



CHAPTER lxi.

An Act to empower the mayor aldermen and burgesses of the borough of West Bromwich to provide and work a trolley vehicle system to provide and work motor omnibuses to construct street improvements to extend their powers with regard to their gas and electricity undertakings and to the health local government and improvement of the borough and for other purposes.

A.D. 1913.

[15th August 1913.]

WHEREAS the borough of West Bromwich in the county of Stafford (herein-after referred to as "the borough") is a county borough under the government of the mayor aldermen and burgesses of the borough (herein-after called "the Corporation"):

And whereas the Corporation own and lease the tramways within the borough and it is expedient to authorise them to provide and work vehicles moved by electrical power transmitted thereto from some external source and to confer upon the Corporation all necessary powers with regard thereto and also to enable them to provide and work motor omnibuses within and without the borough:

And whereas it is expedient to authorise the Corporation to execute the street improvements referred to in this Act:

And whereas the Corporation are the owners of the undertakings which supply the borough with gas and electricity and it is expedient to make further provisions with regard to those undertakings:

And whereas it is expedient that better provision should be made with reference to streets buildings sewers and drains within the borough and that the powers of the Corporation in relation

[Ch. lxix.] *West Bromwich Corporation* [3 & 4 GEO. 5.]
Act, 1913.

A.D. 1913. to the health local government and improvement of the borough
 — should be enlarged as by this Act provided:

And whereas it is expedient that the other provisions contained in this Act should 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 herein-after mentioned and such estimates are as follows:—

	£
For the provision of trolley vehicles and the electrical equipment and other works necessary for working trolley vehicles - - -	18,197
For the provision of motor omnibuses - - -	8,000
For the purchase of lands for and in connexion with the construction of street improvements -	15,000

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 the approval of the Local Government Board has been obtained:

And whereas plans and sections showing the lines and levels of the works authorised by this Act and 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 Stafford and are in this Act 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:—

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the West Bromwich Corporation Act 1913.

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

A.D. 1913.

- Part I.—Preliminary.
- Part II.—Tramways and Trolley Vehicles.
- Part III.—Motor Omnibuses.
- Part IV.—Street Improvements.
- Part V.—Lands.
- Part VI.—Streets Buildings Sewers and Drains.
- Part VII.—Infectious Disease and Sanitary Provisions.
- Part VIII.—Gas and Electricity.
- Part IX.—Finance.
- Part X.—Miscellaneous.

Division of
 Act into
 Parts.

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

Incorporation of Acts.

The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845).

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

Interpretation.

“The Corporation” means the mayor aldermen and burgesses of the borough of West Bromwich;

“The borough” means the borough of West Bromwich;

“The council” means the council of the borough;

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

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

A.D. 1913

“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;

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

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

“The tribunal” means the jury arbitrators umpire or other authority to whom any question of disputed purchase money or compensation under this Act is referred;

“The Act of 1876” means the West Bromwich Improvement (Gas) Act 1876;

“The Act of 1889” means the West Bromwich Corporation (Consolidation of Loans) Act 1889;

“The Act of 1900” means the West Bromwich Corporation Act 1900;

“The Act of 1903” means the West Bromwich Corporation Act 1903;

“The gas limits” means the limits within which the Corporation are for the time being authorised to supply gas;

“Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 for the time being applies within the borough; A.D. 1913.

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

Words and expressions to which meanings are assigned by the Public Health Act 1875 and the Public Health Acts Amendment Act 1890 shall have in this Act the same respective meanings unless otherwise expressly provided.

PART II.

TRAMWAYS AND TROLLEY VEHICLES.

5.—(1) Notwithstanding anything contained in the Acts of 1900 and 1903 the Corporation with the consent of the Board of Trade may— Powers as to alteration of tramways.

(a) Make maintain alter and remove such cross-overs passing-places sidings junctions and other works in addition to those particularly specified in and authorised by the Acts or Orders relating to any of the tramways of the Corporation as they find necessary or convenient for the efficient working of those tramways or for forming junctions with other tramways or light railways or for providing access to any warehouses stables or carriage houses or works of the Corporation; and

(b) Lay down double lines in lieu of single or interlacing lines or single lines in lieu of double or interlacing lines or interlacing lines in lieu of double or single lines on any of their tramways either when constructing the tramways or at any time thereafter and construct or take up and reconstruct any of their tramways in such position in the road in which it is authorised to be constructed as they may think fit.

(2) Provided that if in the construction of any works under this section any rail is intended to be laid nearer to the foot-path than previously authorised in such a manner that a less

A.D. 1913. space than nine feet six inches would intervene between such rail and the outside of the footpath on either side of the road the Corporation shall not less than one month before commencing the works give notice in writing to every owner and occupier of houses shops or warehouses abutting on the place where such less space would intervene and such rail shall not be so laid (except with the consent of the Board of Trade) if the owners or occupiers of one third of such houses shops or warehouses by writing under their hands addressed and delivered to the Corporation within three weeks after receiving the notice from the Corporation express their objection thereto:

Provided also that the Corporation shall not under the provisions of this section make any alteration of the tramways leased to the Birmingham District Power and Traction Company Limited or to the South Staffordshire Tramways (Lessee) Company Limited respectively during the continuance of any such lease except with the consent of such company respectively which consent shall not be unreasonably withheld. If any question arise between the Corporation and the said companies or either of them as to whether or not such consent is unreasonably withheld such question shall be determined by an arbitrator to be agreed upon or failing agreement to be nominated by the Board of Trade on the application of either party and the provisions of the Arbitration Act 1889 shall apply to such arbitration.

Power to
provide and
use trolley
vehicles.

6. At any time after the first day of January one thousand nine hundred and fourteen the Corporation may with the consent of the Board of Trade provide maintain and equip (but shall not manufacture) mechanically propelled vehicles adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source (in this Act called "trolley vehicles") and may use the same upon the routes comprising the following streets or roads within the borough (that is to say):—

Route No. 1 Commencing at the junction of Bull Street with High Street passing thence along Bull Street Walsall Street Reform Street Seagar Street Hallam Street and All Saints' Street and terminating at a point opposite All Saints' Church;

Route No. 2 Commencing at the depôt of the Corporation in Hardware Street passing thence along Sandwell

Road and Taylor's Lane and terminating on Route No. 1 at the corner of Taylor's Lane and Seagar Street; A.D. 1913.

Route No. 3 Commencing at Dartmouth Square at the point of commencement of Route No. 1 herein-before described and passing thence along Paradise Street Price Street Izons Road Oxford Road Oak Lane Wood Lane Greet's Green Road Whitehall Road and terminating at the corner of Whitehall Road and Great Bridge Street;

and may subject to the provisions of this Act place erect and maintain in along and over the streets and roads forming such routes cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working trolley vehicles and may supply electrical energy by means of such apparatus and equipment for that purpose but no post or other apparatus shall be erected on the carriageway of any street or road except with the consent of the Board of Trade Provided that the Corporation shall not carry passengers over Route No. 2 by this Act authorised unless and until they shall have widened Taylor's Lane to the satisfaction of the Board of Trade:

Provided also that the Corporation shall not under the provisions of this section during the continuance of the lease dated the eighth day of September one thousand nine hundred and four and made between the mayor aldermen and burgesses of the county borough of West Bromwich of the first part the British Electric Traction Company Limited of the second part and the South Staffordshire Tramways (Lessee) Company Limited of the third part execute any works or provide or use trolley vehicles along such part of Route No. 3 hereby authorised as lies between the junction of Whitehall Road with Dunkirk Street and the termination of the said Route No. 3 at Great Bridge Street without the consent in writing of the South Staffordshire Tramways (Lessee) Company Limited.

7. The Corporation may work and may demand and take tolls and charges in respect of the trolley vehicles and in respect of the use of such trolley vehicles and may provide such garages sheds buildings carriages trucks machinery apparatus cable electric and other plant appliances and conveniences as may be requisite or expedient for the convenient housing storage or protection and working or user by electrical power of the trolley vehicles and for any such purpose may purchase by agreement

Power to work and take tolls for trolley vehicles and to provide buildings and apparatus in connexion therewith.

A.D. 1913. and hold lands but the Corporation shall not create or permit any nuisance on such lands.

Provision for exclusive right of using trolley vehicle apparatus.

8. Subject to the provisions of this Act the Corporation shall have the exclusive right of using any apparatus provided erected or maintained by them for the purpose of working trolley vehicles and any person except by agreement with the Corporation using the said apparatus shall for every offence be liable to a penalty not exceeding twenty pounds.

Trolley vehicle routes not to be opened until certified by Board of Trade.

9. No trolley vehicle route shall be opened for public traffic until it has been inspected and certified to be fit for such traffic by the Board of Trade.

Approval of trolley vehicles and electrical equipment by Board of Trade.

10. Trolley vehicles and the electrical equipment thereof shall be of such form construction weight and dimensions as the Board of Trade may approve and no trolley vehicle shall be used by the Corporation which does not comply with the requirements of the Board of Trade and no such vehicle (including the weight of its load) shall exceed a weight of five tons.

Power for Board of Trade to authorise new trolley vehicle routes by Provisional Order.

11.—(1) If the Corporation desire to use trolley vehicles in lieu of motor omnibuses upon any road as defined by the Tramways Act 1870 within the borough (other than the streets or roads in this Part of this Act specified) forming part of the motor omnibus routes authorised by this Act they may make application to the Board of Trade and the Board of Trade shall be and are hereby empowered to make a Provisional Order authorising the use of trolley vehicles upon any route or routes to which such application relates but subject nevertheless to the section of this Act whereof the marginal note is "Powers as to running of omnibuses."

(2) No such application shall be entertained by the Board of Trade unless the Corporation shall—

(a) Have published once in each of two successive weeks in the months of October or November notice of their intention to make such application in some newspaper or newspapers circulating in the borough;

(b) Have posted for fourteen consecutive days in the months of October or November in conspicuous positions in each of the roads to which such application relates a notice of their intention to make such application:

And each such notice shall state the time and method for bringing before the Board of Trade any objections to the grant of such application.

(3) The Board of Trade may and they are hereby empowered to prescribe the procedure with respect to any application for a Provisional Order under this section.

(4) The Board of Trade shall consider any such application and may if they think fit direct an inquiry to be held in the borough in relation thereto or may otherwise inquire as to the propriety of proceeding upon such application and they shall consider any objection to such application that may be lodged with them in accordance with the prescribed procedure and shall determine whether or not it is expedient and proper that the application be granted either with or without addition or modification or subject or not to any restriction or condition.

(5) In any case where it shall appear to the Board of Trade expedient and proper that the application be granted they may settle and make a Provisional Order authorising the same and shall as soon as conveniently may be thereafter procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional Order which shall be set out at length in the schedule to the Bill and until confirmation with or without amendment by such Act of Parliament a Provisional Order under this Part of this Act shall not have any operation.

(6) If while such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein the Bill so far as it relates to the Order petitioned against may be referred to a Select Committee and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

The Act of Parliament confirming a Provisional Order under this Part of this Act shall be deemed a public general Act.

(7) The making of a Provisional Order under this section shall be *primâ facie* evidence that all the requirements of this section in respect of proceedings required to be taken previously to the making of such Provisional Order have been complied with.

(8) Any expenses incurred by the Board of Trade in connexion with the preparation and making of any such Provisional Order and any expenses incurred by the Board of Trade in

A.D. 1913. — connexion with any inquiry under this section shall be paid by the Corporation.

(9) Provided that any Provisional Order obtained by the Corporation under the Tramways Act 1870 authorising the construction of tramways in the borough may authorise the Corporation to use trolley vehicles upon all or any of the streets or roads along which such tramways are authorised to be constructed or are to be reconstructed in lieu of and pending the construction or reconstruction thereof.

Trolley vehicles to form part of tramway undertaking.

12. Trolley vehicles and the apparatus and equipment for working the same shall for all purposes be deemed to form part of the tramway undertaking of the Corporation.

Certain enactments as to tramways to apply to trolley vehicles.

13. The provisions contained in the sections of the Act of 1900 the numbers and marginal notes of which are set forth in this section shall so far as applicable apply with reference to the trolley vehicles and the apparatus and equipment for working the same and in construing those provisions in their application to this Part of this Act unless the context otherwise requires the expression "the tramways" or "the Corporation tramways" shall be deemed to mean the trolley vehicles and the apparatus and equipment for working the same.

The sections herein-before referred to are—

Section 6 (Power to work tramways):

Section 8 (Power to make and maintain openings and works):

Section 9 (Rates for passengers):

Section 10 (Passengers' luggage):

Section 11 (Rates for goods):

Section 12 (Corporation not bound to carry animals and goods):

Section 13 (Cheap fares for labouring classes):

Section 14 (As to fares on Sundays or holidays):

Section 16 (Motive power):

Section 18 (Special provisions as to use of electrical power):

Section 22 (Byelaws):

Section 23 (Orders &c. of Board of Trade):

Section 24 (Power to acquire patent rights): A.D. 1913.

Section 25 (Temporary use of omnibuses):

Section 156 (Application of revenue of tramway undertaking and deficiency of receipts).

14.—(a) Notwithstanding anything in this Act or in the Act of 1900 contained if any of the works authorised to be executed by this Act or the Act of 1900 involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

For protection of
Postmaster-General.

(b) In the event of any tramways or trolley vehicles of the Corporation being worked by electricity the following provisions shall have effect:—

(1) The Corporation shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by His Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein Any difference which arises between the Postmaster-General and the Corporation as to compliance with this subsection shall be determined by arbitration :

(2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Corporation of their electric lines and works or by the working of the undertaking of the Corporation the Corporation shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection :

(3) Before any electric line is laid down or any act or work for working the tramways or the trolley vehicles by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Corporation or their agents not more

A.D. 1913.

than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Corporation and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work. Any difference which arises between the Postmaster-General and the Corporation as to any requirement so made shall be determined by arbitration :

- (4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Corporation is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of the Corporation's works or to the working of their undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated by the Corporation enter any of the Corporation's works for the purpose of inspecting the Corporation's plant and the working of the same and the Corporation shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Corporation pursuant to the Board of Trade regulations :
- (5) In the event of any contravention of or wilful non-compliance with this section by the Corporation or their agents the Corporation shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues :
- (6) Provided that nothing in this section shall subject the Corporation or their agents to a fine under this section

if they satisfy the court having cognisance of the case that the immediate doing of any act or the execution of any work in respect of which the penalty is claimed was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice:

- (7) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work:
- (8) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Act:
- (9) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882:
- (10) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Corporation or their agents were a company within the meaning of that Act:
- (11) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Corporation by indictment action or otherwise in relation to any of the matters aforesaid:
- (12) In this section the expression "the Corporation" includes their lessees and any person owning working or running carriages on any of the tramways or owning or working any trolley vehicles of the Corporation:
- (13) Section 19 of the Act of 1900 is hereby repealed.

A.D. 1913.

Use of tram-
way or
trolley
vehicle posts
by Post-
master-
General.

15.—(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Corporation in connexion with the tramways or trolley vehicles of the Corporation (herein-after in this section together referred to as “the tramways”) and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions:—

- (a) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the tramways:
- (b) The Postmaster-General shall give to the Corporation not less than twenty-eight days’ notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as herein-after provided:
- (c) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expenses of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the tramways or to prevent injurious affection of the Postmaster-General’s telegraphs or any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may from time to time be made by the Board of Trade arising through

the exercise by the Postmaster-General of the powers conferred by this section: A.D. 1913.

- (d) Unless otherwise agreed or in case of difference determined as herein-after provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as herein-after provided:
- (e) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road:
- (f) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair:
- (g) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants:
- (h) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as herein-after provided:
- (i) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by

A.D. 1913.
—

this section and caused by the maintaining and working of the tramways or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants:

(j) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same. Provided that if the Corporation or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as herein-after provided.

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connexion with their tramways or other municipal undertakings or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connexion with the lighting of the streets or otherwise. Provided that any difference between the Postmaster-General and such company or person in relation to the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as herein-after provided.

(3) All differences arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

(4) In this section—

The expression "the Corporation" includes their lessees;
The expression "telegraph" has the same meaning as in the Telegraph Act 1869;

Other expressions have the same meaning as in the Telegraph Act 1878.

16. The following provisions for the protection of the South Staffordshire Tramways (Lessee) Company Limited and the Birmingham District Power and Traction Company Limited (herein-after respectively referred to as "the tramways company") shall unless otherwise agreed between the Corporation and the tramways company apply and have effect (that is to say):—

A.D. 1913.
For protec-
tion of South
Staffordshire
Tramways
(Lessee)
Company
Limited and
Birmingham
District
Power and
Traction
Company
Limited.

- (1) Before commencing any works under this Part of this Act along across above or below any street in which any tramways owned by or leased to the tramways company are situate the Corporation shall give to the tramways company twenty-eight days' notice describing the proposed works together with a plan and specification thereof and the Corporation shall not execute any such works except in accordance with such plans and specifications to be reasonably approved by the tramways company and all such works shall be executed under the superintendence and to the reasonable satisfaction of the tramways company Provided that if the tramways company do not before the expiration of the said twenty-eight days signify their disapproval of such plans and specifications they shall be deemed to have approved thereof:
- (2) The Corporation shall at all times make full compensation to the tramways company for all loss of traffic or any other expense loss or damage caused to the tramways company by reason of or in connexion with or as the result of any such works of the Corporation:
- (3) In the event of any dispute or difference arising between the Corporation and the tramways company under the provisions of this section the same shall be settled by an arbitrator to be appointed on the application of either party by the Board of Trade and subject thereto the provisions of the Arbitration Act 1889 shall apply.

17. The Corporation may at such times and in such manner as they think fit (but subject to the provisions of this Act and to any byelaws for the time being in force with respect to the

Use of
trolley
vehicles for
carriage

A.D. 1913. trolley vehicles) use the trolley vehicles for sanitary or road watering purposes and for the conveyance of scavenging stuffs of road materials road metal and other materials required for the works of the Corporation free of all tolls and charges in respect of such use. &c.

Power to attach brackets &c. to buildings.

18. The Corporation may with the consent of the owner of any building attach to that building such brackets wires and apparatus as may be required for the working of any tramways or any of the trolley vehicles of the Corporation by mechanical power Provided that--

- (1) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a petty sessional court who shall have power having regard to the character of the building and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid:
- (2) Any consent of an owner and any order of a petty sessional court under this section shall not have effect after that owner ceases to be in possession of the building but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed Where such notice is given the preceding provisions of this section shall apply and the petty sessional court shall have the same powers as under proviso (1):
- (3) The owner may require the Corporation to temporarily remove the attachments where necessary during any reconstruction or repair of the building:
- (4) No brackets wires and apparatus shall without the previous consent in writing of the London and North Western Railway Company be attached to any bridge or other work belonging to that company.

For the purposes of this section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rackrent shall be deemed to be the owner.

19. The Corporation may enter into agreements with any person or persons company or companies with respect to the following purposes or any of them (that is to say):—

A.D. 1913.
Power to lease and make agreements for provision and working &c. of trolley vehicles and for interchange of traffic.

- (a) The provision electrical equipment maintenance management and repair of the trolley vehicles by this Act authorised :
- (b) The use working and leasing of any such trolley vehicles and the conveyance of traffic thereon :
- (c) The supply of electrical energy for working any such trolley vehicles :
- (d) The interchange accommodation conveyance transmission and delivery of traffic arising from or destined for the respective undertakings of the contracting parties :
- (e) The payment collection and apportionment of tolls rent or other receipts arising from such respective undertakings :

Provided that for the purpose of calculating the maximum fares rates and charges payable in respect of passengers and parcels conveyed partly on the trolley vehicles by this Act authorised and partly on the tramways or trolley vehicles of the other party contracting with the Corporation such trolley vehicles and tramways shall during the continuance of any such lease or agreement be deemed to be one system Provided also that any agreement under subsection (b) of this section shall be subject to the approval of the Board of Trade :

Provided also that every such agreement and any lease made in pursuance thereof shall be terminable by any party thereto at the expiration of any term therein specified not exceeding twenty-one years from the date thereof but may be renewed for a like term at the expiration of any such term and of every subsequent term for which the same may from time to time be renewed :

Provided also that any electrical energy supplied under this section or any agreement made thereunder shall be so supplied and any works for the purpose of such supply shall be so constructed as to prevent any interference with telegraphic communication by means of any telegraphic line of the Postmaster-General but this proviso shall not apply to any person or company authorised to supply electrical energy by Act of

A.D. 1913. Parliament or by an Order confirmed by or having the effect of an Act of Parliament containing provisions for the protection of such telegraphic lines from such interference as aforesaid.

Regulations as to payment of trolley vehicle fares.

20. The rates and charges by this Act authorised shall be paid to such persons and at such places upon or near to the trolley vehicles and in such manner and under such regulations as the Corporation or the persons entitled to demand and take such rates and charges may appoint.

Provision of shelters and waiting rooms.

21. The Corporation may erect and maintain shelters or waiting rooms for the accommodation of passengers on the tramways and trolley vehicles and may use for that purpose portions of the public streets or roads:

Provided that no shelter or waiting room shall be erected or maintained in any street or road so as to interfere with or render less convenient the access to or exit from any station of the London and North Western Railway Company.

Any difference arising under this section shall be determined by an arbitrator to be agreed upon between the Corporation and the said railway company or failing such agreement to be appointed by the Board of Trade on the application of either party.

Separation of accounts as to trolley vehicles from other tramway accounts and provision of renewal fund for trolley vehicles.

22.—(1) In the accounts of the Corporation relative to their tramway undertaking the receipts and expenditure upon and in connexion with trolley vehicles shall (as far as may be reasonably practicable) be distinguished from the receipts and expenditure upon or in connexion with the remainder of such undertaking.

(2) The Corporation shall out of the receipts in connexion with trolley vehicles provide and set aside such annual or other sum or sums as they may consider reasonable and may from time to time use the same for the purposes of depreciation renewal and repair of the trolley vehicles and the overhead equipment and apparatus for working the same Provided that the total sum so set aside shall not exceed one tenth of the aggregate capital expenditure upon and in connexion with the trolley vehicles Provided further that if the sum so set aside be at any time reduced it may thereafter be again restored to the prescribed limit and so from time to time as often as the reduction happens.

23. Any property found in any trolley vehicles of the Corporation shall forthwith be taken to a place to be appointed for the purpose by the Corporation and if the same be not claimed within six months after the finding thereof it may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks and the proceeds thereof carried to the revenue account of the tramway undertaking.

A.D. 1913.
Lost property on trolley vehicles.

24.—(1) Trolley vehicles shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 or of the byelaws and regulations made thereunder nor shall they be deemed to be motor cars within the meaning of any provisions of the Motor Car Act 1903 (except subsection (1) of section 1 of that Act and the provisions necessary for enforcing that subsection) and subject to that exception neither that Act nor the regulations made under that Act nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 (except section 12 thereof) shall apply to trolley vehicles.

Trolley vehicles not to be deemed light locomotives or motor cars.

(2) Nothing contained in this Act shall prejudice or interfere with the operation of section 23 of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 of the Locomotives Act 1898 Provided always that the trolley vehicles shall not be deemed to be excessive in weight and the use thereof shall not be deemed to be extraordinary traffic by reason only of their being trolley vehicles or of their being authorised by this Act.

25. Nothing in this Act shall in any way affect the duties of Excise now payable by law on licences to be taken out for trolley vehicles as carriages or light locomotives or hackney carriages.

Saving of Excise duties.

26.—(1) Where any tree overhangs any highway along the routes of the trolley vehicles which may in any way interfere with the construction or working of the trolley wires or with the clear and safe passage of the trolley vehicles and the passengers thereon the Corporation may serve a notice on the owner of the tree or on the occupier of the premises on which such tree is growing requiring him to lop the tree within seven days so as to prevent such obstruction or interference and in default

Trees overhanging highways.

A.D. 1913. — of compliance the Corporation may themselves carry out the requisition of their notice doing no unnecessary damage.

(2) Any person aggrieved by any requirement of the Corporation under this section may appeal to a court of summary jurisdiction within seven 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.

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

Certain sections of Tramways Act 1870 to apply.

27. The following provisions of the Tramways Act 1870 so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Part of this Act are hereby incorporated with this Part of this Act (that is to say):—

- Part II. (Relating to the construction of tramways (except sections 22 25 28 and 29)):
- Section 46 (Byelaws by local authority Promoters may make certain regulations):
- Section 47 (Penalties may be imposed in byelaws):
- Section 48 (Power to local authority to license drivers conductors &c.):
- Section 49 (Penalty for obstruction of promoters in laying out tramway):
- Section 51 (Penalty on passengers practising frauds on the promoters):
- Section 52 (Transient offenders):
- Section 53 (Penalty for bringing dangerous goods on the tramway):
- Section 55 (Promoters or lessees to be responsible for all damages):
- Section 56 (Recovery of tolls penalties &c.):
- Section 61 (Power for local or police authorities to regulate traffic in roads):
- Section 63 (Regulating inquiries before referee appointed by the Board of Trade):

Provided that the said provisions so incorporated with this Part of this Act shall be read and have effect as if the works

to be constructed in the streets for moving trolley vehicles by electrical power were tramways and as if trolley vehicles were carriages used on tramways. A.D. 1913.

28. For the protection of the Great Western Railway Company (in this section herein-after referred to as "the Great Western Company") the following provisions shall unless otherwise agreed between the Corporation and the Great Western Company apply and have effect (that is to say):—

For protec-
tion of Great
Western
Railway
Company.

- (1) Before commencing any works under the powers of this Act affecting any of the railways or affecting any bridges over or under any of the railways or the roadway under or on any such bridge or over any level crossing of the Great Western Railway or over the immediate approaches to any such bridge or level crossing the Corporation shall submit plans sections and all necessary particulars of such works to the Great Western Company for their approval and if so approved the said works shall be constructed and carried into effect in conformity with plans sections and particulars and under the superintendence and to the reasonable satisfaction of the engineer to the Great Western Company. All such works shall thereafter be maintained and repaired by the Corporation under the like superintendence and to the reasonable satisfaction of the engineer to the Great Western Company and if and whenever the Corporation fail so to do the Great Western Company may make and do in and upon as well the lands of the Corporation as their own lands all such works as they may think reasonably necessary in that behalf and the Corporation shall repay to the Great Western Company the reasonable expenditure incurred by them in so doing and in default thereof the same may be recovered by the Great Western Company from the Corporation. The approval as aforesaid of the Great Western Company shall not be unreasonably withheld and it shall be deemed to have been given unless the Great Western Company signify their disapproval within twenty-eight days after submission of the said plans and sections:

A.D. 1913.

- (2) The Corporation shall not in the construction alteration maintenance or use of the said works by this Act authorised injure alter or interfere with the railways of the Great Western Company or with the structure of any bridge over or under any of those railways or cause any interruption to or interference with the traffic on any of those railways or at to or from any station thereon :
- (3) If any such injury or interruption shall arise from or in any way be owing to any of the works or operations of the Corporation by this Act authorised in over under or near any railway bridge level crossing approach land works or property of the Great Western Company the Corporation shall make compensation to the Great Western Company in respect thereof the amount of such compensation unless agreed to be determined by arbitration in the manner hereinafter provided :
- (4) The Corporation shall on demand pay to the Great Western Company the reasonable expense of lighting and watching the railways and works of the Great Western Company with reference to and during the execution or repair by the Corporation under this Act of any work affecting any bridge railway or other work belonging to the Great Western Company for preventing so far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Corporation or their contractors or any person in the employ of either of them :
- (5) If by reason of the construction or erection of any work apparatus or equipment by this Act authorised upon across or over any bridge or other work of the Great Western Company or the user of trolley vehicles thereover it becomes necessary to strengthen or reconstruct such bridge the Great Western Company shall give notice accompanied by sufficient plans and specifications to the Corporation of such works as may be reasonably necessary and may after fourteen days from the date of the notice or forthwith in case

of emergency proceed to execute the same but in all things at the expense of the Corporation and the Great Western Company may recover from the Corporation all moneys reasonably expended by the Great Western Company in the execution of such works as aforesaid or in connexion therewith:

- (6) If having regard to the proposed position of any works of the Corporation by this Act authorised when considered in relation to the position of the works of the Great Western Company at any point where the wires of the Great Western Company pass over or under the trolley vehicle routes it is advisable in the reasonable opinion of the Great Western Company that the electrical telegraph telephonic or signal wires or apparatus belonging to or maintainable by the Great Western Company shall be altered the Great Western Company may after reasonable notice to the Corporation execute any works reasonably necessary for such alteration and the reasonable expense of executing such works shall be borne by the Corporation:
- (7) If the Great Western Company shall at any time hereafter require either to lift widen strengthen reconstruct alter or repair their said railways or bridges under or upon which the works in connexion with the trolley vehicle routes by this Act authorised are laid and if it shall be necessary for such purpose that the working or user of the trolley vehicles or any apparatus used in connexion therewith shall be wholly or in part stopped or delayed or any apparatus or equipment be temporarily taken up diverted or removed and if the Great Western Company accordingly give to the Corporation twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such stoppage delay taking up diversion or removal then the working or user of the trolley vehicles or apparatus shall be stopped or delayed or such part of the apparatus shall be taken up diverted or removed as stated in such notice at the reasonable expense of the Corporation and under their superintendence (if they shall give

A.D. 1913.
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such superintendence) but no such working or user shall be stopped or delayed for a longer period than may be necessary for effecting such purpose as aforesaid and such part of the apparatus shall be restored with all practicable despatch but the Great Western Company shall not be liable to pay compensation in respect of such stoppage delay or taking up diversion or removal:

- (8) The Corporation shall from time to time pay to the Great Western Company any additional expense which the Great Western Company may reasonably incur in effecting such lifting widening strengthening reconstructing altering or repairing as is mentioned in the last preceding subsection or in the maintenance or renewal of any bridge or other work of the Great Western Company by reason of the existence or user of the said trolley vehicle routes apparatus or equipment:
- (9) If and when the Great Western Company shall require to reconstruct alter repair or paint any bridge under which any electric wire of the Corporation used in connexion with the trolley vehicles or tramways has been placed the Corporation shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time or times as shall be reasonably required by the engineer of the Great Western Company unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been reasonably approved by the said engineer:
- (10) The Corporation shall not for the purposes of this Act erect any post or posts on or make attachments to the structure of any bridge or other works or property of the Great Western Company without the consent in writing of the engineer of the Great Western Company such posts and attachments if allowed to be in all respects subject to the approval of the said engineer and to be temporarily removed at any time when required by him in connexion

with the maintenance and reconstruction alteration or widening of the said bridge or other works or property : A.D. 1913.

- (11) Notwithstanding anything contained in this Act the Corporation shall not without the consent in writing of the Great Western Company under the hand of their secretary or general manager erect any shelter or waiting room in front of or in close proximity to the entrances to or exits from the stations and premises of the Great Western Company so as to impede or interfere with the traffic to and from such stations and premises of the Great Western Company or on the bridges over the railway of the Great Western Company over which the trolley vehicles may pass :
- (12) Notwithstanding anything contained in this Act or in any byelaws made thereunder no trolley vehicle shall without the consent of the Great Western Company stop in front of or in close proximity to the entrances to or exits from any station of the Great Western Company so as to impede or interfere with the traffic to and from such stations and premises of the Great Western Company :
- (13) Where the Corporation under the powers of this Act stop up temporarily any road or street in front of or in close proximity to the Great Western Company's stations and depôts they shall provide such temporary means of access to such station and depôts as the Great Western Company may reasonably require :
- (14) If any difference shall arise between the Corporation or their surveyor and the Great Western Company or their engineer as to the meaning of this section or as to any plans and sections or as to any work or method of executing the same or as to the reasonableness of any work which the Great Western Company require to be carried out or as to any expenses referred to in this section the same shall be determined by an arbitrator to be agreed upon between the Corporation and the Great Western Company or failing agreement to be nominated by the President of the Institution

A.D. 1913.

of Civil Engineers on the application of any of the parties and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to such arbitration.

For protec-
tion of Com-
pany of
Proprietors
of Birming-
ham Canal
Navigations.

29. For the protection of the Company of Proprietors of the Birmingham Canal Navigations (herein-after referred to as "the company") the following provisions shall unless otherwise agreed between the Corporation and the company have effect:—

(1) All works by this Part of this Act authorised where the same shall be made upon across under or over any bridge or the approaches thereto or other work belonging to or maintainable by the company or will otherwise affect the same shall be executed so as not to injuriously affect the structure of any such bridge approaches or other work and according to plans sections and specifications to be previously submitted to and reasonably approved by the company or in case of difference between them and the Corporation by an arbitrator to be appointed as herein-after provided Provided that if the company do not within twenty-one days after such submission signify their disapproval of such plans sections and specifications they shall be deemed to have approved thereof All such works shall be executed according to the plans sections and specifications so approved or determined by arbitration and under the superintendence (if the same be given) and to the reasonable satisfaction of the company The Corporation shall so maintain and use the works apparatus and trolley vehicles authorised by this Part of this Act as not to injuriously affect any such bridge approaches or other work and in the event of any injury being occasioned to such bridge approaches or work by the construction maintenance removal or user of the works apparatus and trolley vehicles upon across under or over the same the company may make good the injury and may recover from the Corporation the reasonable expenses of so doing:

(2) The Corporation shall not in any manner in the execution maintenance repair or user of any of their works apparatus or trolley vehicles obstruct or interfere with the free uninterrupted and safe user of any canal or

other work belonging to the company or any traffic thereon : A.D. 1913.

- (3) The Corporation shall be responsible for and make good to the company all losses damages and expenses which may be occasioned to the company or any of their works or property or to the traffic on their canals or to any company or person using the same by or by reason of the execution failure or user of any of the intended works apparatus or trolley vehicles or by or by reason of any act default or omission of the Corporation or of any person in their employ or of any contractors for the intended works or any part thereof and the Corporation shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of such execution failure or user or of any such act default or omission :
- (4) If the company shall hereafter in the exercise of their existing powers require to widen lengthen strengthen reconstruct alter or repair any such bridge under along or over which the works and apparatus are laid or the approaches thereto or to widen or alter any canal thereunder or thereover and if it shall be necessary for such purpose that such works and apparatus be temporarily taken up diverted or removed and if the company accordingly give to the Corporation twenty-one days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such taking up diversion or removal then the working or user of such part of the apparatus shall be stopped or delayed or such part of the apparatus shall be taken up diverted or removed as stated in such notice at the reasonable expense of the Corporation and under their superintendence (if they shall give such superintendence) but no such working or user shall be stopped or delayed for a longer period than may be absolutely necessary for effecting such purpose as aforesaid and such part of the apparatus shall at the like expense be restored with all practicable despatch and the Company shall not be liable to pay compensation in respect of such stoppage delay or taking up diversion or removal :

A.D. 1913.

- (5) If it shall be necessary to strengthen reconstruct or alter any bridge belonging to or maintainable by the company owing to the weight of the trolley vehicles used or intended to be used in pursuance of this Part of this Act imposing a greater strain than in the opinion of the company's engineer such bridge will safely bear the company shall give notice accompanied by sufficient plans and specifications to the Corporation of such works as may be reasonably necessary and may after twenty-one days from the date of the notice or forthwith in case of emergency proceed to execute the same but such strengthening reconstruction or alteration shall be effected by the company at the expense of the Corporation :
- (6) The Corporation shall from time to time pay to the company any additional expense which the company may reasonably incur in effecting the widening lengthening strengthening reconstructing altering or repairing or in the maintenance of any bridge approach or other work of the company by reason of the exercise by the Corporation of the powers contained in this Part of this Act And the company shall give notice accompanied by sufficient plans and specifications to the Corporation of such works as may be reasonably necessary and may after twenty-one days from the date of the notice or forthwith in case of emergency proceed to execute the same :
- (7) If and when the company shall require to reconstruct alter repair or paint any bridge under along or over which any electric wire of the Corporation has been placed the Corporation shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under along or over such bridge at such time as shall be agreed between the Corporation and the engineer of the company or failing agreement as shall be determined by arbitration under this section unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been approved by the said engineer :

(8) If having regard to the proposed position of any works of the Corporation by this Part of this Act authorised when considered in relation to the position of the works of the company at any point where any works or apparatus will be constructed over along or under the canals or other works of the company it becomes necessary that the works of the company shall be altered the company may after giving twenty-one days' notice in writing accompanied by sufficient plans and specifications to the Corporation execute any works reasonably necessary for such alteration and the reasonable expense of executing such works shall be repaid to the company by the Corporation :

A.D. 1913.

(9) The Corporation shall not for the purposes of this Part of this Act make attachments to any part of the said works or bridges of the company without the consent in writing of the engineer of the company (which consent shall not be unreasonably withheld), such attachments if allowed to be in all respects subject to the approval of the said engineer and to be temporarily removed at any time when required by him in connexion with the maintenance and reconstruction or alteration of the said works or bridges :

(10) If any difference arises under this section between the Corporation and the company the same shall unless otherwise agreed be settled by arbitration under the provisions of the Arbitration Act 1889 by an engineer to be appointed by the President of the Institution of Civil Engineers at the request of either party.

30. The Corporation shall perform in respect of trolley vehicles provided under this Part of this Act all the services in regard to the conveyance of mails which are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated.

Conveyance
of mails.

PART III.

MOTOR OMNIBUSES.

31.—(1) The Corporation may provide (but shall not manufacture) motor omnibuses and may run the same within the borough and also without the borough by agreement with the local

Powers as to
running of
omnibuses.

A.D. 1913. authorities in whose districts such motor omnibuses are proposed to be run upon the routes following (that is to say):—

Route No. 1 Commencing at the junction of Bull Street with High Street passing thence along Bull Street Walsall Street Reform Street Seagar Street Hallam Street and All Saints' Street and terminating at a point opposite All Saints' Church :

Route No. 2 Commencing at All Saints' Church at the termination of Route No. 1 of the proposed trolley vehicle routes and passing thence along Newton Road within the borough and thence along Newton Road partly in the district of the Perry Barr Urban District Council and partly in the district of the Walsall Rural District Council to the Scot's Arms at the junction of the main road leading from Walsall to Birmingham :

Route No. 3 Commencing at All Saints' Church at the termination of Route No. 1 of the proposed trolley vehicle routes and passing thence along Cemetery Road Walsall Road Hall Green Road Hyde's Road within the borough thence along Holden Road Ridding Lane to the Market Place Wednesbury returning viâ Walsall Street to Hyde's Road within the borough of Wednesbury :

Route No. 4 Commencing at All Saints' Church at the termination of Route No. 1 of the proposed trolley vehicle routes and passing thence along Cemetery Road Walsall Road within the borough thence along Walsall Road in the borough of Wednesbury and thence along West Bromwich Street Lysways Street Birmingham Road Ablewell Street and Bridge Street to the centre of the town of Walsall within the borough of Walsall :

Route No. 5 Commencing at Dartmouth Square at the point of commencement of Route No. 1 herein-before described and passing thence along Paradise Street Price Street Izons Road Oxford Road Oak Lane Wood Lane Greet's Green Road Whitehall Road and terminating at the corner of Whitehall Road and Great Bridge Street :

Route No. 6 Commencing from Greet's Green Road at the junction with Oldbury Road (Route No. 3 of the trolley vehicle routes) and passing thence along Oldbury Road and Albion Road within the borough thence along

West Bromwich Street and Bromford Lane to the Market Place in the district of the Oldbury Urban District Council: A.D. 1913.

Route No. 7 Commencing from Greet's Green Road at the junction with Oldbury Road (Route No. 5 of the trolley vehicle routes) and passing thence along Ryders Green Road Phoenix Street Swan Lane Church Lane Vicarage Lane Cemetery Lane and terminating at All Saints' Church:

Route No. 8 Commencing at the depôt of the Corporation in Hardware Street passing thence along Sandwell Road and Taylor's Lane and terminating on Route No. 1 at the corner of Taylor's Lane and Seagar Street:

Provided that the Corporation shall not during the continuance of the lease dated the eighth day of September one thousand nine hundred and four and made between the mayor aldermen and burgesses of the county borough of West Bromwich of the first part the British Electric Traction Company Limited of the second part and the South Staffordshire Tramways (Lessee) Company Limited of the third part without the consent in writing of the South Staffordshire Tramways (Lessee) Company Limited run motor omnibuses or any trolley vehicle which may hereafter be authorised under the provisions of this Act upon so much of Route No. 3 herein-before described as lies between the junction of Hall Green Road with Walsall Road and the Market Place Wednesbury and upon so much of Route No. 4 herein-before described as lies between the junction of Walsall Road with Hall Green Road and Bridge Street Walsall and upon so much of Route No. 5 herein-before described as lies between the junction of Whitehall Road with Dunkirk Street and the termination of the said Route No. 5 at Great Bridge Street.

(2) The Corporation may purchase by agreement take on lease and hold lands and buildings and may erect on any lands acquired by them omnibus carriage and motor houses buildings and sheds and may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running and equipment of such motor omnibuses but the Corporation shall not create or permit any nuisance on any such lands.

(3) The Corporation may make byelaws for regulating the travelling and for the prevention of nuisances in or upon their

A.D. 1913. motor omnibuses provided that any such byelaw shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

(4) The Corporation and any borough urban or rural council within whose districts or any part thereof the Corporation propose to run the motor omnibuses by this Act authorised or any of them may from time to time enter into and carry into effect agreements with regard to the routes and running of such omnibuses within the district or any part thereof of such borough urban or rural council:

Provided that if any such agreement has relation to a main road such agreement shall not have any effect unless approved by the county council and on such conditions as the county council think fit but such approval shall not be unreasonably withheld and such conditions shall only be such as are reasonable under all the circumstances of the case.

(5) Every motor omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphs of the Postmaster-General.

(6) The Corporation shall perform in respect of motor omnibuses provided under this section all the services in regard to the conveyance of mails which are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated.

(7) In this section the expression "motor omnibus" means any stage carriage moved by mechanical power including in that expression steam electrical and every other motive power not being animal power.

(8) All expenditure in respect of motor omnibuses shall be defrayed and all receipts shall be applied as if the motor omnibuses were part of the tramway undertaking of the Corporation but such expenditure and receipts shall (so far as reasonably practicable) be distinguished from the receipts and expenditure upon or in connexion with the remainder of such undertaking.

(9) The provisions contained in the following sections of this Act shall so far as applicable apply with reference to the motor omnibuses and in construing the provisions of those

sections in their application to this section the expression "trolley vehicles" shall be deemed to mean motor omnibuses:— A.D. 1913.

Section 19 (Power to lease and make agreements for provision and working &c. of trolley vehicles and for interchange of traffic):

Section 20 (Regulations as to payment of trolley vehicle fares):

Section 21 (Provision of shelters and waiting rooms):

Section 23 (Lost property on trolley vehicles):

Provided that in the application of section 21 (Provision of shelters and waiting rooms) the Corporation shall not use portions of the public streets or roads outside the borough for the purposes mentioned in such section except with the consent of the local and road authority in whose district such streets or roads are situate.

(10) The provisions contained in the following sections of the Act of 1900 shall so far as applicable apply with reference to the motor omnibuses and in construing those provisions in their application to this Part of this Act unless the context otherwise requires the expression "the tramways" or "the Corporation tramways" shall be deemed to mean the motor omnibuses.

The sections herein-before referred to are—

Section 9 (Rates for passengers):

Section 10 (Passengers' luggage):

Section 11 (Rates for goods):

Section 12 (Corporation not bound to carry animals and goods):

Section 13 (Cheap fares for labouring classes):

Section 14 (As to fares on Sundays or holidays):

Section 24 (Power to acquire patent rights).

(11) The following provisions of the Tramways Act 1870 so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Part of this Act are hereby incorporated with this Part of this Act (that is to say):—

Section 46 (Byelaws by local authority Promoters may make certain regulations):

Section 47 (Penalties may be imposed in byelaws):

A.D. 1913.

- Section 48 (Power to local authority to license drivers conductors &c.):
- Section 51 (Penalty on passengers practising frauds on the promoters):
- Section 52 (Transient offenders):
- Section 53 (Penalty for bringing dangerous goods on the tramway):
- Section 55 (Promoters or lessees to be responsible for all damages):
- Section 56 (Recovery of tolls penalties &c.):
- Section 61 (Power for local or police authorities to regulate traffic in roads):

Provided that the said provisions so incorporated with this Part of this Act shall be read and have effect as if motor omnibuses were carriages used on tramways.

Trolley vehicles or motor omnibuses not to obstruct tramways.

32. No trolley vehicles or motor omnibuses authorised or to be authorised under this Act shall (except in case of breakdown) stop or stand in any street in which is situate any tramway of or leased to the Birmingham District Power and Traction Company Limited or the South Staffordshire Tramways (Lessee) Company Limited so as to obstruct the free and uninterrupted passage of any tramway cars thereon or in any way impede or interfere with the loading or unloading thereof.

PART IV.

STREET IMPROVEMENTS.

Power to construct street improvements.

33. Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described together with all necessary or proper works and conveniences connected therewith or incident thereto.

The works herein-before referred to and authorised by this Part of this Act (herein-after referred to as "the street improvements") will be situate in the borough and are as follows:—

Work No. 1 A new street 45 feet wide commencing by a junction with New Street Walsall Street and Messenger Lane and terminating by a junction with Reform Street Seagar Street Lloyd Street and Gregory Street:

Work No. 2 A widening and improvement of Gregory Street extending from Treddles Lane to a point opposite the junction of Gregory Street and Reform Street: A.D. 1913.

Work No. 3 A widening and improvement of Coopers Hill Street extending from Gregory Street to Reform Street:

Work No. 4 A widening and improvement of Vicarage Lane extending from Halfords Lane to Esher Road.

34. In the construction of the street improvements the Corporation may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding two feet upwards or downwards. Deviation.

35. If the street improvements are not 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 those works or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as are then completed. Period for completion of works.

36. Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the Corporation in connexion with the street improvements and for the purposes thereof may make junctions and communications with any existing or authorised streets which may be intersected or interfered with by or be contiguous to the street improvements or any of them and may make diversions widenings or alterations of the lines or levels of any existing or authorised streets or street works for the purpose of connecting the same with the street improvements or any of them or of crossing under or over the same or otherwise and may alter divert or stop up all or any part of any drain sewer channel or gas or water main or pipe wire or apparatus within the said limits the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer or of any gas or water in any main or pipe or of electricity or telephonic communication in any wire or apparatus and making compensation for any damage done by them in the execution of the powers of this section: Power to make subsidiary works.

Provided that the Corporation shall not alter divert or otherwise interfere with any telegraphic line (as defined by the

A.D. 1913. Telegraph Act 1878) belonging to or used by the Postmaster-General except under and subject to the provisions of the Telegraph Act 1878.

Breaking up
and tem-
porary
closing of
streets.

37.—(1) The Corporation during the execution and for the purposes of the street improvements may break up and also temporarily stop up divert and interfere with any street and may for any reasonable time prevent all persons other than those bonâ fide going to or returning from any house in the street from passing along and using the same.

(2) The Corporation shall provide reasonable access for persons bonâ fide going to or returning from any such house.

Removal of
human re-
mains from
Mayers
Green Con-
gregational
Chapel
burial
ground.

38.—(1) Before any part of the Mayers Green Congregational Chapel burial ground is applied to or used for any of the street improvements purposes the Corporation shall remove or cause to be removed the remains and all coffins other effects and materials and all tombs monuments memorials and other tombstones and other obituary signs and effects (if any) of all deceased persons interred therein and such removal shall be completed within six months after the completion of the purchase of the said burial ground.

(2) Before proceeding to remove any such remains the Corporation shall publish a notice for three successive weeks in two local newspapers circulating in the borough and notices by placard to the effect that it is intended to remove such remains and such notice shall have embodied in it the substance of subsections (3) (4) (5) (6) and (7) of this section and shall also when first publishing such notice send a copy thereof by registered post to each of the trustees of the said chapel and to the minister thereof for the time being.

Such notices by placard shall be maintained for three successive weeks throughout the borough of West Bromwich by posting the same on the church and chapel doors and all other usual public and other notice boards and places throughout the borough and on advertising and other stations including the posting of two such notices on the said Mayers Green Congregational Chapel and two notices on the said burial ground.

(3) In case the heir executor administrator or other person claiming to be a relative of any of the deceased persons interred in the said burial ground desires to remove the human remains

coffins and other effects of such deceased person and the tombs monuments memorials and other tombstones and other obituary signs and effects relating thereto he shall be at liberty to do so within two months after the last publication of such notice as aforesaid on giving notice in writing to the Corporation of his intention so to do and he shall also be at liberty to re-inter the said human remains coffins and other effects and to re-erect and replace the said tombs monuments memorials and other tombstones and other obituary signs and effects in any burial ground or cemetery in which burials may legally take place or if he so desires in such part of the Nonconformist side of the West Bromwich Cemetery as the Corporation may determine without fee or charge by the Corporation for use of the said West Bromwich Cemetery for that purpose and in addition the Corporation shall pay the expenses incurred by such heir executor administrator or relative in connexion with such removal and re-interment as aforesaid and the removal re-erection and replacing of the said stones and effects as aforesaid including the fees and expenses of any minister or other person holding any religious service in connexion therewith to an amount not exceeding ten pounds in any one case. A.D. 1913.

(4) The production of the will probate or letters of administration or a copy of any thereof of any deceased person shall be accepted by the Corporation as conclusive evidence of the claim of the person who claims to be the heir executor administrator or relative of such deceased person but if such will probate or letters of administration or a copy of any thereof cannot conveniently or without considerable trouble and expense be produced the Corporation shall accept a statutory declaration by such person that he is the person claiming to be the heir executor administrator or relative as aforesaid In case any dispute or difference shall arise as to whether any person is the heir executor administrator or relative of such deceased person then the matter shall be determined on the application of the Corporation or any other person or persons claiming to be such heir executor administrator or relative as aforesaid in a summary manner by the registrar of the West Bromwich County Court who shall have power to determine the questions in dispute or difference and to make an order specifying who shall remove the said remains memorial stones and other effects from the said burial ground as aforesaid and the Corporation shall pay

A.D. 1913. — the costs and expenses of all parties in connexion with such application.

(5) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Corporation in respect of the remains in any grave or if after such notice has been given the persons giving the same shall fail to comply with the provisions of this section the Corporation shall at their own expense in a proper orderly and decent manner disinter and remove the remains of the deceased person or persons coffins and other effects and materials and cause them to be re-interred in the Nonconformist side of the West Bromwich Cemetery.

In connexion with such removal and re-interment as aforesaid the Corporation shall permit any decent and orderly religious service desired by the trustees of the said Mayers Green Congregational Chapel to be held in connexion therewith and shall pay the fees of the minister or other person conducting the same and the other reasonable costs and expenses in connexion with such service.

(6) All tombs monuments memorials and other tombstones and other obituary signs and effects relating to the remains of any deceased person removed under this section shall at the expense of the Corporation be removed and re-erected at the place of re-interment of such remains or at such place within the borough as the registrar of the West Bromwich County Court may direct on the application (if any) of such heir executor administrator or relative as aforesaid or of the trustees of the said chapel or failing such application on the application of the Corporation.

(7) The removal of the remains of any deceased person under this section shall be carried out under the supervision and to the satisfaction of the medical officer.

PART V.

LANDS.

Power to
take lands.

39. Subject to the provisions of this Act the Corporation may enter on take and use for the purposes of the street improvements or for the purpose of providing space for the erection of buildings adjoining or near to such improvements all or any part of the lands delineated on the deposited plans and described in the deposited book of reference and may stop up

and discontinue all public or other rights of way over all courts or passages shown on such plans and described in such book of reference. A.D. 1913.

40. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act. Period for compulsory purchase of lands.

41. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the borough for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Stafford and a duplicate thereof shall also be deposited with the town clerk and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with such certificate. Correction of errors in deposited plans and book of reference.

42. In determining any question of disputed purchase money or compensation payable in respect of lands taken in pursuance of this Part of this Act the tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or erected or for or in respect of any interest in the land created after the first day of January one thousand nine hundred and thirteen if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made erected or created with a view to obtaining or increasing compensation under this Act. Provisions as to compensation.

43.—(1) The tribunal shall if so required by the Corporation award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Corporation by the claimant giving sufficient particulars and in Costs of arbitration &c. in certain cases.

A.D. 1913. sufficient time to enable the Corporation to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Corporation had been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant.

(2) Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Corporation to amend the statement in writing of the claim delivered by him to the Corporation in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Corporation if they object to the amendment and such amendment shall be subject to such terms enabling the Corporation to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case.

(3) Provided also that this section shall be applicable only in cases when the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice to the effect of this section.

Proceeds of
sale of sur-
plus lands.

44. So long as any lands remain to be acquired by the Corporation under the authority of this Part of this Act they may so far as they consider necessary apply any capital moneys received by them on resale or exchange or by leasing in pursuance of the powers of this Part of this Act in the purchase of lands so remaining to be acquired but as to capital moneys so received and not so applied the Corporation shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment provided by this Act except to such extent and upon such terms as may be approved by the Local Government Board Provided that—

(1) The amount to be applied in the purchase of lands under this section shall not exceed the amount for the time being unexhausted of the borrowing powers

conferred by this Act for the purpose of such purchase : A.D. 1913.

- (2) The borrowing powers conferred by this Act for the purpose of such purchase shall be reduced to the extent of the amount applied in the purchase of lands under the provisions of this section.

45. Notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 or in any other Act or Acts to the contrary the Corporation may retain hold and use for such time as they may think fit and may from time to time sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any other payment in any other form any lands or any interest in any lands already acquired or to be acquired by them for the purposes of this Act and may sell and exchange and dispose of any rents reserved on the sale exchange lease or disposition of such lands and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

Power to retain sell lease exchange and dispose of lands.

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

Persons under disability may grant easements &c.

47.—(1) Whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without

Owners may be required to sell parts only of certain lands and buildings.

A.D. 1913. material detriment thereto Therefore the following provisions shall have effect:—

- (a) The owner of and persons interested in any of the properties whereof the whole or part is described in the schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are herein-after in this section included in the term "the owner" and the said properties are herein-after referred to as "the scheduled properties":
- (b) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (c) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled properties specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed:
- (d) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation

being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal:

- (e) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner:
- (f) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not it shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice:
- (g) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and its final determination think fit.

(2) The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to

A.D. 1913. the provisions of section 92 (No party to be required to sell part of a house) of the Lands Clauses Consolidation Act 1845.

(3) The provisions of this section shall be stated in or endorsed upon every notice given thereunder to sell and convey any premises.

PART VI.

STREETS BUILDINGS SEWERS AND DRAINS.

Continuation of existing streets to be deemed new streets.

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

Widening roads when only one side is built upon.

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

Width of new streets in certain cases.

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

determined by arbitration in accordance with the provisions of the A.D. 1913.
Arbitration Act 1889:

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

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

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

51.—(1) Every person who intends to form a new street shall in addition to any other information required to be supplied to the Corporation by virtue of any enactments or byelaws with respect to streets and buildings in force within the borough distinctly define and mark on a plan drawn to such scale as the Corporation may require and to be prepared and submitted by such person to the Corporation for their approval the proposed line of frontage of any house or building to be erected in or fronting such street (in this section called "the building line").

Frontage
line in new
streets.

(2) It shall not be lawful to erect or bring forward in any such street any house or building or any part thereof nor any addition to any house or building until the building line for such street has been approved by the Corporation nor beyond or in front of the building line approved by the Corporation and any person offending against this enactment shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

(3) The provisions of section 3 of the Public Health (Buildings in Streets) Act 1888 shall not apply to any house or building erected or proposed to be erected on lands in respect of which a building line as aforesaid shall have been submitted to and approved by the Corporation.

(4) In the event of the Corporation requiring as a condition of their approval of any such plan the setting back of the building line shown on the plan to a greater distance from the centre of any such street than one half of the minimum width of street

A.D. 1913. allowed by the building byelaws of the Corporation in force for the time being the Corporation shall make compensation to the owner of the land for any damage sustained by him by reason of his being unable to build upon such land.

(5) For the purpose of this section the surveyor shall by certificate under his hand at or before the time of the approval of the building line by the Corporation determine the centre of any street or intended street.

(6) The amount of any compensation payable under this section shall in default of agreement be determined by arbitration in accordance with the provisions of the Arbitration Act 1889.

Power
to grant
licences for
bridges over
streets.

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

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

Provided also that in the event of the construction of any such bridge involving the alteration of a telegraphic line of the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to such alteration and any such bridge shall for the purposes of the placing or maintenance of overground telegraphic lines under the powers conferred by the Telegraph Acts 1863 to 1911 be deemed part of the street or road which it crosses.

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

53. Where premises abutting upon any street are so situate that the surface water from such premises flows on to the footpath of such street the owner of such premises shall within one month after service of an order of the Corporation for that purpose execute such works as may be necessary to prevent the water from such premises from flowing over the footpath and in default of compliance with such order within the period aforesaid such owner shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding forty shillings.

A.D. 1913.
For preventing water from flowing over foot-paths.

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

Street orderly bins.

55. The Corporation (if in the circumstances of the case they think it expedient to do so) may make it a condition of approving the plans for any new street that so soon as any building shall be erected or commenced to be erected in such new street the owners shall provide a paved crossing of a width equal to the width of the footpath of such new street across the end of such street nearest to such building and across every street intersecting either side of such new street between such building and such end of the new street Any person who shall offend against this enactment shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings :

Paved crossings may be required in new streets.

Provided that nothing in this section shall empower the Corporation to require the execution of any works in a street repairable by the inhabitants at large.

56.—(1) In the case of any building to be connected with any sewer and intended to be erected on lands where by reason of mining operations subsidences may be reasonably expected to occur the Corporation may regulate and prescribe the level at which the ground floor of any such building is to be constructed and at the time of the deposit of plans and sections of any such building the Corporation may require any person intending to construct the same to specify the proposed level of the ground floor thereof.

Construction of buildings on land liable to subsidence.

(2) Any person failing to comply with the requirements of the Corporation under this section shall be liable to a penalty

A.D. 1913. — not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Area of habitable rooms.

57.—(1) Every new dwelling-house shall be provided with at least one living room with a floor area of not less than one hundred and fifteen square feet and one bedroom with a floor area of not less than one hundred and ten square feet.

(2) No bedroom or other habitable room in any such dwelling-house shall have less floor area than sixty-four square feet.

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

Provision of storage for food in new houses.

58. Every dwelling-house erected after the passing of this Act shall be provided with sufficient and properly ventilated food storage accommodation and any owner who shall occupy or allow to be occupied any dwelling-house not so provided shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

As to buildings of iron steel or reinforced concrete.

59. Notwithstanding any provisions contained in any public or local Act or byelaw in force within the borough regulating the construction of buildings the Corporation shall have power to relax or modify such provisions in the following cases and subject to the following provisions (that is to say):—

(1) Where a person is desirous of erecting an iron steel or reinforced concrete building or structure he shall make an application to the Corporation accompanied by complete plans sections and elevations of the proposed building with such details and other particulars as to the construction thereof as may be required by the Corporation :

(2) The Corporation if satisfied with such plans sections elevations details and particulars shall signify their approval of the same in writing and thereupon the building may be constructed according to such plans sections elevations details and particulars :

(3) The Corporation may for the purpose of regulating the procedure in relation to such applications and in reference to the excavations for or foundations of or the erection of such building and structure make and issue such general rules as they think fit as to

the place time and manner of making applications and as to the plans sections elevations details and particulars to be deposited with the Corporation and as to the precautions to be taken in connexion with any such excavation foundation or erection for safeguarding the stability of the street and the property therein and the public safety and convenience and otherwise and as to any other matter or thing connected therewith respectively.

A.D. 1913.

60. The Corporation may make byelaws with respect to the following matters (*viz.*):—

Byelaws as to materials and construction of buildings.

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

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

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

(4) The testing of drains of new buildings.

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

Byelaws as to staircases in new buildings.

62.—(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 make an order upon the owner thereof

Power to require repair or taking down of dilapidated building.

A.D. 1913. requiring him within a reasonable time to be prescribed by the order to either put such building (in this section referred to as "a neglected structure") into a state of repair and good condition to the satisfaction of the Corporation or take down the same and in addition to or in substitution for the foregoing order they may make an order upon such owner requiring him to fence the ground upon which the neglected structure is or was standing or any part thereof and in either case they may also make an order for the costs incurred up to the time of the hearing.

(2) If the order is not obeyed within the time thereby prescribed the Corporation at any time after the expiration of such time may enter upon the neglected structure or such ground as aforesaid and execute the order.

(3) Where the order provides for 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 and 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 in a summary manner but without prejudice to his right to recover the same from any lessee or other person liable to the expenses of repairs.

Power to
require
specially
large sewer
in new
street.

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

and the additional cost thereof as ascertained by the surveyor shall be paid by the Corporation. A.D. 1913.

64. Where under the provisions of any Acts for the time being in force in the borough the Corporation have power to require any street to be sewered they may require the provision of separate sewerage sewers and surface water sewers and the provisions of those Acts shall apply to such sewers accordingly: Separate sewers for surface water and sewerage.

Provided that the provisions of this section shall not be exercised unless and until the Corporation shall have provided sewers adequate and proper for the purpose of receiving the sewage from such separate sewerage sewers and shall have provided sewers or other outlets adequate and proper for the purpose of receiving the surface water from such separate surface water sewers.

In this section and in section 58 (Provisions as to separate system of sewerage) of the Act of 1900 the expression "surface water" shall be deemed to include subsoil water.

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

66. If the owner or occupier of any premises within the borough desires that the sewer or drain from such premises shall be made to communicate with any sewer of the Corporation such communication shall be made by the Corporation upon the cost or estimated cost of making the communication being paid to the Corporation or the payment thereof to them being secured to their satisfaction and the Corporation may execute all works necessary for that purpose. Making of communications between drains and sewers.

67.—(1) It shall not be lawful for any person to repair any drain communicating with any sewer of the Corporation without giving to the surveyor and inspector of nuisances Notice of intention to repair drains

A.D. 1913. — twenty-four hours' previous notice in writing of his intention to do so except in case of emergency and in that case it shall not be lawful for any person to cover over the drain without giving the like notice of his intention to do so.

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

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

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

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

Power to
require cul-
verting of
watercourses
on building
land.

69. If any watercourse or ditch situate upon any land in the borough laid out for building or on which any such land abuts requires in the opinion of the Corporation to be wholly or partially filled up or covered over the Corporation may by notice in writing require the owner or owners of such land to substitute for such watercourse or ditch a pipe drain or culvert Provided that nothing in this section shall authorise the Corporation to require the filling up or covering over of any watercourse or ditch wholly or partly belonging to any person other than the owner of the land so laid out for building Any person offending against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

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

70.—(1) Before the owner of any land within the borough shall culvert or cover over any watercourse thereon forming part of the natural drainage of the area involved he shall submit for the approval of the Corporation plans sections and specifications of such watercourses and the method of culverting or covering over the same and the Corporation may subject as herein-after

provided require such owner to so construct any such culvert or so to cover over any such watercourse as to secure the free and uninterrupted passage of the water flowing in any such watercourse Provided that—

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

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

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

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

71.—(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 parts or part thereof respectively of the River Tame and the streams and watercourses flowing into such river and for the purpose of preventing the silting up of the waterways of the said river 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 river streams and watercourses.

Power to
cleanse and
improve
rivers and
water-
courses.

(2) (a) The Corporation may also for preventing interference with the free flow of the waters of the said river 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 river streams and watercourses respectively within the

A.D. 1913. borough 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 river streams or watercourses.

(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.

(3) The Corporation shall not with respect to the River Tame exercise any of the powers conferred on them by this section except with the consent of the mayor aldermen and burgesses of the borough of Wednesbury the mayor aldermen and burgesses of the borough of Walsall the urban district council of Oldbury the urban district council of Tipton the urban district council of Perry Barr and the urban district council of Rowley Regis so far as the River Tame forms part of or is

within the boundary or boundaries of the said respective local authorities or any of them and the Corporation and the said local authorities or any one or more of them shall be empowered to contribute towards the cost of the works authorised by this section and for that purpose to raise any moneys required either by rate or with the consent of the Local Government Board by loan as if in either case such works or contributions were purposes of the Public Health Act 1875.

A.D. 1913.

72. The provisions of the section of this Act whereof the marginal note is "Power to cleanse and improve rivers and water-courses" shall not apply to the boroughs of Wednesbury and Walsall or the urban districts of Perry Barr and Rowley Regis or to any part of the River Tame which forms part of or is within the boundary or boundaries of the said boroughs or urban districts or to any streams and watercourses situate in the said boroughs or urban districts and flowing into such river except with the consent of the local authorities of the said boroughs and urban districts respectively which consent may be given upon and subject to such terms and conditions as the said local authorities respectively in their absolute discretion may think fit.

For protection of corporations of Wednesbury and Walsall and urban district councils of Perry Barr and Rowley Regis.

73. For the further protection of the Great Western Railway Company the London and North Western Railway Company and the Company of Proprietors of the Birmingham Canal Navigations (herein-after in this section respectively referred to as "the Great Western Company" "the North Western Company" and "the canal company") the following provisions shall unless otherwise agreed between the Corporation and the Great Western Company the North Western Company or the canal company have effect (that is to say):—

For further protection of Great Western Railway Company London and North Western Railway Company and Company of Proprietors of Birmingham Canal Navigations.

- (1) Before exercising any of the powers contained in the section of this Act of which the marginal note is "Power to cleanse and improve rivers and water-courses" where the same may affect the railways or canals lands or property of the Great Western Company the North Western Company or the canal company the Corporation shall give twenty-one days' notice to the principal engineer of the company affected of their intention to exercise such powers together with a plan and section of the intended works for his reasonable approval and the Corporation

A.D. 1913.

shall not interfere with the stability of the piers or abutments of any bridge viaduct or other work forming part of the railway or canals of the Great Western Company the North Western Company or the canal company as the case may be Any works of the Corporation under the provisions of the said section under or within twenty-five yards of the railway or canals and other works of the Great Western Company the North Western Company or the canal company as the case may be shall be carried out according to such plans and sections and under the superintendence and to the reasonable satisfaction of the engineer of the Great Western Company the North Western Company or the canal company as the case may be :

- (2) The Corporation shall make compensation to the Great Western Company the North Western Company or the canal company as the case may be for any damage or injury that may be caused to their railway or other property and pay any additional cost which the Great Western Company the North Western Company or the canal company as the case may be may reasonably incur in altering extending widening enlarging or maintaining their railways or canals and works by reason of the exercise by the Corporation of the powers contained in the said section :
- (3) If any difference arises between the Corporation and the Great Western Company the North Western Company or the canal company as the case may be under the provisions of this section such difference shall be determined by an arbitrator to be agreed upon between the Corporation and the Great Western Company the North Western Company or the canal company as the case may be or failing agreement to be nominated by the Board of Trade on the application of either party and the provisions of the Arbitration Act 1889 shall apply to such arbitration.

Certain
sewers to be
drains.

74.—(1) In this section the expression “public sewer” means any sewer which shall have been or shall hereafter be—

- (a) Constructed along and under any highway repairable by the inhabitants at large ;

- (b) Constructed to the satisfaction of the Corporation along and under any highway not repairable by the inhabitants at large; A.D. 1913.
- (c) Purchased or otherwise acquired by or constructed at the ultimate expense of the Corporation;
- (d) Constructed and used for the purpose of conveying sewage from sewers coming within the before-mentioned subsections (a) (b) or (c);
- (e) Made by any person for his own profit or by any company for the profit of the shareholders;
- (f) Made and used for the purpose of draining preserving or improving land under any local or private Act of Parliament or for the purposes of irrigating land;
- (g) Under the authority of any commissioners of sewers appointed by the Crown; and
- (h) Constructed by or transferred to some other local authority or by or to a sewerage board or other authority empowered under any Act of Parliament to construct sewers.

(2) Where any two or more buildings or premises at the passing of this Act are or hereafter shall be drained or sewered by means of a common drain or sewer or a connected series of drains or sewers used or intended to be used for the purpose of conveying the drainage or sewerage from such buildings or premises or any part thereof to a public sewer or to a cesspool stream ditch or other outfall such drain or sewer or series of drains or sewers and each and every part thereof notwithstanding that the same at the passing of this Act was or hereafter (apart from this enactment) might have become vested in the Corporation as a sewer shall for the purposes and within the meaning of the provisions of the Public Health Acts 1875 to 1907 be deemed within the borough to be a drain (and not a sewer) on or belonging to each of such buildings or premises.

(3) In any case where there shall be two or more owners of the buildings or premises so drained or sewered as in this section before provided the Corporation shall be entitled to recover any expenses incurred by them in executing any works under the powers conferred on them by the before-mentioned provisions of this Act from the several owners respectively in such shares or proportions as their surveyor (or in the case of dispute)

A.D. 1913. — a court of summary jurisdiction shall determine or they may declare any such share or proportion to be private improvement expenses.

(4) Section 19 of the Public Health Acts Amendment Act 1890 shall cease to be in force within the borough.

Saving for railway and canal companies.

75. Nothing in this Part of this Act or in any byelaw made thereunder shall apply to any building (not being a dwelling-house) belonging to any railway or canal company and used by such company as a part of or in connexion with their railway or canal under any Act of Parliament nor to any land upon which any such building is erected or is in course of being erected.

PART VII.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

To prevent spreading of measles &c.

76. —(1) Any parent or guardian having personal charge of a child in attendance at a school who is aware of or has reason to suspect the occurrence of any of the diseases known as measles German measles chicken-pox or whooping-cough in any member of the family and who fails forthwith to notify such occurrence to the head teacher of the school shall be liable to a penalty not exceeding twenty shillings.

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

(3) (a) The Corporation shall cause to be given public notice of the effect of the provisions of this section by advertisement in two newspapers published and circulating in the borough and by handbills and otherwise in such manner as they think sufficient and this section shall come into operation at such time not being less than one month after the first publication of such advertisement as aforesaid as the Corporation may fix.

(b) Copies of the newspapers containing the advertisements shall be sufficient evidence that the provisions of this subsection have been complied with.

A.D. 1913.

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

(5) In this section the expression "school" includes a Sunday school.

77.—(1) No person being the parent or having the care or charge of a child who is or has been attending any school which has been closed by order of the Corporation with the view of preventing the spread of infectious disease shall permit such child to attend any Sunday school in the borough without having procured from the medical officer a certificate (which shall be granted free of charge upon application) that in his opinion such child may attend such Sunday school without undue risk of communicating disease to others.

Restrictions on attendance of children at Sunday school when infectious disease exists.

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

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

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

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

79. Whenever the medical officer shall report in writing to the Corporation that there is a prevalence of dangerous infectious disease in the borough or any adjoining county or neighbouring county borough and that there are reasonable grounds to apprehend the spread or communication of such disease to persons within the borough by persons resorting to common

Power medically to examine inmates of common lodging-houses when infectious disease prevails.

A.D. 1913. lodging-houses the Corporation may by resolution declare that by reason of the prevalence of the dangerous infectious disease named in the resolution it is expedient that the medical officer should be entrusted with the special powers herein-after mentioned and subject as herein-after provided the following provisions shall thereupon be in force within the borough for such period as the Corporation having regard to the circumstances of the case shall in the resolution determine (that is to say):—

- (1) The medical officer may when authorised by warrant granted by any justice on complaint on oath by the medical officer that he has reason to believe that the dangerous infectious disease named in the resolution of the Corporation may exist or has recently existed in any common lodging-house in the borough medically examine any person found in any common lodging-house in the borough with a view to ascertaining whether such person is suffering or has recently suffered from such disease. Any person obstructing the medical officer in making the examination aforesaid shall be liable to a penalty not exceeding forty shillings for each offence:
- (2) A copy of every such resolution shall forthwith be sent by the Corporation to every keeper of a registered common lodging-house in the borough and to the Local Government Board:
- (3) Unless approved by the Local Government Board any such resolution shall cease to be in force at the expiration of fourteen days after it is passed or any earlier date fixed by the Local Government Board:
- (4) A warrant granted under this section may authorise the medical officer to exercise the powers of examination herein-before conferred during such period not exceeding the period during which the provisions aforesaid shall be in force as may be specified in such warrant.

Information to be furnished in case of infectious disease.

80.—(1) The occupier of any building in the borough which is used for human habitation and in which there is or has been any person suffering from an infectious disease shall on the application of the medical officer at any time during the illness of such person or within six weeks from the occurrence of such

illness furnish such information within his knowledge as the medical officer may reasonably require for the purpose of enabling measures to be taken to prevent the spread of the disease. A.D. 1913.

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

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

81.—(1) If the medical officer shall at any time receive notice of a case of infectious disease he may apply to the person who is required by section 3 (1) (a) of the Infectious Disease (Notification) Act 1889 to send a notice of the case of infectious disease for the name and address of any laundryman to whom any clothes or other things may from time to time during the continuance of the infectious disease be sent for mangling or washing from the house in which the case of infectious disease exists and such person shall forthwith furnish such information accordingly. Power to require names of laundrymen to whom clothes &c. from infected houses are sent.

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

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

83.—(1) If the medical officer of health has reasonable cause to suppose that any house is infested with vermin he or any inspector of nuisances may enter such house and may inspect Houses infested with vermin to be cleansed.

A.D. 1913. and examine the same and any articles therein for the purpose
— of ascertaining whether such house is infested with vermin.

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

(3) If the person to whom such notice is given fails to comply therewith within the time therein specified he shall be liable on summary conviction to a fine not exceeding ten shillings for every day during which he makes default in complying with the requirements of such notice and the Corporation may if they think fit at any time after the expiration of the period specified in the notice themselves do any work required by the notice to be done and all reasonable costs and expenses incurred by the Corporation in so doing shall (subject as herein-after provided) be recoverable summarily as a civil debt from the person making the default.

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

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

Cleansing of
verminous
persons.

84.--(1) The Corporation may from time to time provide free of charge temporary shelter or house accommodation with

A.D. 1913.

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

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

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

(4) For the purpose of this section the word "house" includes any tent van shed or similar structure used for human habitation or any boat lying in any canal within the borough and used for the like purpose.

85.—(1) The medical officer or an inspector of nuisances may at any time between the hours of nine o'clock in the morning and nine o'clock in the evening if he has reason to believe overcrowding to exist therein enter any dwelling-house which consists of not more than four rooms (which expression means living rooms and bedrooms) for the purpose of measuring in cubic feet the space contained therein (exclusive of lobbies closets and presses and of recesses not exceeding four feet in depth and not having a separate window therein and not perfectly

Overcrowd-
ing of small
houses.

A.D. 1913. clear from floor to ceiling and from wall to wall and exclusive also of recesses in which there is any fixture whatever) and if the cubic contents thereof do not exceed two thousand six hundred feet may affix in some prominent position within the dwelling-house a plate or a ticket on which shall be marked the number of such cubic feet and the number of persons exceeding the age of eight years who without a breach of the provision of subsection (2) of this section may sleep therein and any person who obliterates defaces removes or alters such marking or ticket shall be liable to a penalty not exceeding ten shillings Provided that if entry to any such dwelling-house under the provisions of this section is refused by the person having the custody of such dwelling-house or any person acting in his behalf any justice may upon the application of the Corporation or the medical officer or an inspector of nuisances grant a warrant to the medical officer or an inspector of nuisances to enter such dwelling-house during the hours aforesaid for the purposes of this section and any person who obstructs the medical officer or an inspector of nuisances in the performance of his duty under such warrant and this section shall be liable to a penalty not exceeding five pounds.

(2) If any dwelling-house is used for the purposes of sleeping in by a greater number of persons than in the proportion of one person of the age of eight years or upwards for every four hundred cubic feet of space or of one person of an age less than eight years for every two hundred cubic feet of space contained therein (exclusive of lobbies closets and presses and of recesses not exceeding four feet in depth and not having a separate window therein and not perfectly clear from floor to ceiling and from wall to wall and exclusive also of recesses in which there is any fixture whatever) or by a greater number of persons than is marked on the plate or ticket affixed therein in pursuance of subsection (1) of this section every person being an occupier of such dwelling-house and so using it or suffering it to be used shall be liable to a penalty not exceeding twenty shillings for every day or part of a day during which it is used or suffered to be used and the medical officer or an inspector of nuisances may from time to time between the hours of nine o'clock in the morning and nine o'clock in the evening enter such dwelling-house if they believe that the provisions of this section are being contravened.

86. Section 66 (Conversion of existing closet accommodation into waterclosets or waste-water closets) of the Act of 1900 shall be extended so as to provide as follows:—

A.D. 1913.
—
Amendment of provisions as to conversion of existing closet accommodation into water-closets or waste-water closets.

Any officer of the Corporation duly authorised in writing by the Corporation shall on production of his authorisation be admitted into any premises for the purposes of the said section 66 and the provisions of sections 102 and 103 of the Public Health Act 1875 shall with the necessary modifications apply to his admission.

87. The Corporation may by notice in writing require the owner or occupier of any dwelling-house to provide a movable galvanised iron (or enamelled iron) dustbin for the convenient removal of house refuse and such dustbin shall be of such size and construction as may be approved by the Corporation and any owner or occupier who fails within fourteen days after notice given to him to comply with the requirements of the Corporation shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding five shillings. Provided that this section shall not authorise the Corporation to require the provision of such dustbin in any case in which a dustbin or ashpit in use at the passing of this Act is of suitable size and in proper order and condition.

Regulation dustbins.

88. For the purposes of section 66 (1) of the Act of 1900 the term "separate receptacle for ashes and house refuse" shall mean movable galvanised iron (or enamelled iron) dustbin or dustbins to be of such size and construction as may be approved by the Corporation.

Interpretation of term "movable receptacle."

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

Regulation of manufacture and sale of ice-cream.

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

(b) In the manufacture sale or storage of any such commodity does any act or thing likely to expose such commodity to infection or contamination or omits to

A.D. 1913.
—

take any proper precaution for the due protection of such commodity from infection or contamination; or

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

shall be liable for every such offence upon summary conviction therefor to a penalty not exceeding forty shillings.

(2) In the event of any inmate of any building (any part of which is used for the manufacture of ice-cream or similar commodity) suffering from any infectious disease the medical officer may seize and destroy all ice-cream or similar commodity or materials for the manufacture of the same in such building and the Corporation shall compensate the owner of the ice-cream commodity or materials so destroyed.

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

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

(5) The Corporation shall cause public notice to be given of the effect of the provisions of this section by advertisement in a local newspaper and by handbills and otherwise in such manner as they think sufficient and the provisions of this section shall come into operation at such time not being less than one month after the first publication of such an advertisement as aforesaid as the Corporation may fix.

(6) Any expenses of the execution by the Corporation of this section shall be defrayed out of the district fund and general district rate. A.D. 1913.

(7) As from the passing of this Act section 90 of the Act of 1900 shall be and the same is hereby repealed.

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

91.—(1) (a) Where the medical officer certifies that the cleansing and disinfecting of any building (including in that term any boat tent shed or similar structure used for human habitation) would tend to prevent or check tuberculosis of the lung 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 the Corporation 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 the time to be fixed in the notice. 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. Disinfection
in case of
pulmonary
tuberculosis.

(b) 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 town clerk and who shall produce his authority enter on any

A.D. 1913. premises between the hours of ten o'clock in the forenoon and six o'clock in the afternoon.

(c) 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 if the offence is a continuing one 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 to cause such articles books things bedding or clothing to be delivered over 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 brought back and delivered to the owner free of charge.

(3) If any person sustains any damage by reason of the exercise by the Corporation of any of the powers of subsections (1) and (2) of this section in relation to any matter as to which he is not himself in default full 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.

Power to establish depôt for sale of humanised or other prepared milk.

92. The Corporation may establish maintain manage and carry on a depôt for the sale of humanised or other prepared milk and may appropriate and use such lands as may be necessary or expedient for that purpose and may provide laboratories plant and machinery and may buy humanise or otherwise prepare and sell milk for infants under two years of age Such depôt shall be subject to the medical supervision of the medical officer and shall be carried on in accordance with regulations to be approved by the Local Government Board In this section the expression "humanised milk" means milk specially treated so as to be suitable for consumption by infants under two years of age.

The Corporation shall apply all moneys from time to time received by them in respect of such depôt other than moneys

(if any) received on capital account as follows (that is to A.D. 1913. say) :—

Firstly In payment of the working and establishment expenses and cost of maintenance of such depôt;

Secondly In payment of interest on moneys borrowed by the Corporation for the purpose of such depôt;

Thirdly In providing the requisite instalments or payments in respect of moneys borrowed by the Corporation for the purposes of such depôt and (if the Corporation think fit) in forming a renewal and depreciation fund;

Fourthly In extending improving and constructing (if the Corporation think fit) any works for the purposes of such depôt:

And the Corporation shall carry to the credit of the general district rate so much of any balance remaining in any year as may in the opinion of the Corporation not be required for carrying on the said depôt and paying the current expenses connected therewith. Any deficiency in the revenue or receipts of the Corporation on account of such depôt shall be made good out of the general district rate. The Corporation shall keep separate accounts in respect of such depôt and such accounts shall be kept separate from all other accounts distinguishing therein capital from revenue.

93. The provisions of the sections of this Act whereof the respective marginal notes are "Disinfection in case of pulmonary tuberculosis" and "Power to establish depôt for sale of humanised or other prepared milk" shall cease to be in force within the borough at the expiration of seven years from the date of the passing of this Act unless they shall have been continued by Act of Parliament or by Provisional Order made by the Local Government Board and confirmed by Parliament which Order the Local Government Board are hereby empowered to make in accordance with the provisions of the Public Health Act 1875. Cesser of provisions.

94. Any person who being in charge of the body of any person who has died from any infectious disorder or infectious disease shall permit or allow any other person unnecessarily to come into contact with such body shall be liable to a penalty not exceeding five pounds. For preventing contact with body of person who has died of infectious disease.

A.D. 1913.

PART VIII.

GAS AND ELECTRICITY.

Quality
pressure
testing-place
and testing.

95. Notwithstanding any provisions contained in any former Act relating to the gas undertaking of the Corporation for regulating the quality testing and pressure of gas supplied by the Corporation the following provisions shall apply:—

- (1) The provisions of this section shall commence and have effect from and after the expiration of three months from the passing of this Act except paragraph (c) of subsection (4) which shall take effect as from the passing of this Act:
- (2) The prescribed number of candles for the purposes of the Gasworks Clauses Act 1871 shall not be less than thirteen:
- (3) For the purposes of the Gasworks Clauses Act 1871 the prescribed testing-place shall be a testing-place which shall be provided by the Corporation on any part of their gasworks:
- (4) (a) The quality of the gas supplied by the Corporation shall with respect to its illuminating power be such as to produce at the testing-place when burned at the rate of six cubic feet per hour a light equal in intensity to the light produced by thirteen sperm candles of six to the pound each consuming one hundred and twenty grains of sperm per hour and shall be in all respects in accordance with the provisions of the Gasworks Clauses Act 1871:
(b) For testing the illuminating power of the gas the burner to be used shall be that known as the Metropolitan Argand No. 2 the photometer shall be the bar photometer or the table photometer the standard light shall be that supplied by Harcourt's ten-candle pentane lamp and in making the test the burner shall be so used as to obtain from the gas when burned at the rate aforesaid the greatest amount of light Provided that the Board of Trade may on the application of the Corporation or any five consumers approve the use of any other burner photometer or standard light which may appear to the Board to be equally or more suitable for the testing:

A.D. 1913.

(c) The Corporation shall within three months from the passing of this Act provide all the apparatus required by this Act for the testing of gas and shall at all times keep the same in proper order and repair:

(d) All gas supplied by the Corporation to any consumer of gas shall be supplied at such pressure as to balance a column of water not less than eight-tenths of one inch in height at the main or as near as may be to the junction therewith of the service pipe supplying the consumer:

(e) Any gas examiner appointed under the Gasworks Clauses Act 1871 may for the purposes of this Act subject to the terms of his appointment at the testing-place or at any public lamp as and when he thinks fit test the pressure at which the gas is supplied:

The Corporation shall afford to the examiner all reasonable facilities for making the test:

(5) Sections 20 21 and 22 of the Act of 1876 are hereby repealed.

96. At least twenty-four hours' notice shall be given to the Corporation by every gas consumer either personally at the gas office of the Corporation or in writing before he shall quit any premises supplied with gas by meter by the Corporation and in default of such notice the consumer so quitting shall be liable to pay to the Corporation the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Corporation to supply gas to such premises whichever shall first occur. Notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable to the Corporation.

Gas consumers to give notice to Corporation before removing.

97. In order to enable the Corporation to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect:—

As to construction and placing of pipes &c. between mains and meters.

(1) The Corporation may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer on his own premises either in the first instance or on the occasion of any

A.D. 1913.

renewal between the Corporation's mains and the meter so far as such pipes and fittings are intended to be covered over:

- (2) The Corporation may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time:
- (3) The specification shall be published twice in some newspaper (or once in each of two newspapers) circulating within the gas limits and a copy thereof shall be kept exhibited in the offices of the Corporation:
- (4) Every meter to be used in a new building or a building not previously supplied with gas or in connexion with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the Corporation's main but within the outside wall of the building:
- (5) When any such pipe or meter as aforesaid has been laid or placed notice thereof shall be given to the Corporation and the pipes shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Corporation. Any officer of the Corporation duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend and inspect such pipes (with their fittings) and meter and if the officer is not permitted to make the inspection or if the pipes or fittings are not according to the Corporation's specification or if the meter is not placed as required by this section the Corporation may refuse to supply gas to the premises until the provisions of this section have been complied with:
- (6) Any person to whom the Corporation refuses a supply of gas under the provisions of this section may appeal to a petty sessional court against such refusal and the court may after hearing the parties and considering any questions as to the reasonableness of the Corporation's specification make such order as seems to them proper in the circumstances and may order by which of the parties the costs of and incident to the appeal shall be paid.

98. In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 and being proved to register erroneously within the meaning of the said Act such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter. The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and shall be recoverable in the like manner as gas charges are recoverable by the Corporation.

A.D. 1913:
Period of error in defective gas meters.

99. The Corporation may contract with any local authority company or persons authorised to supply gas under parliamentary powers in any district adjacent to the gas limits for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as may be agreed upon but nothing in this section shall authorise the Corporation to lay any mains or interfere with any street beyond the gas limits.

Corporation may contract with local authority &c. for supply in bulk.

100. The power to enter premises and to remove pipes meters fittings or apparatus conferred upon the Corporation by section 22 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 and let by them on hire to any former occupier of such premises.

Power to enter premises and remove fittings.

101. After the passing of this Act the Corporation shall not be liable to any penalty or forfeiture by reason of the presence in the gas supplied by the Corporation of sulphur compounds other than sulphuretted hydrogen.

Corporation not to be liable to penalty for sulphur compounds other than sulphuretted hydrogen.

102.—(1) The Corporation may lay down place repair alter remove and renew mains and pipes within the gas limits for the purposes of procuring conducting or disposing of any tar or other materials used by them in or resulting from any manufacture of gas or any residual products thereof or for any purpose connected with their business and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of

Power to lay pipes for ancillary purposes.

A.D. 1913. streets for the purpose of laying pipes shall so far as they are applicable extend and apply mutatis mutandis to the exercise of the powers of this section.

(2) The provisions of subsection (4) of the section of this Act of which the marginal note is "For protection of Company of Proprietors of Birmingham Canal Navigations" shall extend and apply mutatis mutandis to the exercise by the Corporation of the powers of this section.

For protec-
tion of
London and
North West-
ern Railway
Company
and Com-
pany of
Proprietors
of Birming-
ham Canal
Navigations.

103. The following provisions for the protection of the London and North Western Railway Company and the Company of Proprietors of the Birmingham Canal Navigations (herein-after respectively referred to as "the company") shall unless otherwise agreed between the Corporation and the company be in force and have effect (that is to say):—

In laying down or executing or in effecting the repairs and renewals of any mains pipes or other works under the last preceding section of this Act upon across over under or in any way affecting the railways or canals lands or property now or hereafter belonging to or used or occupied by the company or the bridges approaches viaducts stations or other works or any level crossings over the railways of the company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the company and only according to such plans to be submitted to and in such manner as shall be previously reasonably approved by him and in all things by and at the expense of the Corporation who also shall restore and make good the roads over any such bridges level crossings and approaches which the company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Corporation and all such works matters and things shall be constructed executed and done so as not to cause any injury to such railways or canals bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or canals or at any station thereon And if any such injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes or works the

Corporation shall make compensation in respect thereof to the company: A.D. 1913

Any dispute or difference which may arise between the company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the company and the Corporation or either of them.

104. Every consumer of gas supplied by the Corporation who uses a gas engine shall if required to do so by the Corporation use an effective anti-fluctuator and shall at all times at his own expense keep such anti-fluctuator in proper repair and in default of his so using or keeping such anti-fluctuator in proper repair the Corporation may cease to supply gas to such consumer. The Corporation shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator at all reasonable times such taking off removing testing inspecting and replacing to be done at the expense of the Corporation if the anti-fluctuator be found in proper order but otherwise at the expense of the consumer.

Anti-fluctuators for gas engines.

105. Where any person has a supply of gas laid on by the Corporation to any premises for which he has at the same time a supply of gas or electricity either from the Corporation or from an installation other than that of the Corporation the Corporation shall be entitled to charge and receive from him in respect of the supply of gas so laid on such minimum sum as shall be fixed by them not exceeding twenty shillings for any one quarter of a year notwithstanding that the ordinary charge for the gas actually consumed in such quarter would amount to a lower sum. Provided that in fixing the amount of such minimum charge the Corporation shall have regard to the probable maximum supply of gas which might at any time be required for such premises. Provided also that in respect of any premises for which the whole supply of gas afforded by the Corporation is taken through a meter having a nominal capacity of less than ten lights and the supply of electricity is taken from the Corporation no minimum charge shall be made. Provided further that in respect of any premises for which the whole supply of gas afforded by the Corporation is taken through such meter

Supply of gas where consumer has separate installation of gas or electricity.

A.D. 1913. as aforesaid and the supply of electricity is obtained from an installation other than that of the Corporation the amount of the minimum charge shall not exceed five shillings for any one quarter of a year and provided also that the Corporation shall not be entitled to any such standing charge as aforesaid in respect of any premises for which the whole supply of gas afforded by them is taken through a meter having a nominal capacity of less than ten lights.

Extending section 15 of Electric Lighting Act 1909.

106. The provisions of section 15 of the Electric Lighting Act 1909 shall extend and apply to the supply of electricity by the Corporation to any premises having a supply of motive power other than electricity.

Gas fittings to be free from distress and execution and to continue to be property of and removable by Corporation.

107.—(1) Any pipes burners meters lamps tubes engines apparatus fittings and other articles and things (all of which are in this section referred to as “gas fittings”) let for hire or provided by the Corporation under the provisions of section 13 of the Act of 1876 shall not be subject to distress or to the landlord’s remedy for rent or be liable to be taken in execution under process of any court or proceedings in bankruptcy against any person in whose possession they may be.

(2) (a) All gas fittings let by the Corporation on hire or provided under any statutory powers shall notwithstanding that they be fixed or fastened to any part of any premises in which they may be situate or to the soil under any such premises at all times continue to be the property of and removable by the Corporation.

(b) Nothing in this section shall affect the amount of assessment for rating of any premises upon which any gas fittings are or shall be fixed.

(3) The Corporation shall only be entitled to the privileges and exemptions conferred by this section in respect of such gas fittings as shall have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Corporation as the actual owners thereof.

Provision of renewal and extension funds for

108. The Corporation may out of the nett surplus remaining after they shall have applied the revenue of their electricity undertaking in manner provided by section 52 subsections (1)

to (5) of the West Bromwich (Corporation) Electric Lighting Order 1898 set aside such annual or other sum as they may consider reasonable and from time to time use the same for the purposes of renewal repair and depreciation of the buildings plant and apparatus and for the extension and improvement of the electricity undertaking Provided that the total sum so set aside shall not exceed one tenth of the aggregate capital expenditure of the said undertaking Provided further that if the sum so set aside be at any time reduced it may thereafter be again restored to the prescribed limit and so from time to time as often as the reduction happens.

A.D. 1913.
electricity
undertaking.

109.—(1) The Corporation shall at any time within two years after the first day of January one thousand nine hundred and fourteen if and when required by any consumer of gas supplied by the Corporation (other than a consumer by prepayment meter) supply to him and fix free of charge a sufficient number of flat flame burners suitable in all respects for the consumption of gas of the illuminating power prescribed by this Act in substitution for the flat flame burners in use before the said first day of January.

Corporation
to supply
suitable
burners
gratis in lieu
of those in
use.

(2) The Corporation shall also as soon as reasonably practicable after the said first day of January one thousand nine hundred and fourteen and at the latest within a period of three months thereafter exchange the flat flame burners used by consumers of gas supplied by the Corporation by means of prepayment meters for flat flame burners similarly suitable for the consumption of gas of the illuminating power prescribed by this Act.

(3) Notice of the provisions of this section shall be given on each demand note of the Corporation sent out during the first-mentioned period of two years.

110. In the event of a meter of a construction and pattern approved by the Board of Trade used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter The amount of the allowance to be paid to or the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and shall be recoverable in the like manner as charges for electricity are recoverable by the Corporation.

Period of
error in
defective
electricity
meters.

A.D. 1913.
Expenses.

111. Any expenses incurred by the Corporation in carrying into effect the provisions of this Part of this Act relating to the electricity undertaking of the Corporation and for which no other provision is made by this Act shall be deemed to be expenses incurred by the Corporation under the Electric Lighting Act 1882 and not otherwise provided for and the provisions of section 7 (Expenses of local authority) and section 8 (Power of local authority to borrow money) of that Act shall extend and apply accordingly to such expense.

Notice to
discontinue
supply.

112. A notice to the Corporation from a consumer for the discontinuance of a supply of gas or electricity shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the gas or electricity office (as the case may be) of the Corporation or be given by the consumer personally at such office.

Attachment
of brackets
&c. to build-
ings.

113. The Corporation may with the consent of the owner of any building attach to that building such brackets wires and attachments as may be required for lighting any street in the borough:

Provided that—

- (1) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a petty sessional court who shall have power having regard to the character of the building and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid:
- (2) Any consent of an owner and any order of a petty sessional court under this section shall not have effect after the owner ceases to be in possession of the building but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed Where such notice is given the preceding provisions of this section shall apply and the petty sessional court shall have the same powers as under proviso (1):

(3) The owner may require the Corporation to temporarily remove the attachments where necessary during any reconstruction or repair of the building: A.D. 1913.

(4) No brackets wires and attachments shall without the previous consent in writing of the London and North Western Railway Company be attached to any bridge or other work of that company.

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

114. The Corporation may for the purposes of their electricity undertaking enter upon and break up such parts of the railway of the London and North Western Railway Company as pass on the level across or along the highway at Albion in the parish of West Bromwich:

Power to break up level crossing of London and North Western Railway Company at Albion.

Provided that the provisions of the Electric Lighting Acts 1882 and 1888 and the schedule to the Electric Lighting (Clauses) Act 1899 shall apply to the exercise by the Corporation of the powers conferred upon them by this section.

PART IX.

FINANCE.

115.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they shall pay off all money so borrowed within the respective periods (each of which is in this Part of this Act referred to as "the prescribed period") mentioned in the third column of the said table (namely):—

Power to borrow.

1.	2.	3.
Purpose.	Amount.	Period for Repayment.
(a) For paying the costs charges and expenses of this Act as herein-after defined.	The sum requisite.	Five years from the passing of this Act.
(b) For the purchase of lands for and for the construction of the street improvements by this Act authorised.	£15,000	Fifty years from the date or dates of borrowing.

[Ch. lxxix.] *West Bromwich Corporation* [3 & 4 GEO. 5.]
Act, 1913.

A.D. 1913.

1.	2.	3.
Purpose.	Amount.	Period for Repayment.
(c) For depôts and electrical equipment for trolley vehicles by this Act authorised.	£10,697	Twenty years from the date or dates of borrowing.
(d) For trolley vehicles by this Act authorised.	£7,500	Ten years from the date or dates of borrowing.
(e) For the motor omnibuses by this Act authorised.	£8,000	Five years from the date or dates of borrowing.

(2) The Corporation may also with the consent of the Board of Trade borrow such further money as may be necessary for any of the purposes of the trolley vehicle undertaking of the Corporation and may with the consent of the Local Government Board borrow such further money as may be necessary for any of the purposes of this Act other than the purposes of that undertaking.

Any money borrowed under this subsection shall be repaid within such period (in this Part of this Act referred to as "the prescribed period") as may be prescribed by the Board with whose consent it is borrowed.

(3) In order to secure the repayment of the money borrowed under this section and the payment of the interest thereon the Corporation may mortgage or charge—

As regards moneys borrowed for the purpose (a) herein-before mentioned the borough fund and borough rate;

As regards moneys borrowed for the purposes (c) (d) and (e) the revenue of the trolley vehicle and motor omnibus undertakings and the borough fund and borough rate;

As regards moneys borrowed for the remaining purpose herein-before mentioned the district fund and general district rate;

As regards moneys borrowed with the consent of the Local Government Board such fund rate or revenue as that Board may prescribe.

The provisions of this subsection shall not limit the powers to use one form of mortgage for all purposes conferred on the Corporation by section 161 of the Act of 1900.

Account to
be audited.

116. The accounts of the receipts and expenditure of the Corporation under this Act shall be audited examined and published in like manner and with the same consequences as the

other accounts of the Corporation are audited examined and published under the Municipal Corporations Act 1882 as amended by the Act of 1889. A.D. 1913.

117. The following sections of the Act of 1900 shall be deemed to be incorporated in and to form part of this Act:—

Certain sections of Act of 1900 to apply.

Section 142 (Certain regulations of Public Health Act 1875 as to borrowing not to apply):

Section 143 (Mode of raising money):

Section 144 (Provisions of Public Health Act as to mortgages to apply):

Section 146 (Mode of payment off of money borrowed):

Section 148 (Sinking fund):

Section 150 (Protection of lender from inquiry):

Section 151 (Corporation not to regard trusts):

Section 152 (Appointment of receiver):

Section 153 (Power to re-borrow):

Section 158 (Application of money borrowed):

Section 159 (Expenses of execution of Act):

Section 162 (Inquiries by Local Government Board).

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

Power to use sinking fund instead of borrowing.

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

(b) Moneys borrowed and charged upon all the revenues of the Corporation in manner provided by section 161 (Power to use one form of mortgage for all purposes)

A.D. 1913.

of the Act of 1900 and not shown by the deed to be raised in exercise of a particular borrowing power specified therein.

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

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

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

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

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

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

Returns to
Local Gov-
ernment
Board as to
sinking
funds.

119.—(1) The treasurer shall within forty-two days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to the sinking fund in respect of any of the moneys raised by the Corporation in pursuance of any statutory borrowing power and not raised by the issue of stock and at any other time when the Local Government

A.D. 1913.

Board may require such a return to be made transmit to the Board a return in such form as may be prescribed by the Board and if required by the Board verified by a statutory declaration of the treasurer showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year together with such further information (if any) as the Board shall require and in the event of his failing to make such return the treasurer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by the Board out of the High Court.

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

120. Where under the provisions of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a sinking fund for the payment off of moneys borrowed or payable by them they may (in addition to any other powers

General
power to
invest in
statutory
securities.

A.D. 1913. for the time being vested in them) invest such sinking fund and the interest on the investments of such sinking fund in statutory securities.

PART X.

MISCELLANEOUS.

Power to convert destructor refuse into slabs and other materials and to use and sell such materials.

121. The Corporation may convert any clinkers or other refuse or surplus material or product arising in connexion with their refuse destructor or destructors into slabs of artificial stone bricks concrete mortar material for filtration or percolation purposes at sewage disposal works and other materials and may construct such buildings and works and may in connexion therewith provide and erect such machinery plant and appliances as may be required and any such slabs bricks concrete mortar or other materials so produced may be utilised by the Corporation for making and repairing streets or for any other purposes connected with the work of the Corporation for which they may be suitable or may be sold by the Corporation who shall carry the proceeds arising from any sales thereof to the credit of the destructor account in the district fund.

Inspection and certification of taximeters.

122. The Corporation may require any taximeter or other similar apparatus used or intended to be used on any hackney carriage plying for hire within the borough to be tested and inspected and they may also require any such taximeter or other similar apparatus to be re-tested and re-inspected at such reasonable intervals of time as they may prescribe and no such taximeter or other similar apparatus shall be used or continued in use unless the same be certified to register correctly Any person using a taximeter or other similar apparatus which is not so certified or failing to submit the same for testing and inspection at such reasonable intervals of time as aforesaid shall be liable upon conviction to a penalty not exceeding forty shillings.

Power to grant occasional licences for hackney carriages or other public vehicles.

123. An occasional licence for a hackney carriage or other public vehicle may be granted by the Corporation to be in force for such day or days or other period less than a year as may be specified in the licence.

Reception into Great Barr Hall of non-pauper children

124.—(1) The Corporation acting as the local education authority of the borough may if and so long as the Board of Education approve send to the institution known as Great Barr

Hall belonging to the Walsall and West Bromwich Unions Joint Committee epileptic or feeble-minded children for whose education the said local education authority are empowered to make provision but for whom day schools and classes would not form a proper means of education and the said joint committee may with the approval of the Local Government Board receive maintain and educate such children in that institution and the said authority and the said joint committee may enter into an agreement for such purpose which shall be subject to the approval of the Local Government Board and the Board of Education. A.D. 1913.

(2) Any such agreement shall have effect only so long as the institution holds a certificate granted by the Board of Education under the Elementary Education (Defective and Epileptic Children) Act 1899 and any such agreement may make provision as to the amount of the contribution to be paid by the local education authority to the said joint committee in respect of children so received and may provide for the representation of the local education authority upon any committee or body of managers by whom the institution is managed.

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

126. Whenever the Corporation or the surveyor under any enactment or byelaw for the time being in force within the borough execute re-execute or alter any work or do any act or thing in default or at the request of the owner occupier or other person required to do such work act or thing the Corporation shall not as between themselves and such owner occupier or other person in the absence of any negligence on the part of the Corporation or the surveyor or of any contractor or other person employed by them or him be liable to pay any damages penalties costs charges or expenses for or in respect of or consequent upon the executing re-executing or altering of such work or the doing of such act or thing and any such damages penalties costs charges or expenses paid by the Corporation in In executing works for owner Corporation liable for negligence only.

A.D. 1913. — the absence of negligence as aforesaid shall be deemed to be part of the expenses payable by such owner occupier or other person and shall be recoverable accordingly.

Application of section 265 of Public Health Act 1875. **127.** Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall extend and apply to the purposes of this Act as if the same were re-enacted herein.

Consent of Corporation to be in writing. **128.** All consents given by the Corporation under the provisions of this Act shall be given in writing and unless otherwise prescribed shall be given under the hand of the town clerk.

Compensation &c. how to be determined. **129.** When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided for by the Public Health Acts Provided that where any such compensation costs damages or expenses is or are directed or authorised to be paid or recovered in addition to any penalty for any offence in this Act mentioned the amount of such compensation costs damages or expenses in case of dispute may be ascertained by the court before whom any offender is convicted.

Application of Arbitration Act 1889. **130.** Where under this Act any question or dispute is to be referred to an arbitrator or to arbitration other than questions or disputes to which the provisions of the Lands Clauses Acts apply then unless other provision is made the reference shall be subject to the provisions of the Arbitration Act 1889.

Informations by whom to be laid. **131.** Save as otherwise by this Act expressly provided all informations and complaints under or in respect of the breach of any of the provisions of this Act may be laid and made by an officer of the Corporation authorised in that behalf or by the town clerk.

Evidence of appointments authority &c. **132.** Where in any legal proceedings taken by or on behalf of or against the Corporation or any officer servant solicitor or agent of the Corporation or of any committee of the council under this Act or under any general or local Act for the time being in force in the borough it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Corporation or of any committee of the council or

to prove any resolution or order of the council or any resolution order or report of any committee of the council a certificate of such appointment authority resolution order or report purporting to be authenticated by the signature of the mayor or of the town clerk shall be primâ facie evidence of such appointment authority resolution order or report without further proof of the holding of any meeting or the production of any minute book or other record or document. A.D. 1913.

133.—(1) Any person deeming himself aggrieved by any order determination or requirement or the withholding of any consent or approval under this Act of or by the Corporation or by any condition attached to any such consent or approval or subject to which the same may have been given or of any officer of the Corporation may within fourteen days from the date of such order determination requirement consent or approval appeal to a petty sessional court and such court may and is hereby empowered to make such order in the premises and on such terms and conditions as to the court shall seem just. Appeal to petty sessional court.

(2) The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the petty sessional court may direct.

134. Any person deeming himself aggrieved by any conviction or order made by a court of summary jurisdiction under the provisions of this Act may if no other mode of appeal is provided by this Act appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts and in regard to any such order made by a court of summary jurisdiction the Corporation may in like manner appeal. As to appeal.

135. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act or the Act of 1900 by reason of his being liable to any rate and section 132 (Judges not disqualified) of the Act of 1900 is hereby repealed. Judges not disqualified.

136. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act Saving for indictment &c.

A.D. 1913. — Provided that nothing in this Act shall make a person liable to be punished more than once for the same offence.

Recovery of penalties &c.

137.—(1) Save as otherwise by this Act expressly provided all offences against this Act or the Act of 1900 and all penalties forfeitures costs and expenses imposed or recoverable under this Act or the Act of 1900 or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner Provided that costs and expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

(2) Section 127 (Recovery of penalties &c.) of the Act of 1900 is hereby repealed.

Powers of Act cumulative.

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

Recovery of demands in county court.

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

Authentication and service of notices &c

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

(2) Notices demands orders and other documents required or authorised to be served under this Act or under any local Act Provisional Order or byelaw for the time being in force

within the borough may be served in the same manner as notices under the Public Health Act 1875 are by section 267 of that Act authorised to be served. Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business. A.D. 1913.

(3) Section 62 (Authentication of notices) of the Act of 1876 is hereby repealed.

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

142. The provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to all byelaws made by the Corporation under the powers of this Act except byelaws to which the provisions of the Tramways Act 1870 and the Municipal Corporations Act 1882 are respectively applicable by this Act. General provisions as to confirmation &c. of bye-laws.

143. The costs charges and expenses preliminary to and of and incidental to preparing and obtaining this Act shall after taxation by the taxing officer of the House of Lords or of the House of Commons be paid by the Corporation out of the borough fund and borough rate or out of moneys to be borrowed by the Corporation under this Act. Costs of Act.

[Ch. lxxix.] *West Bromwich Corporation* [3 & 4 GEO. 5.]
Act, 1913.

A.D. 1913.

The SCHEDULE referred to in the foregoing Act.

PROPERTY OF WHICH PART ONLY IS REQUIRED.

Parish.	Numbers on deposited Plans.
West Bromwich - - - - -	81
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