



CHAPTER xc.

An Act to empower the mayor aldermen and citizens of the city of Coventry to construct street works and tramways and to purchase the undertaking of the Kenilworth Gas Company to extend the areas of supply for gas and electricity of the Coventry Corporation to confer further powers on the Corporation with regard to the supply of gas and water and to enable them to increase their water charges to make further provision with regard to the health local government and improvement of the city the regulation of commons in and near the city and with regard to the freedom of the city and for other purposes.

A.D. 1927.

[29th July 1927.]

WHEREAS the city of Coventry (hereinafter called "the city") is under the management and local government of the mayor aldermen and citizens of the city (in this Act called "the Corporation"):

And whereas it is expedient to empower the Corporation to construct the street works by this Act authorised:

And whereas the Corporation are the owners of and work the tramways within the city and neighbourhood and it is expedient to authorise the Corporation

A.D. 1927. to construct and work the further tramways by this Act authorised :

And whereas the Corporation supply gas electricity and water in the city and neighbourhood and it is expedient to extend the limits of the Corporation for the supply of gas and electricity as provided by this Act and to make the further provision with regard to the gas electricity and water undertakings of the Corporation contained in this Act :

And whereas the Kenilworth Gas Company (in this Act called "the company") supply gas in the urban district of Kenilworth and in certain other parishes and the limits of supply of the company adjoin the existing limits for the supply of gas of the Corporation :

And whereas the company have agreed with the Corporation for the transfer of their undertaking to the Corporation and it is expedient that the agreement a copy of which is set forth in the Second Schedule to this Act should be confirmed and that provision should be made for carrying it into effect as by this Act provided :

And whereas it is expedient to make further and better provision with regard to the health local government and improvement of the city and to enlarge the powers of the Corporation with regard thereto as provided in this Act :

And whereas it is expedient to provide for the future maintenance and control of the commons in and near the city in the manner provided by this Act :

And whereas for the purpose of removing doubts it is expedient to declare and re-define the qualifications for obtaining the freedom of the city and to make the further provision contained in this Act :

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

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

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned and such estimates are as follows :—

	£
For the purchase of lands - - - -	6,128
For and in connection with the construction of the street works authorised by this Act - - - -	10,127
For and in connection with the construction of the tramways authorised by this Act - - - -	9,017
For the electrical equipment of such tramways - - - -	1,750
For and in connection with the purchase of the undertaking of the Kenilworth Gas Company - - - -	39,000

And whereas the works included in such estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Warwick and are hereinafter respectively referred to as the deposited plans sections and book of reference :

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

PART I.

PRELIMINARY.

1. This Act may be cited as the Coventry Corporation Act 1927. Short title

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Division
of Act into
Parts.

2. This Act is divided into Parts as follows (that is to say):—

- Part I.—Preliminary.
- Part II.—Street works.
- Part III.—Tramways.
- Part IV.—Gas.
- Part V.—Electricity.
- Part VI.—Water.
- Part VII.—Streets and buildings.
- Part VIII.—Infectious disease and sanitary provisions.
- Part IX.—Watercourses.
- Part X.—Police and hackney carriages.
- Part XI.—Commons.
- Part XII.—Freedom of the city.
- Part XIII.—Financial provisions.
- Part XIV.—Miscellaneous provisions.

Incorporation
of Acts.

3. The following Acts and parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act (namely):—

- (1) The Lands Clauses Acts (except as regards Part XI (Commons) of this Act) with the following exception and modification—

(a) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act;

(b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section;

- (2) Section 3 (Interpretation of terms) section 19 (Local authority may lease or take tolls) Part II and Part III of the Tramways Act 1870 Provided that the words in section 19 of that Act “but nothing in this Act contained shall authorise any local authority

“ to place or run carriages upon such tramway
 “ and to demand and take tolls and charges
 “ in respect of the use of such carriages ”
 shall not apply to the Corporation; A.D. 1927.

- (3) The Gasworks Clauses Act 1847 (except the provisions with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their benefit and with respect to the yearly receipt and expenditure of the undertakers) Provided that section 13 of that Act shall be read as if the words “ or any premises ” were inserted after the words “ private building ” and as if the words “ Provided also that every such contract entered into by the undertakers shall be alike in terms and amount under like circumstances and for the same purposes to all consumers ” were added at the end of that section; and
- (4) The Gasworks Clauses Act 1871 (except sections 7 8 and 35 thereof);
- (5) The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 as amended by the Electric Lighting Act 1909 the Electricity (Supply) Act 1919 the Electricity (Supply) Act 1922 and the Electricity (Supply) Act 1926;
- (6) The Waterworks Clauses Act 1847 except—
- (a) the words “ with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner ” in section 44;
- (b) sections 75 to 82 (with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit); and
- (c) section 83 (with respect to the yearly receipt and expenditure of the undertakers);
- (7) The Waterworks Clauses Act 1863.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Interpretation of terms.

A.D. 1927. — Public Health Acts 1875 to 1925 have the same respective meanings unless there be something in the subject or context repugnant to such construction.

(2) In this Act unless the subject or context otherwise requires—

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

“The city” means the city of Coventry;

“The council” means the council of the city;

“The general rate fund” and “the general rate” mean respectively the general rate fund and the general rate of the city or until the date when the first new valuation list made under Part II of the Rating and Valuation Act 1925 comes into force in the city the borough fund and the borough rate of the city;

“The mayor” “the town clerk” “the treasurer” “the surveyor” “the medical officer” and “the sanitary inspector” mean respectively the mayor the town clerk the treasurer the surveyor the medical officer of health and any sanitary inspector of the city and respectively include any person duly authorised to discharge temporarily the duties of those offices;

“The council house” means the council house of the Corporation in the city;

“The company” means the Kenilworth Gas Company;

“Kenilworth gas district” means the urban district of Kenilworth and the parishes of Balsall Berkswell and Stoneleigh except such portions of the parish of Stoneleigh as lie (a) within the gas limits of the Corporation immediately prior to the passing of this Act and (b) to the south of an imaginary line drawn from Cloud Bridge in a north-westerly direction along the centre of the public road to Stoneleigh Bridge thence in a south-westerly direction along the River Sowe to its junction with the River Avon thence along the River Avon to the south-western corner of the enclosure numbered 337 on the $\frac{1}{2500}$ ordnance map

Warwickshire sheet XXVI-11 thence in a north-westerly direction along the south-western boundary of the said enclosure to the boundary of the urban district of Kenilworth all in the county of Warwick;

- “The scheduled agreement” means the agreement set forth in the Second Schedule to this Act;
- “The day of transfer” means the date referred to in clause 2 of the scheduled agreement as the day of transfer;
- “The Lands Clauses Acts” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 and by this Act;
- “The gas limits” means the limits for the time being of the Corporation for the supply of gas;
- “The water limits” means the limits for the time being of the Corporation for the supply of water;
- “Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 is for the time being applicable within the city;
- “Child” means a person under the age of sixteen years;
- “Sunday school” means any school in which children are assembled for instruction on a Sunday or specially for religious instruction whether on a Sunday or not;
- “Food” has the meaning assigned to it by section 26 (Definition of “food”) of the Sale of Food and Drugs Act 1899;
- “Daily penalty” means a penalty for every day on which an offence is continued by a person after conviction;
- “The Act of 1856” “the Act of 1897” “the Act of 1898” “the Act of 1900” “the Act of 1903” “the Act of 1907” “the Act of 1911” “the Act of 1913” “the Act of 1920” “the Act of 1921” and “the Order of 1891” mean respectively the Coventry Gas Act 1856 the Coventry Electric Tramways Act 1897 the Coventry

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Corporation Gas Act 1898 the Coventry Corporation Act 1900 the Coventry Electric Tramways Act 1903 the Coventry Corporation Act 1907 the Coventry Corporation Act 1911 the Coventry Corporation Act 1913 the Coventry Corporation Act 1920 the Coventry Corporation Act 1921 and the Coventry Electric Lighting Order 1891 ;

“ Statutory security ” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 (Definitions) of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation ;

“ Statutory borrowing power ” means any power whether or not coupled with a duty of borrowing or continuing on loan or 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 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.

PART II.

STREET WORKS.

Power to
execute
works.

5. Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands shown on the deposited plans and described in the deposited book of reference

and according to the levels shown on the deposited sections the works in the city described in this section with all proper and necessary junctions connections approaches abutments embankments bridges retaining walls sewers drains works and conveniences in connection therewith (namely) :—

A.D. 1927.

Street Work No. 1 A new street including the improvement of Well Street (south side) from Well Street to a proposed new street to be called "Corporation Street" being Street Work No. 2 authorised by the Act of 1920;

Street Work No. 2 A new street from West Orchard to Corporation Street;

Street Work No. 3 A new street being the continuation of Acacia Avenue into Humber Avenue.

6. In the construction of the works authorised by this Part of this Act the Corporation may deviate to any extent not exceeding the limits of deviation shown on the deposited plans and they may also deviate from the levels shown on the deposited sections to any extent not exceeding three feet upwards or downwards.

Limits of
deviation.

7.—(1) Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the Corporation in connection with and for the purposes of this Part of this Act and as part of the works to be executed under the powers of this Part of this Act may execute or do any of the following works or things (namely) :—

Power to
make
subsidiary
works.

- (a) Make junctions and communications with any existing streets intersected or interfered with by or contiguous to the works authorised by this Part of this Act or any of them and divert widen or alter the line or alter the level of any existing street for the purpose of connecting the same with any of such works or otherwise;
- (b) Execute any works for the protection of any adjoining land or buildings;
- (c) Execute any works and do any things necessary for the strengthening and supporting of any walls of adjoining buildings culverts or bridges; and

A.D. 1927.

(d) Raise lower alter divert stop up or otherwise interfere with any tramway drain sewer channel or gas or water main or pipe or electrical wire or apparatus within the said limits providing a proper substitute before interrupting the traffic on any such tramway or the flow of sewage in any drain or sewer or of any gas or water in any main or pipe or of electrical or telephonic communication in any wire or apparatus;

and shall make compensation for any damage done by them in the execution of the powers of this section.

(2) Provided that the Corporation shall not alter divert stop up or otherwise interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the said Act.

Power to
take lands.

8. Subject to the provisions of this Act the Corporation may enter on take and use for and in connection with the construction of the street works authorised by this Part of this Act or for the purpose of providing space for the erection of buildings adjoining or near to such street works or for other the purposes of the said part such of the lands in the city delineated on the deposited plans and described in the deposited book of reference as they may require.

Period for
compulsory
purchase
of lands.

9. The powers of the Corporation for the compulsory purchase of the lands for the purposes of this Part of this Act shall cease after the thirty-first day of October nineteen hundred and thirty-two.

Application
of provi-
sions of Acts
of 1911 and
1920.

10. The following provisions of the Act of 1911 and of the Act of 1920 shall so far as they are applicable for the purpose extend and apply with the necessary modifications to this Part of this Act :—

The Act of 1911—

Section 10 (Correction of errors &c. in deposited plans and book of reference);

Section 11 (Owners may be required to sell parts only of certain lands and buildings) Provided that in the application of the said section it shall be read and have effect as if the properties described in the First Schedule to

this Act were therein referred to instead of the properties mentioned in the schedule to the Act of 1911; A.D. 1927.

Section 12 (Provisions as to compensation) Provided that in the application of the said section it shall be read and have effect as if the words "the twentieth day of November" "nineteen hundred and twenty-six" were inserted therein instead of the words "the first day of January one thousand nine hundred and eleven";

Section 13 (Costs of arbitration &c. in certain cases);

Section 15 (Persons under disability may grant easements &c.);

Section 17 (Proceeds of sale of surplus lands).

The Act of 1920—

Section 8 (Power to retain sell &c. lands);

Section 15 (Power to alter steps pipes areas &c.);

Section 16 (Temporary stoppage of streets).

11. The Corporation and their surveyors officers and workmen and any person duly authorised in writing under the hand of the town clerk may at all reasonable times upon giving in the first instance twenty-four hours' and subsequently twelve hours' previous notice in writing enter upon and into the lands and buildings by this Act authorised to be taken and used or any of them for the purpose of surveying and valuing the said lands and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings. Power to enter upon property for survey and valuation.

12.—(1) All private rights of way over any lands which the Corporation are authorised by this Part of this Act to acquire compulsorily shall as from the date of the acquisition of such lands by the Corporation be extinguished. Extinction of private rights of way.

(2) Provided that the Corporation shall make full compensation to all persons interested in respect of any

A.D. 1927. — such rights and such compensation shall be settled in manner provided by law with reference to the taking of lands otherwise than by agreement.

Benefits to be set off against compensation.

13. In estimating the amount of compensation or purchase money to be paid by the Corporation in respect of the acquisition under this Act of any part of the lands of any person the enhancement in value of the adjoining lands of such person not so acquired or of any other lands of such person which are continuous with such adjoining lands arising out of the construction of any new street or of the widening or improvement of any existing street or arising through such adjoining lands becoming lands fronting on any such new or existing street shall be fairly estimated and shall be set off against the said compensation or purchase money.

Application of road materials excavated in construction of works.

14. Any paving metalling or material excavated by the Corporation in the construction of any works authorised by this Part or Part III (Tramways) of this Act from any road under their jurisdiction and control shall absolutely vest in and belong to the Corporation and may be dealt with removed and disposed of by them in such manner as they may think fit.

Land laid into streets to form part thereof.

15. All lands acquired by the Corporation under this Act and laid into or appropriated as part of any street shall form part of that street and shall be maintained and repaired in all respects as the rest of that street is for the time being by law maintained and repaired.

PART III.

TRAMWAYS.

Power to make tramways.

16. Subject to the provisions of this Act the Corporation may make form lay down work use and maintain the tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all proper rails plates sleepers channels junctions turntables turnouts crossings passing places posts poles brackets wires triangles waiting-rooms stables carriage houses engine houses stations sheds buildings works and conveniences connected therewith

The tramways hereinbefore referred to and authorised by this Act are— A.D. 1927.

Tramway No. 1 (1 furlong 0·63 chain or thereabouts in length whereof 7·63 chains will be single line and 3 chains double line) entirely situate in the city in Allesley Old Road commencing at a point in that road 16 yards west of the western side of Maudslay Road passing thence in an easterly direction and terminating at a point in Allesley Old Road 9 yards east of the eastern side of Queensland Avenue by a junction with Tramway No. 7 authorised by the Act of 1920 but not yet constructed;

Tramway No. 2 (2 furlongs 7·16 chains or thereabouts in length whereof 2 furlongs 1·16 chains will be single line and 6 chains double line) commencing in the city in Binley Road by a junction with the termination of the existing tramway therein passing thence in an easterly direction along that road and terminating in that road in the parish of Stoke in the rural district of Foleshill in the county of Warwick at a point 43 yards east of the eastern side of Uxbridge Avenue.

17. If when the Corporation construct Tramway No. 2 authorised by this Act any part of such tramway shall be in the administrative county of Warwick the Corporation shall execute all work in connection with the construction of such part of the said tramway subject to the approval of the surveyor of the county council of the said county and shall use such material for the surfacing of the track of such part of the said tramway as the said surveyor may approve.

For protec-
tion of
Warwick-
shire
County
Council.

18. If the tramways by this Act authorised shall not be completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Time for
completion
of tram-
ways.

19.—(1) The tramways and works authorised by the section of this Act whereof the marginal note is "Power to make tramways" shall for all purposes form part of the tramway undertaking of the Corporation

Works to
form part of
tramway
undertaking

A.D. 1927.
—
of Corpora-
tion.

and the provisions of the sections of the Act of 1897 the Act of 1903 and the Act of 1920 hereinafter mentioned and of the enactments incorporated with those Acts and any byelaws and regulations made in pursuance thereof and for the time being in force shall with the necessary modifications extend and apply to all the said tramways and works as if they had been authorised by the Act of 1897 the Act of 1903 and the Act of 1920:

(2) Provided that no post or other apparatus shall be erected on any carriageway in connection with the tramways authorised by this Act without the consent of the Minister of Transport.

(3) The sections hereinbefore referred to are—

The Act of 1897—

- Section 6 (Inspection by Board of Trade);
- Section 33 (Gauge of tramways);
- Section 34 (Tramways to be kept on level of surface of road);
- Section 35 (Further provisions as to construction of tramways);
- Section 36 (As to rails of tramways);
- Section 37 (Penalty for not maintaining rails and roads);
- Section 39 (Power to make additional crossings &c.);
- Section 40 (Application of road materials excavated in construction of works);
- Section 42 (Passengers' luggage);
- Section 43 (Animals and goods);
- Section 44 (Company not bound to carry goods);
- Section 47 (As to fares on Sundays and holidays);
- Section 48 (Periodical revision of rates and charges);
- Section 49 (Provisions as to motive power);
- Section 50 (Power to lay and maintain pipes and make openings in streets);

- Section 51 (Byelaws); A.D. 1927.
- Section 53 (Amendment of the Tramways Act 1870 as to byelaws by local authority) as amended by section 20 of the Act of 1920;
- Section 54 (Orders regulations &c.);
- Section 55 (Special provisions as to use of electric power);
- Section 56 (Power to place posts wires &c.);
- Section 62 (Agreements with other companies for the supply of electrical power).

The Act of 1903—

- Section 8 (Power to make additional cross-overs and to double tramway lines);
- Section 9 (Attachment of brackets to buildings);
- Section 12 (Incorporation application and amendment of section 56 of Act of 1897);
- Section 17 (Cheap fares for labouring classes);
- Section 18 (Apparatus used for mechanical power to be deemed part of tramway);
- Section 26 (Penalty for malicious damage);
- Section 51 (Provision as to general tramway Acts).

The Act of 1920—

- Section 22 (Increase of rates for animals and goods);
- Section 25 (For protection of Postmaster-General) as amended by this Act;
- Section 26 (Use of tramway posts by Postmaster-General);
- Section 44 (Corporation may reduce footpath for constructing tramway);
- Section 45 (Lost property).

A.D. 1927.

For protec-
tion of
Postmaster-
General.

20. Subsection (b) (4) of section 25 of the Act of 1920 shall be read and have effect as if the words "generated or used by or supplied to the Corporation" were inserted in that subsection in substitution for the words "generated by the Corporation."

PART IV.

GAS.

Extension
of gas
limits.

21. From and after the passing of this Act the limits within which the Corporation may supply gas shall extend to and include the parishes of Corley and Fillongley in the rural district of Meriden the parish of Baginton in the rural district of Warwick the urban district of Bulkington the parishes of Anstey Shilton and Willenhall in the rural district of Foleshill and the parishes of Brandon and Bretford Combeields Ryton-on-Dunsmore and Wolston in the rural district of Rugby all in the county of Warwick and the Corporation may for the purposes of such supply exercise within the said urban district and parishes the same powers as they are authorised to exercise under the Acts and Orders relating to their gas undertaking within the limits authorised by the Act of 1856 the Act of 1898 the Act of 1913 and the Act of 1920 and shall be subject to the same obligations as they are subject to in respect of gas supply under the said Acts and Orders.

Confirma-
tion of
scheduled
agreement.

22.—(1) The scheduled agreement is hereby confirmed and made binding upon the parties thereto and effect may and shall be given thereto accordingly subject to such modifications (if any) as may be agreed between the said parties in writing under their respective corporate and common seals.

(2) The sale of the undertaking of the company shall be carried into effect by a deed which may be in the form set forth in the Third Schedule to this Act or to the like effect or in such other form as may be agreed between the company and the Corporation and on the execution of the deed by the company and on payment of the consideration therein mentioned the undertaking of the company shall by virtue of the

deed and of this Act be transferred to and become vested in the Corporation and such transfer and vesting are referred to in this Act as "the transfer."

A.D. 1927.

23. The Corporation shall forthwith after the day of transfer pay and discharge (so far as the same shall not have been previously discharged by the company) the debts (other than any moneys borrowed and owing by the company on mortgage debenture or otherwise on capital account and the interest accrued due thereon up to the day of transfer) outgoings and liabilities properly chargeable and charged against and shall be entitled to all rates rents profits and other receipts receivable in respect of the undertaking of the company and shall indemnify the company from all claims in respect thereof.

Corporation to pay debts and to be entitled to rents and rates up to transfer.

24.—(1) Subject as between the Corporation and the company to the provisions of the scheduled agreement and without prejudice to any remedy over by the Corporation against the company no action suit prosecution or other proceeding whatsoever commenced either by or against the company in relation to any property right privilege debt liability or obligation transferred to the Corporation shall abate or be discontinued or prejudicially affected by reason of the transfer but the same shall continue and take effect either in favour of or against the Corporation in the same manner in all respects as the same would have continued and taken effect in relation to the company if the transfer had not been made and all penalties incurred by reason of any offence against the provisions of any enactments relating to or regulations of the company previously to the day of transfer may be sued for and all offences committed against such provisions previously to the day of transfer may be prosecuted by the Corporation in such or the like manner to all intents and purposes as such penalties might have been sued for or such offences prosecuted if the transfer had not taken place and all rents rates and moneys payable to the company prior to the day of transfer may be sued for and recovered by the Corporation in the same manner in all respects as the same might have been sued for and recovered by the Company if this Act had not been passed.

Actions &c. not to abate and penalties to be recoverable.

A.D. 1927.

(2) This section shall not apply to any proceedings relating to the following debts and liabilities (that is to say):—

- (a) the amount due to the shareholders of the company in respect of their several shares in the company and the dividends accrued due thereon up to the day of transfer; and
- (b) any moneys borrowed and owing by the company on mortgage debenture or otherwise on capital account and the interest accrued due thereon up to the day of transfer.

Contracts
&c. to be
binding on
Corpora-
tion.

25. Except as otherwise provided by this Act and the scheduled agreement all agreements contracts deeds and other instruments entered into or made with or by the company and in force at the day of transfer shall after that day be as binding and of as full force and effect against or in favour of the Corporation and may be continued and enforced as fully and effectually as if instead of the company the Corporation had been a party thereto.

Books &c.
to remain
evidence.

26. All books and documents which if the transfer had not been made would have been evidence in respect of any matter for or against the company shall be admitted in evidence in respect of the same and the like matter for or against the Corporation.

Application
of considera-
tion and
other
moneys
payable to
company
and dissolu-
tion of
company.

27. The sums payable by the Corporation to the company under this Act or under the scheduled agreement shall be applied or distributed in accordance with the scheme to be approved or settled under the provisions in that behalf contained in Part II of the Fourth Schedule to this Act and the provisions contained in Part I of that schedule with respect to the dissolution of the company shall have effect.

Partial
repeal of
company's
Acts &c.

28. Subject to the provisions of this Act and of the scheduled agreement the Kenilworth Gas Act 1917 the Kenilworth Gas (Charges) Order 1922 and any prescription or special prescription of the gas referees and all other Acts orders or regulations affecting the company shall as from the day of transfer be repealed except so far as may be necessary to give effect to the provisions of the last preceding section of this Act

and except the enactments set forth in the Fifth Schedule to this Act and those enactments shall apply and have effect as if the Corporation were referred to therein instead of the company : A.D. 1927.

Provided that notwithstanding such repeal all gas rates meter and other rents and other sums of money which may be due or accruing due to the company at the day of transfer under the provisions of the Acts of the company or any of them or otherwise in respect of the undertaking of the company shall be payable to and may be collected and recovered by the Corporation in their own name or in the name of the company as if this Act had not been passed.

29.—(1) On and after the day of transfer the powers and obligations of the company with respect to the supply of gas shall cease and determine and the existing gas limits of the Corporation shall be extended so as to comprise the Kenilworth gas district and subject to the provisions of this Act the Acts and Orders relating to the Corporation's gas undertaking and the supply of gas by them shall have effect as if the Kenilworth gas district had originally been included therein and the Corporation shall have within that district all such powers and authorities with respect to the supply of gas and in any way incident or relating thereto as they have within the parts of the existing gas limits of the Corporation situate outside the city. Company's limits of supply to be included within Corporation's gas limits.

(2) The rates and charges which the Corporation may demand and take for supplying gas within the Kenilworth gas district shall be the rates and charges mentioned in the section of this Act the marginal note of which is "Limit of price of gas" and the terms and conditions (other than as to price) upon which any such supply shall be given shall be the same as those upon which a company or person in the city is entitled under like circumstances and for the same purposes to a corresponding supply.

(3) All the remedies powers byelaws regulations conditions and provisions relating to the supply of gas the recovery of gas rates and charges the prevention of fouling waste illegal and wrongful use of gas the repair of pipes and other apparatus and any other matters or things in any way connected with the gas

A.D. 1927.

undertaking of the Corporation possessed and enjoyed by the Corporation and in force on the day of transfer within the existing gas limits of the Corporation or which shall or may at any time or from time to time hereafter be applicable thereto shall extend relate and apply in the same manner in all respects to the supply of gas the recovery of gas rates and charges the prevention of fouling waste illegal and wrongful use of gas the repair of pipes and other apparatus and any other matters or things in any way connected with the supply of gas by the Corporation within the Kenilworth gas district.

(4) The provisions of section 65 (For further protection of London and North Western Railway Company) of the Act of 1920 shall be in force and have effect for the protection of the London Midland and Scottish Railway Company in the Kenilworth gas district.

Company's
works to
be part of
Corpora-
tion's gas
under-
taking.

30. The works acquired by the Corporation in pursuance of this Part of this Act and of the scheduled agreement shall for all purposes whatsoever be deemed to be part of the gas undertaking of the Corporation as if they had been authorised by and included or referred to in the Acts and Orders relating to that undertaking.

Date of
commence-
ment of
certain
sections of
Part IV of
this Act.

31. The sections of this Act the marginal notes of which are in this section set forth shall come into operation so far as the same affect the gas limits other than the Kenilworth gas district from and after the final reading of the gas consumers' meters in the quarter ending the thirty-first day of March nineteen hundred and twenty-eight and shall come into operation so far as the same affect the Kenilworth gas district on the day of transfer (namely):—

Limit of price of gas;

Charges for prepayment meters in Kenilworth gas district;

Revision of price of gas;

Measure of therms supplied;

Quality of gas;

Variation of declared calorific value;

Consumers' burners;

Pressure of gas;

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Application of Gas Regulation Act 1920; and

Repeal of certain sections of local Acts relating to gas.

32.—(1) The price to be charged by the Corporation for gas supplied by them within the city and the parish of Foleshill shall not at any time exceed one shilling and twopence per therm and the price to be charged by the Corporation for gas supplied by them within the remaining parts of the gas limits other than in the Kenilworth gas district shall not exceed by more than two decimal four pence per therm the price charged by the Corporation within the city for gas supplied by them under like circumstances and for the same purposes for a corresponding supply within the city. Limit of price of gas.

(2) The price to be charged by the Corporation for gas supplied in the Kenilworth gas district by them to persons who shall burn the same by meter shall not—

(a) Within the urban district of Kenilworth and within a radius of two miles from the north-eastern corner of the lands secondly described in the First Schedule to the Kenilworth Gas Act 1917 (set out in the Fifth Schedule to this Act) (i) for a period not exceeding eight years from the passing of this Act exceed by more than fourpence per therm and (ii) after the expiration of such period exceed by more than two decimal four pence per therm the price for the time being charged within the city under like circumstances and for the same purposes for a corresponding supply Provided that the price within the said urban district and radius shall not at any time exceed sixteen decimal four pence per therm; and

(b) Beyond the said urban district and radius exceed by more than twopence per therm the price for the time being charged by the Corporation within the said urban district and radius under like circumstances and for the same purposes for a corresponding supply.

(3) If at any time within eight years after the passing of this Act gas is supplied from the Foleshill gasworks of the Corporation to the gasholders on the

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land secondly described in the First Schedule to the Kenilworth Gas Act 1917 and set out in the Fifth Schedule to this Act the price to be charged for gas in the area referred to in paragraph (a) of subsection (2) of this section on and from the first day of the quarter commencing immediately after such supply is first afforded shall not exceed by more than two decimal four pence per therm the price for the time being charged within the city under like circumstances and for the same purposes for a corresponding supply.

(4) If the Corporation allow a discount on accounts for gas supplied within the city the same rate of discount shall be allowed in respect of accounts for gas supplied within the Kenilworth gas district.

Charges for
prepay-
ment
meters in
Kenilworth
gas district.

33.—(1) The Corporation may demand in respect of gas supplied in the Kenilworth gas district through a prepayment meter a not greater charge than in respect of gas supplied to private consumers within the Kenilworth gas district through any other kind of meter or by any other method of supply.

(2) The charge in the Kenilworth gas district for the hire of any prepayment meter and fittings to be used therewith shall be a sum of money calculated according to the number of therms supplied and the maximum rate of charge shall be—

For a prepayment meter and fittings (including a cooking stove) three decimal six pence per therm;

For a prepayment meter and fittings (not including a cooking stove) threepence per therm.

(3) The charge in the Kenilworth gas district for the hire of a prepayment meter without fittings shall be at a rate of not exceeding ten per centum per annum on the cost of the meter.

(4) The said charges shall include the providing letting fixing repairing and maintenance of the meter and fittings or of the meter (as the case may be) and the cost of collection and other costs incurred by the Corporation in connection therewith.

(5) For the purposes of this section the expression "prepayment meter" means any meter or appliance by which the quantity of gas supplied is regulated according to the amount of money prepaid therefor.

34. If at any time the Corporation or any local authority or twenty consumers within the gas limits represent to the Board of Trade that the costs and charges of and incidental to the manufacture of gas by the Corporation and the supply by them of gas within the city shall have substantially altered from circumstances beyond the control of or which could not reasonably have been avoided by the Corporation the Board of Trade may after such inquiry as they think fit by order vary the maximum price for the time being in force in the city either by way of increase or decrease and this Act shall have effect on and after such date as may be prescribed in the order as if the maximum price for gas supplied by the Corporation in the city were the price prescribed by the order.

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—
Revision
of price of
gas.

35. The number of therms supplied to any consumer shall be ascertained by multiplying the number of cubic feet of gas registered by the consumer's meter by the number of British thermal units comprised in the declared calorific value and dividing the product by one hundred thousand.

Measure of
therms
supplied.

36. Subject as hereinafter provided the gas supplied by the Corporation when tested in accordance with the provisions of the Gas Regulation Act 1920 shall in the gas limits other than in the Kenilworth gas district be of a calorific value of not less than four hundred and eighty British thermal units and shall in the Kenilworth gas district be of a calorific value of not less than four hundred British thermal units and such values respectively (unless and until altered in accordance with the provisions of the section of this Act of which the marginal note is "Variation of declared calorific value" and thereafter such altered value or values) shall for the purposes of the Gas Regulation Act 1920 be deemed to be and are in this Act referred to as "the declared calorific values" for such respective limits and district. Provided that if the Corporation shall supply any part of the Kenilworth gas district with gas from the Foleshill gasworks of the Corporation the calorific value for the part of the area so supplied shall be the calorific value for the time being declared in respect of gas supplied by the Corporation in the gas limits other than the Kenilworth gas district.

Quality of
gas.

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—
Variation
of declared
calorific
value.

37. If at any time the Corporation intend to alter the declared calorific values or either of them they shall give notice of their intention to supply as from a date to be therein specified and being not less than three months from the date of such notice gas of such calorific value or values for the part or parts of the gas limits mentioned in the notice as may be declared in the notice and the calorific value or values so declared shall as from the date so specified be the declared calorific value or values for such part or parts of the gas limits as the case may be for the purposes of this Act. The notice required by this section shall be published by advertisement in the London Gazette and a copy thereof shall be sent to the Board of Trade and to each of the local authorities whose respective districts are within or partly within the part or parts of the gas limits mentioned in the notice and to every consumer affected thereby.

Consumers'
burners.

38. If and so often as the Corporation shall alter the declared calorific values or either of them of the gas the Corporation shall at their own expense effect such alteration adjustment or replacement of the burners in the appliances of consumers in the part or parts of the gas limits affected as may be necessary to secure that the gas can be burned with safety and efficiency except in the case of any consumer who objects to such alteration adjustment or replacement as aforesaid.

Pressure
of gas.

39.—(1) Subject as in this section provided the minimum permissible pressure at which the gas may be supplied by the Corporation shall be such as in any main or in any pipe laid between the main and the meter having an internal diameter of two inches and upwards to balance a column of water not less than two inches in height.

(2) If the Corporation shall at any time declare in respect of the gas limits or any part thereof a calorific value less than three hundred and fifty British thermal units the minimum permissible pressure at which the gas may be supplied within the part of the gas limits affected by such declaration shall be as follows:—

Where the declared calorific value is below three hundred and fifty British thermal units and not below three hundred British thermal units the minimum permissible pressure shall be two and a half inches; and

Where the declared calorific value is below three hundred British thermal units the minimum permissible pressure shall be such pressure (not being less than three inches) as shall be prescribed by the gas referees appointed under section 4 of the Gas Regulation Act 1920. A.D. 1927.

40. Until the gas referees prescribe a testing place under the powers of the Gas Regulation Act 1920 the existing testing place of the Corporation at their present works on the lands described in the schedule to the Act of 1898 shall be the prescribed testing place for the gas limits other than the Kenilworth gas district and the existing testing place at the gasworks in Dalehouse Lane in the urban district of Kenilworth shall be the prescribed testing place for the Kenilworth gas district. Testing place.

41. The following sections or parts of sections of the Gas Regulation Act 1920 shall apply to the Corporation and the gas undertaking as if the provisions of this Act with respect to price quality and pressure of the gas supplied by the Corporation were an order made under section 1 of that Act in relation to the Corporation in respect of the gas undertaking (namely):— Application of Gas Regulation Act 1920.

Subsection (7) of section 1 (Power to substitute new basis of charges);

Subsection (1) of section 2 (Composition and pressure of gas to be supplied);

Section 4 (Appointment of gas referees and examiners);

Section 5 (Power to prescribe tests);

Section 6 (Appeals to chief gas examiner);

Subsections (3) and (4) of section 7 (Remuneration and expenses of gas referees);

Section 8 (Penalties for failure to comply with prescription of gas referees);

Section 9 (Forfeiture for deficient calorific value &c.);

Section 18 (Definitions); and

Section 20 (Expenses of local authorities).

42. Nothing in this Part of this Act shall prejudice or affect the powers of the Corporation under the provisions of the Act of 1920 relating to power gas. As to power gas.

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—
Repeal of
certain
sections of
local Acts
relating to
gas.

43. The following sections or parts of sections of the following Acts and Order are hereby repealed:—

The Act of 1856—

Section XLVIII (Consumers may be required to consume gas by meter);

Section L (Limit of price for supply of gas);

Section LI (Quality of gas);

Section LIII (Experimental meter to be kept);

Section LIV (Provision as to testing of gas).

Coventry Corporation (Gas Purchase) Act 1884—

Section 38 (Price of gas);

Section 41 (Testing place);

Section 42 (Pressure of gas).

The Act of 1898—

Section 15 (Testing place).

The Coventry Order 1909—

Article III (Photometer).

The Act of 1920—

Section 49 (Standard calorific power);

Section 50 (Pressure).

Purchase of
lands by
agreement.

44.—(1) In addition to the lands referred to in section XL (Company empowered to construct gasworks &c.) of the Act of 1856 in the schedule to the Act of 1898 and in the Second Schedule to the Act of 1920 the Corporation under the powers of this Act may for the purposes of their gas undertaking purchase take on lease and hold (by agreement but not otherwise) any lands and hereditaments not exceeding in the whole twenty acres which the Corporation may require for the purposes of their gas works and undertaking but the Corporation shall not create or permit a nuisance on any such lands and no lands shall be used by the Corporation for the purpose of manufacturing gas or residual products except the lands referred to in the said section and schedules.

(2) Section XXXIX (Limitation of power to purchase lands) of the Act of 1856 section 9 (Power to purchase lands by agreement Gas not to be manufactured except on lands scheduled) of the Act of 1898 are hereby

repealed Section 9 (Power to take lands by agreement) of the Act of 1920 shall be amended by the omission of the following words “(c) The purposes of Part V (Gas) of this Act.”

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45.—(1) Every consumer of gas supplied by the Corporation who uses air at high pressure for or in connection with the consumption of such gas (in this section referred to as “high-pressure air”) shall if required to do so by the Corporation provide and fix in a suitable position and use an efficient valve or other appliance for preventing the admission of such air into the service pipe or any main through which such gas is supplied and shall at all times at his own expense keep in proper order and repair any such valve or other appliance as aforesaid which shall have been provided and fixed whether upon such requirement or otherwise.

Provision of
valve where
high-
pressure air
is used.

(2) It shall not be lawful for any person at any time after the passing of this Act to commence to use high-pressure air unless and until he shall have given to the Corporation not less than fourteen days' previous notice in writing of his intention to do so.

(3) Every person who at the date of the receipt by him of any such demand note as is referred to in paragraph (a) of subsection (5) of this section is using high-pressure air shall within one month after that date give to the Corporation notice in writing of such use and if within one month after the giving of such notice the Corporation require the consumer giving the same to provide and fix such a valve or other appliance as aforesaid it shall not be lawful for him after the expiration of fourteen days from the receipt of the requirement to continue to use high-pressure air unless before such expiration he shall have complied with the requirement.

(4) If any consumer shall fail to comply with any requirement of the Corporation or any obligation under this section the Corporation may cease to supply gas to him and shall not be under any obligation to resume such supply until the default shall have been remedied to their satisfaction.

(5) The Corporation shall give notice of the effect of the foregoing provisions of this section—

(a) (in the case of all persons who at the date of the passing of this Act are consumers of gas supplied

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by the Corporation) on the demand notes for gas charges payable to the Corporation issued next after the thirtieth day of September nineteen hundred and twenty-seven; and

(b) (in the case of any person becoming after the passing of this Act a consumer of gas supplied by the Corporation) on the first of such demand notes delivered to such person after he shall have become a consumer.

(6) The Corporation shall have access at all reasonable times to all premises supplied by them with gas in or upon which high-pressure air is used or the Corporation have reason to believe that high-pressure air is or may at the time be used in order to ascertain whether any such valve or appliance as aforesaid is efficient or is in proper order and repair or whether such a valve or appliance is provided and fixed where necessary.

(7) The Corporation shall be at liberty to take off remove test inspect and replace any such valve or other appliance as aforesaid such taking off removing testing inspecting and replacing to be done at the expense of the Corporation if the valve or other appliance be found in proper order but otherwise at the expense of the consumer.

As to mode
of cutting
off supplies.

46.—(1) In any case in which the Corporation are by virtue of any enactment relating to their gas undertaking authorised to cut off and discontinue the supply of gas to any premises in consequence of any default on the part of the occupier of the premises it shall be lawful for the Corporation without prejudice to any other remedy which may be lawfully available to them to disconnect at the meter the service pipe (whether belonging to the consumer or to the Corporation) and any person who shall re-connect such service pipe with the meter without the consent of the Corporation shall be deemed to commit an offence within the meaning of section 18 (Penalty for fraudulently using the gas of the undertakers) of the Gasworks Clauses Act 1847 :

Provided that if and so soon as the matter complained of shall have been remedied nothing in this section shall prejudice or interfere with any rights vested in any person by virtue of section 11 (Undertakers to furnish sufficient supply of gas to owners and occupiers within the limits of the special Act) of the Gasworks Clauses Act 1871.

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(2) For the purposes of this section the Corporation subject to the provisions of section 22 (Power to remove meter and fittings) of the Gasworks Clauses Act 1871 shall have and may exercise the like powers of entry as are exercisable under that section.

47. The power to enter premises and to remove pipes meters fittings or apparatus conferred on the Corporation by section 22 (Power to remove meter and fittings) of the Gasworks Clauses Act 1871 shall extend to all cases in which any person entering into occupation of any premises previously supplied with gas by the Corporation shall not require to take a supply of gas from the Corporation or to hire from the Corporation all or any of the pipes meters fittings or apparatus belonging to the Corporation.

Power to enter premises and remove fittings.

48. The register of the meter for measuring gas passing through a prepayment meter shall be *primâ facie* evidence of the quantity of gas consumed and in respect of which any gas rent is charged and sought to be recovered by the Corporation. Provided that if the Corporation and the consumer differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties any costs of the proceedings before them shall be paid and the decision of the court shall be final and binding on all parties.

Register of prepayment meter to be *primâ facie* evidence.

49.—(1) Any urban or rural district council within the gas limits may give and enter into a guarantee or contract for securing payment to the Corporation of such periodical or other sum or sums of money at such time or times in such manner and subject to such stipulations as may be agreed by and between such council and the Corporation for the purpose of or with respect to the providing or laying down by the Corporation of any pipes or works for the supply of gas within any part of the district of such council which is within the gas limits.

Guarantees by local authorities in gas limits.

(2) The giving of such guarantee and the performance of any contract in relation thereto shall be deemed to be a purpose for which under the provisions of any general Act relating to the powers of such council they may incur expenditure and any such council may raise any money

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which may become payable to the Corporation under this section in like manner as money may be raised under the provisions of any such general Act.

Dwelling-
houses for
employees
and other
buildings.

50. The Corporation may purchase or take on lease and maintain houses and buildings for persons in their employment in connection with their gas undertaking and offices showrooms and other buildings for the purposes of that undertaking and may exhibit specimen installations and give demonstrations of the uses to which gas can be put and may appoint and pay persons for the purposes aforesaid and the Corporation may also erect maintain and let any such buildings upon any land for the time being belonging or leased to the Corporation for those purposes.

PART V.

ELECTRICITY.

Extension
of area of
supply of
electricity.

51.—(1) There shall be added to the area of supply for the purposes of the Order of 1891 as extended by the Coventry (Extension) Order 1899 the Act of 1907 and the Act of 1913 the parishes of Binley Keresley Stoke Heath Walsgrave-on-Sowe Willenhall and Wyken in the rural district of Foleshill the parishes of Allesley Berkswell and Coundon in the rural district of Meriden the parish of Baginton and so much of the parish of Stoneleigh as is not already within the said area of supply or the area of supply for the purposes of the Southam and District Electricity Special Order 1925 in the rural district of Warwick all in the county of Warwick and the provisions relating to the supply of electricity of the said Orders and Acts and of the Act of 1900 and the Act of 1920 shall extend and apply to the said area of supply as so extended.

(2) Nothing in this section shall be deemed to extend and make applicable to the said area of supply as extended by this Act the provisions of section 43 (For protection of certain boroughs and urban district councils) and section 52 (Limitation of powers over certain boroughs and urban districts) of the Leicestershire and Warwickshire Electric Power Act 1902 or affect the provisions of section 5 (Transfer of undertakings of local authorities and others to company) of the Leicestershire and Warwickshire Electric Power Act 1904.

52. If at the expiration of three years from the passing of this Act or within such extended period as the Minister of Transport by order under the hand of an assistant secretary may allow suitable and sufficient distributing mains shall not have been laid down in any parish or part of a parish mentioned in the section of this Act whereof the marginal note is "Extension of area of supply of electricity" the Minister of Transport may by order as aforesaid prescribe that the powers by this Part of this Act conferred upon the Corporation in respect of such parish or part of a parish shall cease as from the date of the said order.

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Power to
Minister of
Transport
to revoke
powers
where no
mains are
laid.

53. The Corporation under the powers of this Act may by agreement purchase take on lease acquire and hold for the purposes of their electricity undertaking any lands not exceeding five acres :

Power to
purchase
additional
lands by
agreement.

Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any such lands.

PART VI.

WATER.

54. The period limited by the Act of 1907 as extended by the Act of 1913 and the Act of 1920 for making completing and maintaining the service tank in the city adjoining the southern of the two existing service reservoirs of the Corporation at Coundon authorised by the Act of 1907 is hereby further extended and such powers may be exercised by the Corporation at any time during seven years from the passing of this Act and section 9 (Period for completion of works) of the Act of 1907 shall be read and have effect accordingly. On the expiration of the said period the powers for making and completing the said service tank shall cease except as to so much thereof as shall be then completed.

Extension
of time for
construction
of works
authorised
by Act of
1907.

55.—(1) The Minister of Health on the application of the Corporation may fix by order the maximum rates and charges to be made by the Corporation within the city and the rural district of Coventry on and after the first day of April nineteen hundred and twenty-nine or the first day of April in any subsequent year for the following purposes (namely) a supply of water for

Power of
Minister of
Health to
fix rates &c.
for a supply
of water.

A.D. 1927. — domestic purposes the additional charges in respect of every watercloset beyond the first and every fixed bath capable of containing not more than fifty gallons and for the supply of water by meter.

(2) The Corporation shall as soon as practicable after an order is made in pursuance of subsection (1) of this section cause the order to be published in two successive weeks in one or more local newspapers circulating in the water limits.

(3) (a) On and after the first day of April nineteen hundred and twenty-nine the rates and charges for water within the North Warwickshire district as defined by the Act of 1921 and in the parish of Stivichall in the rural district of Warwick and the parish of Willenhall in the rural district of Foleshill shall be increased by such an amount as the Corporation think fit and as shall not exceed by more than ten per centum the rates and charges upon which the Corporation for the time being and from time to time supply water within the city and the rural district of Coventry and as from the said date subsection (3) of section 11 of the Act of 1921 shall be repealed.

(b) The terms and conditions other than as to price upon which any such supply shall be given shall be the same as those upon which a company or person in the city is entitled under similar circumstances to a corresponding supply.

(4) On and after the date on which any order made in pursuance of subsection (1) of this section comes into operation section 28 (Rates for supply of water for domestic purposes) and section 34 (Price of supply by measure) of the Act of 1907 and the Coventry Water (Modification of Charges) Order 1923 shall be repealed.

(5) The said Minister may at any time after the expiration of three years after the date on which any order made in pursuance of subsection (1) of this section comes into operation on the application of the Corporation or of the local authorities within the water limits review and if necessary revise by way either of increase or decrease the maximum rates for the supply of water authorised by any such order so that such revised rates and charges shall be sufficient so far as can be estimated to enable the water undertaking to be carried on without

loss Provided that at any time after the expiration of three years from such review or any review under this proviso of the said rates and charges the said Minister may on the like application similarly review and if necessary revise the said rates and charges for the time being in force.

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56.—(1) The rents rates and charges payable to the Corporation for the supply of water shall be paid in advance by half-yearly payments due on the following days in the year namely the first day of April and the first day of October and the first payment in the case of any new supply of water shall be made at the time when the pipe by which the water is supplied is made to communicate with the pipes of the Corporation and shall be such part only of the half-yearly amount as the number of days from the date the supply of water is afforded to the next succeeding half-yearly date of payment bears to the total number of days in the half-year.

Water rates
payable
half-yearly
in advance.

(2) This section shall come into operation on the first day of April nineteen hundred and twenty-nine and demand notes issued in respect of the half-year commencing the twenty-ninth day of September nineteen hundred and twenty-eight shall be in respect of the period from the twenty-ninth day of September nineteen hundred and twenty-eight to the thirty-first day of March nineteen hundred and twenty-nine.

(3) As from the thirty-first day of March nineteen hundred and twenty-nine section 17 (Water rates payable half-yearly in advance) of the Coventry Water Act 1889 shall be repealed.

57.—(1) On and after the first day of April nineteen hundred and twenty-nine any water rent rate or charge payable to the Corporation may be collected together with the general rate and the same books may be used for the said rent rate and charge and the general rate.

Water rents
may be
collected
with general
rate.

(2) The Corporation may from time to time if they think fit make an allowance by way of discount not exceeding five per centum on the amount due in respect of any water rent rate or charge or any instalment thereof from every person who pays the same within such time after demand of the rate or any instalment thereof as the case may be as the Corporation may prescribe.

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(3) Provided that the same rate of discount shall be allowed in similar circumstances to every person from whom such water rent rate or charge or any instalment thereof shall be demanded.

(4) Notice of this enactment shall be endorsed on every demand note where a water rent rate or charge is collected with the general rate and an allowance by way of discount is made under subsection (2) of this section.

Application
of section 11
of Rating
and Valua-
tion Act
1925 to
collection of
water rents
&c.

58. On and after the first day of April nineteen hundred and twenty-nine the Corporation may if they think fit apply the provisions of section 11 (Rating of and collection of rates by owners) of the Rating and Valuation Act 1925 with the necessary modifications to the collection of any water rent rate or charge payable to the Corporation.

Guarantees
by district
councils.

59.—(1) Any urban or rural district council in respect of the part of their district within the water limits may give and enter into any guarantee or contract for securing payment to the Corporation of such periodical or other sum or sums of money at such time or times in such manner and subject to such stipulations as may be agreed by and between such council and the Corporation for the purpose of or with respect to the providing or laying down by the Corporation of any pipe or works for the supply of water within any part of such district which is within the water limits.

(2) The giving of such guarantee and the performance of any contract in relation thereto shall be deemed to be a purpose for which under the provisions of any general Act relating to the powers of such council they may incur expenditure and any such council may raise any money which may become payable to the Corporation under this section in like manner as money may be raised under the provisions of any such general Act.

PART VII.

STREETS AND BUILDINGS.

As to urgent
repairs of
private
streets.

60. Where in the opinion of the Corporation repairs the cost of which will not exceed five pounds are required in the case of any street not being a

highway repairable by the inhabitants at large to obviate or remove danger to any passenger or vehicle in the street the Corporation may execute such repairs as they deem necessary and may themselves pay such cost and the execution of such repairs and the payment of such cost shall not prejudice or affect the operation in regard to such street at any subsequent date of the Private Street Works Act 1892 or of section 19 (As to urgent repairs of private streets) of the Public Health Acts Amendment Act 1907. A.D. 1927.

61.—(1) If the Corporation shall by resolution determine that any banner streamer sign or lettering suspended across or hung over any street for the purposes of advertisement or announcement is a nuisance or objectionable by reason of its size construction or situation or an injury to the amenities of the street across or over which such banner streamer sign or lettering is suspended or hung they may by notice in writing require the owner of or person responsible for the suspension or hanging of such banner streamer sign or lettering to remove the same within such period not being less than seven days as may be specified in the notice. Banners and signs over streets.

(2) Any person neglecting or refusing to comply with the requirement of any such notice and any person who shall have removed any such banner streamer sign or lettering as is referred to in any such notice (whether the removal be effected before or after the receipt of the notice) and shall after such removal suspend or hang the same or any similar banner streamer sign or lettering without the permission in writing of the Corporation or without complying with any conditions attaching to any such permission shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding ten shillings.

(3) For a period of two years from the passing of this Act the foregoing provisions of this section shall not apply to any such banner streamer sign or lettering as is referred to in subsection (1) hereof which was in use on the twentieth day of November nineteen hundred and twenty-six.

(4) Any person aggrieved by any requirement of any notice of the Corporation or the withholding of

A.D. 1927. — permission by the Corporation or the conditions attached to any such permission under the provisions of this section may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs. Notice of the right to appeal shall be endorsed on every notice of the Corporation under this section.

As to
repair of
hoardings.

62. The Corporation may by notice in writing require the owner of any hoarding to maintain the same in good order and condition and if any paper or other material affixed thereto for advertising purposes becomes detached forthwith to remove and clear away such paper or other material and if any owner shall neglect or refuse to comply with any such notice the Corporation may carry out the requirements thereof and recover from the owner any expense incurred by them in so doing.

Direction
signs.

63.—(1) The Corporation may cause to be put up or painted on a conspicuous part of any house building or place at or near to the corner of any street signs indicating the direction or the distance to towns railway stations public buildings and other places of a public character.

(2) Before putting up or painting a sign on a house building or place the Corporation shall give notice thereof to the owner of such house building or place and such owner if aggrieved by such notice may appeal to a court of summary jurisdiction within one month after the service of such notice provided he give written notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs. Notice of the right to appeal shall be endorsed on every notice given by the Corporation under this section.

(3) Any person who shall wilfully and without the consent of the Corporation obliterate deface obscure remove or alter any such sign shall be liable to a penalty not exceeding forty shillings and the Corporation

may recover the expenses of replacement and making good from such person. A.D. 1927.

64.—(1) If the Corporation shall by resolution determine that any stall structure or other erection on any forecourt within the city is by reason of its character injurious to the amenities of the street in which such forecourt is situate they may by notice in writing require the owner of or person responsible for such stall structure or other erection within such period not being less than seven days as may be specified in the notice to make such alterations to such stall structure or other erection as may be necessary to prevent the same from being injurious to the amenities of such street. Provisions
as to fore-
courts.

(2) Any person neglecting or refusing to comply with the requirement of any such notice shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(3) Any person aggrieved by any requirement of any notice of the Corporation under the provisions of this section may appeal to a court of summary jurisdiction within seven days after the service upon him of such notice by the Corporation provided he give twenty-four hours' written notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs. Notice of the right to appeal shall be endorsed upon every such notice served by the Corporation.

65.—(1) Where an unoccupied building is ruinous or so far dilapidated as thereby to have become and to be unfit for use or occupation or is from neglect or otherwise in a structural condition prejudicial to the property in or the inhabitants of the neighbourhood a court of summary jurisdiction on complaint by the Corporation may order the owner at his option to take down repair or re-build such building (in this section referred to as a "neglected structure") or any part thereof or otherwise to put the same or any part thereof into a state of repair and good condition to the satisfaction of the Corporation within a reasonable Dilapidated
and
neglected
buildings.

A.D. 1927. time to be fixed by the order and may also make an order for the costs incurred up to the time of the hearing.

(2) If the order is not obeyed the Corporation may with all convenient speed enter upon the neglected structure and execute the order.

(3) Where the order directs the taking down of a neglected structure or any part thereof the Corporation in executing the order may remove the materials to a convenient place and (unless the expenses of the Corporation under this section in relation to such structure are paid to them within fourteen days after such removal) sell the same if and as they in their discretion think fit.

(4) All expenses incurred by the Corporation under this section in relation to a neglected structure may be deducted by the Corporation out of the proceeds of the sale and the surplus (if any) shall be paid by the Corporation on demand to the owner of the structure and if such neglected structure or some part thereof is not taken down or if such materials are not sold by the Corporation or if the proceeds of the sale are insufficient to defray the said expenses the Corporation may recover such expenses or such insufficiency from the owner of the structure together with all costs in respect thereof but without prejudice to his right to recover the same from any lessee or other person liable to the expenses of repairs.

Means of
ingress and
egress from
large shops
and depart-
mental
stores.

66.—(1) The provisions of section 36 of the Public Health Acts Amendment Act 1890 shall extend and apply to shops and departmental stores where more than twenty-five persons are employed and to any club registered under the provisions of section 91 (Obligation to register clubs) of the Licensing (Consolidation) Act 1910 in the city whether existing before or after the passing of this Act. Provided that in the application of the provisions of the said section 36 to any club the said section shall be read and have effect as if the words "for the use of the public" were omitted from subsection (1) thereof.

(2) Any person aggrieved by a requirement of the Corporation under the said section 36 in its application to shops departmental stores or clubs in

pursuance of the powers of this section may within fourteen days after the date on which the Corporation give notice of their requirement to such person appeal to a petty sessional court and such court may make such order in the premises and on such terms and conditions as to the court may seem fit and may award costs. Provided that such person shall give twenty-four hours' written notice of such appeal and of the grounds thereof to the town clerk.

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(3) Notice of the right to appeal shall be endorsed on every notice of the Corporation under this section.

(4) For the purposes of this section section 7 of the Public Health Acts Amendment Act 1890 shall not apply.

67.—(1) (a) No tent van shed or similar structure used or intended to be used for human habitation shall be placed or kept on any land situate within the city without the previous approval of the Corporation.

Prohibition
of tents
vans &c.

(b) It shall not be lawful for any person without the previous consent of the Corporation to let or permit to be used any land for occupation by any tent van shed or similar structure used or intended to be used for human habitation unless and until such land is provided with sufficient roads and sewers and furnished with a separate supply of water to the satisfaction of the Corporation.

(2) Any person aggrieved by the withholding by the Corporation of any approval or consent under the provisions of this section may within twenty-one days from the date of the decision of the Corporation appeal to a court of summary jurisdiction and such court may make such order in the premises and on such terms and conditions as to the court may seem just. The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

(3) This section shall not apply to (a) a tent van shed or similar structure which is not used or intended to be used by the occupier as a sole or principal means of habitation for an unbroken period of at least three months or (b) any person dwelling in a tent or van

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or other similar structure who is a roundabout proprietor travelling showman or stall-holder not being a pedlar or hawker.

(4) Any person offending against the provisions of this section shall be liable to a penalty of five pounds and to a daily penalty not exceeding twenty shillings.

Provisions
as to tents
vans &c.

68. Any tent van shed or similar structure standing upon land abutting upon a street shall for the purpose of the application of section 3 of the Public Health (Buildings in Streets) Act 1888 to the city be deemed to be a house or building within the meaning of those words where they first occur in the said section.

For protec-
tion of
railway
companies
under Part
VII. of this
Act.

69. Nothing in the sections of this Act of which the marginal notes are:—

“As to urgent repairs of private streets”;

“Dilapidated and neglected buildings”;

shall extend or apply to any building (not being a dwelling-house) railway or work constructed by or belonging to or which may hereafter be constructed by or belong to any railway company in the exercise of their statutory powers or to any lands held or acquired or which may hereafter be held or acquired by any such company and used for the purposes (other than for a dwelling-house) of their undertaking with the authority of Parliament.

PART VIII.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

Definition
for purposes
of Part
VIII. of
this Act.

70. For the purposes of the sections of this Act of which the marginal notes are “Parents to notify infectious disease” “Power to close Sunday schools and exclude children from entertainments” and “Restriction on attendance of children at Sunday schools and places of assembly when infectious disease prevails” respectively the expression “infectious disease” includes in addition to the diseases referred to in the section of this Act of which the marginal note is “Interpretation of terms” measles german measles whooping cough chicken-pox scabies ringworm and influenza.

71.—(1) Any person being a parent or having the care or charge of a child attending at a school in the city who is aware of or has reason to suspect the occurrence of any infectious disease in any person residing with such parent or other person and who fails forthwith to notify such occurrence to the head teacher principal or superintendent of the school shall be liable to a penalty not exceeding twenty shillings.

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Parents
to notify
infectious
disease.

In any proceeding under this subsection a certificate purporting to be under the hand of the head teacher principal or superintendent of the school at which the child named in the certificate is in attendance stating that he has or has not received any notification as required under this section shall be evidence of the facts stated in such certificate unless the defendant shall require that the person by whom the certificate has been signed shall be called as a witness.

(2) For the purposes of this section the expression "school" shall include a Sunday school.

72.—(1) If the Corporation or any committee of the council acting on the advice of the medical officer with the view of preventing the spread of infectious disease require the closing of any Sunday school or any department thereof or the exclusion of certain children therefrom for a specified time or the exclusion of children from places of public entertainment or assembly for a specified time such requirement shall be at once complied with.

Power to
close
Sunday
schools and
exclude
children
from enter-
tainments.

(2) Any person responsible for the conduct or management of any Sunday school or any department thereof or place of public entertainment or assembly wilfully failing to comply with any such requirement shall for every such failure be liable to a penalty not exceeding five pounds.

73.—(1) No person of or exceeding the age of sixteen years who has the custody charge or care of a child who is or has been attending any school or any part thereof which for the time being is closed by order of the Corporation or of the education committee of the council with the view of preventing the spread of infectious disease or of a child who is suffering from an infectious disease or who with the view of preventing the spread of infectious disease has been prohibited from attending

Restriction
on attend-
ance of
children
at Sunday
schools and
places of
assembly
when
infectious

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—
disease
prevails.

school by the medical officer or school medical officer shall permit such child to attend any Sunday school or place of public entertainment or assembly in the city without having procured from the medical officer or school medical officer a certificate (which if granted shall be granted free of charge upon application) that in his opinion such child may attend such Sunday school or place of public entertainment or assembly without undue risk of communicating disease to others.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding forty shillings.

As to filthy
premises.

74.—(1) If the owner of any dwelling-house or premises occupied therewith represents to the Corporation that the occupier of such dwelling-house or premises habitually maintains the same in a filthy condition any officer of the Corporation duly authorised in that behalf may enter upon such dwelling-house or premises and inspect the same and if the Corporation or a committee of the council are satisfied of the truth of the representation of such owner the occupier shall be liable on the information of the medical officer to a court of summary jurisdiction to be ordered to quit the dwelling-house or premises within such time as may be specified in the order and any such order may be enforced in the manner provided by section 34 (Summary orders) of the Summary Jurisdiction Act 1879.

(2) Any expenses incurred by the Corporation under this section and not paid by the occupier shall be recoverable from the owner of the dwelling-house or premises.

Disinfection
in case of
tuber-
culosis.

75.—(1) (a) Where the medical officer certifies that the cleansing and disinfecting of any building (including in that term any tent van shed or similar structure used for human habitation) would tend to prevent or check tuberculosis the town clerk shall give notice in writing to the owner or occupier of such building that the same or any part thereof will be cleansed and disinfected by and at the cost of the Corporation unless the owner or occupier of such building informs the Corporation within twenty-four hours from the receipt of the notice that he will cleanse and disinfect the building or the part thereof to the satisfaction of the medical officer within a time to be fixed in the notice.

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(b) If within twenty-four hours from the receipt of such notice the owner or occupier of such building has not informed the Corporation as aforesaid or if having so informed the Corporation as aforesaid he fails to have the building or the part thereof cleansed and disinfected as aforesaid within the time fixed by the notice the building or the part thereof shall be cleansed and disinfected by the officers and at the cost of the Corporation under the superintendence of the medical officer. Provided that any such building or part thereof may without any such notice being given as aforesaid but with the consent of the owner or occupier be cleansed and disinfected by the officers and at the cost of the Corporation under the superintendence of the medical officer.

(c) For the purpose of carrying into effect the provisions of this subsection the Corporation may by any officer who shall be authorised in that behalf in writing under the hand of the medical officer and who shall if required produce his authority enter on any premises between the hours of ten o'clock in the forenoon and six o'clock in the afternoon.

(d) Every person who shall wilfully obstruct any duly authorised officer of the Corporation in carrying out the provisions of this subsection shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(2) (a) The medical officer if generally empowered by the Corporation in that behalf may by notice in writing require the owner of any household or other articles books things bedding or clothing which have been exposed to the infection of tuberculosis of the lung or other forms of tuberculosis with discharges to cause such articles books things bedding or clothing to be delivered to an officer of the Corporation for removal for the purpose of disinfection and any person who fails to comply with such requirement shall be liable to a penalty not exceeding five pounds.

(b) Such articles books things bedding and clothing shall be disinfected by the Corporation and returned to the owner free of charge.

(3) If any person sustains any damage by reason of the negligent exercise by the Corporation of any of the

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powers of subsections (1) and (2) of this section in relation to any matter as to which he is not himself in default compensation shall be made to such person by the Corporation and the amount of compensation shall be recoverable in and in the case of dispute may be settled by a court of summary jurisdiction.

As to powers of requiring sanitary conveniences for manufactories &c.

76. The Corporation may exercise the powers of an urban authority under section 22 of the Public Health Acts Amendment Act 1890 (which relates to the provision of sanitary conveniences in workshops and manufactories) on the report of the medical officer or the sanitary inspector as well as on the report of the surveyor.

Amendment of section 62 of Public Health Act 1875.

77. Section 62 (Local authority may require houses to be supplied with water in certain cases) of the Public Health Act 1875 shall be read and have effect as if the words "or the medical officer of health" were inserted therein after the words "the surveyor."

Wilful damage to drains water-closets &c.

78. If any person cause any drain watercloset earthcloset privy or ashpit to be a nuisance or injurious or dangerous to health by wilfully destroying or damaging the same or any water supply apparatus pipe or work connected therewith or by otherwise wilfully stopping up or wilfully interfering with or improperly using the same or any such water supply apparatus pipe or work he shall be liable to a penalty not exceeding five pounds :

Provided that nothing in this section shall prejudice any right which the owner or occupier of any premises aggrieved by any such act may have to recover compensation in respect of any damage suffered by him by reason of such act.

Byelaws as to stables.

79. The Corporation may make byelaws—

- (a) for securing the proper ventilation and lighting of and for the prevention of insanitary conditions in or about or arising out of any existing stable (whether the same is used as such at the passing of this Act or not) and any stable erected after the passing of this Act; and
- (b) with regard to the situation in reference to other buildings of any stable erected after the passing of this Act.

80. Section 72 (Precautions against contamination of food intended for sale) of the Public Health Act 1925 (except paragraphs (d) and (e) of subsection (2) of that section) shall apply so far as applicable to a yard in which food is prepared for sale or in which any food other than food contained in receptacles so closed as to exclude all risk of contamination is sold or is stored or kept with a view to future sale and to which yard the Factory and Workshop Act 1901 as amended by any subsequent enactment or any regulation made under the Public Health (Regulations as to Food) Act 1907 does not apply.

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Extension
of powers of
section 72 of
Public
Health Act
1925.

81. The Corporation may make byelaws for promoting and securing sanitary and cleanly conditions in the transport of food.

Byelaws as
to transport
of food.

82. At least one month before applying to the Minister of Health for confirmation of any byelaws made under the section of this Act whereof the marginal note is "Byelaws as to transport of food" applicable to the transport by a railway company of food the Corporation shall give notice to the company of their intention to make such application and such notice shall be accompanied by a copy of the proposed byelaws.

For protec-
tion of
railway
companies
under Part
VIII. of
this Act.

83. Sections 116 to 118 of the Public Health Act 1875 as amended by section 28 of the Public Health Acts Amendment Act 1890 shall extend to authorise the medical officer or sanitary inspector to inspect examine and search any cart or other vehicle or any basket sack bag or parcel whether open or closed in which he has reason to suspect that there is any animal or any of the articles referred to in the said sections intended for sale or in the course of delivery after sale for the food of man and the provisions of such sections shall apply accordingly :

Further
powers in
relation to
unsound
food.

Provided that nothing in this section shall authorise the inspection examination and search of any cart or other vehicle belonging to a railway company and used by them for the purposes of their traffic or of any basket sack bag or parcel in the possession of such company as carriers thereof.

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

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

(2) Copies of the newspapers containing the advertisements shall be sufficient evidence that the provisions of this section so far as they relate to advertisements in newspapers have been complied with and the production of a certificate purporting to be signed by an officer or servant of the Corporation that the notice required by this section has been affixed outside the council house and that handbills have been distributed amongst persons affected or likely to be affected so far as such persons could reasonably be ascertained shall be sufficient evidence that the other provisions of this section have been complied with.

PART IX.

WATERCOURSES.

Power to
cleanse and
improve
rivers and
water-
courses...

85.—(1) The Corporation may cleanse and scour as they think fit and so far as may be necessary for the purpose of securing the free flow of water therein may excavate the waterway or bed and course or any part or parts thereof respectively of all rivers streams and watercourses in the city and for the purpose of preventing the silting up of the waterways of the said rivers streams and watercourses may from time to time as they deem fit invert pitch straighten form and improve with such materials as they think fit or cover in and otherwise improve all or any portions of the waterway bed or course and banks of the said rivers streams and watercourses.

(2) (a) The Corporation may also for preventing interference with the free flow of the waters of the said rivers streams and watercourses from time to time construct and maintain all such walls banks arches culverts and other works in or on the side of the rivers streams and watercourses respectively within the city as they may deem expedient making compensation to the owner

lessee or occupier of the lands upon which any works may be constructed under this subsection for any damage which may be caused in the execution of such works to any buildings works plant gardens allotments and fields abutting upon the said rivers streams or water-courses.

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(b) The Corporation shall submit to the owner lessee and occupier of any lands upon which any works are intended to be constructed under this subsection plans and sections of such works for the reasonable approval of the owner lessee and occupier and if within fourteen days from the date when the same shall have been submitted the owner lessee and occupier shall not have signified in writing their approval or disapproval of such plans and sections and in the case of disapproval shall not within such period have stated the reasons for such disapproval and their requirements in relation thereto the Corporation shall be at liberty to proceed with the works without the approval of the plans and sections.

(c) If any difference shall arise between the Corporation on the one hand and the owner lessee or occupier on the other hand in relation to the plans and sections the same shall be referred to and approved by an arbitrator to be appointed by the President of the Institution of Civil Engineers on the application of the Corporation or other party in difference.

(d) Before commencing to execute any works authorised by this subsection the Corporation except in case of emergency shall give to the owner lessee or occupier of the lands upon which the works are intended to be executed not less than three days' notice in writing of their intention to commence the same and the Corporation shall not without the consent in writing of the occupier of the lands execute any such works before six o'clock in the morning or after five o'clock in the afternoon.

(e) The Corporation shall not invert pitch cover in or otherwise deal with any portion of the waterway bed or course or the banks of any river stream or watercourse or construct any walls banks arches culverts or other works in or on the side of the same respectively in any manner which will prejudicially affect the drainage of water from lands outside the city.

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For protec-
tion of
London
Midland and
Scottish
Railway
Company.

86. For the protection of the London Midland and Scottish Railway Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed in writing between the company and the Corporation apply and have effect in regard to the exercise by the Corporation of the powers of the section of this Act of which the marginal note is "Power to cleanse and improve rivers and watercourses" (that is to say) :—

- (a) The Corporation shall not carry out any works under the powers of the said section so as in any way to interfere with the waterway bed or course of any stream or watercourse passing under through or by the side of any work of the company until after twenty-eight days' previous notice in writing shall have been given to the principal engineer for the time being of the company :
- (b) All such works where situate under through or by the side of any work of the company shall be done under the superintendence if given and to the reasonable satisfaction of such engineer :
- (c) All works done under the powers of the said section shall be done so as not to cause any injury to any such work of the company and if any injury shall arise to any such work of the company in consequence of any such works of the Corporation the Corporation shall make full compensation to the company in respect of such injury :
- (d) Any dispute or difference which may arise between the company and the Corporation with reference to the provisions of this section or in anywise arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer to be appointed by the President of the Institution of Civil Engineers on the application of either the company or the Corporation and the Arbitration Act 1889 shall apply to such arbitration.

PART X.

A.D. 1927.

POLICE AND HACKNEY CARRIAGES.

87.—(1) The Corporation may from time to time make regulations prescribing within the central area referred to in subsection (9) of this section—

Regulations
for con-
trolling
traffic.

- (a) the streets which are not to be used for traffic by vehicles of any specified class or classes either generally or during specified times;
- (b) the streets along which vehicular traffic shall pass in one direction only and the direction in which such traffic shall pass;
- (c) the places at which by reason of danger to the public or congestion of traffic omnibuses shall not stop to take up or set down passengers:

Provided that no regulation made under paragraphs (a) or (b) of this subsection shall apply to any vehicle ordinarily engaged in the delivery or collection of goods at or from any premises within the central area whilst so engaged.

(2) Before any regulations made under this section shall come into force the Corporation shall submit the same to the Minister for his approval and shall give notice of the subject-matters of the regulations by advertisement in a local newspaper circulating in the city and in the London Gazette and in such other manner (if any) as the Minister may direct. The said notice shall name a place where copies of the regulations can be obtained free of charge and shall state a date (not being less than twenty-one days from the date of the notice) by which and the manner in which any person aggrieved by the regulations may make representations thereon to the Minister and that any such person shall at the same time send a copy of his representations to the town clerk.

(3) The Minister shall consider any regulations submitted to him by the Corporation and any representations thereon which may be duly made and may approve the regulations with or without modifications or may disapprove the same.

(4) Before approving any regulations the Minister may and if any representation is duly made and is not withdrawn shall (unless the representation appears to

A.D. 1927. him to be frivolous) direct a local inquiry to be held in accordance with the provisions of section 20 of the Ministry of Transport Act 1919 and the Corporation shall pay to the Minister any expenses incurred by him in relation to any such inquiry including the expenses of any witnesses summoned by the person holding the inquiry and a sum to be fixed by the Minister for the services of such person.

(5) The Corporation shall give at least fourteen days' notice of the intention to hold such local inquiry with particulars of any proposed regulations by advertisement in a local newspaper circulating in the city and shall also give similar notice in writing to each person who has duly made any representation and has not withdrawn the same.

(6) The regulations shall take effect as approved by the Minister and shall come into force on a date to be fixed by him.

(7) The Corporation shall cause notice to be given of all regulations approved under this section by advertisement in a newspaper circulating in the city and otherwise in such manner as may be prescribed by the Minister and shall also during the continuance of any regulation approved under paragraph (b) of subsection (1) of this section cause to be erected and maintained in suitable positions a warning notice in a form approved by the Minister indicating the effect of the regulation and the street to which it relates.

(8) As respects any regulation made and approved under this section (subject to any modification or extension made by the Minister of Transport as hereinafter provided) any person who—

(a) shall contravene any regulation under paragraph (a) of subsection (1) of this section after warning given by word or signal by a police constable in uniform; or

(b) shall drive or cause to be driven any vehicle in any street in relation to which a regulation shall be in force under paragraph (b) of the said subsection and a warning notice shall have been erected pursuant to subsection (7) of this section in contravention of such regulation; or

(c) shall contravene any regulation under paragraph (c) of subsection (1) of this section; shall be liable to a penalty not exceeding forty shillings. A.D. 1927.

(9) In this section—

- (a) “the central area” means any part of the city which is within a radius of half a mile from the council house;
- (b) “the Minister” means the Minister of Transport; and
- (c) “specified” means specified in any regulations made or approved under this section.

(10) Any company body or person running omnibuses in the city may at any time apply to the Minister to modify any regulation made under this section on the ground that such regulation as in force for the time being has been found to be or has become unsuitable for the traffic requirements of the city or has been unfairly enforced and upon any such application the Minister after considering any representations made to him by the Corporation may modify the regulation to which the application relates.

88. Section 24 of the Municipal Corporations Act 1882 which relates to the proof of byelaws shall extend to regulations made by the Corporation as that section extends to byelaws so made. Evidence of regulations made by Corporation.

89. The provisions of the Town Police Clauses Act 1847 shall extend to empower the Corporation to make byelaws for declaring that to the extent determined by such byelaws those provisions and the byelaws of the Corporation in force with respect to hackney carriages except so much of such byelaws as relates to the fixing of fares shall apply to every horse-drawn or motor vehicle standing or plying for hire notwithstanding that such vehicle stands or plies for hire on private premises only Provided that this section shall not apply to any such vehicle which is kept and used ordinarily for the purpose of being let on hire by the day or for longer periods of hire or for journeys under special contract or to an omnibus as defined in the Town Police Clauses Act 1889. Provisions as to motor and other vehicles let for hire.

90. No person shall be entitled to drive a motor vehicle licensed by the Corporation as a hackney carriage (which expression shall in this section include an omnibus) unless he shall have satisfied the Corporation of his ability Power to impose test on motor drivers.

A.D. 1927. — to drive and for that purpose the Corporation may impose such reasonable test as they may think fit.

Insurance
by hackney
carriage
proprietors.

91. The Corporation may in their discretion refuse to grant a licence to ply for hire with a hackney carriage or omnibus if the applicant fails to satisfy them that he effects and keeps on foot an insurance with a responsible insurance company against or makes adequate financial provision for meeting any liability that may be incurred by him in respect of any injury or damage occasioned by such hackney carriage or omnibus to any person or property but in the event of any licence to ply for hire with an omnibus being refused under this section the applicant shall be entitled to appeal to the Minister of Transport under the provisions of subsection (3) of section 14 of the Roads Act 1920 and all the provisions of that subsection shall apply accordingly.

Unautho-
rised riding
upon
vehicles.

92. Every person who shall ride upon or cause himself to be carried or drawn by any vehicle without the consent of the owner or driver thereof shall be liable to a penalty not exceeding ten shillings.

Regulations
as to Whit-
more Park
and Hol-
brook Lane
hostels.

93.—(1) The Corporation may make regulations prohibiting the riding of bicycles and tricycles and the driving of motor cars motor vans and motor cycles and the riding and driving of horses or other animals and horse-drawn vehicles on any footpath or along any gangway on the lands forming part of the Whitmore Park and Holbrook Lane hostels of the Corporation.

(2) The provisions of sections 182 to 186 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply with the necessary modifications to regulations authorised to be made by the Corporation under the powers of this section.

(3) This section shall remain in force until the use of the Whitmore Park and Holbrook Lane hostels for the purpose of human habitation as part of the housing scheme of the Corporation is discontinued.

PART XI.

COMMONS.

Definition
of com-
mons.

94. For the purposes of this Part of this Act "the commons" means Stoke Common comprising Stoke Heath Barras Heath and Stoke Green and the common

land on either side of Binley Road in the city and the parishes of Stoke and Wyken in the rural district of Foleshill and in the parish of Saint Michael Without Coventry in the rural district of Coventry all in the county of Warwick Whitley Common in the said parish of Saint Michael Without Coventry Hearsall Common in the city and in the parish of Stoneleigh in the rural district of Warwick in the said county Radford Common in the city and Stivichall Common in the parish of Stivichall in the said rural district of Warwick.

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95.—(1) From and after the passing of this Act and in consideration in respect of Whitley Common and Hearsall Common of the annuities hereinafter referred to all rights and interests in and over the commons shall be and the same are by this Act extinguished and thenceforth the Corporation shall for ever hold and enjoy the commons for an estate of inheritance in fee simple in possession freed and discharged from all rights and interests therein and the commons shall subject as in this Act provided for ever be maintained by the Corporation as open spaces so as to secure the full enjoyment of the same as places of public resort and recreation and the provisions of the Public Health Acts relating to parks and pleasure grounds and to the borrowing of money for the purposes thereof shall subject as aforesaid apply to the commons Provided as follows :—

Maintaining
commons as
recreation
grounds.

- (a) The Corporation shall not let any part of the commons for the purposes of sport or recreation to any club or person for a period of more than one year at a time;
- (b) The Corporation may by resolution dedicate any part or parts of the commons for the purpose of making or widening any street under the Public Health Acts;
- (c) The Corporation if they consider such an arrangement is desirable in consequence of changes in the character of the neighbourhood of the commons may enclose the whole or any part of the commons in order to promote the use thereof for public resort and recreation;
- (d) The Corporation with the consent of the Minister of Agriculture and Fisheries and subject to such conditions as the Corporation may think fit may

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exchange any part of the commons for other lands within or in the neighbourhood of the city or sell any parts of the commons which are not in the opinion of the Corporation of substantial use for public resort and recreation and any conveyance from the Corporation expressed to be made in pursuance of this section shall operate as a valid conveyance of the land to be conveyed and any lands received by the Corporation by way of exchange shall for ever thereafter be subject in all respects to the provisions of this Act as if they were part of the commons;

(e) The Commons Regulations (Stoke) Provisional Order Confirmation Act 1886 and the Provisional Order scheduled thereto and subsection (5) of article XXV of the Coventry (Extension) Order 1899 are hereby repealed.

(2) The provisoes (c) and (d) to subsection (1) of this section shall not apply to Stivichall Common.

Amount of consideration for extinction of freemen's rights in commons.

96. In consideration of the extinguishment of the rights aforesaid over the said Whitley Common and Hearsall Common the Corporation shall pay to the trustees of the freemen and widows of freemen under the Coventry Inclosure Award of 1860 a perpetual yearly sum of fifty pounds and to the trustees of the freemen under the Coventry Inclosure Award of 1875 a perpetual yearly sum of fifty pounds such sums to be paid in manner hereinafter provided.

Consideration charged on general rate fund.

97.—(1) The said two yearly sums of fifty pounds so long as they shall continue payable shall be a charge upon the general rate fund and if at any time such yearly sums or either of them be not paid within thirty days after they become payable according to the provisions hereinafter contained and after demand thereof in writing the trustees to whom such sum is payable may sue for and recover the same as a debt due from the Corporation.

(2) Provided that nothing contained in this section shall limit the powers of the Corporation with regard to exchanging leasing or otherwise dealing with parts of the commons under the section of this Act whereof the marginal note is "Maintaining commons as recreation grounds" or shall render any consent on the part of the

trustees necessary to the exercise of such powers and the said two bodies of trustees may apply the moneys received by them in pursuance of the provisions of this section as if such moneys were part of the general income of the said bodies of trustees respectively.

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98. The said two yearly sums of fifty pounds shall be paid and payable half-yearly on the first day of January and the first day of July in every year and the first payment thereof shall be made on the first day of January nineteen hundred and twenty-eight.

Times of
payment.

99. Within three months after the passing of this Act the Corporation shall produce a King's Printer's copy thereof stamped with the same duty as would be payable upon a deed of release or renunciation executed on the day of the passing of this Act of the rights and interests in and over the commons which are extinguished by this Act for the consideration mentioned in the section of this Act whereof the marginal note is "Amount of consideration for extinction of freemen's rights in commons" and in default of such production the amount of the said duty with interest thereon at the rate of five per centum per annum from the date of passing of this Act shall be a debt due to His Majesty from the Corporation.

Production
of stamped
copy of Act.

100.—(1) Any moneys received by the Corporation from the exchange or sale of any parts of the commons shall be applied by the Corporation either (a) in the purchase of other lands for public resort or recreation or (b) in the improvement and development of the commons as places of public resort and recreation.

As to
moneys
received
in respect of
commons.

(2) As from the passing of this Act the conservators of Stoke Common shall be abolished and all moneys in the hands of the conservators of Stoke Common at the passing of this Act shall be transferred to the Corporation and shall be applied by them either (a) in the improvement and development of Stoke Common as a place of public resort and recreation or (b) for some other purpose which will promote the public recreation of the residents in the neighbourhood of the commons comprised in Stoke Common.

101.—(1) Subject to the provisions of this Act the Corporation may make revoke and alter byelaws

Power to
make
byelaws.

A.D. 1927. for any of the following purposes relating to the commons or any part or parts thereof (that is to say):—

- (i) For preventing fires and nuisances and for preserving order;
- (ii) For preventing bird catching bird trapping and taking birds' eggs or nests and for preventing or regulating the killing taking injuring shooting chasing or disturbance of animals or birds and for preventing or regulating the setting of traps nets snares or other engines for any of those purposes;
- (iii) For preventing persons from turning out or permitting horses asses cattle sheep or other animals to graze or feed upon the commons and for removing therefrom any horses asses cattle sheep or other animals so turned out or permitted to graze or feed;
- (iv) For preventing or regulating the firing or discharge of firearms or the throwing or discharge of missiles;
- (v) For preventing the digging or taking of turf loam stone sand gravel or other substances;
- (vi) For preventing the injuring cutting or felling of ferns gorse timber or other trees shrubs brushwood or other plants;
- (vii) For preventing injury to or the defacement or removal of seats fences barriers notice boards or other things and the disfigurement of seats fences barriers notice boards buildings or trees by posting or painting bills placards or notices thereon or otherwise;
- (viii) For preventing or regulating the deposit of or suffering to remain on any part of the commons any rubbish manure or other substance;
- (ix) For regulating the playing of games;
- (x) For regulating the use of the parts of the commons upon which persons may play games hold athletic sports and hold meetings and shows and for prohibiting the use for the purposes aforesaid of other parts of the commons;
- (xi) For preventing or restraining any improper or offensive use of any part of the commons or anything tending to the injury or disfigurement thereof;

(xii) For preventing or regulating the riding or driving of horses asses or other animals upon the commons and the drawing riding or driving upon the commons of any carriage cart caravan truck cycle motor car motor cycle or other vehicle.

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(2) Any byelaws or regulations of the conservators of Stoke Common in respect of any of the matters mentioned in subsection (1) of this section shall until byelaws are made by the Corporation under that subsection remain in operation and may be enforced by the Corporation as if they were made under the provisions of this section.

102.—(1) Every officer of the existing conservators of Stoke Common who by virtue of this Part of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by determination of his appointment or by diminution or loss of fees salary or emoluments and for whose compensation for that loss provision is not made by any other enactment for the time being in force shall be entitled to compensation from the Corporation for that loss.

Compensa-
tion to
existing
officers.

(2) The provisions contained in the Sixth Schedule to the Rating and Valuation Act 1925 shall apply to the determination and payment of compensation under this section to officers and for the purpose of those provisions the Corporation shall be the compensating authority Provided that in the application of the provisions of the said schedule to the determination and payment of compensation paragraph 2 of the said schedule shall be read as if the words "after he has attained the age of eighteen years" were inserted after the word "officer" in the fourth line of that paragraph.

PART XII.

FREEDOM OF THE CITY.

103. This Part of this Act shall come into operation on the first day of January nineteen hundred and twenty-eight.

Commence-
ment of
Part XII. of
this Act.

A.D. 1927.

—
Repeal of
previous
legislation.

104. The Act 21 Geo. III. chapter 54 and section 130 of the Act of 1920 are hereby repealed but without prejudice to any enrolment admission act or thing which may have been made or done or to any right which may have accrued to any person by virtue of the said Act and section previous to the repeal.

Definitions
in Part XII.
of this Act.

105. In this Part of this Act the following expressions shall have the meanings hereby assigned to them:—

“Freedom” means the freedom of the city;

“Deed of apprenticeship” means a regularly executed and properly stamped indenture or deed of apprenticeship enrolled in the manner and within the period prescribed by this Act and includes an assignment of an indenture or deed of apprenticeship and a new indenture or deed of apprenticeship made in consequence of the termination of the apprenticeship by operation of law or act of the parties;

“Trade” means the trade or profession or combination of trades and professions specified in an enrolled deed of apprenticeship;

“Area of service” means the municipal area for the time being of the city and includes the parishes of the Holy Trinity Without and Saint Michael Without Coventry if they do not form part of the municipal area of the city;

“Day for claiming” means the first Tuesday in every calendar month unless the first Tuesday falls within the same week as Easter Monday Whitsun Monday or August bank holiday in which case “day for claiming” shall mean the next ensuing Tuesday;

“Admission day” means the last Tuesday in every calendar month unless the last Tuesday falls within the same week as Easter Monday Whitsun Monday or Christmas Day in which case “admission day” shall mean the next ensuing Tuesday.

Qualifica-
tion for
freedom.

106. The qualification for obtaining the freedom shall (subject to compliance with the provisions of this Act) be—

(a) The service of not less than five years' whole time apprenticeship under a deed or deeds of

apprenticeship to a trade within the area of service; A.D. 1927.

- (b) The attainment of the age of twenty-one years before admission to the freedom.

107. Every deed of apprenticeship which in the contemplation of all the parties thereto was entered into with a view to the apprentice qualifying for the freedom shall within six calendar months from the execution of the deed be presented or caused to be presented by the master to the town clerk for enrolment in the apprentices' enrolment book and a fee of one shilling shall be payable by the master in respect of the enrolment. Enrolment of deeds of apprenticeship.

108. If the master fails to present or cause to be presented for enrolment such a deed of apprenticeship as is mentioned in the section of this Act of which the marginal note is "Enrolment of deeds of apprenticeship" within six calendar months from the execution of the deed the deed shall at any time after the expiration of the said six calendar months be voidable at the option of the apprentice if he is of age or of his legal guardian or next friend if the apprentice is not of age and if such option is exercised any premium paid to the master in respect of the apprenticeship shall be returned by the master to the person by whom the premium was paid. If the option given by this section is not exercised within a reasonable time after the failure to enrol the deed of apprenticeship comes to the knowledge of the apprentice or his legal guardian or next friend the deed of apprenticeship shall continue to be of full force and virtue. Failure to enrol.

109. If it is shown to the satisfaction of the mayor that a person has at any time in good faith served the full term of an apprenticeship which was entered into with a view to securing the freedom but is unable to obtain admission to the freedom because of the non-enrolment of the deed of apprenticeship within six calendar months from the execution of the deed and further (a) that the failure to enrol the deed was due to ignorance or inadvertence or to a cause beyond the control of the person who has served the apprenticeship (b) that in all other material respects the provisions of this Act or of the previous Acts in regard to admission Discretion to mayor to dispense with enrolment in special cases.

A.D. 1927. to the freedom have been complied with and (c) that having regard to all the circumstances of the case it would constitute a hardship to debar such person from the freedom then the mayor shall have power upon such person submitting a claim and producing evidence so far as lies in his power of compliance with the requirements of this Act or of the previous Acts in regard to admission to the freedom (except in regard to enrolment of the deed of apprenticeship) to admit such person to the freedom.

Eligibility
of deeds of
apprentice-
ship for
enrolment.

110. The town clerk shall have power to decide as to the eligibility of a deed of apprenticeship for enrolment under this Act but any person aggrieved by a decision of the town clerk shall have a right to appeal to the mayor within seven days thereafter and the decision of the mayor upon the appeal shall be final.

Appren-
tices'
enrolment
book.

111.—(1) The town clerk shall keep an apprentices' enrolment book in which he shall enter in regard to every deed of apprenticeship which he accepts for enrolment the following particulars:—

- (i) The date of execution of the deed;
- (ii) The date of the enrolment;
- (iii) The name of the apprentice;
- (iv) The apprentice's place of abode;
- (v) The name of the master or masters;
- (vi) The master's place of business and if the master is a limited company the registered office of the company;
- (vii) The trade to which the apprentice is to serve;
- (viii) The consecutive number of the enrolled deed.

(2) The apprentices' enrolment book shall be open during business hours to the inspection of the public without fee.

Certificate
of enrol-
ment.

112. The town clerk shall endorse upon each deed of apprenticeship enrolled by him a certificate of the date of enrolment and the consecutive number of the enrolled deed.

Claims for
admission.

113. Every person seeking admission to the freedom shall deliver to the town clerk a claim in writing containing the following particulars:—

- (i) The claimant's name;
- (ii) His place of abode at the time of the claim;

(iii) The name of his master or masters;

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(iv) The place or places at which the claimant rendered his service under the deed or deeds of apprenticeship;

(v) The trade to which the claimant served;

and shall at the same time deposit with the town clerk the deed or deeds of apprenticeship relating to his service.

114. Subject to the consideration of adjourned claims before new claims as provided by the section of this Act of which the marginal note is "Admission court" claims shall be dealt with in the priority determined by the date of the deeds of apprenticeship and all claims which are delivered to the town clerk up to twelve o'clock noon on the day for claiming in any month shall stand for consideration at the admission court for that month.

Order of
claims.

115. The town clerk shall not later than twelve o'clock noon on the day following the day for claiming cause to be affixed to the notice board of the council house and to the notice board of St. Mary's Hall a list of all claimants whose claims stand for consideration at the admission court for that month and such list shall be signed by the town clerk and shall contain the particulars which the claimants have stated in their claims.

Publication
of list of
claimants.

116.—(1) An admission court shall be held by the mayor on the admission day in each month at such hour as the mayor may determine for the purpose of deciding upon claims for admission to the freedom and the mayor shall have power to adjourn the court from time to time and in case of exceptional circumstances may decide that no admission court shall be held in a particular month. At each court the adjourned claims (if any) shall be considered first and then new claims.

Admission
court.

(2) Every admission court shall be open to the public.

117.—(1) Every claimant shall appear at the admission court in person and in order to be entitled to admission shall—

Evidence
to be
produced by
claimants.

(a) Substantiate on oath the statements made in his claim;

(b) Produce a certificate of birth or other satisfactory evidence of his age.

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(2) The master or masters to whom the claimant has served shall also appear at the admission court and shall substantiate on oath all statements of the claimant which relate to the service to them. Where the master is a limited company or other corporation such company or corporation may appoint in writing a person to attend the admission court on their behalf and with the permission of the mayor any other master may appoint in writing a person to attend the admission court on his behalf but the mayor may decline to accept the evidence of such a person if he is of opinion that such person cannot testify as to the claimant's service from his own knowledge:

(3) The mayor shall have power to admit any other evidence which he may think fit in regard to the claim.

(4) All evidence in the admission court shall be given on oath and the mayor is hereby authorised to administer oaths for that purpose.

(5) The decision of the mayor upon each claim shall be final.

Procedure
on admis-
sion.

118. Every person whom the mayor decides to admit to the freedom shall take before the mayor the customary oath of a freeman of Coventry and shall pay an admission fee of three shillings whereupon he shall be admitted to the freedom and shall be entitled to all the rights liberties franchises and privileges of a freeman of Coventry.

Freemen's
admission
book.

119.—(1) The town clerk shall keep a freemen's admission book and shall in respect of every admission court enter therein—

(a) in regard to every claimant the name place of abode and trade of the claimant;

(b) in regard to every person admitted as a freeman the date of the deed or deeds of apprenticeship and the particulars which are specified in the section of this Act of which the marginal note is "Claims for admission" as necessary for the claimant to state in his claim;

and the town clerk shall subscribe his name to the particulars stated in paragraph (a) and the mayor shall subscribe his name to the particulars stated in paragraph (b) of this subsection.

(2) The freemen's admission book shall be open during business hours to the inspection of the public without fee. A.D. 1927.

120.—(1) A copy of an entry in the freemen's admission book signed by the town clerk shall be conclusive evidence of the admission of any person to the freedom. Evidence of contents of freemen's admission book.

(2) The town clerk shall be authorised to charge a fee of one shilling for each certified copy of an entry from the freemen's admission book.

121. The town clerk shall not later than twelve o'clock noon on the day following an admission court cause to be affixed to the notice board of the council house and to the notice board of St. Mary's Hall a list of all the persons who were admitted to the freedom at that court and shall sign such list and state therein the particulars which are herein prescribed for entry in the freemen's admission book. Publication of list of persons admitted.

122. Public notice of the provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the city and by a notice affixed outside the council house and to the notice board of St. Mary's Hall. Public notice to be given of Part XII. of this Act.

PART XIII.

FINANCIAL PROVISIONS.

123.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column of that table and they shall pay off all moneys so borrowed within the respective periods mentioned in the third column of the said table (namely) :— Power to borrow.

1	2	3
Purpose.	Amount.	Period for Repayment.
(a) For the purchase of lands - -	£ 6,128	Sixty years from the date or dates of borrowing.

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1.	2.	3.
Purpose.	Amount.	Period for Repayment.
(b) For and in connection with the construction of the street works authorised by this Act.	£ 10,127	Thirty years from the date or dates of borrowing.
(c) For and in connection with the construction of the tramways authorised by this Act.	9,017	Twenty years from the date or dates of borrowing.
(d) For the electrical equipment of such tramways.	1,750	Twenty years from the date or dates of borrowing.
(e) For and in connection with the purchase of the undertaking of the Kenilworth Gas Company.	39,000	Thirty years from the date or dates of borrowing.
(f) For the payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) (a) The Corporation may also with the consent of the Minister of Transport borrow such further money as may be necessary for any of the purposes of Part III (Tramways) of this Act and may with the consent of the Electricity Commissioners borrow such further money as may be necessary for any of the purposes of Part V (Electricity) of this Act and may with the consent of the Minister of Health borrow such further money as may be necessary for any of the purposes of this Act other than the purposes of the said Parts III and V.

(b) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister or Commissioners with whose consent it is borrowed.

(3) The periods set forth in the third column of the table contained in subsection (1) of this section and the periods referred to in subsection (2) (b) of this section are in relation to this Act the prescribed periods referred to in section 112 (Period for repayment of principal moneys) of the Act of 1900.

Investment
of and
payments
into sinking
fund.

124. When under the provisions of this Act or of any other Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing

of this Act the Corporation are empowered or required to form a sinking fund redemption fund or loans fund the following provisions shall have effect with respect to the appropriate yearly sums and to the accumulations thereof (if any) required to be set apart for or paid into such sinking fund redemption fund or loans fund for the purpose of providing for the repayment of moneys borrowed by the Corporation. The accumulations of the said yearly sums shall be paid and provided out of the general rate fund and general rate and any interest dividends and proceeds arising from the investment of the said yearly sums and the accumulations thereof (including such annual sums and accumulations as have been provided prior to the passing of this Act) shall be paid into and form part of the general rate fund.

A.D. 1927.

125.—(1) Notwithstanding anything contained in the Public Health Acts Amendment Act 1890 or in any other Act or Order on and after the thirty-first day of March nineteen hundred and twenty-eight the Corporation may (if they think fit) establish a fund to be called “the consolidated loans fund” to which shall be paid as and when they are received—

Consoli-
dated loans
fund.

- (a) all moneys borrowed by the Corporation whether by issue of bonds stock or other security together with any moneys borrowed without security in connection with the exercise of any statutory borrowing power;
- (b) all moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose;
- (c) the appropriate sums provided in each year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers or otherwise provided for the repayment of debt; and
- (d) a sum or sums equal to the aggregate amount of all dividends and interest payable in each year on bonds stock mortgages or other securities issued in exercise of any statutory borrowing power and remaining outstanding:

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— And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys borrowed or received except such moneys as have been borrowed from the Public Works Loan Commissioners and of all sums provided by the Corporation as aforesaid before the date on which the consolidated loans fund is established.

(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

- (a) in the redemption of stock or any other securities issued by the Corporation the purchase of bonds or stock for extinction or the repayment of any moneys borrowed by the Corporation;
- (b) in the exercise of any statutory borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation; and
- (c) in the payment of dividends and interest on the bonds stock mortgages or other securities issued in exercise of any statutory borrowing power and remaining outstanding:

And the moneys of the consolidated loans fund not used or applied in these ways may be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund and the moneys of the consolidated loans fund including the accumulations arising from the investments thereof shall not except with the consent of the Minister of Health be used or applied otherwise than as provided in this subsection.

(3) Subject to any priority existing at the passing of this Act all bonds stock of and loans to the Corporation and the dividends and interest thereon shall be charged indifferently on all the revenues of the Corporation and shall rank equally one with the other without any priority whatsoever.

(4) Save as in this section expressly provided all the obligations of the Corporation to the holders of bonds stock or other securities of the Corporation shall continue in force.

(5) The powers conferred by this section shall not be put into operation by the Corporation except

in accordance with a scheme to be approved by the Minister and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

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126. Where more persons than one are registered as joint holders of any bond mortgage annuity or stock of the Corporation any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Corporation or the treasurer by any other of them.

Interest on mortgages &c. held jointly.

127. If any moneys are payable to a bondholder mortgagee or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Corporation.

Receipt in case of persons not sui juris.

128.—(1) The town clerk shall if and when he is requested by the Minister of Health so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation under any statutory borrowing power.

Return to Minister of Health with respect to repayment of debt.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the treasurer or other the chief accounting officer of the Corporation and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by any enactment relating to the statutory borrowing power or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to

A.D. 1927. any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Corporation shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(4) Any provision of any enactment now in force in the city requiring an annual return to be made to the Minister with regard to the repayment of debt is hereby repealed.

Insurance
fund.

129.—(1) The Corporation may if they think fit establish a fund to be called the "insurance fund" with a view of providing a sum of money which shall be available for making good all losses damages costs and expenses to which the Corporation may be subjected in consequence of the whole or any part of all or any of the following risks (that is to say):—

- (i) Risk of fire in respect of buildings works premises and the contents thereof and other property whether belonging or on loan to or under the care custody or control of the Corporation;
- (ii) Risk of accident and claims by third parties in respect of any vehicles whether belonging to or hired by or under the control of the Corporation and whether drawn or propelled by man or horse or mechanical or other means or power;
- (iii) Risk of explosion in respect of boilers;
- (iv) Risks under the common law the Employers' Liability Act 1880 the Workmen's Compensation Act 1906 or any Act or Acts for the time being amending or extending those Acts or otherwise in respect of accidents to the officers servants or workmen of the Corporation or to third parties;
- (v) Risks of injuries to school children through accident caused by the negligence of a teacher attendant or other person or defect in any school premises of or leased to the Corporation;

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—

- (vi) Risks of mechanical or electrical breakdown at or in connection with any of the electricity works of the Corporation;
- (vii) Risks of loss due to infidelity of officials of the Corporation;
- (viii) Any other risks against which in the absence of such an insurance fund the Corporation would ordinarily insure.

(2) The establishment of an insurance fund under this section shall not prevent the Corporation from insuring in one or more insurance offices of good repute against the whole or any part of all or any of the several risks for which the insurance fund is intended to provide.

(3) In each year after the establishment of the insurance fund the Corporation shall pay into that fund either—

(a) such a sum as shall in their opinion be not less than the aggregate amount of the premiums which would be payable if the Corporation fully insured in some insurance office of good repute against the several risks for which the insurance fund is intended to provide; or

(b) if the Corporation partly insure in some insurance office of good repute against the whole or any part of the several risks for which the insurance fund is intended to provide such sum as will together with the premiums paid for the last-mentioned insurance be not less than the aggregate amount aforesaid.

(4) When the insurance fund shall amount to three hundred thousand pounds the Corporation may if they think fit discontinue the yearly payments to the fund but if the fund is at any time reduced below three hundred thousand pounds the Corporation shall re-commence and continue the yearly payments to that fund in accordance with subsection (3) of this section until the fund be restored to the sum of three hundred thousand pounds.

(5) The Corporation shall provide the yearly payments aforesaid by contributions from the general rate fund and shall show the same in their accounts under the separate heading or division in respect of

A.D. 1927. — the particular undertaking or department of the Corporation which if the risks were insured against in an insurance office would be properly chargeable with the payment of the premium of such insurance.

(6) Except so far as the insurance fund and the proceeds of sale of securities in which that fund is invested may be necessary to meet losses damages costs and expenses in consequence of risks for which the fund is intended to provide all moneys for the time being standing to the credit of the fund shall (subject to the provisions of this Act) be invested in statutory securities and the interest and annual proceeds arising from those securities shall be invested and accumulated until the fund amounts to the sum of three hundred thousand pounds and when and so long as the fund amounts to that sum the interest and annual proceeds of the securities shall be carried to the credit of the general rate fund.

(7) For the purposes of this section the Corporation may if they deem it expedient and by arrangement with the managers of any public elementary school or the governing body of any college secondary school institute or hostel not provided by the Corporation as the local education authority include in the risks insured under paragraph (iv) of subsection (1) of this section risks of accident to any teacher employed in any such school college institute or hostel.

(8) The insurance fund shall be applied to meet any losses damages costs or expenses sustained by the Corporation in consequence of risks for which it is intended to provide in the order of the dates on which such losses damages costs or expenses become ascertained and if at any time and from time to time the insurance fund shall be insufficient to make good any such losses damages costs or expenses the Corporation may with the sanction of the Minister of Health and on such security as that Minister may prescribe borrow at interest under and subject to the provisions of this Act such sums of money as will be necessary to make up the deficiency. The amounts of the annual charges in respect of interest on and repayment of principal of any sums so borrowed and the amounts of any such deficiencies as aforesaid not made up by borrowing shall be paid out of the general rate fund and charged

in the accounts of the Corporation under the separate headings or divisions in respect of such undertakings or departments of the Corporation and in such proportions as the Minister of Health may direct having regard to the risks through which such deficiencies arise. A.D. 1927.

130. Notwithstanding anything contained in any previous enactment the Corporation may use for the purpose of any statutory borrowing power exercisable by them any moneys forming part but not for the time being required for the purposes of any fund accumulated for the redemption of debt or as a reserve renewals contingent superannuation or insurance or other similar fund (in this section referred to as "the lending fund") subject to the following conditions:—

Use of moneys forming part of sinking and other funds.

- (1) The moneys so used shall be repaid to the lending fund within the period by the methods and out of the fund rate or revenue within by and out of which a loan raised under the statutory borrowing power would be repayable:

Provided that the Corporation shall repay to the lending fund the moneys so used or the balance thereof for the time being outstanding as the case may be as and when the same shall be required for the purposes of the lending fund and may if they so resolve repay the same at any time within the period aforesaid and in either case the repayment shall be made out of the fund rate or revenue aforesaid or out of moneys which would have been applicable to the repayment of a loan if raised under the statutory borrowing power:

- (2) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage or by the issue of bonds under the statutory borrowing power and such interest shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power:

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(3) The statutory borrowing power shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactment as to re-borrowing of sums raised under the statutory borrowing power shall apply accordingly.

As to
unclaimed
stock certi-
ficates in
respect of
purchase of
gas under-
taking.

131.—(1) Subject to the provisions of this section the Corporation may within three months after the passing of this Act cancel any gas certificates which were issued or issuable by the Corporation under the Coventry Corporation (Gas Purchase) Act 1884 to shareholders in the Coventry Gas Company in respect of shares in that company on the acquisition by the Corporation of the undertaking of that company under the provisions of the said Act.

(2) The Corporation forthwith after the passing of this Act shall give notice in a newspaper circulating in the city and in a newspaper published in London of the provisions of this section and by such notice require any shareholders in the said company entitled to any such certificates to give notice in writing to the town clerk of their claims within one month after the date of the issue of the newspaper in which such notice is given.

(3) If any shareholder shall not have given such notice as aforesaid to the town clerk within the said period of one month the right of such shareholder to any Corporation stock in respect of shares in the said company and interest accrued on such stock shall cease and determine but any shareholder who shall give such notice as aforesaid within the said period and shall furnish to the Corporation proof of his right to any part of such stock within three months after the passing of this Act shall be registered as the holder of the appropriate amount of Corporation stock and the interest accrued thereon shall be paid to him by the Corporation and subsection (1) of this section shall not have effect with respect to such stock.

(4) All principal sums and all other moneys due in respect of annuities due and payable by the Corporation under and by virtue of any such certificates the right to which has not been established within

three months after the passing of this Act and all interest accrued thereon shall be carried to the credit of the sinking fund for the redemption of loans in respect of the gas undertaking of the Corporation. A.D. 1927.
—

132.—(1) The Corporation shall notwithstanding the provisions of any Act or Order to the contrary keep their accounts so as to distinguish capital from revenue and as to revenue so as to show under a separate heading or division in respect of each of the following undertakings (that is to say):— Accounts.

- (i) the water undertaking;
- (ii) the gas undertaking;
- (iii) the electricity undertaking;
- (iv) the tramway undertaking;
- (v) the omnibus undertaking;
- (vi) the markets undertaking;

(each of which is in this section separately referred to as "the undertaking") on the one side all receipts in respect of the undertaking and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts expended in respect of each of the following purposes (that is to say):—

- (a) The working and establishment expenses and cost of maintenance of the undertaking;
- (b) The interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking;
- (c) The requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking;
- (d) All other expenses (if any) of the undertaking properly chargeable to revenue;
- (e) The amount (if any) paid to any reserve fund which the Corporation are from time to time authorised to maintain.

(2) The Corporation shall show in their accounts relating to any undertaking or purpose all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

A.D. 1927.

(3) In all cases in which the Corporation keep separate accounts for separate purposes they shall so far as reasonably practicable apportion between those accounts or carry to any of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

Reserve
funds.

133.—(1) The Corporation may (if they think fit) provide a reserve fund in respect of each of the following undertakings (namely):—

- (i) the water undertaking;
- (ii) the gas undertaking;
- (iii) the tramway undertaking;
- (iv) the omnibus undertaking;
- (v) the markets undertaking.

(2) (a) In the case of the water undertaking the Corporation may set aside in any year an amount not exceeding one per centum on the aggregate amount of capital for the time being expended by the Corporation upon the undertaking and unless the amounts so set aside are applied under the provisions of the section of this Act of which the marginal note is "Use of moneys forming part of sinking and other funds" may invest the same and the resulting income thereof in statutory securities and may accumulate the same at compound interest until the fund so formed amounts to one-tenth of such capital expenditure.

(b) In the case of the gas undertaking the tramway undertaking the omnibus undertaking and the markets undertaking the Corporation may set aside in any year such an amount as they may think reasonable and unless the amounts so set aside are applied under the provisions of the section of this Act of which the marginal note is "Use of moneys forming part of sinking and other funds" may invest the same and the resulting income thereof in statutory securities and may accumulate the same at compound interest until the fund so formed amounts in the case of the gas undertaking to one-fifth of the aggregate amount of capital expended on the undertaking and in the case of each of the other undertakings until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation in respect of the undertaking.

(3) Any reserve fund which has been formed for the purposes of any of the said undertakings and which is in existence at the passing of this Act shall be deemed to have been formed under this section. A.D. 1927.
—

(4) Any reserve fund formed under this section shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the undertaking in respect of which it is formed or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking or for payment of the cost of renewing improving or extending any part of the works forming part thereof or otherwise for the benefit of that undertaking and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

(5) Resort may be had to a reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

134. Subject to the provisions of the section of this Act of which the marginal note is "Application of Electricity (Supply) Act 1926" and notwithstanding anything contained in any previous enactment—

Application
of revenue
and pay-
ment of
expenses of
under-
takings.

(a) All money received by the Corporation on account of the revenue of any undertaking for the time being of the Corporation from which revenue is derived shall be carried to and shall form part of the general rate fund and all payments and expenses made and incurred in respect of those undertakings shall be paid out of that fund;

(b) Any moneys which the Corporation are required or authorised to pay or apply or may in the future be required or authorised to pay or apply under the following enactments (namely):—

Section 7 (Application of money received by local authority as Undertakers) of the schedule to the Electric Lighting (Clauses) Act 1899;

A.D. 1927.

Paragraph (c) of this section;

shall for the purposes of paragraph (a) of this section be deemed to be payments and expenses made and incurred in respect of the undertaking to which the said enactments respectively relate;

- (c) Any income arising from any renewals fund depreciation fund contingent fund reserve fund or insurance or other similar fund shall be from time to time paid into the general rate fund and any contributions due to any such fund as aforesaid shall be paid out of the general rate fund;
- (d) The Corporation may (if they think fit) apply money received by them on account of the revenue of any of the undertakings referred to in paragraph (a) of this section in the provision of funds for working capital for such undertaking.

Application
of Elec-
tricity
(Supply)
Act 1926.

135. Nothing contained in this Act shall be deemed to authorise the Corporation to apply or dispose of the surplus revenue of the electricity undertaking otherwise than in accordance with the provisions of section 43 of and the Fifth Schedule to the Electricity (Supply) Act 1926.

Power to
borrow by
issue of
bonds.

136.—(1) In addition to any other form of borrowing the Corporation may borrow any sums which they have power to borrow under this Act or any other Act or Order by the issue of bonds to be called "Corporation bonds" (and in this Act referred to as "bonds") in accordance with the provisions of this Act.

(2) The provisions set out in the Sixth Schedule to this Act shall have effect with regard to bonds.

(3) All bonds issued under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of issue of the bonds or on any other ground whatsoever and shall also rank equally with and have the same status as all other securities issued by the Corporation.

(4) Bonds shall be deemed to be loan capital or funded debt within the meaning of section 8 of the Finance Act 1899 as amended by section 10 of the Finance Act 1907.

(5) The provisions of section 115 of the Stamp Act 1891 (which relates to the composition for stamp duty) shall with the necessary adaptations apply in the case of bonds as if those bonds were stock or funded debt within the meaning of that section. A.D. 1927.
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137. The Corporation shall in every year within three months after the close of their financial year or such longer period as the Minister of Transport may allow furnish to the Minister of Transport a copy of the annual accounts of their tramway and omnibus undertakings. Accounts to be furnished to Minister of Transport.

PART XIV.

MISCELLANEOUS PROVISIONS.

138.—(1) The provisions of section 17 (For protection of Warwickshire County Council) of the Act of 1913 shall mutatis mutandis and so far as applicable extend and apply to and enure for the benefit and protection of the Warwickshire County Council (in this section called "the county council") in reference to any main road and county bridge or the approaches to any such bridge in the county of Warwick in along over or alongside of which any works authorised by Part IV or Part V of this Act shall be constructed or executed by the Corporation. For further protection of Warwickshire County Council.

(2) Where the consent of the Minister of Transport has been obtained to the placing of any electric line above ground any standard pole or other structure for carrying the electric line shall be placed in or upon any main road or county bridge or the approaches thereto so as to interfere as little as may be with the statutory powers and duties of the county council in reference to such main road or county bridge or the approaches thereto and so as not to be or be likely to become an obstruction to traffic or dangerous to the public.

139. In addition to any other powers exerciseable by them whether as the local education authority or otherwise the Corporation may expend on the provision of lectures on educational or other subjects such sums as they may from time to time think fit not exceeding in any one year the sum of one hundred pounds. Power to expend money on lectures.

A.D. 1927.
—
Amendment
of local
Acts
relating to
streets &c.

140.—(1) The following sections of the Act of 1900 the Act of 1911 and the Act of 1920 are hereby repealed:—

The Act of 1900—

- Section 69 (Continuation of streets to be deemed new streets);
- Section 75 (Public drinking fountains);
- Section 80 (Corporation may require enlarged sewer);
- Section 85 (For preventing water flowing on footpath).

The Act of 1911—

- Section 20 (Further provisions as to new streets);
- Section 21 (For preventing soil &c. from being washed into streets);
- Section 23 (Trees or shrubs overhanging streets and footpaths);
- Section 24 (Courts to be flagged);
- Section 31 (Notice of intention to repair drains);
- Section 40 (Defining the establishing of a new business);
- Section 41 (Houses infested with vermin to be cleansed).

The Act of 1920—

- Section 78 (Erection of bridges);
- Section 80 (Street orderly bins);
- Section 92 (Corporation may make communications between private drains and their sewers on payment &c.);
- Section 94 (Prohibiting entry of petrol &c. into sewers);
- Section 98 (Power to require watercourses on building land to be culverted);
- Section 99 (Streams not to be covered over obstructed or diverted except in accordance with plans);
- Section 100 (Watercourse choked up to be a nuisance under Public Health Act 1875).

(2) Subsection (2) of section 71 (Corporation may define future line of streets) of the Act of 1900 shall be read and have effect as if the Acquisition of Land (Assessment of Compensation) Act 1919 were referred to therein instead of the Arbitration Act 1889. A.D. 1927.

(3) The proviso to subsection (2) of section 10 (Further powers for acquisition of land) of the Act of 1920 shall be read and have effect as if the words "no such land after it has been purchased shall be used for any purpose and" were omitted therefrom.

141. The adoption by the Corporation of section 33 of the Public Health Act 1925 is hereby revoked.

Revocation of adoption of section 33 of Public Health Act 1925.

142. Any person aggrieved by any order judgment determination or requirement or the withholding of any certificate licence consent or approval of or by the Corporation or of or by any officer of the Corporation under the provisions of Part VII (Streets and buildings) Part VIII (Infectious disease and sanitary provisions) or Part X (Police and hackney carriages) of this Act or by any conviction or order made by a court of summary jurisdiction under the said provisions may if no other mode of appeal is provided by this Act appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts and in regard to any such order made by a court of summary jurisdiction the Corporation may in like manner appeal.

As to appeal.

143. The provisions of section 102 (Power of entry of local authority) and section 103 (Penalty for disobedience of order) of the Public Health Act 1875 shall extend and apply to the purposes of Part VII (Streets and buildings) and Part VIII (Infectious disease and sanitary provisions) of this Act as if those purposes had been mentioned in the said section 102.

Power to enter premises.

144. If the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Corporation under Part VII (Streets and buildings) or Part VIII (Infectious disease and sanitary provisions) of this Act or under any byelaw made thereunder then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to

Penalty on occupier refusing execution of Act.

A.D. 1927. — permit the owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding two pounds and during the continuance of his refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such work.

Several sums in one summons.

145. Where the payment of more than one sum by any person is due under any Act or Order from time to time in force within the city any summons or warrant issued for the purposes of any such Act or Order in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Expenses may be declared private improvement expenses.

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

Application of provisions of Acts of 1900 1907 1911 1913 and 1920.

147. The following sections of the Act of 1900 the Act of 1907 the Act of 1911 the Act of 1913 and the Act of 1920 shall with any necessary modifications extend and apply to the exercise of the powers of this Act as if the same were re-enacted in this Act (namely):—

The Act of 1900—

Section 139 (Compensation how to be determined);

Section 140 (Powers of Act cumulative);

Section 145 (Audit of accounts).

The Act of 1907—

Section 48 (Inquiries by Local Government Board) Provided that for the purposes of this Act subsection (2) of the said section 48 shall be read and have effect as if the words "five guineas" were substituted for the words "three guineas" therein;

- | | | |
|------------|---|------------|
| Section 51 | (Recovery of penalties); | A.D. 1927. |
| Section 52 | (Informations by whom to be laid); | — |
| Section 53 | (Penalties to be paid over to treasurer); | — |
| Section 54 | (Recovery of demands); | — |
| Section 55 | (Application of section 265 of Public Health Act 1875). | — |

The Act of 1911—

- Section 47 (Expenses of execution of Act);
- Section 51 (Evidence of appointments authority &c.);
- Section 52 (As to breach of conditions of consent of Corporation);
- Section 53 (In executing works for owner Corporation only liable for negligence);
- Section 54 (Consent of Corporation to be in writing);
- Section 55 (Apportionment of expenses in case of joint owners);
- Section 56 (Saving for indictment &c.);
- Section 57 (Confirmation of byelaws);
- Section 59 (Authentication and service of notices);
- Section 60 (Judges not disqualified).

The Act of 1913—

- Section 21 (Power to re-borrow).

The Act of 1920—

- Section 133 (Damages and charges to be settled by court).

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

149. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the general rate fund and general rate or out of moneys to be borrowed under this Act for that purpose. Costs of Act.

A.D. 1927.

The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

LIST OF PROPERTIES OF WHICH PART ONLY MAY BE TAKEN.

	Parish.	Number on deposited plans.
Coventry	- - - - -	58

SECOND SCHEDULE.

AN AGREEMENT made the twenty-second day of September one thousand nine hundred and twenty-six between THE KENILWORTH GAS COMPANY of High Street Kenilworth in the county of Warwick (hereinafter called "the Company") of the one part and THE MAYOR ALDERMEN AND CITIZENS OF THE CITY of COVENTRY (hereinafter called "the Corporation") of the other part Whereby (subject as hereinafter provided) It is agreed as follows:—

1. The Company shall sell and the Corporation shall purchase as a going concern freed and discharged from all debentures mortgages and other incumbrances whatsoever and all debenture interest or other liabilities in respect thereof the whole of the undertaking of the Company with all the Company's real and personal property (of whatever tenure and description) goodwill assets and effects of every kind and all powers rights and privileges liberties and authorities belonging to or enjoyed by the Company in respect thereof with the exception of cash in hand and such sums of money as may be due to the Company in respect of gas supplied meter rents and other debts owing to or accruing to the Company on revenue account up to the thirtieth September one thousand nine hundred and twenty-six.

A.D. 1927.

The Undertaking of the Company shall include:—

(a) All gas works gasometers mains pipes apparatus and other works and conveniences with all the lands and buildings estates rights interests easements privileges securities choses in action books writings chattels and effects and all other estates and effects of the Company including all agreements as to the purchase leasing acquisition or occupation of land and all such quantities of coals pipes fittings and other stores as shall be the ordinary and usual quantities consistent with the carrying on of the undertaking;

(b) All agreements as to or concerning the sale or supply of gas gas fittings residuals or other commodities by or to the Company and other agreements existing on the thirtieth of September one thousand nine hundred and twenty-six and all claims and demands powers and authorities of or to which the Company are on the thirtieth of September one thousand nine hundred and twenty-six seized or possessed or in anywise entitled Provided that in the case of agreements into which the Company have entered relating to the supply of gas or gas fittings or other things by the Company prior to the thirtieth of September one thousand nine hundred and twenty-six any liabilities incurred by the Company for repayment of moneys expended or deposited by the persons who entered into the agreements with the Company shall be discharged by the Company and the Company hereby undertake to discharge all such liabilities;

(c) The lease of the Company's offices in Kenilworth.

2. The day of transfer shall be one month after the passing of the Act of Parliament confirming the agreement and as from the thirtieth of September one thousand nine hundred and twenty-six the Company shall carry on business for and on account of the Corporation.

3. The Company shall pay all debts and liabilities attaching to or in respect of the undertaking up to the thirtieth of September one thousand nine hundred and twenty-six including all mortgages and loans (by way of overdraft or otherwise) and the liabilities referred to in clause 1 hereof and the liabilities referred to in the proviso to clause 1 (b) hereof and shall indemnify the Corporation against all demands claims and liabilities in respect thereof The Corporation shall have the benefit of the trading and the carrying on of the business as from the thirtieth of September one thousand nine hundred and twenty-six and (subject as hereinafter provided) shall discharge all liabilities including directors' fees properly incurred in carrying on the business from that date.

A.D. 1927.
—

4. For the period commencing on the first of October one thousand nine hundred and twenty-six and terminating on the day of transfer the Corporation shall pay to the Company a sum equivalent to five per centum on the amount of ordinary and preference stock issued by the Company.

5. Any revenue received by the Company in advance and outgoings rates rents and taxes shall be fairly apportioned between the Company and the Corporation.

6. The Company on the day of transfer shall deliver to the Corporation all books deeds agreements reports plans letters documents and other matters relating to their undertaking and business whether in the possession of the Company or of their professional advisers agents or employees.

7. In consideration of the sale of the Company's undertaking the Corporation shall pay to the Company the sum of thirty-eight thousand five hundred pounds (£38,500) on the day of transfer.

8. The Company shall not more than fourteen days after the passing of the Act confirming this agreement submit their accounts for examination to such person as the Corporation may appoint. Any expenditure properly incurred after the thirtieth of September one thousand nine hundred and twenty-six by the Company on capital account (as appearing from the said accounts) shall be discharged by the Corporation but any expenditure on capital account not properly incurred shall be discharged by the Company.

9. The Company shall carry on and manage the undertaking until the day of transfer according to their usual course of business and shall deliver it up in fair working order as a going concern but after the date of the agreement shall not make any unnecessary outlay or incur any unnecessary liability or borrow money on mortgage or issue any debentures or issue any additional capital or call up any unpaid capital. They may however with the reasonable approval of the Corporation for the purpose of capital expenditure overdraw their account at the bank to the extent which is necessary and proper for capital expenditure to keep up the works as a going concern in the ordinary course and proper conduct of the affairs of the Company and any such overdraft shall be dealt with and repaid in the manner mentioned in clause 8.

10. If for any reason the purchase is not completed on the day of transfer the Corporation shall nevertheless take possession of the undertaking on the day and (unless the delay is caused through the Company's wilful default) shall pay the Company interest at six per centum on the purchase price (plus any proper additions to the purchase price under clause 8) from the day of transfer until the actual date of completion.

11. After completion the Company shall subsist only for the purpose of winding up their affairs. A.D. 1927.

12. Every person (other than Mr. Ramsden the Company's engineer) who on the day of transfer is in the Company's employment shall be taken over by the Corporation on the same basis as to position and emoluments as the basis which existed on the thirtieth of September one thousand nine hundred and twenty-six unless any such employee fourteen days before the day of transfer notifies the Corporation in writing that he does not desire to serve under them. The Company shall not increase the salary or wages of any employee or alter the terms of his service between the date of this agreement and the day of transfer except with the written consent of the Corporation.

13. The Corporation shall at their own cost promote and use their best endeavours to secure the passing of a Bill in the next session of Parliament with such clauses as are necessary to carry this agreement into effect and the Company shall aid and assist in obtaining the Act of Parliament and shall supply to the Corporation free of charge with all information in the possession of the Company or their advisers or employees which the Corporation may reasonably require and shall also support the Bill by the evidence or otherwise of themselves and their advisers and employees if the need shall arise.

14. This agreement shall be scheduled to the Bill and is subject to the approval of Parliament and to such alterations as may be made by Parliament therein. If however either House of Parliament makes any material alteration in the agreement there shall be an option to each party to withdraw from the same and in such case (or if the Bill fails to pass in Parliament) this agreement shall be void and of no effect.

15. On and from the passing of the Bill the duly authorised officers of the Corporation shall have access to the Company's offices during office hours and be entitled to inspect the books papers and records and make themselves acquainted with the affairs of the Company preparatory to the taking over and the Company shall give such officers such information and assistance as they may require.

16. The agreement shall be subject to the approval of the shareholders of the Company and the directors undertake forthwith to call a meeting of the shareholders to obtain such approval and to use their best endeavours to secure the approval. If the shareholders do not confirm the agreement it shall be void and of no effect.

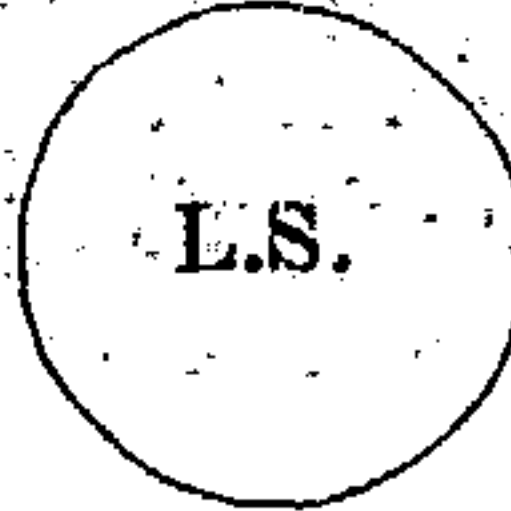
17. Any question or difference which arises under this agreement or as to its construction shall be referred to the arbitration of a counsel nominated by the President of the Law

A.D. 1927. Society and the provisions of the Arbitration Act 1889 or any subsisting statutory modification thereof shall apply to the arbitration.

In witness whereof the Company and the Corporation have caused their respective common seals to be hereunto affixed the day and year first before written.

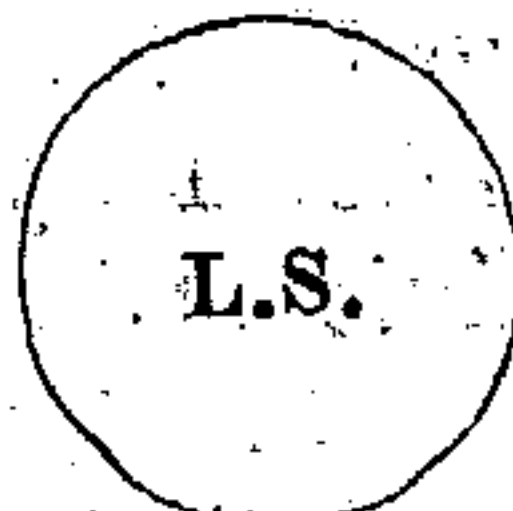
The common seal of the Kenilworth Gas Company was hereunto affixed in the presence of } THE KENILWORTH GAS COMPANY.

HENRY MILES }
E. E. NIXON } Directors.
A. E. DENCER } Secretary.



The corporate seal of the mayor aldermen and citizens of the city of Coventry was hereunto affixed and the same countersigned by Frank Snape Esquire Mayor in the presence of } THE MAYOR ALDERMEN AND CITIZENS OF THE CITY OF COVENTRY.
18 Edw. III.
F. SNAPE Mayor.

A. J. MATON
Clerk in the Town Clerk's Department
Coventry.



THIRD SCHEDULE.

FORM OF DEED OF TRANSFER OF COMPANY'S UNDERTAKING.

Pursuant and subject to the provisions of the Coventry Corporation Act 1927 and for the consideration mentioned in the agreement set forth in the Second Schedule to that Act the Kenilworth Gas Company hereby grant convey and assign to the mayor aldermen and citizens of the city of Coventry the undertaking property and assets of the Company To hold the same unto the said mayor aldermen and citizens their successors and assigns in fee simple And the said mayor aldermen and citizens do hereby accept the same accordingly.

In witness whereof the parties hereto have hereunto affixed their respective common and corporate seals the _____ day of _____ nineteen hundred and _____

FOURTH SCHEDULE.

A.D. 1927.

PART I.

PROVISIONS AS TO DISTRIBUTION OF CONSIDERATION AND
OTHER MONEYS AND DISSOLUTION OF COMPANY.

(1) From and after the day of transfer the Company shall continue to exist only for the purpose of paying their debts and liabilities (other than such as are to be discharged or taken over by the Corporation) and of receiving and recovering the sums payable to the Company under this Act and the scheduled agreement and distributing or otherwise applying the same and distributing or otherwise applying any dividends or other moneys to be distributed by them and of winding up the affairs of the Company and carrying into effect the purposes of this Act so far as they relate to the Company and the directors of the Company who are in office at the day of transfer and the survivors or survivor of them shall continue without re-election to hold office as directors and they or a majority of them shall have full power and authority to take all necessary steps and proceedings for carrying into effect the provisions of this schedule.

(2) If the number of directors of the Company be reduced by death resignation or otherwise below three before the completion of such winding up the continuing directors shall from time to time choose a shareholder or shareholders of the Company to fill the vacancy or vacancies so caused.

(3) As soon as may be practicable after the day of transfer the directors of the Company shall proceed to wind up the affairs of the Company and after payment of the debts and liabilities of the Company (other than such as are to be discharged by the Corporation) shall pay and distribute the surplus moneys of the Company to and among the several persons who at the day of transfer are the registered holders of stock of the Company or their respective executors administrators or assigns in accordance with the scheme referred to in Part II of this schedule.

(4) The Company shall on publication in a local newspaper circulating in their limits of supply of a notice signed by three or more directors and certifying that all the provisions of this schedule have been complied with be dissolved.

PART II.

(1) The directors of the Company shall as soon as possible after the amount of consideration and other moneys to which the Company become entitled under this Act is ascertained prepare a scheme or schemes for the distribution of the net amount

A.D. 1927. to be distributed by them amongst the stockholders entitled thereto and in case of the withdrawal or rejection of any such scheme they may prepare other or modified schemes in lieu thereof and the following provisions shall have effect :—

The directors shall send a copy of the scheme to all the stockholders of the Company at their registered addresses together with a notice summoning a meeting of the stockholders to consider the scheme at a place and time to be named in the notice being not earlier than seven days nor later than fourteen days after the circulation of the scheme.

The scheme shall be submitted to the said meeting and if one-fourth in number of the stockholders present in person or by proxy thereat shall object thereto and shall insist on such objection the scheme and such objection thereto shall be referred to the arbitrament of one of His Majesty's counsel to be appointed by the Attorney-General on the application of either of the parties who shall have power to settle the scheme.

(2) If no such objection be insisted on the scheme as submitted to the meeting and otherwise the scheme so settled shall be binding on all parties unless the scheme be at variance with the provisions of this Act or of this schedule.

(3) Any such scheme shall provide for the payment and discharge of any liability in respect of the undertaking of the Company which is not taken over by the Corporation and may provide for the payment of any sums in consideration of loss of office and in recognition of any special services rendered to the Company.

(4) For the purposes of the distribution of the said moneys among the stockholders entitled thereto the several persons whose names shall appear in the books of the Company at the day of transfer to be the holders of stock therein shall unless the contrary be proved to the satisfaction of the directors be considered to be stockholders of the Company and the receipt in writing of such persons or their executors administrators or assigns or of the committee or guardian of the estate of any such person who shall be an idiot lunatic or minor shall be a sufficient discharge to the Company and the directors thereof for the money therein expressed to be received and shall exonerate them from any obligations affecting the stock or interest in respect whereof such payment is made.

(5) In case the directors of the Company are for six months after the day of transfer unable after diligent inquiry to ascertain the persons to whom any money ought to be paid or who can give an effectual receipt for the same they may pay the money as nearly as may be in manner provided for the payment of

money into court by any Act for the time being in force for the relief of trustees and such Act shall apply with all necessary modifications to such money and where the amount does not exceed £500 the directors may pay the same into the county court of Warwickshire holden at Warwick and every such payment shall effectually discharge the Company and the directors thereof from all further liability with respect to such money.

A.D. 1927.

(6) After the day of transfer the Company shall have access at all reasonable times to their respective books documents and accounts for the purpose of making up the accounts of the company and for all other reasonable purposes in relation to the execution and the provisions of this Act.

FIFTH SCHEDULE.

PROVISIONS OF KENILWORTH GAS ACT 1917 SAVED FROM REPEAL.

47.—(1) The Company may in or upon the lands first described in the First Schedule to this Act upon which the existing gasworks of the Limited Company are erected and in or upon the lands secondly described in the said schedule maintain continue alter improve extend and renew the existing gas and other works of the Limited Company and may upon those lands or any part thereof erect maintain alter improve extend and renew gasworks with all necessary machinery and apparatus and do all such acts as may be proper for making and storing gas and for supplying gas within the limits of supply and may on the said lands work up and convert the residual products arising directly or indirectly from the manufacture of gas by them.

Construction
and main-
tenance of
gasworks &c.

(2) The Company may also—

- (a) Purchase the residual products arising from the manufacture of gas by other gas undertakers and therewith upon the said lands manufacture other products of the same kind as the Company are manufacturing from their own residual products Provided that the quantity of any residual product so purchased by the Company in any year shall not exceed one-third of the quantity of the like residual product which shall in that year arise directly or indirectly from the manufacture of gas by them;
- (b) Purchase from other gas undertakers and elsewhere and use the materials required to work up and convert upon the said lands the residual products so arising from their own manufacture of gas or purchased as aforesaid :

A.D. 1927. But the Company shall not manufacture chemicals exclusively from raw materials purchased from sources other than gas undertakings or in the manufacture of which the use of residual products produced by the Company or purchased from other gas undertakings is merely subsidiary.

THE FIRST SCHEDULE TO THE KENILWORTH GAS ACT
1917.

DESCRIPTION OF GAS LANDS.

First All that piece or parcel of land situate on the northern side of Dalehouse Lane in the urban district of Kenilworth in the county of Warwick belonging to the Limited Company and occupied in part by the existing gasworks of the Limited Company and the residence of the works manager containing in the whole by admeasurement 1 acre and 31 perches or thereabouts and which piece or parcel of land comprises the enclosures numbered 482 and 483 on the $\frac{1}{2500}$ Ordnance map Warwickshire sheet XXVI 10 (second edition 1905).

Secondly All that piece or parcel of land situate on the southern side of Dalehouse Lane aforesaid in the said urban district of Kenilworth belonging to the Limited Company and containing in the whole by admeasurement 2 acres 1 rood and 35 perches or thereabouts and being the enclosure numbered 481 on the $\frac{1}{2500}$ Ordnance map Warwickshire sheet XXVI 10 (second edition 1905).

SIXTH SCHEDULE.

1. Bonds shall be secured on the rates and revenues of the Corporation and any moneys borrowed by means of bonds shall be principal moneys as defined by section 108 (Security for principal moneys) of the Act of 1900.

2. Bonds shall be issued in such amounts in denominations of five pounds and multiples of five pounds and for such periods not being less than five years as the Corporation may determine.

3. (a) Bonds may be issued at such price and at such rates of interest as the Corporation may from time to time determine.

(b) The nominal amount of bonds issued shall not exceed in the aggregate according to the price of issue such amounts

as will together produce the actual amount of money for the time being authorised to be borrowed by the Corporation.

A.D. 1927.

(c) Where a bond has been issued at a price lower than par so much of the issue as represents the difference between the price of the bond as issued and its nominal value shall be treated as a loan authorised by a statutory borrowing power and repayable out of the revenues of the Corporation on or before the date for repayment specified in the certificate issued in respect of the bond.

4. Bonds shall be repayable at par (unless the same shall have been previously cancelled by purchase in the open market or by agreement with the bondholder) at the council house Coventry on the dates specified in the certificates issued in respect of the bonds and no interest shall be payable thereon in respect of any period after the date upon which the bond is repayable.

5.—(1) The treasurer shall keep a register of all persons who are holders for the time being of bonds.

(2) The register shall contain the following particulars :—

(a) The name address and description of each holder a statement of the denomination of the bonds held by him the price at which and the periods for which they are issued and the numbers and dates of the certificates issued to him as hereinafter provided :

(b) The date of registration of each holder and the date on which he ceased to be so registered.

(3) The register shall be primâ facie evidence of any matter entered therein in accordance with the provisions of this Act and of the title of the persons entered therein as holders of bonds.

6.—(1) The Corporation shall issue to each holder of a bond a certificate in respect thereof duly numbered and dated and specifying the denomination of the bond and the period for which it is issued.

(2) If a certificate is worn out or damaged the Corporation on the production thereof may cancel it and issue a new certificate in lieu thereof.

(3) If a certificate is lost or destroyed the Corporation on proof thereof to their satisfaction and if they so require on receiving an indemnity against any claims in respect thereof may give a new certificate in lieu of the certificate lost or destroyed.

(4) An entry of the issue of a substituted certificate shall be made in the register.

A.D. 1927.

(5) A certificate shall be in the following form or in a form substantially to the like effect:—

No.

CITY OF COVENTRY.

Coventry Corporation Bonds.

—per centum Coventry Corporation bond repayable at
par 19 at the Council House Coventry.

This is to certify that _____ of
is the registered holder of a Corporation bond for
pounds (£ _____) issued by the mayor aldermen and citizens
of the city of Coventry under the Coventry Corporation Act
1927 at _____.

Signed

City Treasurer.

Date

7. The certificate shall be *primâ facie* evidence of the title of the person therein named his executors administrators or assigns to the bond therein specified but the want of a certificate if accounted for to the satisfaction of the Corporation shall not prevent the holder of the bond from disposing of and transferring the bond.

8.—(1) The transfer of a Corporation bond shall be by deed in the following form or in a form substantially to the like effect:—

FORM OF DEED OF TRANSFER.

Coventry Corporation Bonds.

I
in consideration of the sum of _____
paid by
(hereinafter called "the transferee") do hereby assign and
transfer to the said transferee:—

To hold unto the transferee his executors administrators
and assigns subject to the several conditions on which I held
the same immediately before the execution hereof and I the
said transferee do hereby agree to accept and take the said
subject to the conditions
aforesaid.

As witness our hands and seals this _____ day of
in the year of our Lord one thousand nine
hundred and _____

A.D. 1927.
—

(2) A bond may be transferred in whole or in part so however that any part transferred shall not be for an amount other than an amount for which a bond may be issued by the Corporation.

(3) The deed of transfer shall be delivered to and retained by the Corporation and the Corporation shall enter a note thereof in a book to be called the "Register of transfers of Coventry Corporation bonds" and shall endorse on the deed of transfer a notice of that entry.

(4) The Corporation shall upon receipt of the deed of transfer duly executed and properly stamped together with the certificate issued in respect of the bond enter the name of the transferee in the register and shall issue a new certificate or certificates to the transferee or to the transferor and transferee as the case may require.

(5) Until the deed of transfer and the certificate have been delivered to the Corporation as aforesaid the Corporation shall not be affected by the transfer and the transferee shall not be entitled to receive any payment of interest on the bond.

(6) The Corporation before registering a transfer of a bond may if they think fit require evidence by statutory declaration or otherwise of the title of any person claiming to make the transfer.

9. The Corporation may close the register for a period not exceeding thirty days immediately before the thirty-first day of March and the thirtieth day of September in any year respectively and notwithstanding the receipt by the Corporation during those periods of any deed of transfer the half-yearly payment of interest next falling due may be made to the persons registered as holders of bonds on the date of the closing of the register.

10.—(1) Any person becoming entitled to a bond by reason of the death or bankruptcy of a holder or by any lawful means other than a transfer may by the production of such evidence of title as the Corporation may require either be registered as holder of the bond or instead of being himself registered may make such transfer of the bond as the holder could have made and the Corporation shall issue a certificate accordingly.

(2) Until such evidence as aforesaid has been furnished to the Corporation the Corporation shall not be affected by the transmission of the bond and no person claiming by virtue thereof shall be entitled to receive any payment of interest thereon.

(3) Where two or more persons are registered as holders of a bond they shall be deemed to be joint holders with right of survivorship between them.

A.D. 1927.

11.—(1) Unless the holder of a bond otherwise requests the Corporation may pay the interest thereon by posting a warrant to the holder at his address as shown in the register.

(2) The posting by the Corporation of a letter containing an interest warrant addressed to a holder as aforesaid shall as respects the liability of the Corporation be equivalent to the delivery of the warrant to the holder himself.

12. The Corporation shall not be required to pay any executors or administrators any interest on bonds 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 for registration.

13. The Corporation before paying any interest on any bonds may if they think fit require evidence by statutory declaration or otherwise of the title of any person claiming a right to receive the interest.

14. Where more persons than one are registered as joint holders of a bond any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Corporation by any other of them.

15. No notice of any trust shall be entered in the register or in any other book kept by the Corporation or be receivable by the Corporation.

16.—(1) If at any time any interest due on any bonds remains unpaid for two months after demand in writing the persons entitled thereto may apply to the High Court for the appointment of a receiver and the court may if it thinks fit appoint a receiver on such terms as it thinks fit.

(2) The receiver shall have the like power of collecting receiving recovering and applying moneys and of assessing making and recovering all rates for the purpose of obtaining the same as the Corporation or any other officer thereof would or might have and such other powers and duties as the court thinks fit and shall apply all moneys so collected and received after paying all such costs as the court may direct for the purposes of this Act.

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