund has been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return the treasurer shall be liable to a penalty of not exceeding twenty pounds recoverable by that Board in a summary manner. If it appears to the Local Government Board by such return or otherwise that the Corporation have failed to pay by way of instalment or to set apart for the sinking fund the sum required by this Act or have applied any portion of the money set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which the default is made be set apart and invested as part of the sinking fund and their order shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of a court of competent jurisdiction and the provisions of this section shall *mutatis mutandis* apply to appropriations and annual repayments.

PART IV.—CORPORATION STOCK.

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21. In this part of this Act—

(1) “The Bank of England” means the Governor and Company of the Bank of England. Interpretation.

(2) Any power (whether or not coupled with a duty) of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under this Act or under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government Department made or given or to be made or given by authority of any Act of Parliament passed or to be passed is for purposes of this part of this Act a statutory borrowing power.

(3) Any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock Corporation stock annuity rentcharge rent or other security authorised by or under any Act of Parliament passed or to be passed of any municipal corporation in Great Britain including the Corporation or of any other local authority within section thirty-four of the Local Loans Act 1875 is for the purposes of this part of this Act a statutory security.

(4) The provisions of this part of this Act referring to dividends or interest apply to and include instalments of an annuity and half-yearly or other payments of or in respect of a rentcharge rent or other statutory security.

22.—(1) Where the Corporation have for the time being any statutory borrowing power then subject and according to the provisions of this part of this Act the Corporation may from time to time by resolution of the Council exercise the power by creation of stock either redeemable or irredeemable to be from time to time issued for such amount within the limit of the power at such price to bear such half-yearly or other dividends and to be so transferable that is to say in books or by deed as the Corporation by the resolution direct Provided that all redeemable stock at any time and from time to time so created shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock and that all irredeemable stock at any time and from time to time so created shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock. Creation of Corporation stock.

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(2) All stock both redeemable and irredeemable at any time and from time to time so created shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of creation of any portion of stock or in the date of issue of any portion of stock or on any other ground whatsoever and shall also rank equally with all other securities of the Corporation at any time after the date of the first issue of any Corporation stock granted by the Corporation in pursuance of any statutory borrowing power.

(3) The resolution for the first creation of redeemable stock shall provide that such stock shall be redeemable by the Corporation at par that is to say at the rate of one hundred pounds sterling for every nominal amount of one hundred pounds stock issued at such time and in such manner as the Corporation by that resolution declare.

(4) Irredeemable stock shall not be redeemable except by agreement between the Corporation and the holder of stock.

(5) Each resolution for creation of stock shall specify whether the stock thereby created is redeemable or irredeemable.

(6) Stock so created shall be designated by the Corporation as Chester Corporation Redeemable Stock or as Chester Corporation Irredeemable Stock (as the case may require).

(7) All stock for the time being so created whether redeemable or irredeemable is comprised in the term Corporation stock when hereafter used in this part of this Act except where either redeemable stock or irredeemable stock is separately mentioned.

Borrowing
power to be
exercisable
for actual
sum raise-
able.

23. Each statutory borrowing power of the Corporation shall be construed to authorise the Corporation to create and issue Corporation stock from time to time to such nominal amounts as in the aggregate will according to the price of issue produce the actual amount of money for the time being lawfully raiseable by the Corporation under that power or some portion of that actual amount or as the case may be the actual amount of money properly payable by the Corporation as consideration on payment off or redemption by the Corporation of any mortgage bond debenture debenture stock annuity rentcharge rent or other security granted or created by the Corporation.

Charge of
Corporation
stock.

24.—(1) All Corporation stock for the time being issued and the dividends thereon shall be and the same are by virtue of this Act charged indifferently on the whole revenues of the Corporation from time to time arising from the lands undertakings and other property for the time being of the Corporation and on the borough fund and borough rate and on the improvement rate and on all other funds and rates established and leviable by the Corporation.

(2) The dividends for the time being payable on all Corporation stock shall rank equally with the interest on all other securities of the Corporation granted or created in pursuance of any statutory borrowing power after the first issue of any Corporation stock and the same dividends and interest shall subject to all charges existing at that date be the first charge on the revenues and rates aforesaid and on the revenues of the funds aforesaid (all which revenues and rates are comprised in the term the Corporation revenues when hereafter used in this part of this Act). A.D. 1884.

25. For payment of dividends on all Corporation stock and for redemption and extinction or purchase and extinction of all Corporation stock there shall be established and formed a fund called the Chester Corporation Consolidated Loans Fund (in this part of this Act referred to as "the loans fund"). Establishment of consolidated loans fund.

26.—(1) In each year the Corporation shall pay into the loans fund a sum or sums equal to the aggregate amount of all dividends payable in that year on the several portions of Corporation stock issued in exercise of the respective statutory borrowing powers of the Corporation and remaining outstanding. Contributions to loans fund for dividends.

(2) They shall provide the sum or sums aforesaid by contributions from the several Corporation revenues if any specifically made liable to provide the same by or under any Act of Parliament or by any resolution of the Corporation having reference to those respective statutory borrowing powers and if as regards any statutory borrowing power there is no such specific liability then from the several Corporation revenues out of which interest would have been payable on money borrowed by the Corporation under that power if that money had been raised and remained secured otherwise than by Corporation stock and in default thereof or subject thereto they shall provide the same out of the borough fund borough rate or improvement rate as the Corporation having regard to the provisions of this part of this Act and to the objects for which the statutory borrowing power was exercised may consider equitable.

(3) The amounts of those several contributions (subject to any payment in reduction thereof authorised by this part of this Act) shall be the sums ascertained to be required in that behalf by apportionment of that aggregate amount of dividends among those several Corporation revenues according to the amount of stock the dividends whereon are properly payable thereout respectively.

27.—(1) In each year the Corporation shall pay into the loans fund a sum or sums equal to the aggregate amount of all sums Contributions to loans fund for
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extinction
of stock.

payable in that year for redemption and extinction or purchase and extinction of the several portions of Corporation stock issued in exercise of the respective statutory borrowing powers of the Corporation and remaining outstanding.

(2) They shall provide the sum or sums last aforesaid by contributions from the several Corporation revenues if any specifically made liable to provide the same by or under any Act of Parliament or by any resolution of the Corporation having reference to those respective statutory borrowing powers and if as regards any statutory borrowing power there is no such specific liability then from the several Corporation revenues out of which any yearly or other sums would have been payable towards a sinking fund for discharge or towards payment off by instalments appropriations annual repayments or otherwise of money borrowed by the Corporation under that power if that money had been raised and remained secured otherwise than by Corporation stock and in default thereof or subject thereto they shall provide the same out of the borough fund borough rate or improvement rate as the Corporation having regard to the provisions of this part of this Act and the objects for which the statutory borrowing power was exercised may consider equitable.

(3) The amounts of those several contributions (subject to any payment in reduction thereof authorised by this part of this Act) shall be the same amounts as would in the same respective cases have been payable towards a sinking fund or towards payment off as aforesaid those contributions to be subject to accumulation if and as in the same respective cases accumulation was prescribed.

(4) The Corporation shall from time to time by investment on statutory securities of the sums paid into the loans fund in respect of those several contributions or of proper parts thereof and by like investment of the interest and annual proceeds arising from those securities make and maintain such accumulations as are in this section referred to.

(5) But if the extinction of any portion of Corporation stock or any part thereof is accelerated by the application to such extinction of any part of the loans fund required by this part of this Act to be applied to the making and maintenance of those accumulations then a sum or sums equal to the dividends on the stock so extinguished shall thenceforth in every year during the residue of the period expressly or by implication limited for the continuance of any loan by or under the statutory borrowing power in exercise whereof that portion of stock is issued be paid into the loans fund out of the Corporation revenues chargeable with payment of the dividends on that portion of stock.

28.—(1) The Corporation shall from time to time in order to raise the amounts of the several contributions of the two kinds aforesaid out of the several Corporation revenues do all such acts exercise all such powers collect all such money and make and levy all such rates as they lawfully can or ought to do exercise collect make and levy for the purposes of or in relation to the respective statutory borrowing powers in exercise whereof the several portions of Corporation stock are issued.

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Raising of contributions to loans fund.

(2) If by reason of any limit of a rate or for any other reason there is a deficiency on any Corporation revenue in respect of any required contribution the Corporation shall advance the amount of the deficiency out of the borough fund and borough rate or improvement rate as the Corporation having regard to the provisions of this part of this Act and the objects for which the statutory borrowing power was exercised may consider equitable.

(3) The amount so advanced shall be a debt due from the Corporation revenue on which the deficiency existed to the fund or rate out of which the advance is made and interest shall be payable thereon at the rate of three pounds and ten shillings per centum per annum until repayment and the same debt and interest shall as soon as in the judgment of the Corporation reasonably may be raised and paid out of the Corporation revenue on which the deficiency existed.

29.—(1) The Corporation shall pay into the loans fund and shall carry to the proper separate account forming part of the general account of the loans fund all such money being capital or in the nature of capital and not being otherwise wholly or in part appropriated or made applicable by law or by valid contract as shall from time to time arise from any sale lease or other disposition of land or other property of the Corporation on the revenues whereof any Corporation stock is charged.

Payment of sale money rents &c. to loans fund.

(2) The Corporation shall pay into the loans fund and shall carry to the proper separate account forming part of the general account of the loans fund the rents and profits of any land and other property of the Corporation acquired by them for the purposes of any undertaking or purpose for or in respect of which any statutory borrowing power is exercised by them by the issue of Corporation stock and not otherwise wholly or in part appropriated or made applicable by law or by valid contract.

(3) The Corporation before making any payment into the loans fund under this section may deduct from the money or the rents and profits to which this section applies any costs and expenses properly incurred by the Corporation in or about any sale lease

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Application
of loans
fund.

30. The Corporation shall from time to time apply the loans fund first in paying the dividends on all Corporation stock and next in redeeming Corporation redeemable stock according to the terms of issue and purchasing for extinction Corporation redeemable or irredeemable stock.

Purchase of
irredeem-
able stock.

31.—(1) The Corporation shall not be bound to purchase for extinction any Corporation irredeemable stock unless they can do so at or below par that is to say at a price not higher than the nominal amount thereof.

(2) If any portion of Corporation irredeemable stock is not wholly extinguished within the period expressly or by implication limited for the continuance of any loan by or under the statutory borrowing power in exercise whereof that portion of stock is issued or by the provisions of this part of this Act then after that period the dividends on that portion of stock while unextinguished shall be paid out of the interest and annual proceeds of such money and securities forming part of the loans fund as are properly applicable to the extinction of that portion of stock and except as far as at any time a deficiency of the loans fund in that behalf exists no further money shall be paid into the loans fund in respect of those dividends out of the Corporation revenues liable to contribute to the loans fund in respect of those dividends.

(3) But in that case the Corporation shall continue to pay into the loans fund the yearly sum theretofore required to be provided for extinction of that portion of stock until the securities forming part of the loans fund applicable to that extinction are of sufficient value to enable the Corporation to purchase therewith for extinction the unextinguished part of that portion of stock.

(4) In case at any time during the period limited as aforesaid the Local Government Board are of opinion that regard being had to the market value of Corporation irredeemable stock the provision made for the purchase and extinction of any portion of that stock within that period is insufficient the Local Government Board may from time to time by order direct that the contributions to be made to the loans fund for the purchase and extinction of that portion of stock in accordance with the provisions of this part of this Act shall be increased by such amount as shall be specified in the order so as to provide that the Corporation shall purchase and extinguish or shall be in a position to purchase and extinguish that portion of Corporation stock within that period.

(5) In case at any time after the expiration of the period limited as aforesaid the Local Government Board are of opinion that the

Corporation can without material loss regard being had to the price of issue of the portion of Corporation irredeemable stock which ought to be extinguished within that period and to the rate of dividend payable thereon purchase that portion of stock for extinction then the Local Government Board may if they think fit order the purchase for extinction of that portion of stock or of any part thereof.

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32. All Corporation redeemable stock redeemed by the Corporation and all Corporation redeemable or irredeemable stock purchased by the Corporation for extinction shall be forthwith cancelled by the Corporation and on such cancellation the same and all dividends thereon (not already accrued) shall be and the same are by virtue of this Act extinguished.

Extinction
of stock
redeemed or
purchased.

33.—(1) As parts of the general account of the loans fund the Corporation shall keep separate accounts relative to—

Account of
loans fund.

- (A) Each undertaking or purpose for or in respect of which any statutory borrowing power is exercised by them by the issue of stock : and
- (B) Each statutory borrowing power so exercised.
- (2) Those separate accounts shall distinguish and show—
- (c) The portions of Corporation stock for the time being unextinguished and chargeable to each undertaking or purpose and respectively attributable to the exercise of the several statutory borrowing powers if more than one relating to that undertaking or purpose : and
- (D) The amounts of those several portions of Corporation stock redeemed or purchased by means of the loans fund and cancelled and extinguished.
- (3) Those separate accounts shall further distinguish and show in relation to each undertaking or purpose—
- (E) All money being capital or in the nature of capital arising from any sale lease or other disposition of land or other property of the Corporation paid into the loans fund and in the judgment of the Corporation properly attributable to that undertaking or purpose and the securities on which that money or any part thereof is from time to time invested : and
- (F) All money from time to time received as interest and annual proceeds of the last-mentioned money and securities : and
- (G) All money from time to time received as rents and profits of any land and other property of the Corporation so as aforesaid acquired and not otherwise appropriated or made applicable : and
- (H) All money and securities transferred to the loans fund as having formed part of a sinking fund and all money from time

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to time received as interest and annual proceeds of the last-mentioned money and securities or of securities wherein the same interest and annual proceeds are from time to time invested by way of accumulation : and

(j) All money paid into the loans fund as contributions from the Corporation revenues in respect of dividends on the several portions of Corporation stock chargeable to that undertaking or purpose : and

(k) All money paid into the loans fund as contributions from the Corporation revenues in respect of redemption and extinction or purchase and extinction of those several portions of Corporation stock.

Application
of income in
reduction of
contribu-
tions.

34.—(1) Where any money is standing on a separate account in the loans fund being money paid into the loans fund as rents and profits of the land and other property of the Corporation or being money paid into the loans fund as interest on cash balances received by the Corporation or being other money paid into the loans fund but not being capital or in the nature of capital and not being required by this part of this Act to be applied to the making and maintenance of such accumulations as are prescribed by this part of this Act the Corporation may deal with the same as in this section provided.

(2) Where any money is standing on a separate account in the loans fund being money required by this part of this Act to be applied to the making and maintenance of such accumulations as are prescribed by this part of this Act the Corporation after providing for the making and maintenance of those accumulations may if they think fit from time to time invest that money or any part thereof in statutory securities and deal with the interest and annual proceeds of those securities as in this section provided.

(3) The Corporation may if they think fit from time to time apply the money described in paragraph (1) of this section and the last-mentioned interest and annual proceeds to either of the purposes following or to both of those purposes in such proportions as the Corporation from time to time may consider equitable and expedient (that is to say) :—

(A) In reduction of such contributions out of the Corporation revenues as are payable into the loans fund in respect of dividends on the portions of Corporation stock comprised in the separate account on which the money or interest and annual proceeds is or are standing :

(B) In reduction of such contributions out of the Corporation revenues as are payable into the loans fund for redemption and

extinction or purchase and extinction of those portions of stock. A.D. 1884.

35. For the purposes of any contribution or account under this part of this Act the Corporation if they think fit having regard to all the circumstances of the case and subject to the terms on which any loan of the Corporation was contracted or any Corporation stock was issued may from time to time determine and declare on which of the Corporation revenues any loan of the Corporation or any portion of the Corporation stock is or shall be deemed to be primarily or collaterally charged or determine and declare that any loan of the Corporation or any portion of Corporation stock shall be apportioned as regards the charge thereof between or among any of the Corporation revenues and every such determination and declaration shall be effectual to all intents.

Determina-
tion as to
charge of
stock.

36.—(1) Where any mortgage bond debenture debenture stock annuity rentcharge or other security granted or created before or after the passing of this Act by the Corporation under any statutory borrowing power is outstanding or payable and the Corporation have power with the consent of the holder of that security or otherwise to pay off the amount thereby secured or represented or to redeem the same they may pay off or redeem the security accordingly with money raised by Corporation stock or they may with the consent of the holder thereof issue Corporation stock in substitution for the security.

Payment off
or substitu-
tion for
existing
securities.

(2) The Corporation may create and issue Corporation stock to such amount as may be requisite for purposes of this section and that stock shall be deemed to be created and issued and any money raised thereby shall be deemed to be raised by virtue of the statutory borrowing power under which the security was granted or created and any money so raised shall be applied in payment off or redemption of the security.

(3) In every such case of payment off redemption or substitution the Corporation shall pay and transfer into the loans fund the whole or a proportionate part (as the case may require) of any money and securities forming part of any sinking fund applicable to the discharge of the security.

(4) Where the holder of the security is one of the persons described in section seven of the Lands Clauses Consolidation Act 1845 and by that Act enabled to sell land thereunder that person may consent to payment or redemption of or substitution for the money secured or represented by that security and may accept money for giving that consent as if the person so consenting were the absolute owner of that security and that person is hereby

A.D. 1884. — indemnified for so doing and his receipt shall be a good discharge for the same.

(5) Money received by the holder of any security as authorised by this section and Corporation stock issued to him in substitution for any security shall be subject to the same trusts powers testamentary and other dispositions provisions and incumbrances as the money secured or represented by the security was subject to immediately before the payment off redemption or substitution and every testamentary or other disposition shall take effect with reference to the whole or a proportionate part of the money or stock received or substituted as the case may be.

Extinction
or suspension
of power.

37. On the issue of any portion of Corporation stock the statutory borrowing power in exercise whereof that stock is issued shall be affected as follows (namely) :—

(A) If the stock is issued for the whole term limited for the continuance of any loan or for the continuance of payment of or in respect of any mortgage bond debenture debenture stock annuity rentcharge rent or other security granted or created by the Corporation under that statutory borrowing power then that power to the extent of the money raised by that stock shall be and the same is by virtue of this Act extinguished: but

(B) If the stock is issued for part only of that term then so much of the money raised by that stock as has not been paid off out of the loans fund may be re-borrowed by the Corporation for the residue of that term or any part thereof and so from time to time.

General
application of
money from
Corporation
stock.

38. Money raised by Corporation stock shall be applied for purposes for which money raiseable under the statutory borrowing power in exercise whereof the stock is issued ought by law to be applied and not otherwise.

Temporary
investment
of money
raised by
stock.

39.—(1) The Corporation may from time to time invest temporarily on statutory securities other than stock certificates to bearer money raised by Corporation stock and not for the time being applied to or required for the undertaking or purpose for which it is raised and shall from time to time pay the interest and annual proceeds of those securities into the loans fund.

(2) The Corporation may if they think fit from time to time apply the interest and annual proceeds aforesaid or any part thereof in reduction of such contributions out of the Corporation revenues as are payable into the loans fund in respect of dividends on the respective portions of Corporation stock by the issue whereof that money is raised.

40.—(1) The Corporation may if they think fit and on and subject to such terms and instructions not inconsistent with any provision of this part of this Act as they think expedient appoint and keep appointed an officer of the Corporation or other person or the Bank of England or any other bank or a banker as registrar for all or any of the purposes of this part of this Act (in this part of this Act referred to as the registrar). A.D. 1884.
Appointment
of registrar.

(2) The Corporation in relation to the provisions of this part of this Act and the registrar shall respectively be deemed a banker within the Bankers Books Evidence Act 1879.

41.—(1) The Corporation or the registrar shall keep books in which shall be entered the names and addresses of holders from time to time of Corporation stock and the amounts held by them (in this part of this Act referred to as the Corporation stock register). Corporation
stock
register.

(2) The Corporation stock register shall be *prima facie* evidence of any matter entered therein in accordance with this part of this Act and of the title of the persons entered therein as holders of stock.

42.—(1) On demand of a holder of Corporation stock the Corporation may if they think fit give to him a certificate of the proprietorship thereof under their common seal specifying the amount of Corporation stock to which he is entitled (in this part of this Act referred to as a stock certificate). Certificates
of proprietor-
ship of stock.

(2) A stock certificate shall be *prima facie* evidence of the title of the person therein named his executors administrators successors or assigns to the stock therein specified but the want of a stock certificate if such want be accounted for to the satisfaction of the Corporation shall not prevent the holder of stock from disposing of and transferring the same.

(3) If a stock certificate is worn out or damaged the Corporation on production thereof may cancel it and give a similar stock certificate to the party in whom the property in the stock certificate and in the stock therein specified is then vested.

(4) If a stock certificate is lost or destroyed the Corporation on proof thereof to their satisfaction may give a similar stock certificate to the party entitled to the certificate lost or destroyed.

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

43. Subject to the provisions of this part of this Act every Corporation stockholder may transfer all or any part of his stock in books or by deed. Power for
stockholder
to transfer.

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A.D. 1884.
Transfer in
books.

44.—(1) If and where the resolution for creation of any portion of Corporation stock makes the same transferable in books and not by deed the provisions of this section shall apply and have effect but not otherwise.

(2) The Corporation or the registrar shall keep books wherein transfers of Corporation stock so transferable shall be entered (in this part of this Act referred to as the Corporation stock transfer books).

(3) Every such entry shall be conceived in proper words for the purpose of transfer and shall be signed by the party making the transfer or if he is absent by his agent thereunto lawfully authorised in writing under his hand attested by a witness.

(4) The Corporation or where the Bank of England are the registrar the Bank of England may if they think fit require that the agent be so authorised by power of attorney under the hand and seal of the party making the transfer attested by two or more credible witnesses.

(5) The person to whom a transfer is made may if he thinks fit underwrite his acceptance thereof.

(6) Except as otherwise provided by some other Act of Parliament and subject to the provisions of this part of this Act respecting any portion of Corporation stock which the resolution for creation thereof makes transferable by deed and not in books no mode of transferring Corporation stock other than that prescribed in this section shall be good in law.

Transfer by
deed.

45.—(1) If and where the resolution for creation of any portion of Corporation stock makes the same transferable by deed and not in books the provisions of this section shall apply and have effect but not otherwise.

(2) Every transfer of Corporation stock so transferable shall be by deed.

(3) The deed of transfer shall relate only to the transfer and shall not contain any recital trust power or proviso whatsoever.

(4) The deed of transfer when duly executed shall be delivered to and kept by the Corporation or the registrar and the Corporation or the registrar shall enter a memorial thereof in a book to be called the register of transfers of Corporation stock and shall indorse on the deed of transfer a notice of that entry.

(5) The Corporation or the registrar shall on demand and on delivery up of the old stock certificate or on proof satisfactory to the Corporation of its absence deliver a new stock certificate to the purchaser or shall at the option of the purchaser make an indorsement of the transfer on the existing stock certificate which indorsement being signed by direction of the Corporation or by the registrar shall be equivalent to a new stock certificate.

(6) Until the deed of transfer has been so delivered to the Corporation or the registrar the Corporation or the registrar shall not be affected thereby and the purchaser of the stock shall not be entitled to receive any dividend thereon. A.D. 1884. —

46.—(1) The Corporation or the registrar before allowing any transfer of stock may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming a right to make the transfer. Evidence on transfer.

(2) That evidence shall be a statutory declaration of one or more competent persons or of such other nature as the Corporation or the registrar with the approval of the Corporation may require.

47.—(1) The Corporation or the registrar with the approval of the Corporation may as regards any portion of Corporation stock close the Corporation stock transfer books or the register of transfers of Corporation stock (as the case may be) on any day in the month in which dividends on that portion of Corporation stock are payable but so that the books be not at any time kept closed for more than fifteen days. Closing of transfer books.

(2) The persons who on the day of such closing are inscribed as Corporation stockholders shall as between them and their transferees of Corporation stock be entitled to the dividend next payable thereon.

48. Unless the Corporation have compounded for stamp duty all stock issued by the Corporation shall notwithstanding anything in any resolution of the Corporation be transferable by deed and not in books and every deed of transfer of stock transferable by deed shall be duly stamped and the consideration shall be truly stated therein. Stamp duty on transfers.

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

(2) The Corporation or the registrar shall not be required to allow any executors or administrators to transfer any stock until the probate of the will of or the letters of administration to the deceased has or have been left with the Corporation or the registrar for registration and may require all the executors who have proved the will to join in the transfer.

50.—(1) If the interest in any Corporation stock has become transmitted in consequence of the bankruptcy of a stockholder or the marriage of a female stockholder or by any lawful means other than a transfer in books or by deed or than the death of a stockholder that transmission shall be authenticated by a statutory declaration Transmission on marriage &c.

A.D. 1884. — of one or more competent persons or in such other manner as the Corporation or the registrar require.

(2) The declaration shall state the manner in which and the party to whom the stock has been transmitted and shall be left with the Corporation or the registrar.

(3) If the transmission is in consequence of the marriage of a female stockholder the declaration shall if the Corporation or the registrar so require set forth a copy of the register of the marriage or other particulars of the celebration thereof and declare the identity of the wife with the holder of the stock.

(4) The name of the person entitled under the transmission shall be entered in the Corporation stock register.

(5) Until the transmission has been so authenticated the Corporation or the registrar shall not be affected thereby and no person claiming by virtue thereof shall be entitled to receive any dividend on the stock.

(6) In this section the term "transmission" includes any case of apparent transmission in consequence of the change of name of the stockholder although the actual ownership of the stock may remain unaltered.

Payment of dividends.

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

Dividends to executors &c.

52. The Corporation or the registrar shall not be required to allow any executors or administrators to receive any dividend on Corporation stock held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the Corporation or the registrar for registration.

Evidence of title.

53. The Corporation or the registrar before allowing the receipt of any dividend on any Corporation stock may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming a right to receive the dividend and that evidence shall be a statutory declaration of competent persons or of such other nature as the Corporation or the registrar may require.

Dividends to joint holders.

54. Where more persons than one are registered as joint holders of any Corporation stock any one of them may give an effectual receipt for any dividend thereon unless notice to the contrary has been given to the Corporation or the registrar by any other of them.

Dividends when the joint holder is infant &c.

55. Where Corporation stock is standing in the name of an infant or person of unsound mind jointly with any person not under legal disability a letter of attorney for receipt of the dividends on the stock shall be sufficient authority in that behalf

if given under the hand and seal of the person not under disability attested by two or more credible witnesses but the Corporation or the registrar before acting on the letter of attorney may if they or he think fit require proof to their or his satisfaction of the alleged infancy or unsoundness of mind by a statutory declaration of one or more competent persons. A.D. 1884.

56.—(1) Where a Corporation stockholder desires to have his dividends sent to him by post he may make a request for that purpose to the Corporation or the registrar in writing signed by him in a form approved by the Corporation and shall give to the Corporation or the registrar an address in the United Kingdom or in the Channel Islands or the Isle of Man to which the letters containing the warrants are from time to time to be sent. Dividend warrants by post.

(2) The posting by the Corporation or the registrar of a letter containing a dividend warrant addressed to a stockholder at his request at the address so given by him shall as respects the liability of the Corporation and of the registrar be equivalent to the delivery of the warrant to the stockholder himself.

(3) Every warrant so sent by post shall be deemed a cheque and the Corporation and the registrar shall in relation thereto be deemed a banker within the Bills of Exchange Act 1882.

57.—(1) On demand of a Corporation stockholder the Corporation or the registrar may issue to the stockholder a Corporation stock certificate to bearer that is to say a certificate of title to his stock or any part thereof entitling the bearer to the stock therein specified and transferable by delivery with coupons entitling the bearer of the coupons to the dividends on the stock but so that in case of redeemable stock no such certificate or coupons shall give a title to dividends beyond the time limited for redemption. Provisions respecting stock certificates with coupons to bearer.

(2) A Corporation stock certificate to bearer shall not be issued in respect of any sum of stock other than ten pounds or a multiple of ten pounds.

(3) Notwithstanding anything in this Act a trustee shall not apply for purchase take or hold a Corporation stock certificate to bearer unless he is in express words authorised to do so by the instrument creating his trust and any contravention of this provision by a trustee shall be deemed a breach of trust but this provision shall not impose on the Corporation or the registrar an obligation to inquire or to take notice whether a person applying for or holding a stock certificate to bearer is or is not a trustee or subject the Corporation or the registrar to any liability in case of their or his with or without notice issuing to a trustee a stock certificate to bearer or invalidate any stock certificate to bearer issued.

(4) Where a Corporation stock certificate to bearer is outstanding

A.D. 1884. — the stock represented thereby shall cease to be transferable in books or by deed under and according to the provisions of this part of this Act.

(5) The bearer of a Corporation stock certificate to bearer may on delivery up to the Corporation or the registrar of the certificate and of all unpaid coupons belonging thereto require to be entered in the Corporation stock register as the holder of the stock described in the certificate under which he derives title and thereupon the stock shall be re-entered in the register as transferable and shall become and again be transferable in the Corporation stock transfer books or by deed as the case may require and shall as regards the mode of payment of the dividends thereon be in the like condition as if no stock certificate to bearer had been issued in respect thereof.

(6) The coupons issued with a Corporation stock certificate to bearer shall comprise the dividends to be paid in respect of the stock therein specified for such period as the Corporation approve.

(7) At the end of that period fresh coupons may be issued for such further period as the Corporation approve and so for successive periods during the continuance in force of the stock certificate but the Corporation or the registrar may in lieu of issuing fresh coupons in respect of any stock certificate give in exchange a fresh stock certificate with coupons.

(8) Payment to the bearer of a coupon of the amount expressed therein shall be a full discharge to the Corporation and to the registrar from all liability in respect of that coupon and the dividend represented thereby.

(9) Where the Bank of England are the registrar coupons shall be payable at the chief establishment of the bank at the expiration of three clear days from the day of presentation and at any branch establishment of the bank situate more than ten miles from the chief establishment at the expiration of five clear days from the day of presentation.

(10) If a Corporation stock certificate to bearer or coupon is worn out or damaged the Corporation or the registrar on production and delivery up thereof may cancel it and issue a new certificate or coupon.

(11) If a Corporation stock certificate to bearer or coupon is lost or destroyed the Corporation or the registrar may issue a new certificate or coupon on receiving indemnity to the satisfaction of the Corporation against the claims of all persons deriving title under the certificate or coupon lost or destroyed.

(12) All coupons issued under this Act in respect of any Corporation stock certificate to bearer shall for the purposes of the

Acts relating to stamp duties be deemed to have been attached to and issued with such stock certificate. A.D. 1884.

(13) Corporation stock specified in a stock certificate to bearer shall be charged on the same securities and be subject to the same powers of redemption if any and other powers and save as regards the mode of transfer and of payment of dividends thereon and save so far as a stock certificate to bearer is a negotiable instrument shall be subject to the same incidents in all respects as if that stock had continued to be registered in the Corporation stock register as transferable in books or by deed.

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

Nature of Corporation stock.

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

59. No notice of any trust express implied or constructive in respect of any Corporation stock or of any Corporation stock certificate to bearer or coupon shall be entered in the Corporation stock register or in any other book kept by the Corporation or the registrar or be receivable by the Corporation or the registrar or affect the Corporation through the registrar or otherwise.

Notice of trusts not receivable.

60.—(1) If at any time the Corporation for two months after demand in writing fail to pay any dividend due on any Corporation stock the person entitled thereto may apply to Her Majesty's High Court of Justice in the Chancery Division for a receiver and the Court may if it thinks fit appoint a receiver on such terms as it thinks fit.

Receiver.

(2) The receiver shall have the like power of collecting receiving recovering and applying all money which ought to be paid under this part of this Act into the loans fund and of assessing making and recovering all rates for the purpose of obtaining the same as the Corporation or any officer thereof would or might have and such other powers and such duties as the Court thinks fit and shall apply all money so collected after payment of expenses and costs as the Court directs for the purposes of this part of this Act.

(3) The Court may at any time discharge the receiver and shall have full jurisdiction over him and all persons interested in his acts.

61.—(1) Trustees or other persons for the time being authorised to invest money in the mortgages debentures or debenture stock of any railway or other company shall unless the contrary is provided by the instrument authorising the investment have the same power of investing that money in Corporation stock (other than stock for the time being represented by a stock certificate to bearer) as they have of investing it in the mortgages debentures or debenture stock aforesaid.

Holding of Corporation stock by trustees.

A.D. 1884. (2) Provided that where two or more persons are successively interested in trust money no investment thereof shall be made in Corporation redeemable stock at a price exceeding the redemption value of the stock.

Protection of holders of Corporation stock.

62. A person taking or holding Corporation stock shall not be concerned to inquire or to take notice whether the creation or issue thereof was or was not within any statutory borrowing power of the Corporation or otherwise in accordance with this part of this Act or whether or not the Council or any meeting thereof was properly constituted or convened or whether or not the proceedings at any meeting of the Council were legal or regular or to see to the application of any money raised by Corporation stock or be answerable for any loss or misapplication thereof.

Annual return to Local Government Board.

63.—(1) Once in every year at a time appointed by the Local Government Board the Corporation shall send to that Board an abstract of the accounts of the Corporation relating to Corporation stock and the loans fund in a form prescribed by that Board and verified by a statutory declaration of the treasurer if required by that Board.

(2) In case of wilful default therein by the Corporation the Corporation shall on each occasion be liable to a fine not exceeding two hundred pounds and in case of wilful default therein by the treasurer the treasurer shall on each occasion be liable to a fine not exceeding twenty pounds and every fine under this section shall be recoverable summarily on the prosecution of the Local Government Board and not otherwise.

(3) If by any such abstract or otherwise it appears to that Board that the Corporation have failed to comply with any requisition of this part of this Act in relation to any payment application or investment or otherwise in relation to Corporation stock or the loans fund that Board may notwithstanding any proceeding for the recovery of any fine or any other proceeding taken by that Board by order require the Corporation to make good the default within a time therein limited.

Unclaimed dividends.

64.—(1) If at any time any dividend on any Corporation stock is unclaimed at the time for payment thereof the same shall nevertheless on demand at any subsequent time whatsoever be paid to the person showing his right thereto but without interest in the meantime.

(2) Where any dividend remains unclaimed for five years from the time for payment thereof the Corporation shall cause notice thereof to be sent by post in a registered letter addressed to the stockholder named in their books by the description and at the

address therein appearing and so at the expiration of three other successive periods of five years. A.D. 1884.

(3) At the end of every successive period of five years from the day when the first dividend becomes payable on Corporation stock first issued after the passing of this Act the Corporation shall publish an advertisement in a newspaper circulating in the city stating what if any dividends on Corporation stock other than those falling due at the then last half-yearly or other day of payment are then unclaimed and the names and addresses appearing in the Corporation stock register of the holders of the stock on which the dividends are unclaimed.

(4) At the end of every successive period of ten years from the day when the first dividend becomes payable on Corporation stock first issued after the passing of this Act the Corporation unless it has been otherwise agreed between them and the registrar may require the registrar to repay to them all dividends unclaimed during that period and then in his hands and the Corporation shall pay the same into the loans fund and may deal therewith as they are by this part of this Act empowered to deal with money paid into the loans fund as interest on cash balances received by them without prejudice nevertheless to the rights of any persons to those dividends.

65. Nothing in this part of this Act shall affect any power of the Corporation to raise otherwise than by Corporation stock any money which they do not think fit to raise by Corporation stock but whenever from time to time after the first issue of Corporation stock the Corporation raise money otherwise than by Corporation stock they shall cause to be given to each lender of money so raised notice in writing signed by the treasurer or other authorised officer of the Corporation of the priority or equality of charge which Corporation stock has by virtue of this part of this Act. Saving for power to borrow otherwise.

66. Notwithstanding anything in this part of this Act the Council may revoke at any time in whole or in part any resolution for creation of Corporation stock theretofore passed by the Council if and as far as the same has not been acted on by the issue of stock thereunder. Saving for power of revocation.

67. Except as in this part of this Act expressly provided nothing in this part of this Act shall relieve the Corporation from any obligation imposed on them in relation to any statutory borrowing power by any Act of Parliament under or by which that power for the time being exists or is regulated. Saving for other obligations.

68.—(1) Nothing in this part of this Act shall affect any power or duty of the Corporation to sell lease or otherwise dispose of Saving for power to sell lands &c.

A.D. 1884. — any land or property of the Corporation or to apply any purchase money or other money arising thereby in discharge of any charge on that land or property or the revenues thereof other than the charge of Corporation stock or affect any claim of any person under such first-mentioned charge.

(2) That land or property shall in the hands of the purchaser or other person taking the same under the sale lease or other disposition be by virtue of this Act absolutely freed from the charge of Corporation stock and he shall not be concerned to see to the application of that purchase money or other money or be answerable for any loss or misapplication thereof.

Saving for
existing
securities.

69. Nothing in or done under this part of this Act shall affect any security or charge created or granted or payable by the Corporation before the date of the first issue of any Corporation stock and the Corporation shall whenever required by the holder of any security or charge aforesaid apply all such money do all such acts exercise all such powers collect all such money and make and levy all such rates as they would or ought to have applied done exercised collected made and levied for his benefit and security if this part of this Act had not been enacted.

Forgery.

70.—(1) Corporation stock shall be deemed capital stock of a body corporate within the Act of the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty (chapter ninety-eight) “to consolidate and amend the statute “law of England and Ireland relating to indictable offences by “forgery.”

(2) A Corporation stock certificate to bearer and a coupon connected therewith shall be deemed a stock certificate and coupon within the Forgery Act 1870.

Orders of
Local
Government
Board.

71. Any order of the Local Government Board under this part of this Act may contain such directions as the Board think necessary or proper for giving effect thereto and shall be enforceable by writ of mandamus to be obtained by the Board out of Her Majesty’s High Court of Justice and may be from time to time cancelled or varied by the Board as the circumstances of the case may require but the Board shall not make any such order without first hearing the Corporation if desirous of being heard which hearing may be in the form of a public inquiry with or without a published report or in such other form as the Board having regard to the circumstances think just and expedient and sections 294 and 296 of the Public Health Act 1875 shall apply to hearings inquiries and other proceedings to which this section relates.

72. The Corporation or where the Bank of England are the registrar the Bank of England may with the sanction of the Corporation from time to time issue any forms that may be required for carrying into effect the provisions of this part of this Act and may also from time to time make any regulations that are not inconsistent with this part of this Act relative to the following things and when made may alter vary or repeal any such regulations and make other regulations instead thereof or in addition thereto and any such regulations for the time being in force shall be duly observed :—

A.D. 1884.
Regulations
by the
Corporation
or Bank of
England.

- (A) The period for which coupons are to be given :
- (B) The mode in which the registrar is to act in issuing stock certificates to bearer or entering in the transfer books the names of stock certificates to bearer :
- (C) The mode of proving the title of or identifying any person applying for a stock receipt or stock certificate or stock certificate to bearer :
- (D) With respect to anything necessary for carrying into effect the provisions of this part of this Act which relate to or affect the registrar.

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

Forms.

74.—(1) Fees not exceeding those specified in the First Schedule to this Act may be taken by or on behalf of the Corporation in the cases therein mentioned.

Fees.

(2) The proceeds of fees shall be paid by the Corporation into the loans fund and shall be applied in reduction of contributions out of the Corporation revenues payable into the loans fund in respect of dividends on such portions of Corporation stock as the Corporation having regard to the cases in which the fees are paid determine.

75.—(1) The expenses incurred by the Corporation in or about the creation and issue of any portion of Corporation stock including any sum paid by them for composition for stamp duty thereon and any other expenses being in their judgment properly chargeable to capital shall be deemed money raisable under the statutory borrowing power in exercise whereof that portion of stock is issued.

Expenses.

(2) Expenses of book-keeping and management and other current expenses from time to time incurred by the Corporation in the execution of this part of this Act shall be defrayed as the ordinary expenses of the Corporation as a municipal body or as a sanitary authority are or may be defrayed.

A.D. 1884.

PART V.—AS TO CERTAIN STREETS AND BRIDGES.

Special
provisions as
to certain
roads.

76. And whereas the following roads in the city viz. :—

Station View Road with the approaches thereto from the south end of Peploe Street at the boundary of the city and the district of the Hoole Local Board respectively to the north side of the bridge over the canal at Hoole Lane Locks :

Spitalfields Walk from the south side of the canal towing path in Boughton to the main street through Boughton : and

Whipcord Lane from its junction with the Saughall Road near Stone Bridge to its junction with the road leading to Sealand Road :

have never been repaired by the inhabitants at large but a question has nevertheless been raised whether they are streets repairable by the inhabitants at large within the meaning of section one hundred and fifty of the Public Health Act 1875 and it is expedient to enable the frontagers on such roads and the Corporation to enter into such agreements as are herein-after mentioned Be it enacted that the owner or owners of the premises fronting adjoining or abutting on any of the said roads or of not less than one half (in length of frontage) of such premises may agree with the Corporation for payment by the owners of the expenses or a stipulated proportion or sum on account of the expenses of executing with respect to such road (either as it now stands or may be or be intended to be widened) all or any of the works mentioned in section one hundred and fifty of the Public Health Act 1875 and thereupon it shall be lawful for the Corporation to execute such works and the expenses proportion of expenses or sum on account of expenses so agreed to be paid as aforesaid shall unless the Corporation otherwise resolve be paid by the owners of all the premises fronting adjoining or abutting on such road as aforesaid (whether parties or not to the agreement) according to the frontage of their respective premises in such proportions as shall be settled by the surveyor and may be recovered by the Corporation in a summary manner or as private improvement expenses are recoverable under the Public Health Act 1875 and the Corporation may out of the improvement rate or out of any moneys borrowed for street improvements pay the remainder (if any) of the expenses of executing such works :

Provided that the Corporation may if they think just resolve that in settling the apportionment regard shall be had to the following considerations (that is to say) :

- (A) The greater or less degree of benefit to be derived by any premises from such works :
- (B) The amount and value of any work already done by the owners or occupiers of any such premises :

- (c) The amount and value of any land contributed for widening the road by the owners or occupiers of any such premises. A.D. 1884.

The powers and provisions of this section may be exercised and put in force as to any continuous part or parts of any of the said roads not being less than three hundred feet in length and so from time to time:

Provided that nothing herein contained shall be deemed or taken to abrogate affect or prejudice any statutory liability of the Birkenhead Railway Company the London and North-western Railway Company the Great Western Railway Company or any other company or person in respect of the maintenance of the bridge by which Station View Road is carried over the railway.

77. The Council may at any time and from time to time contribute whatever sum or sums of money may be resolved upon at a meeting of the Council duly convened and on and subject to such terms and conditions as to the Council shall seem meet towards the expense of widening and improving the following bridges and the approaches thereto or erecting new and improved bridges in lieu of the existing bridges viz. :—

The bridge over the canal at Hoole Lane Locks :

The bridge carrying Station View Road over the railway :

The bridge over the canal at the junction of Garden Lane and Cheyney Lane :

The bridge over the canal at the canal basin :

The bridge over the canal at the locks near the end of Whipcord Lane :

The bridge over the canal connecting Plumb Street and Cambrian Road.

Power to contribute to cost of widening and improving certain bridges.

PART VI.—MARKETS FAIRS AND SLAUGHTER-HOUSES.

78. The parts of the Markets and Fairs Clauses Act 1847 with respect to the holding of the market or fair and the protection thereof and with respect to slaughter-houses and with respect to weighing goods and carts and with respect to the stallages rents and tolls to be taken by the undertakers and with respect to the byelaws to be made by the undertakers shall (save so far as the same are not varied by or inconsistent with the provisions of this Act or the Improvement Act as amended by this Act) be incorporated with and form part of this Act and section 13 of the Markets and Fairs Clauses Act 1847 shall extend and apply to cattle commodities and everything in respect of which tolls are by this Act or the Improvement Act as amended by this Act authorised to be taken in the market or fair.

Incorporation of Markets and Fairs Clauses Act 1847.

A.D. 1884.

Licenses for
sale out of
the market
or fair.

79. So much of the proviso in section two hundred and fourteen of the Improvement Act contained as provides that nothing in that section contained shall extend to prevent any person from carrying about or hawking for sale in any baskets carried by hand any marketable commodity within the borough is hereby repealed Notwithstanding anything in that Act or the Markets and Fairs Clauses Act 1847 contained the Corporation may from time to time if they think fit grant to any person a license to sell or exhibit or expose for sale in a place in the city other than his own dwelling-house or shop or a lawfully appointed market or fair or to sell or expose or offer for sale from door to door anything in respect of which a toll is by the Improvement Act as amended as aforesaid or this Act authorised to be taken in a market or fair Every such license may be granted on and subject to such terms and conditions and for such period not exceeding one year as the Corporation may think fit and may be made revocable in such cases as the Corporation may prescribe and the Corporation may demand and take for every such license any sum not exceeding the sums specified in the Sixth Schedule hereto If any person other than a licensed hawker not having such license as aforesaid shall wilfully do any act in contravention of section two hundred and fourteen of the Improvement Act as amended by this Act or of section thirteen (as hereby extended) of the Markets and Fairs Clauses Act 1847 or shall do any Act in contravention of or omit to do anything required by any of the terms or conditions of such license he shall be liable to a penalty not exceeding forty shillings for every day on which any such offence is committed and everything in respect of which a toll is by this Act or the Improvement Act as amended as aforesaid authorised to be taken in the market or fair hawked or carried about or otherwise exposed or offered for sale (whether in a basket carried by hand or otherwise) in wilful contravention of this enactment shall be forfeited to the Corporation and may be seized by any market officer or constable of the city and sold for the benefit of the Corporation or detained at the charge of the owner until the penalty for breach of this enactment in respect thereof and all costs and charges incurred or adjudged thereon together with the costs of such detention be paid and satisfied Provided that no person to whom a license is granted under this enactment shall during the continuance of such license be liable for any act done under the authority thereof to any penalty or toll under this Act the Improvement Act or the Markets and Fairs Clauses Act 1847.

Tolls.

80. Schedule (E) to the Improvement Act is hereby repealed and the Fifth Schedule hereto substituted therefor as from the commencement of this Act. Such last-mentioned schedule shall have

the same force and effect as if such schedule had been enacted by and were the schedule referred to in the Improvement Act but not so as to give such enactment any retrospective effect.

A.D. 1884.

81. It shall be lawful for the Corporation to let or lease on such terms and conditions as they shall think fit for any term not exceeding ten years from the date of the lease or agreement any part of a market or any building or part of a building on or in any market or any shop stall standing bench or other convenience in any market or any exclusive or other right or privilege of selling by auction in any market: For the purposes of this section the term market shall include any place (whether enclosed or not) for the time being forming or used as part of any market or fair.

Power to
lease stalls
&c.

82. On market days or fair days or during the hours within which any market or fair is being held the Corporation may if the space or accommodation afforded by the market or fair is or is likely to prove inadequate enclose any open space and may by barriers placed in or across any of the following streets viz. Market Square Market Street Gorse Stacks George Street White Alley and Thomas Street or by such other means as they may think proper prevent the passing of traffic of every description other than foot passengers through or along such street and may appropriate and use any such open space (whether enclosed or not) and any such street as afore-said as part of the market or fair Every person who shall wilfully or maliciously throw down break remove or injure such enclosure or barriers or forcibly attempt to drive any carriage waggon or other vehicle or any horses or cattle into or along any street so closed shall for every such offence forfeit and pay a penalty not exceeding five pounds.

Power to
close streets
during
markets and
use them for
purposes of
market or
fair.

83. Every person who in any street (not being a lawfully appointed fair or market) shall exhibit (whether for show hire or sale or not) any stallion shall be deemed to have committed an offence within the meaning of section 167 of the Improvement Act and be liable to the penalty thereby provided.

Penalty for
showing
stallions in
streets.

PART VII.—PURCHASE OF LANDS &c.

84. Subject and according to the provisions of this Act the Corporation may for the purposes of street or other improvements under the powers of this Act from time to time enter upon take hold and use all or any of the lands delineated on the deposited plans and described in the deposited books of reference Provided always that nothing in this Act contained shall authorise or empower the Corporation to enter upon take hold or use any part of the property numbered on the said plans and in the said books of reference nine in the parish of Saint Oswald.

Power to
take lands
compulsorily.

- A.D. 1884. **85.** The Corporation whenever they are by any enactment or otherwise required or bound to make compensation to any person interested in any lands or buildings may by agreement with such person make such compensation wholly or partly in works or land.
- Compensation may be made in land or works. **86.** The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of five years after the commencement of this Act.
- Time for compulsory purchase of lands limited. **87.** The Corporation may contract for the purchase of and purchase by agreement and hold lands for any of the purposes of or with a view to executing any of the powers conferred by this Act or the Improvement Act as amended by this Act not exceeding five acres in the whole and the provisions of the Lands Clauses Consolidation Acts 1845 1860 and 1869 relating to the purchase of land by agreement and to agreements for sale and conveyances sales and releases of any lands or hereditaments or any estate or interest therein by persons under disability shall extend to all purchases of land under this section.
- Purchase of lands by agreement. **88.** Persons by the Lands Clauses Consolidation Act 1845 empowered to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Corporation any easement right or privilege (not being an easement of water) required for the purposes of this Act or the Improvement Act as amended by this Act in or affecting any such lands and the provisions of the said Acts with respect to lands and rent-charges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.
- Power to take easements &c. by agreement. **89.** If any omission misstatement or erroneous description shall have been made of any lands required for the purposes of this Act or of the owners lessees or occupiers of any such lands in the deposited plans or books of reference the Corporation may after giving ten days notice to the owners lessees and occupiers of the lands affected by such proposed correction apply to two justices for the correction thereof and if it shall appear to such justices that such omission misstatement or erroneous description arose from mistake they shall certify the same accordingly and they shall in such certificate state the particulars of any such omission and in what respect any such matter shall have been misstated or erroneously described and such certificate shall be deposited with the clerk of the peace for the county of the city of Chester and such certificate shall be kept by such clerk of the peace along with the other documents to which it relates and thereupon the deposited plans or books
- Errors and omissions in plans to be corrected.

of reference shall be deemed to be corrected according to such certificate and the Corporation may take any lands or property required by them in accordance with such certificate. A.D. 1884.

90. All rights of way over any of the lands shown on the deposited plans and described in the deposited books of reference and marked on the said plans as intended to be extinguished shall be and the same are by this Act extinguished as from the purchase or acquisition by the Corporation of such lands respectively. Extinguishment of rights of way.

91. Copies of the deposited plans and books of reference or of any correction thereof or extracts thereof purporting to be certified by the clerk of the peace with whom they are deposited shall be received in all courts of justice or elsewhere as *prima facie* evidence of the contents thereof. Copies of deposited plans &c. to be evidence.

92. Whereas in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain houses buildings or manufactories shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section ninety-two of the Lands Clauses Consolidation Act 1845 the owners of and persons interested in the houses buildings or manufactories described in the Fourth Schedule to this Act and whereof parts only may be required for the purposes of the Corporation may (if such portions can in the judgment of the jury arbitrators or other authority assessing or determining the compensation under that Act be severed from the remainder of the said properties without material detriment thereto) be required to sell and convey to the Corporation the portions only of the premises so required without the Corporation being obliged or compelled to purchase the whole or any greater portion thereof the Corporation paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise. Owners may be required to sell to Corporation parts only of certain buildings.

PART VIII.—CLOSED BURIAL GROUNDS.

93. For the purposes of this Act the expression “closed burial ground” means any burial ground or part of a burial ground within the city which is for the time being closed for burials under the provisions of any statute or Order in Council. Meaning of closed burial ground.

94. Subject to the provisions and for any of the purposes of this part of this Act the persons herein-after mentioned may with the consent of the Secretary of State for the Home Department grant to the Corporation and the Corporation may accept from time to Power to incumbents &c. to grant to the Corporation

A.D. 1884. time either the absolute property or any less estate right or
closed burial easement in or over the whole or any part of any closed burial
grounds. ground.

Persons by
whom grants
may be made.

95. A grant for the purpose of this Act may be made to the Corporation (1) by the actual incumbent of the benefice of the parish or district to which the closed burial ground belongs (whether such incumbent be rector vicar or perpetual curate) a faculty for such grant having been first obtained from the consistory court of the bishop of the diocese and subject to such (if any) conditions directions or restrictions as shall be prescribed in or by such faculty or (2) where the closed burial ground does not belong to any parish or district by any person in whom the same is vested.

For the purposes of this Act the Spital burial ground and the buildings and erections thereon shall be deemed and are hereby declared to belong to the parish of Saint John the Baptist in the city of Chester and a grant thereof made under and in accordance with this Act by the vicar of that parish shall be effectual to vest in the Corporation a good title in and to the same as against any person or persons now in possession thereof and all other persons and all corporations aggregate or sole ecclesiastical or civil.

Considera-
tion for
grants.

96. A grant under this Act may be made with or without any valuable consideration Any such consideration shall in the case of a closed burial ground belonging to a parish or district be made either by way of periodical payment or by payment of a gross sum and shall be secured and paid in such manner as the Corporation with the approval of the said Secretary of State may determine but so that the benefit of any such payment shall in the case of a closed burial ground belonging to a parish or district be secured to the incumbent or incumbents for the time being by way of annual income as nearly as may be as if it had arisen from the sale of lands belonging to the benefice or the consideration if a gross sum may with the consent of the incumbent be applied for such purposes in connexion with his church or parish or district as the bishop of the diocese and the said Secretary of State may approve.

Form of
grants.

97. A grant for the purposes of this Act may be in the form contained in the Second Schedule to this Act or to the like effect and every grant so made shall be effectual for the purposes therein expressed but every such grant shall bear the proper ad valorem or other stamp duty to which it may be liable under the Acts in force relating to stamp duties.

Powers of
Corporation
under grants

98. When under the provisions of this Act any grant has been made to the Corporation of any closed burial ground or part of a closed burial ground or of any estate right or easement in or over

the same it shall be lawful for them subject to any conditions or restrictions contained in the grant from time to time to do all or any of the following things with respect to such burial ground or part thereof (that is to say) :—

A.D. 1884.

- (1) To lay out level repair pave turf plant embellish light improve and maintain the same :
- (2) To fence the same or any part thereof or to throw open the same or any part thereof to the public :
- (3) To lay out and maintain walks or footways through or over the same :
- (4) To provide seats for the use of the public :
- (5) To provide erect and fit up proper places for the reception of dead bodies before interment (in the Public Health Act 1875 called mortuaries) and proper places for the holding of inquests or the reception of dead bodies during the time required to conduct any post-mortem examination ordered by a coroner or other constituted authority and for those purposes or either of them to make use of adapt or enlarge any existing building or pull down and make use of the materials of any existing building :
- (6) Generally to maintain the same and any graves tombs or monuments therein in decent order and in a proper sanitary condition :
- (7) Where it is expedient for the purpose of widening or improving any street to lay out level pave fence and maintain such part of the same as may be necessary as part of such street but this power shall not be exercised without the consent of the said Secretary of State :
- (8) To regulate and control the use of the same by the public :

To the extent to which the Corporation are under any such grant entitled to maintain and keep in order any burial ground and any graves tombs or monuments therein it shall be their duty so to do and no other person body or corporation shall to that extent be under any liability in respect thereof.

99. When a church stands in a closed burial ground the freehold of the site of the church with all rights of way to and from the same shall be preserved to the person or persons entitled thereto as if this Act had not been passed.

Preservation
of freehold
of site of
church in
incumbent.

100. For any of the purposes aforesaid the Corporation may remove any tombstone or monument Provided that any stone or monument bearing a legible inscription so removed shall be placed in some other part of the burial ground and a register shall be kept

Powers to
remove
tombstones
in certain
cases.

[Ch. ccxxxix.] *Chester Improvement Act, 1884.* [47 & 48 VICT.]

A.D. 1884. of the situation from and to which such stone or monument has been removed and of all such marks and signs as may aid in the future identification of the same.

Power to make bye-laws.

101. Subject to the conditions of any grant the Corporation may from time to time make byelaws for all or any of the following purposes with respect to burial grounds over which they exercise rights under this Act (that is to say) :—

For the prevention of the posting of bills or placards and the writing stamping cutting printing drawing or marking in any manner of any word or character or representation of any object on any building erection monument tombstone wall gate door railing fence tree lamp-post walk pavement or seat or elsewhere in the enclosure :

For the preservation of order and good conduct among persons frequenting the said enclosure :

For regulating the days and times of admission thereto :

For the prevention or restraint of acts or things tending to the injury or disfigurement of the said enclosure or the fences thereof or anything in or on the same or belonging thereto :

For preventing or regulating the admission of dogs :

For the removal of persons infringing any byelaw.

Power to Corporation to bring actions in respect of injury to burial ground.

102. Subject to any conditions in any such grant the Corporation may from time to time in their own name prosecute or defend any legal proceedings for recovering or defending the possession for the purposes of this Act of or for obtaining the payment of damages or any mandamus or injunction in respect of or against any actual or contemplated injury or damage to any such burial ground or part of a burial ground or any part or parts thereof or the fences walks graves tombstones and property in on or about the same.

Damage to public enclosure &c. to be paid for.

103. The Corporation may notwithstanding the infliction of a penalty and in addition thereto recover either by action or summarily from any person who does or causes to be done any injury to any such burial grounds or the walls rails or fences thereof or anything in on or about the same the amount of the damage sustained by the Corporation by reason of such injury.

Human remains to be removed to Chester cemetery when necessary.

104. In case it shall be necessary for any of the purposes of this Act to remove any human remains the same shall be interred in the Chester Cemetery or in some other consecrated burial ground in accordance with the conditions or directions (if any) prescribed by any such faculty as aforesaid on terms to be settled (failing agreement between the Corporation and the authorities of such cemetery or burial ground) by the Chancellor of the Diocese of Chester for the time being and such removal shall be carried out under the

supervision and to the satisfaction of the medical officer of health of the city. A.D. 1884.

105. The expenses incurred by the Corporation in the execution of this Act in relation to closed burial grounds shall be charged on and defrayed either out of the borough fund or the improvement rate as the Council may from time to time determine.

Expenses to be defrayed out of borough fund or improvement rate.
Saving of liabilities.

106. Nothing in this Act shall exempt any person from any liability or obligation not otherwise expressly provided for by or under the provisions of this Act.

107. Nothing in this part of this Act shall deprive the Corporation or the Council as the sanitary authority or otherwise of any powers or authorities under any general or local Act.

Saving of other powers of Corporation.

PART IX.—DEE BRIDGES.

108. In this part of this Act the term “undertaking” shall mean and include the tolls by the Dee Bridges Acts vested in the Dee Bridges Commissioners under the Dee Bridges Acts and the rights of such commissioners under those Acts to erect set up remove and maintain toll gates and to erect provide and maintain toll houses and other conveniences and to demand and take tolls and all the estate right title and interest of the Dee Bridges Commissioners under the said Acts or otherwise in the Dee bridges and the approach roads and toll houses on or near the same and all lands works tools implements materials plant jurisdictions rights powers authorities privileges and property whatsoever (whether real or personal) other than what is herein-after specifically excluded belonging to vested in or exerciseable by the Dee Bridges Commissioners under or by virtue of the Dee Bridges Acts or otherwise but shall not include the purchase money payable by the Corporation to the Dee Bridges Commissioners nor the principal sum of one thousand pounds now owing to the Dee Bridges Commissioners by the Great Western Railway Company or any interest due or to become due for the same or any securities therefor or any right of the Dee Bridges Commissioners to sue for recover or receive the same or any moneys at the time of the transfer of the undertaking in the hands of the Dee Bridges Commissioners or their bankers or any of their officers or any moneys at the time last aforesaid owing to the Dee Bridges Commissioners by any lessee of the said tolls or by the Chester Tramways Company or any other corporation or person and the term “mortgage” shall mean a mortgage granted under or by virtue of the first Dee Bridge Act and shall include all right title interest benefit and advantage under or by virtue of such mortgage and the term “mortgagee” shall mean any person whose name

Defining the term “undertaking,” &c.

A.D. 1884. — appears on the Commissioners register of mortgages as the holder of any such mortgage and the term “register of mortgages” shall mean the book kept by the Dee Bridges Commissioners pursuant to section seventy-one of the first Dee Bridge Act together with the book kept by the said commissioners recording the interest paid to the mortgagees which books shall together be deemed for the purposes of this part of this Act the “register of mortgages.”

Power to Corporation to purchase Dee bridges undertaking and to Dee Bridges Commissioners to sell.

109. The Corporation may by notice in writing under the hand of the town clerk given to or left at the office of the clerk of the Dee Bridges Commissioners on or before the fifteenth day of October one thousand eight hundred and eighty-four require the Dee Bridges Commissioners to sell to the Corporation and the commissioners shall thereupon sell to the Corporation and the Corporation shall purchase the undertaking at the price of thirty-one thousand six hundred and fifty-two pounds ten shillings which sum shall be paid by the Corporation on the thirty-first day of December next following the date of such notice. If such notice be not given then at any time after the fifteenth day of October one thousand eight hundred and eighty-four it shall be lawful for the Dee Bridges Commissioners to sell and the Corporation to purchase the undertaking at such price and on and subject to such terms and conditions as may be agreed on by and between the Dee Bridges Commissioners and the Corporation. In either case the price to be paid by the Corporation for the purchase of the undertaking shall be paid to the Dee Bridges Commissioners upon the receipt of any three of them unless such Commissioners shall refuse to accept the same in which case the same shall be paid into the Bank of England in the name and with the privity of Her Majesty's Paymaster General on behalf of the Chancery Division of the High Court of Justice and shall be placed to his account there to the credit of the Dee Bridges Commissioners subject to the provisions of this Act and upon such payment being made by the Corporation the Dee Bridges Commissioners or the cashier of the said bank shall give to the Corporation or to the party paying in such money by their direction a receipt for such money signed by them or him specifying therein for what purpose and to whose credit the same has been paid and such receipt shall be a sufficient discharge to the Corporation for the same and the Corporation shall not be bound to see to the application or be answerable for the misapplication or non-application thereof. The Dee Bridges Commissioners shall hold the same and all money not passing by the sale of the undertaking (herein-after referred to as “the trust moneys”) after payment thereof of all proper costs charges and expenses incurred by the commissioners in carrying out the provisions of the Dee Bridges Acts and this part of this Act and con-

sequent thereon and incidental thereto not herein provided to be paid by the Corporation upon trust to pay and satisfy all debts and liabilities of the commissioners other than the mortgage debt but including a proportionate part of all current salaries and other payments falling due at fixed periods and shall apply the balance remaining in payment so far as it will extend of the principal mortgage debt pro rata and without any priority and the ultimate residue (if any) in payment so far as it will extend of any interest or arrear of interest owing upon such mortgage debt. Provided that where the Dee Bridges Commissioners are unable after such due inquiry as they shall in their judgment deem necessary to ascertain the person to whom any part of such consideration is payable or where any part thereof is payable to a person who or whose committee cannot give an effectual receipt for the same or where there is any doubt question or dispute as to the title or power to give an effectual receipt of any person claiming to be entitled to any mortgage the Dee Bridges Commissioners may pay the amount if exceeding five hundred pounds into the Chancery Division of the High Court of Justice or if not exceeding five hundred pounds into the county court under and with the benefit of any Act for the time being in force for the relief of trustees.

A.D. 1884.

110. In carrying into effect the purchase of the undertaking the following provisions shall apply :

Provisions
for carrying
into effect
the pur-
chase.

- (1) Until the actual completion of the purchase and payment of the purchase money the undertaking shall remain vested in the Dee Bridges Commissioners and they shall continue to receive the tolls and charges authorised by the Dee Bridges Acts and to exercise all the rights powers and privileges conferred by those Acts :
- (2) If from any cause whatever the purchase money be not paid on the day appointed for the completion of the purchase (that is to say) on the thirty-first day of December next following the notice to purchase (if purchased by notice) or if purchased by agreement the day appointed in the agreement for the completion of the purchase the Dee Bridges Commissioners shall be entitled to interest at the rate of five pounds per centum per annum from the day appointed for the completion of the purchase to the day of the actual completion thereof and if the tolls and charges received during that interval by the Dee Bridges Commissioners shall not after payment of the expenses of repair maintenance and management of the Dee bridges works and undertaking be sufficient to pay such interest the Corporation shall on the actual completion of the purchase pay to the commissioners the amount necessary to make up the deficiency and in case such tolls and charges after the deductions aforesaid

A.D. 1884.

shall exceed the amount of such interest they shall pay to the Corporation the amount of the excess :

- (3) If the purchase money or any part thereof shall remain unpaid for the space of twenty-one days after the day appointed for the completion of the purchase the Dee Bridges Commissioners may enforce the payment thereof in manner provided by section 12 of the Local Loans Act 1875 and for that purpose the purchase money shall be deemed to be charged upon the borough rate :
- (4) As from the service of the notice to purchase (in the case of purchase by notice) or from the date of the agreement to purchase (in case of purchase by agreement) all damage or injury to the Dee bridges or works or depreciation in value of the undertaking shall be borne by the Corporation but this shall not exempt the commissioners from the payment down to the date of the actual completion of the purchase of the ordinary costs and expenses of management maintenance and repairs other than structural damage (whether from storm decay or otherwise) or damage caused by the slipping of any embankment or any part thereof.

Investment-
and appli-
cation of
money paid
into Bank of
England.

111. Where under the authority of this Act any moneys have been paid into the Bank of England or the Chancery Division of the High Court of Justice or the county court in manner aforesaid the Chancery Division of the High Court of Justice or the judge of the county court as the case may require may upon the application of any party making claim thereto or to any part thereof in a summary way as to such court or judge shall seem fit order such moneys to be laid out or invested in the public funds or may order payment or distribution thereof and of the dividends thereof according to the respective estates titles or interests of the parties making claims to the same or any part thereof and may make such other order in the premises as to such court or judge shall seem fit and for the purposes aforesaid the said court or judge may exercise all powers necessary for paying and distributing such moneys and dividends and the said court or judge shall apportion amongst the several persons entitled thereto such moneys or any part thereof or the dividends thereof or amongst such of the said persons as to such court or judge shall seem fit and shall order payment by such persons of the costs of any investment of such moneys in manner aforesaid and of the transfer alteration or sale of any such investment and of the distribution of any such moneys and also the costs of any proceedings or orders in or by the said court or judge for all or any of the purposes aforesaid or incidental thereto or consequent thereupon.

112. When the receipt for the price to be paid for the purchase of the undertaking has been signed in manner directed by this Act then such undertaking shall by virtue thereof and of this Act be transferred to and vested in the Corporation and they shall be entitled to immediate possession and they shall have absolute control of such undertaking freed and discharged from all leases contracts mortgages debts charges and liabilities whatsoever affecting the same and thereupon all duties obligations and liabilities of the Dee Bridges Commissioners in respect of the same shall save as by this Act expressly provided absolutely cease and determine.

A.D. 1884.

Transfer of
undertaking.

113. It shall be lawful for the Chester Tramways Company on or before the eighth day of October one thousand eight hundred and eighty-four to give notice to the Corporation of their intention to contribute and pay to the Corporation towards the purchase of the undertaking the sum of one thousand pounds and in that case that company shall on or before the twenty-fourth day of December one thousand eight hundred and eighty-four pay the sum of one thousand pounds to the Corporation and in the event of such sum not being paid by that company to the Corporation on or before the said twenty-fourth day of December that company shall from the date of the transfer of the undertaking to the Corporation to the thirtieth day of December one thousand eight hundred and ninety-nine and notwithstanding that the Dee bridges are or shall be open to the public free of tolls pay to the Corporation the annual sum of eighty-five pounds by equal half-yearly payments on the thirtieth day of June and the thirtieth day of December the first of such half-yearly payments to be made on such one of the said half-yearly days as shall next happen after the date of the transfer of the undertaking and from the date of the transfer of the undertaking that company shall be wholly freed and discharged from the payment of the annual and other sums by the Chester Tramways Act 1878 payable to the Dee Bridges Commissioners and from all toll or other charges on or at the Dee bridges but this provision shall not prejudice or affect the rights of the Dee Bridges Commissioners under the last-mentioned Act prior to the transfer of the undertaking to the Corporation Provided always that notwithstanding such notice may have been given as herein-before mentioned the said sum of one thousand pounds shall not be payable unless the Corporation shall on or before the fifteenth day of October one thousand eight hundred and eighty-four have given notice in manner herein-before provided requiring the Dee Bridges Commissioners to sell the undertaking.

Contribution
by Chester
Tramways
Company.

It shall be lawful for the Chester Tramways Company to raise the said sum of one thousand pounds in addition to the moneys

A.D. 1884. — they are authorised to raise for the purposes of the Chester Tramways Act 1878 and in any manner in which moneys may be lawfully raised for the purposes of that Act.

Power to the justices of the counties of Chester Flint and Denbigh to contribute.

114. It shall be lawful for the justices of the peace of the several counties of Chester Flint and Denbigh and they are respectively hereby authorised to contribute and pay to the Corporation towards the cost of the said purchase out of the county stock or rates of their respective counties such sum as shall be resolved on at any court of general or quarter sessions of the peace held in and for the said counties respectively.

Future repairs of Dee bridges &c.

115. From and after the transfer of the undertaking to the Corporation the said bridges and approaches shall be from time to time and at all times maintained and kept in repair by the Corporation and all liability in respect thereof on the part of the Dee Bridges Commissioners shall absolutely cease and determine. Provided always that nothing in this section contained shall abrogate or in any wise alter or affect the liability of the Chester Tramways Company under the Chester Tramways Act 1878 or any Act incorporated therewith in respect of the maintenance and repair of any part of the said bridges and approaches.

After transfer of undertaking payment of 200*l.* per annum and 5,895*l.* payable to the Corporation to cease and be extinguished.

116. From and after the transfer of the undertaking to the Corporation the yearly rentcharge of two hundred pounds payable to the Corporation out of the tolls authorised to be levied under the powers of the Dee Bridges Acts shall cease and determine and the sum of five thousand eight hundred and ninety-five pounds payable to the Corporation by the Dee Bridges Commissioners when the whole of the mortgage debt shall have been redeemed shall be extinguished and deemed to be discharged.

Power to Corporation to take tolls until cost of purchase reduced to 15,000*l.*

117. The Corporation may from and after the transfer of the undertaking levy demand and take the tolls authorised by the Dee Bridges Acts to be demanded and taken or any reduced tolls to be from time to time fixed by the Corporation until by means of the net receipts therefrom after paying all incidental expenses and by means of the sum of fifteen thousand pounds to be contributed towards the purchase by the Corporation and of all contributions to be received by the Corporation towards the purchase (reckoning the aforesaid annual payment to be made by the Chester Tramways Company if the same shall become payable as a contribution of an amount equal to the capitalised value thereof) the Corporation shall have been reimbursed the total cost of the purchase and all interest for the same and all the powers jurisdictions rights and remedies by the Dee Bridges Acts vested in or given to the Dee Bridges Commissioners or any collector or other officer shall and may be

exercised and put in force by the Corporation or any collector or other officer appointed by the Council Provided always that it shall be lawful for the Corporation to exempt and exonerate from payment of the said tolls : A.D. 1884.

(1) Any person (including the family and servants of such person) who has contributed to the cost of the said purchase such a sum as the Corporation may deem equitably entitles him to exoneration :

(2) Owners and occupiers (including the family and servants of such owners and occupiers) for the time being of any property in respect whereof such a contribution towards the cost of the said purchase has been made as the Corporation may deem equitably entitles such property to exoneration :

and it shall be lawful for the Corporation to effect such exemption by certificate or otherwise and from time to time to make all such regulations in reference thereto and for the avoidance of fraudulent claims to exemption as the Corporation shall deem right.

118. When the Corporation shall have been reimbursed as aforesaid tolls shall cease to be levied on or at the Dee bridges or either of them and the said bridges shall thereafter for ever be open free to the public without toll or other charge. Ultimate
freeing of
Dee bridge
tolls.

119. The Corporation may from time to time after the transfer of the undertaking sell or otherwise dispose of any toll-houses land or other property not required by them for the purposes of street or other improvements or other public purposes. Power to
sell toll-
houses &c.

120. Any resolution passed by a majority representing not less than three fourths in value of the mortgagees respectively present either personally or by proxy at a meeting of such mortgagees convened by the Dee Bridges Commissioners by letter addressed and sent by post to the address entered in the register of mortgages of each such mortgagee and advertised twice in one London daily newspaper and twice in two Chester newspapers not less than twenty-one days before the date fixed for such meeting shall effectually bind the whole of the mortgagees respectively as to the terms of purchase of the undertaking. As to
meetings of
mortgagees.

121. For the purposes of the distribution of the trust moneys the persons who appear in or by the register of mortgages to be holders of mortgages shall unless the contrary is proved to the satisfaction of the persons or court authorised to distribute such trust moneys be considered to be for the purposes of this Act absolutely entitled to such mortgages respectively and their respective receipts shall be absolute discharges for the moneys in such receipts expressed to be received. Commis-
sioners
books
evidence.

A.D. 1884.
Com-
mis-
sioners may
appoint time
for creditors
to send in
their claims.

122. After service of the notice to purchase the undertaking or after the agreement to purchase (as the case may be) the Dee Bridges Commissioners may by notice published as herein-after mentioned appoint a time not earlier than the day appointed for the completion of the purchase for creditors and others to send in their claims against the said commissioners and at the expiration of the time named in the notice the said commissioners may distribute the trust moneys amongst the persons entitled thereto having regard to the claims of which the said commissioners shall then have had notice and shall not be liable to any person of whose claim the said commissioners shall not have had notice within the time limited for sending in of claims :

The notice herein-before in this section referred to shall be published once in three successive weeks in some newspaper published or circulating in the city once in two successive weeks in some London daily newspaper and once in the London Gazette and not less than seven days shall intervene between the last publication of the notice and the last day for sending in claims and a copy of such notice shall be sent by post at least twenty-one days before the last day for sending in claims to each mortgagee at his address entered in the register of mortgages.

Winding up
of the affairs
of the com-
missioners.

123. The Dee Bridges Commissioners may exercise all powers necessary and proper for collecting and recovering the moneys and debts payable to them under the provisions of this part of this Act and for distributing the trust moneys and winding up the affairs of the Dee Bridges Commissioners and when and so soon as the trust moneys shall have been distributed or paid by them into court they shall by virtue of this Act be dissolved.

Corporation
may agree
for purchase
of any mort-
gage of Dee
Bridges
Commis-
sioners.

124. In the meantime and until the undertaking shall have been so purchased as aforesaid it shall be lawful for the Corporation to agree with any company body or person entitled to any mortgage for the absolute purchase of and to purchase such mortgage at any price not exceeding the amount of the principal sum purporting to be secured thereby which purchase may be effected by an assignment or transfer to the Corporation or any officer appointed in that behalf by the Corporation in the form by the first Dee Bridge Act prescribed for transfers or to the like effect.

Persons
under dis-
ability may
sell or
contribute.

125. Any person who under the provisions of the Lands Clauses Consolidation Act 1845 would be enabled to sell any such mortgage debt if the same were land may upon any terms agreed between such person and the Corporation sell and transfer to the Corporation any such mortgage debt and the full and absolute right and title thereto and give an effectual discharge for the purchase money and may out of any moneys or funds belonging to him or under his control in the

capacities mentioned in that Act contribute towards the purchase of the undertaking and may enter into and carry into effect all such agreements with the Corporation or others as may be necessary or expedient for that purpose and such person is hereby indemnified for so doing. A.D. 1884.

126. Any person who under the provisions of the Lands Clauses Consolidation Act 1845 is enabled to sell lands may in respect of any lands within a radius of seven miles from either of the said bridges contribute and pay to the Corporation towards the cost of the said purchase a gross sum not exceeding ten shillings in the pound of the net annual value of such lands as appearing by the poor rate valuation list for the time being and may charge on or raise and secure by mortgage of such lands such sum with interest for the same at a rate not exceeding five pounds per centum per annum Lands shall for the purposes of this section have the same meaning as in the last-mentioned Act. Power to landowners to contribute and charge land.

127. After the transfer of the undertaking to the Corporation the Corporation shall pay to the present clerk of the Dee Bridges Commissioners during his life by way of compensation for the loss of his office an annuity of twenty-six pounds by two equal half-yearly payments the first of such payments to be made at the expiration of six months from the date of the transfer of the undertaking to the Corporation Provided always that the Corporation may at any time by agreement with such clerk commute such annuity by payment of a sum in gross. Compensation to clerk of the commissioners.

128. The Corporation shall pay to the Dee Bridges Commissioners the costs charges and expenses reasonably incurred by them of and attending the preparation and passing of this part of this Act and in the event of the Corporation purchasing the undertaking they shall also pay to the said commissioners the sum of two hundred and fifty pounds for or towards and in full as against the Corporation of all costs charges and expenses of the said commissioners attending the sale of the undertaking or incurred in carrying out the provisions of this part of this Act or consequent thereon or incidental thereto. Corporation to pay certain expenses of Dee Bridges Commissioners.

PART X.—INFECTIOUS DISEASES.

129. In and for the purposes of this Act “infectious disease” means and includes small-pox cholera typhus typhoid scarlet relapsing continued and puerperal fever scarlatina and diphtheria and such other disease as the Corporation under the provisions and for the purposes of this Act may from time to time declare to be infectious. Definition of infectious diseases.

A.D. 1884.

Notice to be
given of
persons
suffering
from in-
fectious
diseases.

130. In order to secure that due notice be given to the Corporation of any inmate of any building used for human habitation who is suffering from any infectious disease the following provisions shall take effect (that is to say) :—

- (1) If any such inmate be suffering from any infectious disease the occupier or the person having the charge management or control of such building (or if such occupier or person be prevented by reason of such disease then the person in charge of such inmate) shall so soon as he shall become aware of the existence in any such inmate of any such disease forthwith give notice thereof to the medical officer of health at the town hall :
- (2) If such inmate be not a member of the family of such occupier or person the head of the family (resident in such building) to which such inmate belongs or if there be no such head or if such head be prevented by illness then such inmate (unless prevented by reason of such disease or of youth) shall on becoming aware of the existence in such inmate or in his own person as the case may be of such disease forthwith give notice thereof to such occupier or person :
- (3) The Corporation shall provide and supply gratuitously to every legally qualified medical practitioner resident or practising in the city who shall apply for the same forms for the certificate or declaration to be made by such medical practitioner of the particulars herein-after mentioned in relation to such cases according to the form set forth in the Third Schedule to this Act :
- (4) Every medical practitioner attending on or called in to visit such inmate shall on becoming aware that such inmate is suffering from any infectious disease forthwith fill up sign and deliver or send to the medical officer of health at his office a certificate or declaration stating according to the form so prescribed the name of such inmate the situation of such building the name of such occupier or person and the nature of the infectious disease from which in the opinion of such medical practitioner such inmate is suffering :
- (5) The Corporation shall pay to every legally qualified medical practitioner who shall in pursuance of this section duly make and give any such certificate or declaration a fee of two shillings and sixpence for each such certificate or declaration in respect of cases occurring in his private practice and a fee of one shilling for each such certificate or declaration in respect of cases occurring in his practice as a medical officer to any public body or institution :

- (6) And any person who shall wilfully offend against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings. A.D. 1884.

131. The Corporation may from time to time by resolution on the report of the medical officer of health and approved by the Local Government Board order that any infectious disease other than those specifically mentioned in this Act shall be deemed to be an infectious disease within and subject to the provisions of this Act:—

Other diseases may be declared to be within the foregoing provision.

- (1) Any such order of the Corporation may be permanent or temporary only and if temporary the period during which it is to continue in force shall be specified therein and the Corporation shall give public notice of the order by publishing the same by advertisement in two of the local newspapers circulating in the city and after such public notice has been given the provisions of this Act shall so long as the order continues in force apply to the disease specified therein in like manner in all respects as if the disease were an infectious disease specifically mentioned in this Act:
- (2) The production of the newspapers containing a copy of the resolution shall be conclusive evidence that public notice of the order has been so given:
- (3) The Corporation shall immediately after any such order shall have been made send a copy thereof to each legally qualified medical practitioner residing in the city but the omission to send any such copy shall not affect the validity of such order.

132. Whenever it shall be certified to the Corporation by the medical officer of health or other legally qualified medical practitioner that the spread of infectious disease is in the opinion of such medical officer of health or medical practitioner attributable to the milk supplied by any cowkeeper purveyor of milk or occupier of a dairy milk store or milk shop the Corporation may require such cowkeeper purveyor of milk or occupier to furnish to them within a time to be fixed by them a full and complete list of the names and addresses of all his customers within the city and such cowkeeper purveyor of milk or occupier shall furnish such list accordingly and the Corporation shall pay to him for every such list after the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed two shillings and every person who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and a further penalty not exceeding five shillings for every day during which the offence is continued.

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

A.D. 1884.

Further powers in relation to disinfection of premises.

133. Where the Corporation are of opinion on the certificate of the medical officer of health or of any other legally qualified medical practitioner that the cleansing and disinfecting of any house or part thereof and of any articles therein likely to communicate any infectious disease or to retain infection would tend to prevent or to check infectious disease and that such cleansing and disinfection would more effectually be carried out by the Corporation than by the owner or occupier of such house or part thereof the Corporation without requiring such owner or occupier to carry out such cleansing and disinfection as aforesaid may if they think fit but at their own cost themselves cleanse and disinfect such house or part thereof and articles and may for that purpose remove any such articles and shall make compensation to such owners or occupiers for all property or articles destroyed or injured by the exercise of the provisions of this section And any person who shall obstruct any duly authorised officer of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding five pounds and to a further penalty not exceeding forty shillings for every day during which the obstruction continues.

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

134. Every person who shall cease to occupy any house room or part of a house in which any person has within six weeks previously been suffering from any infectious disease without having such house room or part of a house and all articles therein liable to retain infection disinfected to the satisfaction of a legally qualified medical practitioner as testified by a certificate signed by him or without first giving to the owner of such house room or part of a house notice of the previous existence of such disease and every person ceasing to occupy any house room or part of a house and who on being questioned by the owner thereof or by any person negotiating for the hire of such house room or part of a house as to the fact of there having within six weeks previously been therein any person suffering from any infectious disease knowingly makes a false answer to such question shall be liable to a penalty not exceeding ten pounds.

Prohibiting the retention of dead bodies in certain cases.

135. No person shall without the sanction in writing of the medical officer of health or of a legally qualified medical practitioner retain unburied elsewhere than in a mortuary for more than forty-eight hours the dead body of any person who has died of any infectious disease and any person offending against this enactment shall be liable to a penalty not exceeding ten pounds and to a further penalty not exceeding forty shillings for every day during which the offence is continued.

Bodies of persons dying in

136. If any person shall die from any infectious disease in any hospital or place of temporary accommodation provided by the

Corporation and the medical officer of health certifies that in his opinion it is desirable in order to prevent the risk of communicating any infectious disease or spreading infection that the dead body shall not be removed from such hospital or place except for the purpose of being forthwith buried it shall not be lawful for any person or persons to remove such dead body from such hospital or place except for the last-mentioned purpose and when the dead body is taken out of such hospital or place for that purpose it shall be forthwith carried or taken directly to some cemetery or place of burial and shall be forthwith there buried and any person wilfully offending against this section shall be liable to a penalty not exceeding fifty pounds.

A.D. 1884.

hospital &c.
of infectious
diseases to
be removed
only for
burial.

137. Where the dead body of any person who has died of any infectious disease remains unburied elsewhere than in a mortuary for more than forty-eight hours after the death without the sanction of the medical officer of health or of a legally qualified medical practitioner or is retained in a room in which persons live or sleep or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or of any adjoining or neighbouring house or building and there shall be a certificate thereof signed by a legally qualified medical practitioner any justice may order the body to be removed at the cost of the Corporation to any mortuary provided by the Corporation and direct the same to be buried within a time to be limited in the order or may in the case of the body of a person who has died of any infectious disease or in any case in which he shall consider immediate burial necessary direct such body to be so buried without requiring the same to be removed to a mortuary and unless the friends or relatives of the deceased undertake to bury and do bury the body within the time limited by such order it shall be the duty of the relieving officer to bury such body at the expense of the poor rate but any expense so incurred may be recovered by the relieving officer in a summary manner from any person legally liable to pay the expense of such burial Any person obstructing the execution of an order made by a justice under this section shall be liable to a penalty not exceeding five pounds.

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

138. Any person who hires or uses a public conveyance other than a hearse for the conveyance of the corpse of a person who has died from any infectious disease without previously notifying to the owner or driver of such public conveyance that the person whose corpse is or is intended to be so conveyed has died from infectious disease and any owner or driver of a public conveyance other than a hearse which has been used for conveying the corpse of a person who has died from infectious disease who shall not immediately

Corpses not
to be carried
in public
conveyances.

A.D. 1884. — afterwards provide for the disinfection of such conveyance shall be liable to a penalty not exceeding five pounds.

Temporary shelter.

139. The Corporation shall from time to time provide temporary shelter or house accommodation for the members of any family in which any infectious disease has appeared and who have been compelled to leave their dwellings for the purpose of enabling such dwellings to be disinfected and shall further provide or contract with any person or persons to provide nurses for attendance upon persons suffering from any infectious disease within the city and shall be enabled to charge a reasonable sum for the service of any nurse provided by them.

Saving for Acts relating to dairies animals &c.

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

PART XI.—MISCELLANEOUS.

Recovery of expenses of fire brigade attending fires beyond the city.

141. The expenses incurred by the engines implements and apparatus and any part of the fire police establishment proceeding beyond the limits of the city for the extinguishment of fire and the charge for the use of such engines implements and apparatus and for the attendance of such fire police respectively recoverable under the Improvement Act from the owners of property shall and may be recovered whether the fire brigade or any members or officers thereof for the time being is or are volunteer or volunteers or not and notwithstanding that fire police be not employed and such charge shall and may include any reasonable payments actually made by the Corporation to any members of the fire brigade for the particular service.

Cost of cleansing streets.

142. The costs and expenses of cleansing the streets which under the Improvement Act are to be raised and provided for by means or out of the Chester lamp rate shall and lawfully may so far but only so far as the maximum of that rate under the Improvement Act shall prove insufficient for the purpose and the other purposes to which under the Improvement Act that rate is applicable be from time to time raised provided for and paid out of the borough fund and borough rate.

143. In applying and construing section one hundred and thirty-eight of the Improvement Act the same shall be read as if the words "nine of the clock" had been inserted therein instead of the words "ten of the clock."

A.D. 1884.

Amending
section 138
of Improve-
ment Act.

144. Notwithstanding anything in section four of the Improvement Act contained the minutes of the proceedings of the Corporation and of any committee of the Corporation under the said Act and this Act or any other Act may be entered in one and the same book or in more books than one as the Corporation may from time to time direct.

Register of
proceedings
of the
Corporation.

Amendment
of clause 4
of Improve-
ment Act.

145. Where any hoard or fence shall have been erected in or over any street for the purposes mentioned in section one hundred and twenty of the Improvement Act or for any other purpose the same shall not be permitted to remain for an unnecessary period but shall be removed by the person causing the same to be erected under a penalty not exceeding five pounds to be paid by such person for each week during which the same shall remain after requisition for its removal made in writing to such person by the surveyor and in any such case the burthen of proof of the necessity for the continuance of such hoard or fence shall be upon the person causing such hoard or fence to be erected.

Removal of
hoards or
fences.

146. The Corporation shall have power from time to time to make such byelaws as they may see fit for prohibiting or regulating the mode of circulating or publishing advertisements and placards in or upon the streets of the city whether by painting or posting the same on buildings walls or fences or on hoardings or other temporary erections or exhibiting the same on vans or carriages or by men or boys traversing or standing in the streets or otherwise Provided always that such byelaws shall not apply to or affect the mode of circulating or publishing advertisements on buildings walls fences or other erections of or belonging to any railway company or on the vans or any vehicle of any railway company.

Corporation
may control
means of
exhibiting
advertise-
ments.

147. Whereas prior to the date of the agreement in this section after mentioned the owners of the property situate in the township of Newton-by-Chester in the county of Chester defined by a green boundary line on a plan showing the extent of the Newton drainage district referred to in Mr. Bell's basis of the first of April one thousand eight hundred and sixty-seven signed by G. A. Bell and Samuel Smith solicitor Chester and in the resolution of the Local Board of Hoole of the same date (which property is herein-after referred to as the Newton property) had by arrangement with the local board for the urban sanitary district of part of the township of Hoole in the said county of Chester (herein-after called "the

Provision as
to drainage
rate payable
by certain
property in
the township
of Newton-
by-Chester.

A.D. 1884. Hoole Local Board ") joined a sewer constructed by such owners with the outfall sewer of the Hoole Local Board and under an agreement dated the twelfth day of August one thousand eight hundred and eighty-one made between the Hoole Local Board of the one part and the Corporation of the other part the Corporation now receive and dispose of the sewage carried by such outfall sewer and are entitled in the place of the Hoole Local Board to the benefit of the arrangement between that board and the owners of the Newton property. And whereas it is expedient to define and facilitate the collection and recovery of the contribution to be hereafter paid to the Corporation in respect of the Newton property therefore it is hereby enacted and declared as follows viz. The Council shall yearly ascertain and assess such contribution upon the like basis and in like manner as is by the said agreement provided in respect of the yearly sum thereby agreed to be paid by the Hoole Local Board and as if such provisions were herein repeated and the Newton property were therein substituted for the Hoole Local Board district and the Council by their officers shall assess on and levy from the occupiers of the Newton property the amount necessary for such contribution as if such amount were a sum leviable in respect of poor rate and the Council and their officers shall for the purposes of this enactment have and be subject to all such powers remedies and obligations as apply in law to the levying and recovery of a poor rate.

Provision to be made for laying out streets.

148. If any new house or building is intended to be so placed that it will form part of a street or is likely to become part of a street or one of a line of houses or buildings the Corporation may by order served upon the builder or owner or lessee of the land on which such house or building is to be placed require that before any part of such house or building shall be commenced such land as may be required for the formation of a suitable street or road shall be set apart and reserved or otherwise provided for and the owner of such house or building shall not thereafter without the consent of the Corporation encroach upon or use the land so set apart and reserved for any other purpose than as a street or road Provided always that the Corporation shall not by any such order require more land to be reserved as aforesaid than shall be co-extensive with the frontage of the house or houses building or buildings referred to in the order Provided also that this section shall not extend to the rebuilding of any dwelling-house or building which exists in any street at the date of the passing of this Act.

The river from weir at Old Bridge upwards to be a stream for purposes of the Rivers Pollution Prevention Act, 1876.

149. The River Dee from the weir at the Old Bridge upwards shall be deemed and is hereby declared to be a "stream" within the meaning and for the purposes of the Rivers Pollution Prevention Act 1876.

150. The power of the Corporation under section 172 of the Public Health Act 1875 to license the proprietors of pleasure boats and vessels and the boatmen or other persons in charge thereof and to make byelaws for regulating the numbering and naming of such boats and vessels and the number of persons to be carried therein and the mooring places for the same and for fixing rates of hire and the qualification of such boatmen or other persons in charge and for securing their good and orderly conduct while in charge and all byelaws heretofore made by the Corporation under the Local Government Act (1858) Amendment Act 1861 shall extend to all boats and vessels hired or plying for hire as well on that part of the River Dee which is in the city as to the part of the said river extending from the city boundary to the iron bridge at Aldford and such power to license shall extend and apply to steam launches boats and vessels propelled by steam or other mechanical power whether plying for hire or not and such power to make byelaws shall extend to authorise the making of byelaws for regulating all such steam launches boats and vessels and the mooring places for and persons in charge of the same and the regulating and enforcing the carrying and exhibition of lights and the manner of navigating such steam launches boats and vessels as to rate of speed and otherwise for the avoidance of danger to life and of damage to or injury of other boats and vessels or moorings or the banks of the river or other property and the Corporation shall also have full power to remove all stakes or casual obstructions of any kind within the said parts of the said river which may be deemed likely to cause injury to boats or vessels passing along the river or danger to persons using the same Any offence committed (whether within or beyond the limits of the city) against any such byelaw as is in this section mentioned may be prosecuted tried and adjudicated on before and by any justice or magistrate having jurisdiction in or near any place where such offence was wholly or partly committed in like manner and with the like powers as if such offence had been wholly committed within the jurisdiction of such justice or magistrate as aforesaid.

A.D. 1884.

Powers to Corporation to license boats &c. on River Dee.

151. Upon complaint made to any justice by any person claiming to be entitled to the property or possession of any goods which are detained by any person the value of which shall not be greater than twenty pounds and not being deeds muniments or papers relating to any property of greater value than twenty pounds it shall be lawful for such justice to summon the person complained of to appear before two justices and such two justices shall inquire into the title thereto or to the possession thereof and if it shall appear to them that such goods have been detained without just cause after due notice of the claim made by the person complaining or that the person detaining

As to detention of goods.

A.D. 1884.

such goods has a lien or right to detain the same by way of security for the payment of money or the performance of any act by the owner thereof it shall be lawful for such justices to order the goods to be delivered to the owner thereof either absolutely or upon tender of the amount appearing to be due by such owner (which amount the justices are hereby authorised to determine) or upon performance or upon tender and refusal of the performance of the act for the performance whereof such goods are detained as security or if such act cannot be performed then upon tender of amends for non-performance thereof (the nature or amount of which amends the justices are hereby authorised to determine) and any person who shall neglect or refuse to deliver up the goods according to such order shall forfeit to the party aggrieved the full value of such goods not greater than the sum of twenty pounds such value to be determined by the justices Provided always that no such order shall bar any person from recovering possession of the goods or money so delivered or forfeited by suit or action at law from the person to whose possession such goods or money shall come by virtue of such order so that such action be commenced within six months next after such order shall be made.

Persons suspected of having or conveying stolen goods.

152. Every person who shall be brought before two justices charged with having in his possession or conveying in any manner anything which may be reasonably suspected of being or having been stolen or unlawfully obtained and who shall not give an account to the satisfaction of such justices how he came by the same shall be deemed guilty of a misdemeanour and shall be liable to a penalty of not more than five pounds or in the discretion of such justices may be imprisoned with or without hard labour for any time not exceeding two months.

Places for dancing music and other public entertainments to be licensed.

153. No house room garden or other place whether licensed for the sale of intoxicating liquors or not shall be kept or used for public dancing music or other public entertainment of the like kind without a license for the purpose first obtained from two or more justices and the justices assembled at any special session convened by fourteen days previous notice or a majority of them may grant licenses under their hands and seals or the hands and seals of such majority to such persons as they shall think fit to keep or use any house rooms gardens or place for public dancing music or other public entertainment of the like kind upon such terms and conditions and subject to such restrictions as they shall by such license determine and such license shall be in force for one year and such justices may from time to time at any such special session as aforesaid transfer any such license to such person as they shall think fit and such person shall in each case give seven days notice to the

clerk to the justices of his intention to apply for such license or for the transfer of such license. A.D. 1884.

154. The chief constable or any police officer of the city may prefer a charge against the holder of any such license for any alleged breach of the conditions thereof before a court of summary jurisdiction and in case of proof of the breach of any of those conditions such license shall be liable to be suspended or revoked by the order of such court. Chief constable may prosecute for any breach of terms of license.

155. Any house room garden or place kept or used for public dancing or music or other public entertainment of the like kind without such license as aforesaid for that purpose first had and obtained shall be deemed a disorderly house and the occupier of the same shall be liable to a penalty not exceeding five pounds for every day on which the same shall be kept and used for any of the purposes last aforesaid or any of the purposes last aforesaid to which the license shall not extend. Provided always that in order to give public notice what places are licensed pursuant to this Act there shall be affixed and kept up in some conspicuous place on the door or entrance of such house room garden or place kept or used for any of the said purposes and so licensed as aforesaid an inscription in large capital letters in the words following "Licensed pursuant to Act of Parliament" for the purpose to be expressed in such inscription and no such house room garden or place kept or used for any of the said purposes although licensed as aforesaid shall be opened for any of the said purposes except between the hours stated in the license and the affixing and keeping up of such inscription as aforesaid and the said limitation in point of time shall be inserted in and made conditions of every such license and in case of any breach of either of the said conditions or of any other of the conditions expressed or contained in such license such license shall be liable to be forfeited and revoked by a court of summary jurisdiction. Penalty for keeping unlicensed dancing &c. rooms.

156. If any person affixes to any house building wall fence hoarding board or convenience or delivers or exhibits to any inhabitant or passenger in or near to any street any bill or printed or written paper (whether enclosed in a sealed or other envelope or not) of an obscene or indecent nature or referring to any disease of a loathsome or secret kind or to any cure for any such disease he shall for every such offence be liable to a penalty not exceeding forty shillings or in the discretion of the justices before whom he is convicted to imprisonment for any term not exceeding one month with or without hard labour. Prohibition of obscene bills &c.

157. It shall be lawful for the chief constable with the sanction of the watch committee of the city to institute and prosecute proceedings against the occupier of or other person keeping or occupying Provisions with respect to disorderly houses.

A.D. 1884. — any brothel or house of ill fame or any lewd or disorderly house which is a nuisance or annoyance to the persons residing in the neighbourhood thereof.

The court competent to hear and determine any such complaint shall be the court of quarter sessions of the city and the proceedings shall be by indictment preferred at such sessions and the said court shall have power to impose such fine or penalty not exceeding fifty pounds in addition to the costs of the prosecution or may order the imprisonment of the offender for such period not exceeding twelve months as the court may deem expedient. Provided that in any such prosecution a copy of the indictment to be preferred against any such person as aforesaid shall be supplied to such person at least seven days prior to the holding of the court at which such indictment is intended to be preferred.

Sale of
intoxicating
liquor to
children.

158. Section two hundred and fifty-three of the Improvement Act shall be read and have effect in the city as though the words "intoxicating liquor" as defined by section seventy-four of the Licensing Act 1872 were substituted and inserted in place of the words "distilled exciseable liquors" in section two hundred and fifty-three of the Improvement Act.

Restriction
on casual
employment
of children.

159. After the passing of this Act no child under the age of fourteen years shall unless he has obtained a certificate of ability to read and write and of a knowledge of elementary arithmetic in terms of section five of the Elementary Education Act 1876 be employed in any casual employment within the city after nine o'clock at night from the first day of April to the first day of October and after seven o'clock at night from the first day of October to the first day of April.

Definition of
term "casual
employ-
ment."

160. Casual employment shall mean employment for purposes of gain in streets or other places in vending or exposing for sale any article whatsoever.

Penalty for
employing a
child in
contraven-
tion of Act.

161. Every person who takes a child into his employment in contravention of this Act shall be liable on summary conviction to a penalty not exceeding forty shillings.

Definition of
employment
in case of
parent.

162. A parent of a child who employs such child in any labour exercised by way of trade or for the purposes of gain or who permits such child to be engaged in any such labour on its own behalf shall be deemed for the purposes of this Act to take such child into his employment.

Enforcement
of Act by
school
attendance
committee.

163. The provisions of this Act respecting the employment of children may be enforced by the school attendance committee of the city.

164. Any obstruction or projection of any description after the passing of this Act placed erected or fixed against or in front of or belonging to any house or building or in near or over any street row or footway may be dealt with by the Corporation under the powers of sections one hundred and ten and one hundred and eleven of the Improvement Act if adjudged by the Corporation to be an obstruction of or encroachment on any street road or footway although such obstruction or projection is not so placed as to endanger obstruct or render less commodious the passage along any street row or footway But the provisions of sections one hundred and ten and one hundred and eleven of the Improvement Act and of this section shall not apply to any street or footway belonging to or maintained by a railway company.

A.D. 1884.
Explanation
of sections
110 and 111
of Act of
1845.

165. It shall not be lawful for any person to erect set up fix or place any post wire cable tube or other apparatus in over above along across or beneath any street maintained by the Corporation or to set up fix place or maintain any sign or other board awning blind shade covering or other thing which shall in any way obstruct limit diminish or interfere with the area for the free passage of light or air into any public row But nothing in this section shall apply to gas or water pipes or to any other matter or thing authorised by or under any Act of Parliament for the time being in force and nothing herein contained shall extend to any wires tubes or other appliances or apparatus which shall belong to any railway company and be used by them in connexion with their business and which now are or hereafter shall be fixed upon posts or supports placed upon any railway provided such posts or supports wires tubes appliances or apparatus do not project or are not stretched or placed beyond such railway over or across any street repairable by the Corporation.

Wires and
obstructions
in streets
and rows.

166. As respects the public rows the Corporation may in writing and upon and subject to such terms and conditions as to the Corporation shall seem meet license any encroachment obstruction projection matter or thing prohibited by this Act or the Improvement Act and all conditions contained in such license shall be as fully and to all intents obligatory as if the same had been expressed in this Act Provided that no liability shall attach or be deemed to attach to or be implied against the Corporation by reason or in consequence of the granting of any such license or of anything done thereunder.

Corporation
may license
projections.

167. The Corporation may upon the report of the surveyor that the continuance of any encroachment obstruction projection matter or thing prohibited by this Act or the Improvement Act other than any structural part of any building is undesirable in the public

Corporation
may remove
certain
obstructions.

A.D. 1884. interest whether the same has existed before the passing of this Act or the Improvement Act or not by notice in writing served on the owner or occupier require such owner or occupier to remove the same and in case such notice is not complied with the Corporation may by their officers and servants remove the encroachment obstruction projection matter or thing specified in such notice and may recover from the owner or occupier served with such notice the expenses incurred in effecting such removal in any court of summary jurisdiction But the provisions of this section shall not apply to the removal of any alleged encroachment obstruction projection matter or thing existing on the station or station premises of any railway company nor to any encroachment obstruction projection matter or thing which was in existence twenty years before the passing of this Act.

Provisions as to buildings adjoining city walls.

168. No dwelling-house building wall hoarding or fence of any kind (other than a dwelling-house building wall hoarding or fence substituted for a now existing dwelling-house building wall hoarding or fence) shall without the consent of the Corporation be hereafter erected set up fixed or placed abutting on or within six feet from the city walls and no such substituted house building wall hoarding or fence shall without the consent of the Corporation

- (1) Be higher than such now existing house building wall hoarding or fence ; or
- (2) Occupy greater space in front of the city walls than such now existing house building wall hoarding or fence ; or
- (3) Be from position construction or otherwise calculated to obstruct the view from or prevent the free passage of air or light to or on the city walls further or in greater degree than such existing house building wall hoarding or fence :

And section one hundred and sixteen of the Improvement Act shall be extended and apply in case any such existing house building wall hoarding or fence be taken down for rebuilding or re-erection and "the line of the street" shall for that purpose mean a line six feet from the city walls.

Continuing obstructions &c. may be treated as fresh offences.

169. Any obstruction or interference with or encroachment on or other breach of any local Act of Parliament or order confirmed by Parliament for the time being in force in the city or any byelaw in relation to any street row court or passage in the city may and shall in any legal proceedings instituted by the Corporation with reference thereto be dealt with as being and constituting a fresh offence on each day of its continuance after conviction but the offender shall not be liable for more than one half the original penalty for each such day after the first conviction.

170. If the owner or occupier of any premises within the city 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.

A.D. 1884.
Corporation may make communications between private drains and their sewers on payment &c. Space to be left behind dwelling-houses.

171. Every new building to be erected after the commencement of this Act for the purpose of being used as a dwelling-house and every new building to be erected after the commencement of this Act before it shall be occupied as a dwelling-house shall subject to the provisions herein-after mentioned have at the rear thereof an open space adjoining and exclusively belonging thereto free from any erection thereon above the level of the ground other than coal houses or other conveniences for the use of such dwelling-house all which conveniences shall as to height position and dimensions be erected subject to the consent and approval of the Corporation And such open space shall be of the respective areas herein-after specified (that is to say) :—

- (A) If such dwelling be one storey in height above the level of such open space the area of such open space to be left shall not be less than one hundred and fifty square feet and the distance across every part of so much of such open space as is required to make up one hundred and fifty square feet between every such dwelling-house and the building or property on the opposite side of such open space shall not be less than ten feet :
- (B) If such dwelling-house be two storeys in height above the level of such open space the area of such open space to be left shall not be less than two hundred and twenty-five square feet and the distance across every part of so much of such open space as is required to make up two hundred and twenty-five square feet between every such dwelling-house and the building or property on the opposite side of such open space shall not be less than fifteen feet :
- (C) If such dwelling-house be three or more storeys in height above the level of such open space the area of such open space to be left shall not be less than three hundred square feet and the distance across every part of so much of such open space as is required to make up three hundred square feet between every such dwelling-house and the building or property on the opposite side of such open space shall not be less than twenty feet :

A.D. 1884. And the area of open space in each of such cases shall not be less than one half of the area of the ground covered by the dwelling-house for which the same shall be left. Provided always that the Corporation may as to such open space dispense with or modify the requirements of this section in any case in which the Corporation shall on the report in writing of the surveyor be satisfied that by reason of immediately adjoining streets or other open spaces adequate ventilation of the premises is secured. Provided also that in the case of a dwelling-house of an irregular figure the Corporation may allow the open space required in pursuance of this section to be provided at the rear or side respectively of such dwelling-house according as the rear or side or some part of the rear or side thereof presents the greatest length of frontage to such open space. Provided further that this section shall not extend to any building to be erected after the commencement of this Act for the purpose of being used as a dwelling-house upon the site of a building which exists at the date of the commencement of this Act.

The word "storey" in this section shall not apply to or include any attic in the roof or any basement floor.

Space not
to be built
on.

172. Wherever in accordance with the provisions of this Act any space has been left belonging to any building for the erection of which the sanction of the Corporation has been obtained such space shall never afterwards be built upon in such manner as to reduce the area of open space below that herein-before required.

Continuance
of space for
existing
dwelling-
houses.

173. Where a dwelling-house which exists at the commencement of this Act has an open space belonging to it not greater than that required by this Act for new dwelling-houses the same shall not be built on and where a dwelling-house which exists at the commencement of this Act has an open space belonging to it greater than that required by this Act for new dwelling-houses the same shall not be built on so as to leave for such dwelling-house a less open space than that required by this Act for new dwelling-houses.

Height of
dwelling-
houses in
new streets.

174. No dwelling-house shall without the consent of the Corporation be erected in any new street to be laid out after the commencement of this Act the height of which dwelling-house shall exceed the distance from the front thereof to the opposite side of such street nor shall the height of any dwelling-house so erected be without the consent of the Corporation subsequently increased at any time so as to exceed such distance.

Measure-
ment of
height of
dwelling-
houses.

175. In estimating the height of dwelling-houses for the purposes of this Act the measurement shall be taken from the level of the centre of the street immediately opposite the building up to the

eaves of the roof or the square of the building Provided always A.D. 1884.
that where a dwelling-house shall be situated so as to abut on two
streets of different levels the height shall be measured from the
street which lies on the higher level.

176. In the city and sanitary district the distance of one Extension of
hundred feet mentioned in sections twenty-three and twenty-five limit within
of the Public Health Act 1875 empowering the local authority to which Cor-
enforce drainage of undrained houses and the drainage of houses poration may
newly erected or rebuilt shall be enlarged to one hundred yards require
and those sections shall be read and take effect as though one premises to
hundred yards were therein substituted for one hundred feet and be connected
a house shall for the purposes of the said twenty-third section be with public
deemed to be without a drain for effectual drainage though it be sewers.
drained into a cesspool pit or other like receptacle Provided that
in every case in which the Corporation enforce the provisions of
this section one half of the expenses incurred in respect of so
much of the distance drained as is beyond one hundred feet shall
be paid by the Corporation.

177. Every person who is guilty of any of the following acts Penalties for
or omissions shall in respect of every such offence be liable to a not giving
penalty not exceeding five pounds and in case of a continuing notices &c.
offence to a further penalty not exceeding forty shillings for each
day during which such offence shall continue after conviction there-
for (without prejudice to any other procedure or remedy competent
to the Corporation) that is to say :—

- (1) If he offend against any of the foregoing provisions con-
tained in this part of this Act for which no other penalty
is provided :
- (2) If after the Corporation have fixed the level and approved
of the width of any new street or fixed the line and level of
any new building he make any alteration therein without the
approval of the Corporation to such alteration first had and
obtained :
- (3) If he lay out make or build upon any street otherwise than
in accordance with the level and width form and direction
thereof fixed and approved by the Corporation.

178. The four immediately preceding sections shall not apply Provisions
to any dwelling-house or building forming part of a railway station for protec-
or premises of any railway company. tion of
railway
companies.

179. Where a court of summary jurisdiction have under the Further
powers of the Public Health Act 1875 prohibited the using of a power to
house or building for the purpose of human habitation and the deal with
town clerk or the medical officer of health or the city surveyor houses unfit
for human
habitation.

A.D. 1884. — reports to the Corporation that two months have elapsed since the date of such order without such house or building having been rendered fit for such purpose and that such house or building is in a state or condition injurious or dangerous to health the Corporation may by themselves their contractors servants agents and workmen enter and take down and remove such house or building and may remove and sell the materials as they think fit and reimburse themselves all costs and charges incident to such proceeding by the sale of the materials so far as the same may extend rendering the balance (if any) to the owner Provided that the Corporation shall give at least thirty days notice to the owner (unless he is not known or cannot be found) of their intention to proceed under this section.

For enforcing sanitary condition of courts alleys &c.

180. Every owner of premises in or abutting on any court alley entry or passage the maintenance of which shall not have been assumed by the Corporation and every owner of premises to which any such court alley entry or passage shall be a means of access shall at all times keep such court alley entry or passage well and sufficiently paved or surfaced in such manner as the Corporation shall by order direct and shall keep the water channels and drain traps therein in a fit and proper state and in the event of such owner failing to comply with any such order or to complete the work within the time and in the manner specified in such order or to have and keep such water channels and drain traps in a fit and proper state the Corporation may cause such court alley entry or passage to be paved or surfaced and the water channels and drain traps to be laid or put in a proper state at the cost of such owner or if there be more than one owner at the cost of such owners In the latter case such cost shall be apportioned among such owners according to the frontage of their respective properties but the Corporation may if they think just resolve that in settling the apportionment regard shall be had to the following considerations (that is say) :—

- (A) The greater or less degree of benefit to be derived by any premises from such works;
- (B) The amount and value of any work done by the owners or occupiers of any such premises.

Such cost or apportioned cost may be recovered by the Corporation from the owner or owners in default in a summary manner in like manner and subject to the like provisions in all respects as the costs and expenses mentioned in section one hundred and four of the Public Health Act 1875 are by that Act recoverable and a statement of such cost or of the apportion-

ment thereof made up and certified by the surveyor shall be A.D. 1884.
conclusive.

181. In the city and sanitary district the officers of the Corporation shall be admitted into any premises for the purpose of ascertaining whether any of the provisions of the Public Health Acts or of this Act or any Act for the time being in force in the city and conferring powers on the Corporation are or are not complied with and such admission may be enforced in manner and with the like penalty for refusing to obey an order of a justice as provided by sections one hundred and two and one hundred and three of the Public Health Act 1875.

Extension of
right of
admission to
premises.

182. The powers given by section forty-six of the Improvement Act and by section thirty-nine of the Public Health Act 1875 shall extend to and include lavatories and it shall be lawful for the Corporation to charge and take whatever payment they shall deem reasonable for admission to and use of any watercloset earth closet privy ashpit urinal lavatory or other similar convenience provided by them.

Provision for
lavatories
&c.

183. Sections one hundred and eighty-two to one hundred and eighty-six (both inclusive) of the Public Health Act 1875 (except so much of section one hundred and eighty-five as applies exclusively to byelaws made by a rural authority) shall apply to the making of byelaws by the Corporation under this Act or the Improvement Act or any Act incorporated therewith as if they were byelaws made by a local authority under the said Public Health Act and byelaws made under any Act incorporated with this Act or the Improvement Act shall not require to be submitted to or to be confirmed by any authority other than the Local Government Board.

Provisions as
to byelaws of
the Corpora-
tion.

184. The provisions in the Improvement Act with respect to the recovery and application of penalties shall apply with respect to the recovery and application of penalties under this Act or any byelaws under the same or the Improvement Act.

As to
recovery and
application
of penalties.

185. A judge of any court or a justice or other person shall not be disqualified from adjudicating or acting in the execution of this Act by reason of his being liable to any rate or other charge under this Act nor shall any justice be disqualified from so adjudicating or acting by reason of his being a member of the Council save only in the case of his being a member of the committee of the Council which directed or authorised the proceedings in the matter to be taken.

Judges not
disqualified.

A.D. 1884.

Right of
appeal.

186. Any person aggrieved by any conviction or order made by a court of summary jurisdiction under this Act or any byelaw made under this Act and any person aggrieved by any decision of the Corporation (including the withholding of any consent or approval of the Corporation or of any officer of the Corporation) respecting the erection of buildings or the execution of any works under this Act may appeal to the next practicable court of quarter sessions for the city and the said court may make such order in the matter as to the said court may appear just.

Corporation
may sell or
lease lands
not required
by them.

187. Subject to the provisions of this Act the Corporation from time to time if and when they think fit may sell or exchange all or any part of any lands already acquired or hereafter to be acquired by them under the provisions of this Act or the Improvement Act and not required by the Corporation or they may lay out the same for building purposes and sell or exchange the same or at their option they may demise or grant upon lease for any yearly rent with or without fine for such estate term or interest and to such persons and with subject to on and under such reservations covenants terms and conditions as the Corporation think fit (and in case of sale in consideration of a gross sum or of an annual rent or of both or of any payment in any other form) all or any part of such lands and the Council may make any such sale or lease by public auction public tender or private contract and with or without special conditions and stipulations as to evidence or commencement of title or otherwise and may fix reserve biddings and prices buy in at auctions and alter or rescind on terms or gratuitously any contract or agreement for sale or lease and the consideration or rent fixed thereby and accept surrender of any lease and either before or after such conveyance or lease is granted may in like manner sell and dispose of any rent reserved or agreed to be reserved for any such lands and the reversion and inheritance in fee simple in possession (subject to any such lease or agreement of or concerning such lands) of any such lands and execute and do all deeds and things necessary to effect the several purposes aforesaid In any case in which under the provisions of the Municipal Corporation Acts the Corporation have power (with the consent of the Commissioners of Her Majesty's Treasury or otherwise) to sell any lands such power shall extend to the sale or the granting of building leases of such lands upon chief or ground rent and to the sale of any chief or ground rents reserved or made payable on the same or any other sale or lease of lands :

Any sum received in respect of the sale by the Corporation (whether made under the authority of this Act or otherwise) of any land or rent and all premiums and fines on leases under the

provisions of this section shall be carried by the Corporation to capital account and may be applied by the Corporation from time to time or at any time in the purchase of any other lands or the purchase or redemption of any chief rent or other perpetual charge affecting any of the lands of the Corporation and (subject as aforesaid) shall be added to the loans fund or sinking fund. A.D. 1884.

188. It shall be lawful for the Corporation to let or lease on such terms and conditions as they shall think fit for any term not exceeding thirty-five years from the date of the lease or agreement during and for the period of any race or other meeting sports show exhibition entertainment or other purpose of an analogous character and for any further convenient period before or after such race or other meeting sports show exhibition or entertainment the whole or any part of the Roodee for the time being belonging to the Corporation with such rights and under such conditions as the Corporation shall deem fit of charging for admission thereon or thereto and preventing by pay-gates screens hoardings fences railings barriers bars or any other means all or any persons or person not paying the authorised charge for admission gaining access thereto or view from the city walls or any street or road adjoining or abutting on the Roodee of any races sports show exhibition or entertainment proceeding on the Roodee: For the purposes of this section the Roodee shall include the whole or such part of the enclosure bounded by the city walls the fence at the top of the western embankment of the Grosvenor Road the River Dee the viaduct of the Chester and Holyhead Railway Paradise Row and Watergate Square up to the city walls as shall for the time being belong to the Corporation. Power to
lease Roodee.

189. No railway company shall be deemed to be an owner or occupier for the purposes of this Act or any Act incorporated herewith in respect of any land of such Company upon which any street not repairable by the inhabitants at large shall wholly or partially front or abut and which shall be used by such company solely as a part of their line of railway sidings stations or works and shall have no communication with such street and the expenses incurred by the Corporation under the powers of this Act or of such incorporated Act which but for this provision such railway company would be liable to pay shall be paid by the Corporation and in the event of such railway company subsequently making a communication with such street they shall pay to the Corporation the expenses which but for the foregoing provision such railway company would in the first instance have been liable to pay. As to
contribution
by railway
companies
to cost of
streets in
certain
events.

190. Nothing in this Act shall take away abridge or prejudicially affect any right power authority estate or interest of the city or Corporation under any charter or under any former Act or the Saving
rights of
Corporation.

[Ch. ccxxxix.] *Chester Improvement Act*, 1884. [47 & 48 VICT.]

A.D. 1884. — Public Health Acts or the Municipal Corporation Acts or otherwise and every such right power authority estate and interest may be had enjoyed and exercised by the city and Corporation as fully and effectually as if this Act had not been passed.

Saving for
Postmaster-
General.

191. Nothing in this Act shall take away or prejudicially affect any right power or authority of Her Majesty's Postmaster-General under the Telegraph Acts 1863 to 1878 or otherwise.

Saving as to
certain
leases.

192. Any owner who would under section three hundred and two of the Improvement Act have been entitled to repayment of any sums paid by him on account of any rate shall during the continuance of such lease as therein mentioned be entitled to such repayment as is provided for by that section notwithstanding its repeal by or anything contained in this Act.

Option in
case of
similarity of
provision in
general and
local Acts.

193. If in any Act incorporated with this Act or any other general Act provisions are made for purposes the same as or similar to the purposes or any of the purposes of this Act or the Improvement Act it shall be in the discretion of the Corporation to act and institute proceedings either under this Act or the Improvement Act or under any such incorporated or general Act or under both Provided that no person who has been proceeded against under any of the said Acts shall for the same offence be liable to be proceeded against under any other Act.

Act not to be
in derogation
of other
rights &c.

194. Subject to the provisions of this Act all rights and powers of the Corporation under this Act and the Improvement Act shall be deemed to be in addition to and not in derogation of any other rights or powers of the Corporation conferred or possessed by or under any Act of Parliament charter law or custom and such other rights and powers may be exercised in the same manner as if this Act had not passed Provided that no person who has been proceeded against under this Act or the Improvement Act shall for the same offence be liable to be proceeded against under any other Act.

Saving for
repealed
enactments.

195. The repeal of any enactment by this Act shall not affect—

- (1) Anything duly done or suffered under such repealed enactment: or
- (2) Except as herein expressly provided any right or liability acquired accrued or incurred under any such repealed enactment: or
- (3) Any security given under any such repealed enactment: or
- (4) Any penalty forfeiture or punishment incurred in respect of any offence committed against such repealed enactment:

or

- (5) Any investigation legal proceeding or remedy in respect of any such right liability security penalty forfeiture or punishment as aforesaid and any such investigation legal proceeding and remedy may be carried on as if this Act had not been passed. A.D. 1884.
—

196. The costs charges and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act including the costs charges and expenses preliminary to and of and connected with the obtaining of the resolution of owners and ratepayers aforesaid as taxed and ascertained by the taxing officer of the House of Lords or House of Commons shall be paid by the Corporation out of the borough fund or out of any moneys raised or borrowed under the powers of this Act and not specially appropriated by this Act for other purposes. Expenses of
Act.

A.D. 1884.

SCHEDULES.

FIRST SCHEDULE.

FORMS.

(A.)

RESOLUTIONS OF COUNCIL ON CREATION OF STOCK.

Resolved first—

That under the authority and subject to the provisions of the Chester Improvement Act 1884 the Corporation acting by the Council do hereby in exercise of their several statutory powers create stock to be called Chester Corporation [Redeemable or Irredeemable as the case may be] Stock and to be issued to an amount which shall be sufficient for the following purposes but not exceeding [] pounds (£) :—

A. For raising the following sums (amounting in the aggregate to the sum of [] pounds which has not been raised) that is to say :—

- (1) The sum of [] pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [] Acts for the purchase money for [] and the cost of reconstruction of portions thereof ;
- (2) The sum of [] pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [] Acts for the cost of construction of [] ;
- (3) The sum of [] pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [] Acts for the construction of [] ;
- (4) The sum of [] pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [] Acts for the purposes of [sewering and paving within the city as the case may be].

B. For raising instead of re-borrowing the sum of [] pounds required by the Corporation for the purpose of paying off when due sums amounting to [] pounds which will fall due before the [1st January 188] being a portion of their debts now subsisting on the security of outstanding securities granted by the Corporation for raising money for the purpose of the following Acts (that is to say) :—

and which sums the Corporation are under those Acts authorised to re-borrow

C. For raising the sum of [] pounds for repaying the amount temporarily borrowed by the Corporation from [the Bank of England] in order to enable the Corporation to meet sums which amount to [] pounds being a portion of their debt secured on outstanding securities

[47 & 48 VICT.] *Chester Improvement Act, 1884.* [Ch. ccxxxix.]

granted by the Corporation for raising money for the purposes of the following Acts (that is to say):— A.D. 1884.

and which sums the Corporation are under those Acts authorised to re-borrow.

D. For raising the sum of _____ pounds for paying off or redeeming statutory securities granted by the Corporation and now outstanding (that is to say):—

E. For the purpose of issuing stock in substitution for statutory securities granted by the Corporation and now outstanding (that is to say):—

Resolved secondly—

That such stock shall be issued at the price and shall bear the dividends and be transferable in the manner herein-after specified (that is to say):—

- A. The minimum price of issue to be £ _____ per cent. the first dividend to be payable on the [25th day of March or 25th day of September 188];
- B. Tenders for stock to be made to the [Bank of England or insert some other bank]. A deposit of 5 per cent. on the amount of stock tendered for to be paid at the [Bank of England or insert some other bank] at the time of the delivery of the tender;
- C. The dates for the further payments on account of the said tenders when accepted to be as follows [On Wednesday the 20th day of October 188 so much of the amount tendered and accepted as when added to the deposit will leave £75 (sterling) to be paid for each £100 of stock On Friday the 26th day of November 188 25 per cent. On Tuesday the 11th day of January 188 25 per cent. On Tuesday the 1st day of March 188 25 per cent.] In case of default in the payment of any instalment at its proper date the deposit and instalments previously paid will be liable to forfeiture.
- D. Dividends at _____ per cent. per annum payable [half yearly];
- E. Dividends on the total amount of stock (calculated from the 25th day of 188) to be payable on the 25th day of 188 .
- F. Scrip certificates to bearer with coupons attached for the dividends payable 25th day of 188 and 25th day of 188 to be issued in exchange for the provisional receipts.
- G. In the event of the receipt of tenders for a larger amount of stock than that proposed to be issued at or above the minimum price the tenders at the lowest price accepted to be subject to proportionate diminution.
- H. Stock to be issued in sums of not less than £10.
- J. Stock to be transferable [in books and not by deed].

Resolved thirdly—

That such stock shall be irredeemable [or shall be redeemable as follows]:
[state terms].

[Ch. ccxxxix.] *Chester Improvement Act, 1884.* [47 & 48 VICT.]

A.D. 1884, Resolved fourthly—

That subject to the approval of the Commissioners of Her Majesty's Treasury an agreement be entered into with the Commissioners of Inland Revenue for the payment to the last-mentioned commissioners of composition under the provisions of section 53 of the Inland Revenue Act 1880 for the stamp duty on transfers of stock issued under the foregoing resolutions.

(B.)

STOCK RECEIPT.

CHESTER CORPORATION STOCK (PER CENT.)

	RECEIVED this	day of	188 of	The pro-
				prietors to
				protect them-
Transfer	herein-after called the said transferee			selves from
days :	the sum of			fraud are re-
Monday,				commended to
Tuesday,	being the consideration for			accept by
Wednesday,				themselves or
Thursday,	interest or share in the Chester Corporation			their attor-
Friday,	Stock (per cent.), transferable at the			neys all trans-
Holidays	[Bank of England or as may have been resolved			fers made to
excepted.	upon] and all my property and interest in and			them.
	right to the same and the dividends thereon			
	by	this day		£ s. d.
	transferred unto the said transferee			
	Witness	hand		
	Witness			

[Indorsement.]

NOTICE TO HOLDERS OF CHESTER CORPORATION STOCK
(PER CENT.)

PAYMENT OF DIVIDENDS.

Dividends are due on [the 25th and 25th]
unless the [25th] of either of these months falls on a Sunday in which case the
dividends will be payable on the following day.

Dividends will be paid in one of the following modes :—

I. To the stockholders personally or to their attorneys at

N.B.—Stockholders may arrange for the receipt of their dividends
free of charge at on application to

II. By transmission of dividend warrants by post at the risk of the
stockholder under the following regulations :—

1. Any stockholder residing within the United Kingdom the
Channel Islands or the Isle of Man who desires to have his
dividend warrant sent to his address by post must fill up a
form of application to be obtained at

[47 & 48 VICT.] *Chester Improvement Act, 1884.* [Ch. ccxxxix.]

2. In the case of joint accounts the application must be signed by all the members of the account directing the warrant to be sent to one of them at a given address. A. D. 1884.

3. Post dividend warrants will be crossed & Co. and will only be payable through a banker. They will be drawn to the order of the stockholder and must be indorsed.

Stockholders whose warrants are sent by post should give notice if they are not received on the day on which they ought to be delivered but need not acknowledge those that arrive in due course.

STOCK CERTIFICATES TO BEARER.

Stock certificates to bearer of the denominations of £10 and any multiple of £10 with coupons for the half-yearly dividends attached may be obtained in exchange for inscribed stock.

(C.)

CORPORATION STOCK CERTIFICATE.

City of Chester.

Number

This is to certify that A.B. of [] is the proprietor of [] pounds of Chester Corporation Redeemable [or Irredeemable] stock subject to the Acts of Parliament relating thereto.

Given under the common seal of the mayor aldermen and citizens of the city of Chester this [] day of [] 18 [].

(D.)

TRANSFER IN BOOKS.

CHESTER CORPORATION STOCK (PER CENT.)

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

interest or share in the Chester Corporation Stock (per cent.) transferable at the Bank of England and all my property and interest in and right to the same and the dividends thereon unto

executors administrators or assigns. Witness hand
Witness

do freely and voluntarily accept the above stock transferred to
Witness

£	s.	d.	No.
			Entered by
			Witness to the identity of

[Ch. ccxxxix.] *Chester Improvement Act*, 1884. [47 & 48 VICT.]

A.D. 1884.

(E.)

APPLICATION FOR ISSUE OF POWER OF ATTORNEY.

the day of 188
From A.B. and C.D. [*the registered stockholders in the books*]

£ Chester Corporation Stock (per cent.)

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

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

(F.)

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

Corporate }
Account. }

CHESTER CORPORATION STOCK.

ACCEPTANCE, SALE OF £ AND DIVIDENDS.

We

appoint

or either of them our attorneys and attorney
for us and in our name and on our behalf—

First—to accept all transfers made or to be made to us of any sum of

CHESTER CORPORATION STOCK.

Secondly—to sell and transfer all or any part of the sum of

said stock standing in our name in the books of

[47 & 48 VICT.] *Chester Improvement Act*, 1884. [Ch. ccxxxix.]

Thirdly—to receive and give receipts for all dividends or payments due or to become due on any sum of the said stock from time to time standing in our name in the books of
And also—to do whatever is necessary or proper to be done for the purposes aforesaid or any of them. A.D. 1884.

In witness whereof we have hereunto affixed our corporate seal this _____ day of _____ in the year of our Lord one thousand eight hundred and _____

Sealed with the corporate seal and delivered in the presence of

N.B.—The execution of this letter must be attested by [two witnesses who are] not of the corporate body and who must be present when the corporate seal is affixed.

For further instructions see other side.

[*Indorsement.*]

INSTRUCTIONS FOR EXECUTING THE WITHIN LETTER OF ATTORNEY.

Corporate }
Account. }

The date must be inserted in words and not in figures.

The execution must be attested by [two credible witnesses who are] not of the corporate body and who must add [their addresses and their qualities professions or occupations].

A witness resident in a town must give the No. of the house as well as the name of the street.

If clerks or servants are witnesses they must give the names and addresses of their employers.

When a witness is a female she must state whether she is a spinster wife or widow and if a wife she must give her husband's name address and quality profession or occupation.

A wife is not a valid witness to the execution of this letter of attorney when her husband's name appears in the letter as attorney or transferee.

If any alteration interlineation or erasure be made in this letter of attorney it must be particularly stated in the attestation subscribed to by the witnesses that such alteration interlineation or erasure was made previously to the execution of the letter.

I demand to act by this letter of attorney this _____ day of _____ 18
Witness

[Ch. ccxxxix.] *Chester Improvement Act, 1884.* [47 & 48 VICT.]

A.D. 1884.

(G.)

DEED OF TRANSFER.

City of Chester.

I A.B. of [] in consideration of the sum of [] pounds paid to me by C.D. of [] (herein-after called the said transferee) do hereby transfer to the said transferee the sum of [] pounds Chester Corporation Redeemable [*or Irredeemable*] Stock standing [*or* part of the stock standing] in my name in the books of the mayor aldermen and citizens of the city of Chester to hold unto the said transferee his executors administrators and assigns [*or successors and assigns*] subject to the several conditions on which I hold the same at the time of the execution hereof and I the said transferee do hereby agree to take the said stock subject to the same conditions.

As witness our hands and the [] day of [].

(H.)

DIVIDEND WARRANT.

CHESTER CORPORATION STOCK.

(£ PER CENT.)

To

Pay to bearer the sum of

for one half-year's dividend on the sum of	}	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>						
£								
Corporation Stock (£ per cent.) due								
188 . Less property tax at d.								
per £								

I do hereby acknowledge to have received of [] the above-mentioned sum, in full payment for one half-year's dividend due as above said.

Witness my hand this , 188

Witness,

[47 & 48 VICT.] *Chester Improvement Act, 1884.* [Ch. ccxxxix.]

(I.)

A.D. 1884.

DIVIDEND WARRANT BY POST.

(1.)

CHESTER CORPORATION STOCK (£ PER CENT.)

Request for Transmission of Dividend Warrants by Post.

To

A sum of £
(£ per cent.) is now standing in

Chester Corporation Stock Amount.
name as follows:— "my" or "our."

Names, ad-
dresses, and
descriptions, as
recorded in the
bank books.

As the person entitled to the dividends upon the above-mentioned amount of
stock hereby authorise "I" or "we."
, in the name of to draw "myself" or
upon for the amount of the "our nominee."
half-yearly dividends due and to become due on the said amount of stock,
or on the amount for the time being standing in name: "my" or "our."
And hereby request the said to send through "I" or "we."
the post, at risk and until further notice, the warrants so "my" or "our."
drawn to—

Name

Present address

If the ac-
count is a sole
one, insert here
the name and
address of the
stockholder: if
the account is a
joint one, insert
here the name
and address of
one of the
stockholders as
nominee.

SIGN HERE.

In the case of joint
stockholders, or
of co-executors,
all must sign.

Date 188

[On second half-sheet of same Form.]

This half-sheet is to be retained by the stockholder. Reference to it will
often save unnecessary correspondence.

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

Transmission of Dividend Warrants by Post.

Dividends upon the above-named stock may be transmitted through the
post to the stockholder in sole accounts and to anyone of the stockholders in
joint accounts at their risk upon a form of request being duly filled up and
forwarded to (Forms are
obtainable at .)

[Ch. ccxxxix.] *Chester Improvement Act, 1884.* [47 & 48 VICT.]

A.D. 1884.

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

Persons receiving dividends under letter of attorney cannot have the warrants for such dividends sent to them by post.

A separate form must be used for each separate holding of stock.

When forwarding a form of request care should be taken to state the number of overdue dividends if any.

Dividends are payable on [25th March and 25th September.]

When the [25th] happens on a Sunday the dividends are not payable until the [26th.]

Forms of request may be delivered at the bank at any date either by hand or through the post but when received between the day on which the balance for a dividend is struck and the day on which the dividend is payable the warrants for such next dividend will be forwarded as soon as possible but will not guarantee their being posted on the day before the dividend is payable.

For the dividend payable [25th March] the balance is struck on or about the [25th February].

For the dividend payable [25th September] the balance is struck on or about the [25th August].

Warrants for overdue dividends will be forwarded as promptly as possible, but not necessarily by return of post.

Any change of address of the stockholder in sole accounts or of the nominee in joint accounts should be notified at once to the

When any such notification reaches the less than a fortnight before the next dividend is due there may be a delay of a few days in the delivery of the warrant for such next dividend.

In the absence of any notification to the contrary it will be taken for granted that dividend warrants have duly reached their destinations. When they are not received on the correct day notice should be given to the without delay.

As postal dividend warrants are made payable to order they must be indorsed they are crossed in blank and consequently are only payable on presentation by a banker. (The will not undertake to cross postal dividend warrants with the names of particular bankers.)

Instructions to transmit warrants by post remain in force although the stock may have been added to or a part sold.

Stockholders selling stock by attorney if they wish to continue to receive their dividends through the post should instruct their bankers or brokers to obtain letters of attorney for sale only.

All communications with reference to postal dividend warrants should be addressed to the and the postage should be prepaid.

[47 & 48 VICT.] *Chester Improvement Act, 1884.* [Ch. ccxxxix.]

A.D. 1884.
—

(2.)

POST DIVIDEND WARRANT.

CHESTER CORPORATION STOCK.

(£ PER CENT.)

To the

Pay to me or my order on demand the sum of

being one half-year's dividend at £
per cent. per annum, due on the 25th
day of 188 ,

on the sum of £

{ Chester
Corporation Stock
(£ per Cent.)

Less property tax at per £

--	--	--	--	--	--

Accepted for the

Per pro

[]

Chief Cashier.

The person to whom this warrant is payable must sign his or her name on the back of it.

[Ch. ccxxxix.] *Chester Improvement Act, 1884.* [47 & 48 VICT.]

A.D. 1884.

(K.)

STOCK CERTIFICATE WITH COUPONS TO BEARER.

CHESTER CORPORATION STOCK CERTIFICATE TO BEARER.

DIVIDEND AT £ PER CENT. PER ANNUM.

£50

A00000

This is to Certify that the bearer of this certificate is entitled to fifty pounds Chester Corporation [Redeemable] Stock with dividend thereon at the rate of £ per cent. per annum transferable at the pursuant to the Chester Improvement Act 1884.

Dated , 188 .

For the

Countersigned

[]

A00000

£50.

The coupons attached to this certificate are payable at or at

When the coupons are exhausted this certificate will be exchanged on presentation at for a new certificate with fresh coupons attached.

[COUPONS.]

5 Div. CHESTER CORPORATION STOCK.	5 Div. CHESTER CORPORATION STOCK.	4 Div. CHESTER CORPORATION STOCK.	4 Div. CHESTER CORPORATION STOCK.
Coupon for Shillings and Pence, (Less Income Tax), being Half-Year's Dividend at £ Per Cent. Per Annum.	Coupon for Shillings and Pence, (Less Income Tax), being Half-Year's Dividend at £ Per Cent. Per Annum.	Coupon for Shillings and Pence, (Less Income Tax), being Half-Year's Dividend at £ Per Cent. Per Annum.	Coupon for Shillings and Pence, (Less Income Tax), being Half-Year's Dividend at £ Per Cent. Per Annum.
A00000 Due [25th March, 18] on Certificate for FIFTY POUNDS CHESTER CORPORATION STOCK, Payable at	Due [25th Mar. 18] A00000	A00000 Due [25th September, 18] on Certificate for FIFTY POUNDS CHESTER CORPORATION STOCK, Payable at	Due [25th Sept. 18] A00000
£	£	£	£

FEEs.

	£	s.	d.
On original issue of stock receipt or stock certificate	-	0	2 6
On any new stock certificate	-	0	2 6
On transfer with or without new stock certificate	-	0	5 0
On any issue of stock certificate to bearer in respect of every ten pounds of stock specified therein	-	0	0 6
On re-entry in register of stock specified in stock certificate to bearer	0	5	0

CHESTER CORPORATION STOCK.

A.D. 1884.

FORM OF TOWN CLERK'S CERTIFICATE AS TO BORROWING POWERS.

I _____ town clerk of the city of Chester do hereby certify that the sum secured by the within written stock certificate is within the borrowing powers of the Corporation of Chester as fixed by Act of Parliament.

Witness my hand this _____ day of _____ 18

Town Clerk

SECOND SCHEDULE.

FORM OF GRANT.

In pursuance of the Chester Improvement Act 1884 I (or we) [*describe grantor or grantors according to the facts and in case of a burial ground belonging to a parish add being authorised by faculty in this behalf*] dated the _____ day of _____] hereby grant (or demise) to the mayor aldermen and citizens of the city of Chester the burial ground [*or as the case may be that part of the burial ground*] situate [*describe it*] (or a perpetual easement therein or a right to use and deal with the same for all the purposes of the above-mentioned Act for the term of ninety-nine years from _____ or otherwise according to the intention of the parties mentioning any conditions or exceptions and the considerations if any).

Dated the _____ day of _____ 18

Signed (Grantor's signature).

A.D. 1884.

THIRD SCHEDULE.

CERTIFICATE OF DISEASE &c.
UNDER
THE CHESTER IMPROVEMENT ACT 1884.
SECTION

To the Corporation of the City of Chester

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

Dated the day of 188
(Signed)

Name of person suffering from }
disease - - - }
Situation of the building wherein }
such person is - - }
Name of occupier or other person }
having the charge management }
or control of the building or }
room - - - }
Nature of the disease - -

Note.—This certificate to be forthwith sent to the medical officer of health at the town hall and delivered to a clerk in the town clerk's office or to the hall keeper or transmitted through the post.

FOURTH SCHEDULE.

DESCRIBING LANDS BUILDINGS AND MANUFACTORIES OF WHICH PORTIONS
ONLY MAY BE REQUIRED TO BE TAKEN.

	Parish.	No. on Deposited Plans.
	Saint Peter - - -	1
	Saint John the Baptist -	1 2 8 9 10 12 14 15 16 17 18 19 20 22 23
	Saint Oswald - -	3 8 8A 8B

FIFTH SCHEDULE.

A.D. 1884.

TOLLS FOR MARKETS FAIRS AND SLAUGHTER-HOUSES, &c.

	In covered market not exceeding			In open market not exceeding		
	£	s.	d.	£	s.	d.
HORSES AND CATTLE.						
For every stallion - - - - -	0	5	0	0	2	6
For every horse mare gelding colt filly or foal - - - - -	0	1	0	0	0	6
For every mule or ass - - - - -	0	0	4	0	0	2
For every bull - - - - -	0	1	0	0	0	6
For every cow stirk steer or heifer - - - - -	0	0	6	0	0	4
For every calf - - - - -	0	0	2	0	0	1
For every sheep lamb goat or pig - - - - -	0	0	2	0	0	1
For admission to any horse fair cattle fair or Smith- field either on a fair market or sale day or on occasion of any special exhibition or otherwise as the Corporation may at any time or from time to time determine and with such exemption in favour of exhibitors or others as the Corporation may prescribe for each person the sum of - - - - -	0	0	1	0	0	1
BUTCHERS.						
For every stall or stand per week - - - - -	0	10	0			
For every carcase of beef - - - - -	0	2	6			
For less than a whole carcase of beef per quarter or part of a quarter - - - - -	0	0	9			
For the carcase of every calf or part thereof - - - - -	0	0	6			
For the carcase of every pig or part thereof being 100 lbs. weight or upwards - - - - -	0	0	6			
For the carcase of every pig or part thereof being under 100 lbs. weight - - - - -	0	0	4			
For the carcase of every sheep lamb or goat or part thereof - - - - -	0	0	3			
For every space whether on or above the ground not otherwise charged however occupied or used per superficial foot per day - - - - -	0	0	2	0	0	1
FISH.						
For each stall or stand per week - - - - -	0	3	0			
For each stall stand or bench raised above the ground per superficial foot per day - - - - -	0	0	2	0	0	1
For each large basket - - - - -	0	0	3	0	0	3
For each small basket - - - - -	0	0	2	0	0	2
For each hamper pannier box cask unusually large- sized basket or other package - - - - -	0	0	6	0	0	6
For every space whether on or above the ground not otherwise charged however occupied or used per superficial foot per day - - - - -	0	0	2	0	0	1

[Ch. ccxxxix.] *Chester Improvement Act, 1884.* [47 & 48 VICT.]

A.D. 1884. FRUIT AND VEGETABLES (INCLUDING POTATOES AND EDIBLE ROOTS).

	In covered market not exceeding			In open market not exceeding		
	£	s.	d.	£	s.	d.
For each stall per week - - - - -	0	4	6			
For each stall stand or bench raised above the ground						
per superficial foot per day - - - - -	0	0	2	0	0	1
For each small basket or bag - - - - -	0	0	1	0	0	1
For each medium-sized basket or bag - - - - -	0	0	2	0	0	2
For each large basket - - - - -	0	0	3	0	0	3
For each hamper pannier cask box sack unusually large-sized basket or other package - - - - -	0	0	4	0	0	4
For every space whether on or above the ground not otherwise charged however occupied or used per superficial foot per day - - - - -	0	0	2	0	0	1

BUTTER CHEESE POULTRY EGGS HAM BACON GLASS EARTHENWARE AND GENERAL MERCHANDISE.

For each stall standing or bench raised above the ground per superficial foot per day - - - - -	0	0	3	0	0	1
For each small basket - - - - -	0	0	2	0	0	2
For each large basket - - - - -	0	0	4	0	0	3
For each other basket and each hamper box pannier cask bag or other receptacle or package - - - - -	0	0	6	0	0	6
For each turkey goose or sucking pig - - - - -	0	0	1	0	0	1
Fowls rabbits hares pigeons ducks game and small or other birds not above enumerated per couple - - - - -	0	0	1	0	0	1
For every drove of geese or turkeys not exceeding twenty in number - - - - -	0	0	9	0	0	6
For every additional ten geese or turkeys or any less number - - - - -	0	0	4	0	0	3
For every drove of ducks not exceeding twenty in number - - - - -	0	0	6	0	0	4
For every additional ten ducks or any less number - - - - -	0	0	3	0	0	2
For every space whether on or above the ground not otherwise charged however occupied or used per superficial foot per day - - - - -	0	0	2	0	0	1

UNENUMERATED.

For each stall stand bench or floor space per superficial foot per day - - - - -	0	0	2	0	0	1
For produce goods articles commodities merchandise of any kind exhibitions games or other like thing where no standing or light is provided per superficial foot per day - - - - -				0	0	1

WAGGONS AND CARTS &C.

For every waggon containing fruit or vegetables (including potatoes and other edible roots) when loaded in the body only - - - - -	0	3	0	0	2	0
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	In covered market not exceeding			In open market not exceeding			A.D. 1884.
	£	s.	d.	£	s.	d.	
The like when loaded on the wings or higher than the body - - - - -	0	4	6	0	3	0	
The like with gearing above the body - - - - -	0	6	0	0	4	0	
For every cart containing fruit or vegetables (includ- ing potatoes and other edible roots) when loaded in the body only - - - - -	0	1	6	0	1	0	
The like when loaded on the wings or higher than the body - - - - -	0	2	3	0	1	6	
The like when loaded with gearing above the body - - - - -	0	3	0	0	2	0	
For every barrow truck or hand-cart containing fruit or vegetables (including potatoes and other edible roots) - - - - -	0	0	9	0	0	6	
For every waggon containing privet quick mistletoe holly flowers plants trees or shrubs - - - - -	0	3	9	0	2	6	
For every cart containing privet quick mistletoe holly flowers plants trees or shrubs - - - - -	0	2	3	0	1	6	
For every barrow truck or hand-cart containing privet quick mistletoe holly flowers plants trees or shrubs - - - - -	0	1	6	0	1	0	
For every stand or space occupied upon the floor for privet quick mistletoe holly flowers plants trees or shrubs per superficial foot per day - - - - -	0	0	2	0	0	1	

CORN MARKET.

For each stand or stall not exceeding 6 feet by 2 feet 6 inches per annum - - - - -	3	0	0
For each larger stand or stall in proportion.			
Admission subscription not exceeding per head per annum - - - - -	1	1	0

HAY, &C.

For every waggon load of hay straw clover grass vetches or fodder - - - - -	0	1	0	0	0	8
For every cart load of hay straw clover grass vetches or fodder - - - - -	0	0	6	0	0	4

CHEESE.

For every ton of cheese per day - - - - -	0	5	0	0	5	0
For any less quantity of cheese per cwt. per day - - - - -	0	0	3	0	0	3
For weighing cheese per ton - - - - -	0	1	0	0	1	0

WOOL.

For every pack of wool per day - - - - -	0	2	6	0	2	6
For wool not in packs per cwt. - - - - -	0	2	0	0	2	0

SHOPS.

For shops in a market such rent as may be agreed on.

[Ch. ccxxxix.] *Chester Improvement Act, 1884.* [47 & 48 VICT.]

A.D. 1884.

WEIGHING AND MEASURING IN OR AT A MARKET.

	Not exceeding			
	£	s.	d.	
For every article matter or thing of whatever description weighing not more than 28 lbs. avoirdupois - - - - -	0	0	0	$\frac{1}{2}$
For every article matter or thing of whatever description weighing more than 28 lbs. but not exceeding 112 lbs. avoirdupois - - - - -	0	0	0	1
For every additional 112 lbs. or any portion thereof - - - - -	0	0	0	$\frac{1}{2}$
For measuring any quantity of goods articles matter or thing sold by measure not exceeding one bushel - - - - -	0	0	0	$\frac{1}{2}$
For measuring every quantity more than one bushel and not exceeding two bushels - - - - -	0	0	0	1
And for every bushel or part of a bushel beyond two bushels - - - - -	0	0	0	$\frac{1}{2}$
For every cart waggon or other vehicle weighing with its load not more than one ton - - - - -	0	0	0	6
For every cart waggon or other vehicle weighing with its load more than one ton for each additional ton or fractional part of a ton - - - - -	0	0	0	2

WEIGHING AT MACHINES ELSEWHERE THAN IN OR AT A MARKET.

For every cart waggon or other vehicle weighing with its load not more than one ton - - - - -	0	0	0	6
For every cart waggon or other vehicle weighing with its load more than one ton for each additional ton or fractional part of a ton - - - - -	0	0	0	2

FOR THE USE OF SLAUGHTER-HOUSES.

For every bull ox cow stirk steer heifer or bullock - - - - -	0	2	6	
For every calf - - - - -	0	0	6	
For every sheep lamb or goat - - - - -	0	0	3	
For every hog or pig (except a sucking pig) - - - - -	0	1	0	
For every sucking pig - - - - -	0	0	1	
For every other beast - - - - -	0	1	0	

HIDES AND SKINS.

For the hide of every horse bull cow stirk steer heifer or calf - - - - -	0	0	1	
For the skins of sheep lambs goats or deer - - - - - per score	0	1	0	

N.B.—The above-mentioned tolls rents and charges to be paid and payable in respect of the occupation of any stall bench stand compartment or space as well by the original taker or occupier thereof for a part or portion of the day or space of time as by any subsequent taker or occupier of the same for any other part or portion of the same day or space of time.

Fractions of a day or week or of any specified measurement measure weight or quantity to be charged as for the whole except where otherwise provided.

In any case not herein-before provided for the Corporation may charge and take such tolls and sums as they may from time to time or at any time determine.

SIXTH SCHEDULE.

A.D. 1884.

CHARGE FOR LICENSES FOR SALE OUT OF MARKET.

	For every three months.	£	s.	d.
Where the person shall use only baskets carried by hand -	-	0	3	0
Where the person shall use a barrow or a hand-cart only -	-	0	5	0
Where the person shall use a barrow or cart drawn by a horse mule donkey or such like animal -	-	0	10	0
Where the person shall occupy or use any stall shed stand or place on any premises or on any vacant or unoccupied land adjacent to any street or highway -	-	1	0	0

[Ch. ccxxxix.] *Chester Improvement Act, 1884.* [47 & 48 VICT.]

A.D. 1884.

SEVENTH SCHEDULE.

STATEMENT OF AND RELATING TO THE CORPORATION DEBT AT 25TH MARCH 1884 (EXCLUSIVE OF MONEYS BORROWED UNDER THE CHESTER IMPROVEMENT ACT 1845 SECTION 26).

Date of borrowing.	Purpose for which borrowing sanctioned.	Amount borrowed or sanctioned.	Period prescribed for repayment.	Repaid or provided for repayment.	Outstanding Balances, 25th March, 1884.
PART I.					
	Balance of old debt contracted prior to 5 and 6, William IV., cap. 76 - - -	£ 93 11 8	—	—	£ 93 11 8
1852	Purchase and erection of baths - - -	900 0 0	—	—	900 0 0
1853	Purchase of property for and extension of cattle market - - -	2,446 0 0	—	—	2,446 0 0
1856	Expenditure on the old Exchange - - -	800 0 0	—	—	800 0 0
1863	Purchase of property for and erection of new public market - - -	11,000 0 0	30 years	5,529 17 7	5,470 2 5
		15,239 11 8		5,529 17 7	9,709 14 1
PART II.					
1867	Purchase of property for and erection of new town hall - - -	£22,450 0 0			
1870	Ditto - - -	12,550 0 0			
		35,000 0 0	30 years	17,595 1 9	17,404 18 3
1870	Payment to the county in respect of militia barracks - - -	1,000 0 0	30 years	502 14 4	497 5 8
1871	Purchase of Saracen's Head for new public market - - -	1,800 0 0	30 years	—	1,800 0 0
1875	Purchase of property for free library - - -	1,400 0 0	30 years	224 11 4	1,175 8 8
1877	Purchase of property in Northgate Street - - -	6,000 0 0	30 years	807 6 8	5,192 13 4
1878	Purchase of property in Watergate Street, Brook Street and Lamb Court - - -	5,760 0 0	30 years	632 8 0	5,127 12 0
	Intercepting sewers, outfall works, and drainage, including purchase of property, viz.:—				
1873	- - -	£5,000 0 0			
1874	- - -	17,000 0 0			
1876	- - -	18,000 0 0			
1877	- - -	5,000 0 0			
1879	- - -	5,000 0 0			
		50,000 0 0	30 years	10,906 3 0	39,093 17 0
1883	Purchase of Hop-pole paddock - - -	£1,250 0 0			
1883	Purchase of property adjoining, in Frodsham Street - - -	700 0 0			
1883	Extension of public market - - -	5,840 0 0			
1883	Purchase of Brown Cow public-house - - -	800 0 0			
1883	Purchase of stable and cottage in Goss Street - - -	410 0 0			
		9,000 0 0	30 years	—	9,000 0 0
1884	Purchase of stable in Gorse Stacks for extension of cattle market - - -	100 0 0			
1884	Extension of cattle market and New Smithfield - - -	7,050 0 0			
1884	Purchase of property for extension of cattle market - - -	750 0 0			
1884	Brook Lane sewer - - -	100 0 0			
1884	Queen's Park sewer - - -	500 0 0			
1884	Purchase of store yard, &c., Canal Street - - -	1,700 0 0			
1884	Purchase of chapel, Hamilton Place - - -	800 0 0			
		11,000 0 0	30 years	—	11,000 0 0
		£120,960 0 0		£30,668 5 1	£90,291 14 11

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