



CHAPTER xliii.

An Act to constitute the Corporation of Nuneaton the burial board for the borough to increase the number of the council to make better provision for the health local government and improvement of the borough to confer further powers upon the Corporation with respect to the supply of water and electricity and for other purposes. A.D. 1919.
[15th August 1919.]

WHEREAS the borough of Nuneaton in the county of Warwick (hereinafter called "the borough") is under the government of the mayor aldermen and burgesses of the borough (in this Act called "the Corporation"):

And whereas the Corporation are under and subject to the provisions of the East Warwickshire Waterworks Act 1882 the East Warwickshire Waterworks Act 1897 and the Nuneaton and Chilvers Coton Urban District Council Waterworks Act 1899 the owners of waterworks and supply water within the borough and it is expedient to confer further powers upon them in connexion with their water undertaking:

And whereas the Corporation are the burial board for the ecclesiastical district of Nuneaton and the ecclesiastical parish of Attleborough in the borough and burial grounds for the said district and the said parish have been provided by the burial board and the Corporation have also provided a cemetery for the ecclesiastical parish of Stockingford under the Public Health (Interments) Act 1879 and it is expedient to constitute the Corporation the burial board for the whole of the borough and to place all the burial grounds of the Corporation on the same footing:

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And whereas it is expedient that the council of the borough should be increased as by this Act provided :

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 to the health local government and improvement of the borough should be enlarged as by this Act provided :

And whereas in pursuance of the Electric Lighting Acts 1882 to 1909 and the Nuneaton and Chilvers Coton Electric Lighting Order 1900 (which was confirmed by the Electric Lighting Orders Confirmation (No. 5) Act 1900 and which is in this Act called "the Order of 1900") the Corporation are supplying electricity in the borough and it is expedient to make further provision with regard to the electricity undertaking of the Corporation 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 an estimate has been prepared by the Corporation for the purpose hereinafter mentioned and such estimate is as follows :—

For the extension of existing water mains - £12,000

And whereas the works included in such estimate 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 :

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

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Nuneaton Corporation Act 1919.

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

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Part I.—Preliminary.

Division of
Act into
Parts.

Part II.—Water.

Part III.—Burials.

Part IV.—Increase of Council.

Part V.—Electricity.

Part VI.—Streets Buildings Sewers Drains &c.

Part VII.—Financial and Miscellaneous.

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

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

“The borough” means the borough of Nuneaton;

“The council” means the council of the borough;

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

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

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

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

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rentcharges or securities transferable by delivery or any securities of the Corporation;

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government Département made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

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

“The Order of 1900” means the Nuneaton and Chilvers Coton Electric Lighting Order 1900 confirmed by the Electric Lighting Orders Confirmation (No. 5) Act 1900.

PART II.

WATER.

Purchase of additional lands by agreement

4.—(1) Subject to the provisions of this Act the Corporation in addition to any other lands acquired by them in pursuance of any of the Acts relating to their water undertaking may by agreement purchase take on lease acquire and hold further lands for the purposes of that undertaking but the quantity of lands held by the Corporation in pursuance of this section (exclusive of lands held for the purpose of protecting their waters and waterworks against pollution fouling contamination or injury) shall not at any time exceed ten acres and the Corporation may on all or any of such additional lands execute for the purposes of or in connexion with their waterworks any of the works (other than wells and works for taking or intercepting water) and exercise any of the powers mentioned in or conferred by section 12 (Undertakers subject to provisions of this and the special Act may execute the works herein named) of the Waterworks Clauses Act 1847.

(2) Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any such lands nor erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incident to or connected with their water undertaking. A.D. 1919.

5.—(1) For the purpose of protecting any of their waters and waterworks against pollution nuisance encroachment or injury the Corporation may by agreement purchase take on lease and acquire any lands and may hold such lands and any other lands which the Corporation may have acquired for the purposes of their water undertaking so long as they shall deem it necessary or expedient for those purposes. Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any lands acquired under this section nor erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incident to or connected with their water undertaking.

Power to purchase and hold lands and exercise powers for protection of waters and water-works.

(2) The Corporation may in and upon the lands referred to in subsection (1) of this section construct and lay down drains sewers watercourses and other works and conveniences necessary or proper for the purpose of intercepting or taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the water which the Corporation are empowered to take from being polluted and the Corporation may for the purposes aforesaid carry any such drain sewer or watercourse under across or along any street or road traversing the said lands subject and according to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes.

6. The Corporation may make and carry into effect agreements with the owners lessees or occupiers of any lands within the drainage area of any of the existing wells and pumping stations reservoirs and waterworks of the Corporation with reference to the execution by the Corporation or such owners lessees or occupiers of such works as may be necessary for the purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of the waters authorised to be diverted collected and appropriated by the Corporation flowing to upon or from such lands directly or derivatively into such wells and pumping stations reservoirs and works.

Power to agree as to drainage of lands &c.

A.D. 1919.
Powers in
relation to
water mains.

7. The Corporation shall have and may exercise the powers which a local authority would have under section 54 (Power of carrying mains) of the Public Health Act 1875 with respect to the carrying of water mains within and without their district.

For pro-
tection of
London
and North
Western
Railway
Company.

8. The following provision for the protection of the London and North Western Railway Company shall apply and have effect:—

Notwithstanding anything contained in the section of this Act the marginal note of which is "Powers in relation to water mains" the Corporation shall in the carrying of water mains under or over any railway of the said company under the provisions of that section be subject to the provisions contained in section 15 (For protection of railway companies) of the Nuneaton and Chilvers Coton Urban District Council Waterworks Act 1899.

Discharge
of water
into streams.

9.—(1) For the purpose of executing constructing enlarging extending repairing cleansing emptying or examining any reservoir well adit aqueduct line of pipes or other work of the Corporation the Corporation may cause the water in any such work to be discharged into any available stream watercourse or ditch.

(2) In the exercise of the powers conferred by this section the Corporation shall do as little damage as may be and shall pay compensation to all persons for all damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference by arbitration in accordance with the provisions of the Arbitration Act 1889.

Application
of Water-
works
Clauses Act
1847 to
waterworks.

10. The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets shall apply with the necessary modifications to the construction laying down erection and maintenance in any streets or roads of any discharge pipes telephone or telegraph posts wires conductors or apparatus which the Corporation may erect or lay down for the purposes of their water undertaking. Provided that the erection or laying down of such telephone or telegraph posts wires or conductors or apparatus shall be subject to the provisions of the Telegraph Act 1863.

For pro-
tection of
Postmaster-
General.

11. Any telephone or telegraph posts wires conductors or apparatus laid down erected made or maintained under the

provisions of this Act shall not be used in contravention of the exclusive privilege conferred on the Postmaster-General by the Telegraph Act 1869 and shall not be constructed in such a manner as to interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line. A.D. 1919.

12. The Corporation may purchase or take on lease dwelling-houses for persons employed by them for the purposes of their water undertaking and may erect maintain and let dwelling-houses for such persons upon any lands for the time being belonging to the Corporation for the purposes of the said undertaking and (subject to the terms of the lease) upon any lands for the time being leased to the Corporation for the purposes of the said undertaking. Dwelling-houses for persons employed by Corporation.

13.—(1) If it should appear to the Corporation that by reason of any injury to or defect in any communication pipe which the Corporation are not under obligation to maintain there is any waste or risk of waste of water or injury or risk of injury to persons or property it shall be lawful for the Corporation to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the expense incurred by the Corporation in executing such repairs shall be recoverable by the Corporation from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier. Power to Corporation to repair communication pipes.

(2) Provided that except in case of emergency the Corporation shall not under the powers of this section enter into any house or private premises unless they shall have given to the owner or occupier (if the communication pipe is repairable by him) of such house or premises not less than twenty-four hours' previous notice of their intention so to enter.

14.—(1) For the purpose of complying with any obligation under the Waterworks Clauses Acts 1847 and 1863 to maintain any pipe or apparatus in the borough the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and subject to the conditions of sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes. Power to person liable to maintain pipes &c. to open ground.

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(2) The Corporation may by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe and for that purpose to open or break up any street in the borough execute such works on behalf of such owner or occupier and any expenses incurred by the Corporation shall be repaid by the owner or occupier with whom the agreement is made and shall be recoverable summarily as a civil debt.

Maintenance of common pipe.

15. When several houses or parts of houses in the occupation of several persons are supplied by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Corporation in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the surveyor.

Power to lay water pipes in streets not dedicated to public use.

16. The Corporation may on the application of the owner or occupier of any premises within the borough abutting on or being erected in any street laid out but not dedicated to public use supply those premises with water and for that purpose the Waterworks Clauses Act 1847 shall apply as if section 29 (Not to enter on private land without consent) of that Act were excepted from incorporation in this Act:

Provided that nothing in this section contained shall apply to any street belonging to and forming the approach to any station or depôt of the Midland Railway Company nor shall the Corporation in carrying out such works unreasonably obstruct or interfere with the convenient access to any such street.

Meters may be placed in streets to measure water or detect waste.

17. — (1) Subject to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes the Corporation may for the purpose of measuring the quantity of water supplied or of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Corporation and stopcocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose stop break up and interfere with temporarily public and private streets sewers gas or water pipes electric lines wires and apparatus The Corporation shall provide reasonable means of access for all persons going to or returning from any house in any street

of which the carriageway or footway is stopped up under the powers of this section. A.D. 1919.

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

18. When water supplied for domestic purposes is used for washing carriages or motor cars or for other purposes in stables garages or premises where horses carriages or motor cars are kept the Corporation may if a hose pipe or other similar apparatus is used charge such additional sum not exceeding one pound per annum as they may prescribe and any sum charged under this section shall be recoverable in the same manner as water rates. Supply of water by hose pipe to stables &c.

19.—(1) The Corporation shall not be bound to supply with water otherwise than by measure any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required or any club hotel public-house or inn. Supply to houses partly used for trade &c.

(2) Where a supply of water to a farmhouse is used for farming purposes the Corporation may require that the supply for farming purposes shall be taken by measure but nothing in this section shall authorise the Corporation to refuse a supply of water for domestic purposes to a farmhouse at the ordinary rate calculated on the gross estimated rental thereof.

(3) The price to be charged for a supply of water by measure under this section shall not (subject as hereinafter provided) exceed one shilling and sixpence per thousand gallons. Provided that the minimum amount payable for any such supply other than a supply for farming purposes only under subsection (2) of this section in respect of any year ending on any thirty-first day of March shall be an amount equal to the amount payable for the time being for a supply of water for domestic purposes to premises of a like gross estimated rental.

20. The Corporation may agree with the owner or occupier of any premises within the borough who is not entitled to demand a supply of water from the Corporation to extend their mains to or over the property of such owner or occupier or to supply such premises with water and in either case upon such terms as may be agreed and may recover from such owner or Supply of water by agreement.

A.D. 1919. occupier any sum or sums of money agreed to be paid in respect of such supply in the same manner as water rates or rents are recoverable by them.

Power to purchase water in bulk.

21. The Corporation may purchase water in bulk from any authority company or person having authority to sell the same and may enter into and carry into effect agreements for that purpose upon such terms and conditions as they may think fit and any water so purchased may be used by the Corporation for the purposes of water supply but nothing in this section shall authorise the Corporation to lay any mains or interfere with any street beyond the borough.

Dates for payment of water rates.

22. Notwithstanding anything contained in section 70 (Rates to be paid quarterly) of the Waterworks Clauses Act 1847 the Corporation may by resolution declare that their water rents rates and charges shall be payable at such date or dates as the Corporation may from time to time appoint Provided that no person shall be compellable to pay water rents rates or charges so demanded for any longer period in advance than three months.

Rates payable by owners of small houses.

23. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Corporation so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate.

PART III.

BURIALS.

Corporation to be burial board for borough.

24.—(1) From and after the passing of this Act the Corporation acting by the Council shall be the burial board for the borough and shall have and be subject to all the rights powers duties and liabilities of a burial board under the Burial Acts 1852 to 1906 in respect of the borough so far as the same are applicable.

(2) The Corporation as burial board for the borough shall hold the cemeteries provided under the Burial Acts 1852 to 1871

in the ecclesiastical district of Nuneaton and the ecclesiastical parish of Attleborough and the Stockingford cemetery and the land for the enlargement of the Nuneaton cemetery provided under the Public Health (Interments) Act 1879. A.D. 1919.

25. All expenses incurred by the Corporation as the burial board for the borough shall be chargeable upon and paid out of the borough fund and the borough rate and any sums received by the Corporation as burial board shall be paid into the borough fund and from and after the passing of this Act the special rates for burial purposes levied by the overseers of the ecclesiastical district of Nuneaton and the ecclesiastical parish of Attleborough shall cease to be levied. Expenses of Corporation as burial board.

26. The fees payments and sums to be charged and receivable by the Corporation as burial board for the borough in any of their cemeteries shall be those set out in the First Schedule to this Act and notwithstanding anything contained in the Burial Acts 1852 to 1906 the Corporation may from time to time revise such fees payments and sums without the sanction of a meeting in vestry but except as altered hereby the provisions of the said Burial Acts shall apply to any such revision of the said fees payments and sums. Burial fees.

PART IV.

INCREASE OF COUNCIL.

27. This Part of this Act shall come into force on the twenty-second day of October nineteen hundred and nineteen Provided that for the purpose of proceedings preliminary to and connected with the municipal elections of nineteen hundred and nineteen and the section of this Act of which the marginal note is "Application of Municipal Corporations Acts" shall come into operation on its passing. Commencement of operation of this Part of this Act.

28.—(1) On and after the first day of November nineteen hundred and nineteen the borough shall have twenty-four councillors and eight aldermen. Increase of councillors and aldermen.

(2) All the existing aldermen and councillors shall go out of office on the first day of November nineteen hundred and nineteen and on that day six councillors shall be elected for each of the four existing wards of the borough.

(3) One-third of the whole number of the councillors so elected for any ward in pursuance of this section shall go out

A.D. 1919. of office on the first day of November nineteen hundred and twenty and another third shall go out of office on the first day of November nineteen hundred and twenty-one and the remaining third shall go out of office on the first day of November nineteen hundred and twenty-two.

Order of retirement of councillors.

29. The order of retirement of the councillors elected for any ward in pursuance of this section shall be as follows:—

(a) The two councillors elected by the largest number of votes shall go out of office on the first day of November nineteen hundred and twenty-two:

(b) The two councillors elected by the smallest number of votes shall go out of office on the first day of November nineteen hundred and twenty:

(c) The remaining councillors shall go out of office on the first day of November nineteen hundred and twenty-one.

Council to determine order of retirement in case of doubt.

30. If no poll should be taken at the election of councillors for any ward on the first day of November nineteen hundred and nineteen or if there should be an equality of votes at any such election the council shall at their meeting held on the ninth day of November nineteen hundred and nineteen determine the order of retirement of the councillors affected and if any doubt arises as to which councillor or councillors should go out of office at the various dates the doubt shall be determined by the council.

Election of aldermen.

31. In regard to the election and rotation of aldermen the following provisions shall apply:—

(1) On the ninth day of November nineteen hundred and nineteen the council shall elect four aldermen to hold office for six years and four aldermen to hold office for three years:

(2) If any doubt arises as to which alderman or aldermen should go out of office at the various dates the doubt shall be determined by the council.

Returning officers.

32. James Randle of Stockingford in the borough and Herbert Charles Jones of Mill Close Attleborough in the borough shall perform the duties of aldermen as returning officers at the election of councillors on the first day of November nineteen hundred and nineteen.

33. Subject to the provisions of this Part of this Act all elections vacations of office and rotations shall be governed by the Municipal Corporations Acts.

A.D. 1919.
Application
of Municipal
Corporations
Acts.

PART V.

ELECTRICITY.

34. The Corporation may subject to the provisions of the Electric Lighting Acts 1882 to 1909 and the Order of 1900 construct and maintain in or under any street repairable by the inhabitants at large or dedicated to public use sub-stations transforming stations and other works in connexion with their electricity undertaking and may in any such street provide and maintain all such means of access and approach to such sub-stations transforming stations and works as may be necessary or convenient:

Power to
construct
electrical
sub-stations
under streets.

Provided that no such sub-stations transforming stations or other works connected therewith shall be constructed within a distance of twenty-five yards of any property of the Midland Railway Company except with the consent of that company which consent shall not be unreasonably withheld and any question as to whether such consent is unreasonably withheld shall be determined by arbitration the arbitrator being appointed by agreement or failing agreement by the President of the Institution of Civil Engineers on the application of either party after notice in writing to the other and subject as aforesaid the Arbitration Act 1889 shall apply to any such arbitration.

35.—(1) The Corporation may upon the application of the owner or occupier of any premises abutting on or being erected in any street laid out but not repairable by the inhabitants at large within the borough supply such premises with electrical energy and may lay down take up alter relay or renew in across or along such street such mains wires and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Electric Lighting Act 1882 and of the Order of 1900 with respect to the breaking up of streets for the purpose of laying mains so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes hereof.

Power to
lay electric
mains in
private
streets.

(2) Provided that the Corporation in carrying out such works shall not unreasonably obstruct or interfere with the convenient access to any such street.

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(3) Provided that nothing in this section contained shall apply to any street belonging to and forming the approach to any station or depôt of the Midland Railway Company except with the consent of that company but such consent shall not be unreasonably withheld and if any difference shall arise between the railway company and the Corporation as to whether such consent is in any case unreasonably withheld the difference shall be determined by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either party after notice in writing to the other by the President of the Institution of Civil Engineers and in carrying out any works authorised by this section the Corporation shall not unreasonably obstruct or interfere with the convenient access to any such street.

Power, for Corporation to provide electrical fittings.

36.—(1) The Corporation may subject to the provisions of this section provide sell let for hire and fix repair and remove (but shall not manufacture) lamps meters electric lines fuses switches lampholders motors and other electrical fittings for lighting heating motive or other purposes (hereinafter called "fittings") and may provide all materials and work necessary or proper in that behalf and with respect thereto may make such charges terms and conditions as may be agreed upon.

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

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

(4) The sums properly chargeable and received by the Corporation in connexion with the purposes in this section mentioned in each year (including interest and sinking fund)

shall be separately shown in the published accounts of the electricity undertaking of the Corporation for that year. A.D. 1919.

(5) Every sum charged by the Corporation to a consumer in respect of the provision of such fittings or the fixing repairing or removal thereof shall be separately stated on every demand note delivered by the Corporation to the consumer.

37. The Corporation may make byelaws for the purpose of preventing fire in any building or premises supplied with electrical energy with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply and the provisions of section 6 (Regulations to be inserted in licences &c.) of the Electric Lighting Act 1882 shall apply to any byelaws made under this section. Byelaws as to wires apparatus and fittings.

38. The provisions of section 15 (Supply of electricity to premises having separate supply) of the Electric Lighting Act 1909 shall extend and apply to the supply of electricity by the Corporation for power purposes to any premises having a separate supply of power whether such separate supply be by electricity gas steam or other source of power. Extending section 15 of Electric Lighting Act 1909.

39.—(1) Any person who shall hinder an officer appointed by the Corporation from entering any premises in pursuance of section 24 (Power to enter lands or premises for ascertaining quantities of electricity consumed or to remove fittings &c.) of the Electric Lighting Act 1882 or from exercising the powers contained in that section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings. Further powers as to entry upon premises.

(2) Where any premises which the Corporation are entitled to enter in pursuance of the said section 24 are unoccupied the Corporation may after giving not less than forty-eight hours' notice to the owner thereof or if he is unknown to them and if he cannot be ascertained by them after diligent inquiry by affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

40.—(1) In the event of a meter of a construction and pattern approved by the Board of Trade used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then Period of error in defective meters.

A.D. 1919. last preceding quarter of the year unless it be proved to have first arisen during the then current quarter.

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

Extraordinary or stand-by supplies not to be included in maximum electrical power which may be demanded.

41.—(1) The maximum electrical power with which any consumer shall be entitled to be supplied by the Corporation shall not include any supply of energy taken only on extraordinary occasions or as a stand-by supply unless such consumer shall pay to the Corporation such minimum annual sum as will give them a reasonable return on the capital expenditure and will cover other standing charges incurred by the Corporation in order to meet the possible maximum demand for those premises the sum so to be paid to be determined in default of agreement by arbitration in the manner provided by section 28 (Arbitration) of the Electric Lighting Act 1882.

(2) The provisions of this section shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the date of the passing of this Act of any right to which he would be entitled but for the said provisions.

Discounts for prompt payments.

42. The Corporation may if they think fit make an allowance by way of discount not exceeding the rate of five pounds per centum on all sums of money due to the Corporation for the supply of electricity from any person who pays the same within such time of the demand thereof as the Corporation think fit to prescribe in that behalf and notice to that effect shall be endorsed on every demand note in respect of such charges Provided that the Corporation shall make the same allowance to all consumers under similar conditions.

PART VI.

STREETS BUILDINGS SEWERS DRAINS &c.

Intersecting streets.

43.—(1) The Corporation in any case in which it is proposed to lay out a new street exceeding three hundred yards in length may require that such street shall not be laid out without the provision of such intersecting street or streets as will secure intersecting streets at intervals of not more than one hundred

and fifty yards each from the other on each side of such new street and of any street of which it forms a continuation. Provided that if on either side of such last-mentioned street there shall already be a greater length from the proposed new street than one hundred and fifty yards without an intersecting street such greater length shall for the purposes of this section be deemed to be one hundred and fifty yards. A.D. 1919.

(2) 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.

(3) For the purposes of this section "intersecting street" means a side or cross street forming a junction with or crossing another street.

44.—(1) When a road footpath or way is about to become a new street within the meaning of the Public Health Acts but the land on only one side of such street has been or is in course of being built on the Corporation may instead of requiring the owner of the land built on or in course of being built on to widen such road footpath or way to a width prescribed by the byelaws in force in the borough require such owner to widen such road footpath or way so as to give a width of not less than one-half of such prescribed width from the old centre line of such road footpath or way to the boundary thereof adjoining such land. Widening of roads when only one side is built upon.

(2) Provided that if and when the land on the opposite side of such road footpath or way shall be in course of being built on the owner of such land shall complete the widening of such road footpath or way so as to comply in all respects with the byelaws of the Corporation.

45.—(1) Where any street or road repairable by the inhabitants at large or any part of such street or road is in the opinion of the Corporation narrow or inconvenient or without any sufficiently regular line of frontage or where in their opinion it is necessary or desirable that the line of frontage should be altered the Corporation may from time to time prescribe and define what shall thereafter be the line of frontage to be observed on either side of such street or road. The line which in any case the Corporation propose to prescribe and define shall be distinctly marked and shown on a plan to be signed by the town clerk and deposited with the surveyor and such plan shall be at all reasonable times thereafter open for the inspection of the public. Power to define future line of existing streets.

A.D. 1919. without charge and one month at least before the Corporation formally prescribe and define the line they shall give notice in writing of the deposit of the said plan and of the liabilities imposed by this section to every occupier and to every owner interested whose name and address they can ascertain and in cases where such name and address cannot be ascertained by affixing such notice to or on the premises No new building erection excavation or obstruction (being of a permanent character) shall be made or placed nearer to the centre of the street or road than such line.

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

(3) Whenever in any of the above cases the Corporation shall require the said line to be observed and kept they shall make full compensation to the owner and other persons interested in any land for any loss or damage which he or they may sustain in consequence of the line of frontage being set back and the Corporation shall also make to the owner of any adjoining land or building and to all other persons interested in any such adjoining land or building full compensation in respect thereof for all damage loss or injury (if any) sustained by them to such land or building by reason of the Corporation requiring the said line to be observed and kept.

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

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

Building
line in new
streets.

46.—(1) Every person who intends to form a new street shall in addition to the information required to be supplied to

[9 & 10 GEO. 5.] *Nuneaton Corporation Act, 1919.* [Ch. xliii.]

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") and the Corporation shall be deemed to have approved any building line so shown unless within one month after the date of submission thereof as aforesaid they shall have signified to the person submitting the same their disapproval thereof. A.D. 1919.

(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 (Buildings not to be brought forward) 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 the street than one-half of the width of the street and ten feet in addition the Corporation shall make compensation to the owner of any land lying between the said distance from the centre of the street and the building line as set back for any damage sustained by him by reason of his being unable to build upon such land.

(5) For the purposes 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.

A.D. 1919.

Amendment of section 17 of Public Health Acts Amendment Act 1907.

47. In the application to the borough of section 17 (Power to vary position or direction and to fix beginning and end of new streets) of the Public Health Acts Amendment Act 1907 subsection (2) of that section shall not apply.

No building allowed until street defined.

48.—(1) No person except with the consent of the Corporation shall in any new street commence to erect any new building or to excavate for the foundation thereof until the whole length of the street shall have been defined by posts or in some other sufficient manner to indicate the approved line and the level thereof.

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

Trees or shrubs overhanging streets and footpaths.

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

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

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

For preventing soil sand &c. from being washed into streets.

50.—(1) The owners or occupiers of all lands shall construct such works as may be necessary for the purpose of preventing as far as reasonably practicable the soil sand and other debris of such lands from falling upon or being washed or carried into any public street sewer or gully in such

quantities as will choke up such sewer or gulley or cause the houses in such street to be flooded. A.D. 1919.

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

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

51.—(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 requiring him within a reasonable time to be prescribed by the order either to 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 to 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.

Power to require taking down or repair of dilapidated buildings.

(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

A.D. 1919. 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.

As to dangerous buildings.

52.—(1) In any case of any building which may appear to the Corporation on the report of any duly qualified officer to be dangerous to the inmates or persons working therein the Corporation may order a complete external and internal inspection and examination of any such building to be made by a competent person and for that purpose such person may on giving not less than twenty-four hours' notice to the occupier of the building and on producing written authority from the town clerk at any hour of the day between nine o'clock in the morning and six o'clock in the afternoon with such other persons as he may deem necessary enter upon such building and examine and inspect the same.

(2) If upon such examination and inspection it shall appear necessary that any works should be executed or alterations made for the purpose of putting such premises into a safe and proper condition for the purposes for which the same are used the Corporation in respect of such building and the works to be carried out therein shall have and may exercise all or any of the powers vested in the Corporation with respect to dangerous structures.

Elevation of buildings erected on front lands to require approval of Corporation.

53.—(1) All buildings or parts of buildings which may in future be erected on the site of any building or land which site or land in consequence of any improvement made by the Corporation becomes front land shall be erected according to such elevation as the Corporation approve and if the owner lessee or occupier of any building or land which on the making of any such improvement acquires a frontage to the street makes any door or entrance opening upon or communicating with the street or any wall or fence by the side of the street every such owner lessee or occupier shall make the building wall or fence in a line and the elevation thereof fronting to or towards the street in accordance with a drawing approved by the Corporation and in case the Corporation for a space of one month after any drawing

of such elevation is submitted to them neglect to notify their determination in writing with reference thereto they shall be deemed to have approved thereof. A.D. 1919.

(2) 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.

(3) The Corporation shall make compensation to the owner of any building or land for any loss or damage he may suffer by reason of the setting back or bringing forward of such building wall or fence.

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

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

55. Section 157 (Power to make byelaws respecting new buildings &c.) of the Public Health Act 1875 shall be extended so as to empower the Corporation to make byelaws for securing the adequate lighting of staircases in new buildings in order to prevent danger to persons using such staircases. Byelaws as to staircases in new buildings.

56.—(1) 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. Food storage to be provided.

(2)—(a) Every dwelling-house erected before the passing of this Act shall where reasonably practicable be provided with sufficient and properly ventilated food storage accommodation and any owner who shall occupy or allow to be occupied any such dwelling-house which can reasonably be so provided but which is not so provided after one month's notice from the Corporation requiring the same to be done shall be liable to a penalty not

A.D. 1919. exceeding five pounds and to a daily penalty not exceeding twenty shillings :

(b) Any person aggrieved by any requirement of the Corporation under this subsection may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give forty-eight 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 :

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

Regulation
dustbins.

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

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

(3) Provided that this section shall not apply to any portable ashtubs or other receptacles for refuse in use at the passing of this Act so long as the same are of suitable material size and construction and in proper order and condition and for a period of five years after the passing of this Act this section shall not apply to any ashpits or ashtubs or other receptacles for refuse in use at the passing of this Act which complied with the byelaws in operation at the time when they were provided and which are in proper order and condition.

Power to
appoint
additional
inspectors
of nuisances.

58. The Corporation may appoint and pay as many inspectors of nuisances as may in their judgment be necessary for the proper execution of the provisions of the Public Health Acts and of the local Acts in force in the borough Provided that the Warwickshire County Council shall not be required to pay any part of the salary of more than one inspector of nuisances.

Penalty
on occupiers
refusing
execution
of Act.

59. If any occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Corporation under this Part of this Act or under

A.D. 1919.

any byelaw made thereunder then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding forty shillings and during the continuance of his refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

60. Nothing in this Part of this Act shall apply to any building (not used as a dwelling-house) railway or work constructed by or belonging to or which may hereafter be constructed by or belong to any railway company in the exercise of their statutory powers or to any lands held or acquired or which may hereafter be held or acquired by any such company and used for the purposes (other than for a dwelling-house) of the undertaking of such company with the authority of Parliament.

Saving for railway companies.

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

As to appeal.

PART VII.

FINANCIAL AND MISCELLANEOUS.

62.—(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

Power to borrow.

A.D. 1919. and they shall pay off all moneys so borrowed within the respective periods (each of which is in this Act referred to as "the prescribed period") mentioned in the third column thereof (namely):—

1.	2.	3.
Purpose.	Amount.	Period.
(a) Extensions of existing water mains.	12,000 <i>l.</i>	Forty years from the date or dates of borrowing.
(b) For paying the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

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

(b) Any moneys borrowed under this subsection shall be repaid within such period as may be prescribed by the Local Government Board and that period shall be the prescribed period for the purposes of the enactments incorporated herewith.

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

As regards money borrowed for the purpose (a) mentioned in subsection (1) of this section the revenue of the water undertaking and the district fund and general district rate;

As regards money borrowed for the purpose (b) mentioned in the said subsection the borough fund and borough rate and the district fund and general district rate;

As regards money borrowed with the consent of the Local Government Board such revenue fund or rate as may be prescribed by that Board.

(4) The provisions of this section prescribing the revenue fund or rate which may be mortgaged or charged shall not limit the powers conferred upon the Corporation by the section of this Act of which the marginal note is "Power to use one form of mortgage for all purposes."

Protection
of lender
from inquiry.

63. A person lending money to the Corporation shall not be bound to inquire as to the observance by the Corporation of any provisions of any Act relating to the Corporation or

[9 & 10 GEO. 5.] *Nuneaton Corporation Act, 1919.* [Ch. xliii.]

be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent or of any part thereof. A.D. 1919.

64. The powers of borrowing money given by this Act shall not be restricted by any of the regulations contained in section 234 (Regulations as to exercise of borrowing powers) of the Public Health Act 1875 and in calculating the amount which the Corporation may borrow under that Act any sums which they may borrow under this Act shall not be reckoned. Section 234 of Public Health Act 1875 not to apply.

65.—(1) The Corporation may raise all or any moneys which they are authorised to borrow under this Act by mortgage or by the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in another or others. Mode of raising money.

(2) Provided that the provisions of this Act relating to sinking funds shall apply to sinking funds formed for the repayment of moneys borrowed under the Local Loans Act 1875 instead of the provisions of section 15 (Discharge of loan by sinking fund) of that Act.

66. Subject to the provisions of the section of this Act whereof the marginal note is "Power to use one form of mortgage for all purposes" the following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act (that is to say):— Provisions of Public Health Act 1875 as to mortgages to apply.

- Section 236. Form of mortgage;
- Section 237. Register of mortgages;
- Section 238. Transfer of mortgages.

67. The Corporation shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within one year or when the money is repaid by half-yearly instalments or by half-yearly payments to the sinking fund within six months from the date of borrowing. Mode of payment off of money borrowed.

68. Notwithstanding anything contained in the Acts or regulations governing the same the rate of accumulation of the annual payments to every accumulating sinking fund which Rate of accumulation of annual payments

A.D. 1919.

to sinking
fund for
repayment
of loans.

has been formed by the Corporation for any purpose shall be three pounds ten shillings per centum per annum or such other rate as the Local Government Board may from time to time approve.

Sinking
fund.

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

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

(b) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds ten shillings per centum per annum or such other rate as the Local Government Board may from time to time approve will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an “accumulating sinking fund.”

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments.

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

(4) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the moneys for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5) —(a) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived

from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Corporation : A.D. 1919.

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

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

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

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

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

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an

A.D. 1919. accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may with the consent of that Board discontinue the annual payments to such sinking fund until the Board shall otherwise direct.

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

Corporation
not to re-
gard trusts.

70. The Corporation shall not be bound to see to the execution of any trust whether express implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register of mortgages of the Corporation shall be a sufficient discharge to the Corporation in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Corporation have had express or implied notice of any such trust or of any charge or encumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register.

Appoint-
ment of
receiver.

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

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

Power to
re-borrow.

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

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

(b) To borrow in order to replace moneys which during the previous twelve months have been temporarily

applied from other funds of the Corporation in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys. A.D. 1919.

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

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

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

- (a) By instalments or annual payments; or
- (b) By means of a sinking fund; or
- (c) Out of moneys derived from the sale of land; or
- (d) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

73. Section 20 (Application of water revenue) of the East Warwickshire Waterworks Act 1897 shall be read and have effect as if it were enacted that the surplus of the water revenue of the Corporation after payment thereof of the amounts firstly to sixthly referred to in that section might be paid into the district fund. Amendment of section 20 of Act of 1897.

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

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Expenses
of execution
of Act.

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

Power to
use one
form of
mortgage
for all
purposes.

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

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

(3) All mortgages granted under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other ground whatsoever.

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this section shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation.

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

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

(7) There shall be kept at the office of the Corporation a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof

and of the names and descriptions of the parties thereto as stated in the deed. Every such register shall be open to public inspection during office hours at the said office without fee or reward and the town clerk or other the person having the custody of the same refusing to allow such inspection shall be liable to a penalty not exceeding five pounds.

A.D. 1919.

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

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

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

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

77.—(1) Where the Corporation are authorised by any statutory borrowing power to raise moneys 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 moneys either wholly or partially by

Power to use sinking fund instead of borrowing.

A.D. 1919. using for such purpose so much of any moneys for the time being forming part of a sinking fund as shall be available for the repayment of—

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

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

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

(a) Withdraw from the sinking fund a sum equal to the amount of the statutory borrowing power proposed to be exercised by the user of 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. A.D. 1919.

78.—(1) The town clerk 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 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 town clerk 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 town clerk 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. Returns
to Local
Government
Board as to
sinking
funds.

(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

A.D. 1919. 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.

Audit of
accounts.

79. The provisions of the Municipal Corporations Act 1882 relating to the keeping and auditing of accounts and the accounts kept of sums of money received and paid under that Act shall extend to the keeping and auditing of accounts and to the accounts kept of sums of money received and paid under this Act.

As to tem-
porary
borrowing.

80.—(1) For the purpose of providing temporarily during any financial year for their current expenses for municipal educational or sanitary purposes (whether under the provisions of public general or local Acts) or for the current expenses of their water or electricity undertakings and after the commencement of such year it shall be lawful for the Corporation to borrow by way of temporary loan or overdraft from any bank such sums as they may from time to time resolve not exceeding in each case an amount equal to one-third of the amount of the before-mentioned expenses for the immediately preceding financial year for any such purpose as aforesaid and any amount so borrowed shall form a charge upon the rates or revenue of the undertaking in respect of which it is borrowed as the same may be specified in the resolution of the Corporation authorising such borrowing *pari passu* with any Corporation stock bond or mortgage affecting the same and it shall further be lawful for the Corporation to utilise for providing temporarily for any such expenses any sinking funds which they may have in hand crediting the said sinking funds with such fair rate of interest not being less than three pounds per centum per annum as they may resolve Provided that—

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

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

A.D. 1919.

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

(2) The provisions of this section shall cease to be in force at the expiration of five years from the thirty-first day of March nineteen hundred and twenty unless they shall have been continued by Act of Parliament or order made by the Local Government Board which order the Local Government Board are hereby empowered to make and in the event of that Board making any such order they are hereby empowered to make such modifications or amendments in the provisions of this section as may appear to them to be necessary.

81. 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 byelaws authorised to be made by the Corporation under the powers of this Act other than Part V. thereof.

General provisions as to byelaws.

82. 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 holders.

A.D. 1919.
Evidence of
appoint-
ments autho-
rity &c.

83. 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 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 prima 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.

Authentica-
tion and
service of
notices.

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

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

Application
of section
265 of Public
Health Act
1875.

85. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall with any necessary modifications extend and apply to the purposes of this Act and of the water undertaking of the Corporation as if the same were re-enacted herein.

As to breach
of conditions
of consent of
Corporation.

86. Where under this Act or under any general or local Act for the time being in force in the borough the Corporation give their consent to the execution of any work or the doing

of any act or thing subject to any terms or conditions which they are authorised to impose any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required consent. A.D. 1919.

87. Save as herein expressly provided all informations and complaints under or for the breach of any of the provisions of this Act or of any byelaws made thereunder may be laid and made by any officer of the Corporation duly authorised in that behalf or by the town clerk or by any police officer acting for or within the borough. Informations by whom to be laid.

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

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

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

91. 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 by the Public Health Acts. Compensation how to be determined.

92. 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 Powers of Act cumulative.

A.D. 1919. 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.

Saving for
indictments
&c.

93. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act Provided that nothing in this Act shall make a person liable to be punished more than once for the same offence.

Judges not
disqualified.

94. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate.

Crown
rights.

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

Costs of
Act.

96. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the borough fund and borough rate and the district fund and general district rate in such proportions as the Corporation may by resolution determine or out of moneys to be borrowed under this Act for that purpose.

The SCHEDULES referred to in the foregoing Act. A.D. 1919

THE FIRST SCHEDULE.

Referred to in Section 26.

TABLE OF FEES PAYMENTS AND SUMS FOR BURIAL IN ANY
OF THE CORPORATION'S CEMETERIES.

1. INTERMENT FEES :—	£ s. d.
(i) In a grave in respect of which no exclusive right of burial has been granted—	
For the interment of the body of a still-born child or of a person whose age at the time of death did not exceed 10 years - - -	0 2 6
For the interment of the body of a person whose age at the time of death exceeded 10 years - - - - -	0 5 0
(ii) In an earthen walled grave or vault in respect of which an exclusive right of burial has been granted—	
For every interment after the first in an earthen grave - - - - -	0 12 6
For every interment after the first in a vault - - - - -	2 2 0
For every interment after the first in a walled grave - - - - -	1 11 6
2. EXCLUSIVE RIGHTS OF BURIAL IN EARTHEN GRAVES :—	
(i) For the exclusive right of burial in perpetuity in an earthen grave 9 feet by 4 feet not exceeding 9 feet in depth and to contain not more than 3 coffins including the first interment - - -	1 5 0

A.D. 1919. 2. EXCLUSIVE RIGHTS OF BURIAL IN EARTHEN GRAVES—*continued.*

		<i>Children's Graves.</i>	£	s.	d.
(ii)	For the exclusive right of burial in perpetuity in an earthen grave 5 feet 6 inches by 3 feet 6 inches not exceeding 7 feet 6 inches in depth and to contain not more than 2 coffins including the first interment - - - - -		0	15	0
	For the second interment - - - - -		0	7	6
3. VAULTS:—					
For the right to construct a vault with the exclusive right of burial therein in perpetuity including the first interment—					
	9 feet by 8 feet not exceeding 9 feet in depth and to contain not more than 3 coffins - - -		8	8	0
4. WALLED GRAVES:—					
For the right to construct a walled grave with the exclusive right of burial therein in perpetuity including the first interment—					
	9 feet by 4 feet not exceeding 9 feet in depth and to contain not more than 3 coffins - - -		4	4	0
5. MONUMENTS GRAVESTONES TABLETS AND MONUMENTAL INSCRIPTIONS:—					
(i)	For the right to erect and place a flatstone or raised flat ledger stone not exceeding 18 inches in height and occupying a superficial area—				
	(A) Not exceeding 7 feet by 2 feet 9 inches - - -		2	0	0
	(B) Exceeding 7 feet by 2 feet 9 inches but not exceeding 7 feet by 6 feet 6 inches - - -		4	0	0
(ii)	For the right to erect and place a headstone—				
	(A) Not exceeding 3 feet 6 inches in height 2 feet 9 inches in width or 5 inches in thickness at the base - - - - -		0	15	0
	(B) Exceeding 3 feet 6 inches but not exceeding 5 feet in height or exceeding 5 inches in thickness but not exceeding 15 inches in thickness at the base and not exceeding 2 feet 9 inches in width - - - - -		2	0	0
(iii)	For the right to place kerb stones or border stones not exceeding 8 inches in height and enclosing a space not exceeding 7 feet by 2 feet 9 inches - - - - -		0	10	0
(iv)	For the right to erect and place any monument or gravestone not previously specified not exceeding 7 feet long by 2 feet 9 inches wide—				
	(A) On an earthen grave or walled grave - - - - -		5	5	0
	(B) On a vault - - - - -		6	6	0

SCALE OF OTHER FEES AND CHARGES.

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	£	s.	d.
For the right to erect and place metal palisades not exceeding 2 feet 6 inches in height and enclosing a space not exceeding 9 feet by 4 feet—			
(A) On an earthen grave or walled grave - - -	1	1	0
(B) On a vault - - - - -	2	2	0
For keeping each grave space in order (per annum) - - -	0	2	6
For certificate of grant of exclusive right of burial - - -	0	5	0
Fees for searches—			
For every search in the register of burials for one year -	0	1	0
For every additional year - - - - -	0	0	6
For a certificate of burial - - - - -	0	2	7
Tablets or monuments in chapel to be the subject of special arrangement with the Corporation.			

MINISTER'S FEES.

	s.	d.
For each interment - - - - -	2	6

THE SECOND SCHEDULE.

Referred to in Section 76.

FORM OF MORTGAGE.

BOROUGH OF NUNEATON.

By virtue of the Nuneaton Corporation Act 1919 and of other their powers in that behalf them enabling the mayor, aldermen and burgesses of the borough of Nuneaton (hereinafter referred to as "the Corporation") in consideration of the sum of _____ pounds (hereinafter referred to as "the principal sum") paid to the treasurer of the borough by _____ (hereinafter referred to as "the mortgagee") do hereby grant and assign unto the mortgagee (his) executors administrators and assigns such proportion of the revenues of the Corporation in the said Act defined as the principal sum doth or shall bear to the whole sum

A.D. 1919.

which is or shall be charged on the said revenues To hold unto the mortgagee (his) executors administrators and assigns from the day of the date of these presents until the principal sum shall be fully paid and satisfied with interest for the same (subject as hereinafter provided, at the rate of _____ per centum per annum from the _____ day of _____ nineteen hundred and _____ until payment of the principal sum such interest to be paid half-yearly on the _____ day of _____ and the _____ day of _____ in each year And it is hereby agreed that the principal sum shall be repaid at the town hall in the said borough [(subject as hereinafter provided) on the _____ day of _____ nineteen hundred and _____] [by _____]:

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

In witness whereof the Corporation have caused their corporate seal to be hereunto affixed this _____ day of _____ nineteen hundred and _____

THE ENDORSEMENT WITHIN REFERRED TO.

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

Dated this _____ day of _____ nineteen hundred and _____

FORM OF TRANSFER OF MORTGAGE.

A.D. 1919.

I (the within-named) _____ of _____
in consideration of the sum of _____ pounds paid
to me by _____ of _____
(hereinafter referred to as "the transferee") do hereby transfer to the
transferee (his) executors administrators and assigns (the within-written
security) (the mortgage number _____ of the revenues
of the mayor aldermen and burgesses of the borough of Nuneaton
bearing date the _____ day of _____) and all my
right and interest under the same subject to the several conditions on
which I hold the same at the time of the execution hereof and I the
transferee for myself my executors administrators and assigns do
hereby agree to take the said mortgage security subject to the same
conditions.

Dated this _____ day of _____
nineteen hundred and _____

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