



CHAPTER cxxx.

An Act to extend the boundaries of the Borough of Walsall A.D. 1890.
to make better provision for the health local government
and improvement of the Borough to provide for the
creation and issue of Corporation Stock and for other
purposes. [25th July 1890.]

WHEREAS the borough of Walsall in the county of Stafford is
a municipal borough under the government and local manage-
ment of the mayor aldermen and burgesses of the borough (in this
Act called the Corporation) and the Corporation acting by the
council are the urban sanitary authority for the district of the
existing borough :

And whereas the existing borough is a county borough within
the meaning of the Local Government Act 1888 :

And whereas the unrepealed provisions of the following local
Acts and Orders confirmed by Parliament are in force within the
existing borough (that is to say) The Walsall Improvement and
Market Act 1848 the Walsall Improvement and Market Amendment
Act 1850 and the Walsall Gas Purchase and Borough Extension
Act 1876 (in the Sixth Schedule to which last-mentioned Act are
contained the unrepealed provisions of the other two Acts) the
Order relating to the borough of Walsall confirmed by the Local
Government Board's Provisional Orders Confirmation (Artizans'
and Labourers' Dwellings) Act 1877 and the Walsall Corporation
(Loans) Order 1882 all which Acts and Orders are in this Act
collectively referred to as the recited Acts and each of the said
Acts is separately referred to as the Act of the year in which it was
passed :

And whereas the existing municipal borough of Walsall com-
prises a part of the parish of Walsall and a part of the parish of
Rushall and the parliamentary borough of Walsall comprises the
whole of the existing municipal borough and a further portion of
the parish of Rushall and it is expedient that the municipal limits

A.D. 1890. — of the borough should be extended so as to include the portion of the parish of Rushall beyond the existing municipal borough but within the parliamentary borough so as to make the boundary of the borough co-extensive for parliamentary municipal and sanitary purposes :

And whereas in order to settle the division into wards of the extended borough it is desirable that a commissioner be appointed as in this Act mentioned :

And whereas the existing borough is a school board district and it is expedient that that district should be extended as by this Act provided :

And whereas it is expedient that better provision should be made with reference to streets buildings and sewers within the borough and the powers of the Corporation in relation to the health local government and improvement of the borough should be enlarged and the recited Acts should be in divers respects amended :

And whereas it is expedient that the Corporation should be invested with further powers in regard to their markets and fairs :

And whereas the Corporation are or claim to be the owners of certain lands in Bath Street in the borough on which they erected many years ago out of corporate funds eleven almshouses (known as the Corporation almshouses) in lieu of a certain penny dole formerly payable by them to the inhabitants of the borough and of the extra-municipal portions of the parishes of Walsall and Rushall And whereas the said almshouses are out of repair and in many respects unfit for use as almshouses and it is expedient that the Corporation should be empowered to rebuild the almshouses on other lands belonging to or to be acquired by the Corporation and that the Corporation should be empowered to sell the site of the existing almshouses and other lands belonging to them in Bath Street and to apply the proceeds in or towards the erection of the new almshouses or otherwise as provided by this Act and it is expedient that the obligation on the part of the Corporation to provide and maintain almshouses and otherwise in relation thereto as mentioned in this Act should be declared to be a charitable trust.

And whereas the Corporation are possessed of certain parks or recreation grounds known as the Arboretum Palfrey Park Reeds Wood Bloxwich Green and other recreation grounds and it is expedient that the Corporation should be empowered to make regulations in regard to such parks and recreation grounds and any other parks or recreation grounds that they may hereafter acquire :

And whereas it is expedient that the Corporation should be empowered to regulate the erection and continuance of over-head wires : A.D. 1890.

And whereas the outstanding loans of the Corporation amounted on the twenty-ninth day of September one thousand eight hundred and eighty-nine to the sum of two hundred and thirteen thousand two hundred and forty-seven pounds six shillings and sixpence as set forth in the First Schedule to this Act and in addition to the said outstanding loans a yearly sum of one thousand three hundred pounds is payable by the Corporation to the corporation of Birmingham in respect of the purchase of a portion of their gas undertaking which annuity may be redeemed by the payment of the capitalised value thereof :

And whereas it is expedient that the Corporation be empowered to exercise their statutory borrowing powers for the time being by means of the creation and issue of Corporation stock :

And whereas the Public Libraries (England) Acts 1855 to 1889 are in force within the borough but the rate authorised by those Acts is insufficient for the proper maintenance and improvement of the library and museum established thereunder and it is expedient that the limit on the rate imposed by those Acts should be altered :

And whereas it is also expedient that better provision should be made for the levying and collection of municipal rates within the borough :

And whereas it is expedient that the power of the Corporation to demand and take an additional charge for the supply of gas in certain outlying parts of the borough should be repealed :

And whereas the objects aforesaid cannot be attained without the authority of Parliament :

And whereas an absolute majority of the whole number of the council at a meeting held on the eleventh day of November one thousand eight hundred and eighty-nine after ten clear days' notice by public advertisement of the meeting and of the purpose thereof in the "Walsall Free Press" a local newspaper published and circulating in the borough such notice being in addition to the ordinary notices required for summoning that meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund and rate :

And whereas that resolution was published twice in the "Walsall Advertiser" a local newspaper published and circulating in the borough and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a

A.D. 1890. — similar notice on the twentieth day of January one thousand eight hundred and ninety not less than fourteen days after the deposit of the Bill for this Act in the Offices of the Houses of Parliament :

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

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

PART I.—PRELIMINARY.

Short title. 1. This Act may be cited as the Walsall Corporation Act 1890.

Division of Act into parts. 2. This Act is divided into parts as follows :—

PART I.—Preliminary.

PART II.—Extension of Borough.

PART III.—Streets Buildings and Sewers.

PART IV.—Private Street Works.

PART V.—Sanitary Provisions.

PART VI.—Markets and Fairs.

PART VII.—Almshouses.

PART VIII.—Parks.

PART IX.—Police Regulations.

PART X.—Overhead Wires.

PART XI.—Corporation Stock.

PART XII.—Rates.

PART XIII.—Miscellaneous Provisions.

Commence-
ment of Act. 3. For the purposes of all proceedings preliminary to the municipal elections of one thousand eight hundred and ninety this Act shall come into operation on its passing and for all other purposes (save as expressly provided) shall come into operation on the thirty-first day of October one thousand eight hundred and ninety which latter date is herein-after referred to as the commencement of this Act.

Interpreta-
tion. 4. In this Act the following words and expressions have the meanings hereby assigned to them unless the subject or context otherwise requires :

“The existing borough” means the municipal borough of Walsall as existing immediately before the passing of this Act :

“The added part of the borough” means the area added to the existing borough by this Act:

“The borough” used without any qualification or “the extended borough” means the existing borough with the added part of the borough:

“The Corporation” means the mayor aldermen and burgesses of the existing borough or of the extended borough as the case may require:

“The council” means the council of the existing borough or of the extended borough as the case may require:

“The town clerk” “the surveyor” “the medical officer of health” “the inspector of nuisances” “the borough fund” and “the borough rate” and “the district fund” and “general district rate” mean respectively the town clerk surveyor medical officer of health inspector of nuisances borough fund borough rate and district fund and general district rate of the borough:

“Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 for the time being applies:

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

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

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

“Cattle” includes bull ox cow heifer calf sheep goats and swine:

“Market premises” includes any booth shed lair pen stall standing place fixtures or conveniences in any market or fair:

“Tolls” includes all tolls stallages rents and charges payable to the Corporation in respect of any market or fair or market premises or any weighing house or machine:

Words and expressions to which meanings are assigned by the Public Health Act 1875 have in this Act the same respective meanings unless the subject or context otherwise requires:

Provided that the expression “superior courts” or “court of competent jurisdiction” shall have effect as if the debt or demand with respect to which it is used were a simple contract debt and not a debt or demand created by statute.

5. This Act shall be carried into execution by the Corporation acting by the council with all the powers privileges duties and

Execution and limits of Act.

A.D. 1890. obligations of the Corporation as a municipal authority and as an urban sanitary authority respectively And this Act shall unless otherwise expressed or implied apply only to the borough.

PART II.—EXTENSION OF BOROUGH.

Extension
of borough.

6. The boundaries of the existing borough are hereby extended so as to comprise and the borough shall accordingly comprise in addition to the existing borough the area described in the Second Schedule to this Act :

Provided that wherever the external boundary of the added part of the borough runs along any road repairable by the inhabitants at large the whole width of that road shall be within the extended borough and shall be repairable by the Corporation.

Authority of
Corporation
extended.

7. Subject to the provisions of this Act the powers rights privileges authorities and duties of the Corporation as a municipal body and of the Corporation acting by the council as the sanitary authority for the district of the existing borough and of the Corporation acting in the execution of the recited Acts or other local Act or Order confirmed by Parliament in force within the existing borough or otherwise and the powers rights privileges authorities and duties of the mayor of the borough auditors and of the officers and servants of the Corporation in their respective official capacities shall extend to and throughout the extended borough.

Extension of
jurisdiction
of the
justices and
police
constables.

8. The jurisdiction powers rights privileges and duties of the justices of the peace appointed for the borough and of the police constables and other peace officers of the borough shall extend and apply throughout the extended borough.

Charters and
byelaws to
apply to
extended
borough.

9. All charters and all byelaws and regulations made by the Corporation which at the commencement of this Act are in force within the existing borough shall extend and apply to the extended borough (subject as regards such byelaws and regulations to revocation or alteration by the Corporation in the manner in which the same can be made by the Corporation) and byelaws and regulations made by any sanitary authority or highway authority in force within the added part of the borough at the commencement of this Act shall cease to be in force or to have any effect therein Provided that any person may be punished for any offence against the same committed before the commencement of this Act as if this Act had not been passed.

Exemption
from liability
to county

10. The added part of the borough shall as respects contributions to county expenditure be as if it had always formed part of the

existing borough and subject to the provisions of the Local Government Act 1888 relating to county boroughs lands and other property in the added part of the borough shall not be liable to contribute or to be rated to any expenditure of the county of Stafford nor shall any such lands or property be liable to any rate made pursuant to the precept or order of any rural sanitary authority or highway authority but precepts or orders respecting any county or other such rate or rates made before the commencement of this Act and all arrears of any such rates existing at the commencement of this Act may be enforced collected and recovered as if this Act had not been passed.

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and other
rates and
collection of
arrears.

11. The added part of the borough shall form and for all intents and purposes be part of the borough and all the rights privileges benefits and advantages enjoyed by the burgesses and inhabitants of the existing borough shall be and the same are hereby extended to the burgesses and inhabitants of the extended borough.

Added area
to be part
of borough
for all
purposes.

12. The extended borough shall be a county borough within the meaning of the Local Government Act 1888 and an adjustment of any property debts and liabilities between the Corporation and the county council of Staffordshire including the equitable adjustment provided for by section 32 of the last-mentioned Act shall be made by agreement within three months after the passing of this Act and in default of any such agreement by the Commissioners appointed by that Act.

Extended
borough to
be county
borough.

13. All estates and property of every description vested in the Corporation at the commencement of this Act for the benefit of the existing borough shall vest in the Corporation for the benefit of the extended borough and the Corporation shall hold enjoy and exercise for the benefit of the extended borough all the property powers rights and privileges which at the commencement of this Act are vested in the Corporation for the benefit of the existing borough but subject to all debts liabilities and engagements affecting the same.

Corporation
property.

14. The town clerk treasurer and all other officers and servants of the Corporation shall continue to be the town clerk treasurer officers and servants of the Corporation and shall hold their offices and situations by the same tenure as at the commencement of this Act.

Officers of
Corporation
continued.

15. A plan of the borough as extended by this Act signed in duplicate by George Woodyatt Hastings Esquire the chairman of the committee of the House of Commons to whom the Bill for this Act was referred (in this Act called the borough plan)

Deposit of
plan of
extended
borough.

A.D. 1890. — shall within two weeks after the passing of this Act be deposited in the Private Bill Office of the House of Commons and with the town clerk at his office and copies thereof certified by the town clerk shall be sent as soon as may be after such deposit to the Director-General of Her Majesty's Ordnance Survey and to the Local Government Board. In case of any discrepancy between the description of the extended borough in the Second Schedule to this Act and in the borough plan the description in the schedule shall prevail.

Copies of deposited plan of borough to be evidence.

16. Copies of the borough plan or any extract therefrom certified by the town clerk to be true shall be received in the Supreme Court and in all other courts and proceedings as *prima facie* evidence of the contents of such plan and such plan shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough and any person shall be entitled to a copy of or extract from such plan certified by the town clerk on payment of a reasonable fee for every such copy or extract and all sums received under this section shall be carried to the credit of the borough fund.

Accounts to be adjusted by Local Government Board.

17. The Local Government Board are hereby empowered on the application of the Corporation or any sanitary or highway authority to apportion any debts and to adjust all accounts and apportion any rates leviable or in hand and any debts liabilities and obligations incurred and any contributions to be made and any property acquired by the Corporation or any sanitary or highway authority respectively which by reason of the provisions of this Act may be required to be adjusted or apportioned and may make such order as they deem expedient for effecting the objects of this section. Any order of the Local Government Board made under this section shall be conclusive.

Number of aldermen and councillors.

18.—(1) After the commencement of this Act the number of aldermen shall be eight and the number of councillors shall be twenty-four.

(2) The extended borough shall be divided into eight wards with such boundaries and names as may be determined by a commissioner to be for that purpose appointed by Her Majesty's Principal Secretary of State for the Home Department within three weeks after the passing of this Act.

(3) The commissioner shall by his scheme apportion all the existing councillors among the new wards described therein or some of such wards so as to provide (as far as practicable) for the councillor continuing to represent as large a number as possible of his former constituents and every such councillor shall hold his

office in the ward to which he shall so be assigned for the same period as he would have held such office if the existing wards of the borough had remained unaltered and the commissioner shall also by his scheme state what alderman or other person shall act as returning officer for each ward in respect of the election of councillors on the first day of November one thousand eight hundred and ninety.

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(4.) The first election of councillors for the new wards to which existing councillors have not by the scheme been fully apportioned shall be held on the first day of November one thousand eight hundred and ninety.

(5.) The order of retirement among the councillors elected for any ward shall be determined by agreement among themselves or in default of agreement by the council.

19. The commissioner shall commence and proceed with the duties of his appointment with all practicable despatch so as to complete his scheme before the thirty-first day of August one thousand eight hundred and ninety or such later day as may on his application be fixed by the said Secretary of State.

Commis-
sioner to
frame
scheme.

20.—(1.) The scheme shall be published in the London Gazette and also in some local newspaper or newspapers circulating in the borough by and at the expense of the Corporation and from the date of the publication in the London Gazette the boundaries of wards and other matters determined by the scheme shall be observed and be in force.

Scheme to
be published.

(2.) If Her Majesty in Council does not approve the scheme as originally prepared by the commissioner it shall nevertheless be in force for the purpose of any municipal election until Her Majesty in Council on further information and report from the commissioner definitely approves a scheme in that behalf.

21. Subject to the provisions of this Act sub-sections (8) (9) (10) (11) (14) and (15) of section 30 of the Municipal Corporations Act 1882 shall apply as if they were re-enacted in this Act.

Application
of s. 30 of
45 & 46 Vict.
c. 5.

22. Anything to be done under the provisions of the Municipal Corporations Acts the Ballot Act 1872 and any other Act or Acts in relation to elections and other matters incidental thereto or by the mayor or aldermen or town clerk in relation to each of the wards determined by the said scheme as aforesaid before the first day of November one thousand eight hundred and ninety may be done in like manner as if such wards were and had been wards of the borough existing at the time of the passing of this Act and the assignment of aldermen as returning officers by the council on the ninth day of November one thousand eight hundred and eighty-

Further
provisions as
to elections.

A.D. 1890. — nine shall so far as practicable be deemed to have applied to the several wards of the borough as determined by the said scheme subject to any provisions in that behalf made in and by such scheme and the commissioner is by this Act empowered to make all such provisions as may be necessary or proper in consequence of the extension of the borough and of the alterations of wards and of the numbers of councillors and aldermen.

Parish
burgess
lists and
burgess roll.

23. For the purpose of the parish burgess lists the ward rolls and the burgess roll to be made after the passing of this Act under the Municipal Corporations Acts and in relation to the functions and offices of the mayor town clerk and other officers under those Acts the added part of the borough shall be deemed to have always been part of the borough Provided that no such parish burgess list or ward or burgess roll so to be made as aforesaid shall be deemed to be invalid by reason only that the same shall not have been made and published or any notice or notices given at the time or times required prior to the passing of this Act if such list or roll or notice or notices be made given or published as soon after the passing of this Act or publication of the said scheme as may be practicable.

Provisions of
Municipal
Corporations
Acts to apply
to elections.

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

Extension of
district of
Walsall
School
Board.

25. For the purposes of the Elementary Education Act 1870 and the Acts amending the same the extended borough shall be a school district and the members of the school board for the existing borough in office at the commencement of this Act shall be deemed to have been elected and the said board shall be the school board for that district subject to the provisions of the above-mentioned Acts And all the powers and jurisdiction of the school board for the parish of Rushall shall cease as respects so much of their district as is by this Act added to the existing borough.

School
board bye-
laws.

26. From and after the commencement of this Act all byelaws and regulations made by the school board of the existing borough and then in force shall apply to and be in force within and throughout the extended borough subject to any future repeal or amendment of the same.

Drainage
rights.

27. The owners and occupiers of any house or building within the parts of the parish of Rushall not included in the added area which abuts upon any road forming the boundary of the added area shall be entitled to connect their drains with any sewer of the Corporation for the time being laid down in any such road.

PART III.—STREETS BUILDINGS AND SEWERS.

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28. The deposit with the Corporation of any plan of any street or building shall be null and void if the execution of the work specified in such plan be not commenced within the following periods (that is to say):—

Deposit of plan to be void after certain interval.

As to plans deposited after the passing of this Act within three years from the date of such deposit: and

As to plans deposited before the passing of this Act within three years from the passing of this Act:

And at the expiration of those respective periods fresh notice and deposits shall unless the Corporation otherwise determine be requisite.

29. No new street intended to have a continuous line of buildings shall unless the Corporation otherwise allow be laid out of more than two hundred yards in length without an intersecting street.

Intersecting streets.

30. The Corporation may by order vary or alter the intended position or direction of any intended new street for the purpose of causing it to communicate in a direct line with any other street adjoining or leading thereto. The Corporation shall make compensation to all persons injuriously affected by the exercise of the powers of this section.

Power to vary position or direction of new streets.

31.—(1.) Where any street in the borough 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 any such street. The line which in any case the Corporation propose so to prescribe and define shall be distinctly marked and shown on a plan to be signed by the town clerk and deposited with the surveyor and such plan shall be at all reasonable times thereafter open for the inspection of the public without charge and one month at least before the Corporation formally prescribe and define the line they shall give notice in writing of the deposit of the said plan to every owner interested whose name and address they can ascertain. No new building erection excavation or obstruction (being of a permanent character) shall be made nearer to the centre of the street than such line.

Corporation may define future line of streets.

(2) The Corporation may purchase the land lying between any such line as aforesaid and the centre of the street and the same when purchased shall vest in the Corporation as part of the street.

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(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 new building for any loss or damage they may sustain in consequence of such new building 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 land or building full compensation in respect thereof for all loss damage or injury (if any) sustained by them by reason of the Corporation requiring the said line to be observed and kept All compensation under this section shall in case of difference be settled by arbitration in manner provided by the Public Health Act 1875.

(4) If after any such line shall be so defined and prescribed as aforesaid any person shall wilfully or negligently act contrary to this enactment he shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty of the like amount.

As to repair
of vaults &c.
under streets.

32. All vaults arches and cellars at any time subsisting under any street and all openings into such vaults arches or cellars in the surface of any such street and all cellar heads gratings lights and coal holes existing in the surface of any such street and all landings flags or stones of the path or street supporting the same respectively shall be by the owners or occupiers of the same or of the houses or buildings to which the same respectively belong kept in substantial repair and in good and proper condition and so as not to occasion any injury to the street or passengers therein and in default thereof the Corporation may after twenty-four hours' notice in that behalf cause the same respectively to be repaired and put in good order and the expenses of so doing shall be settled by the surveyor and be recovered summarily from the owner or occupier in default.

Removal of
dangerous or
obstructive
projections
over streets.

33. Sections 69 and 70 of the Towns Improvement Clauses Act 1847 incorporated with the Public Health Act 1875 shall extend and apply to any crane or apparatus for hoisting or lowering goods and any other like projections from or at any building and whether erected before or after the passing of this Act which may be dangerous or an obstruction to the safe and convenient use of any street.

Crossings
for horses
or vehicles
&c. over
footways.

34. Every person desirous of forming a communication for horses or vehicles across any kerbed footpath so as to afford access to any premises from a street shall first give notice in writing of such desire to the Corporation and shall if so required by them submit to them for their reasonable approval a plan of the proposed communication showing where it will cut the footpath and what provision (if any) is made for kerbing for gullies and for a paved

crossing and the dimensions and gradients of necessary works and shall execute the works at his own expense under the supervision and to the reasonable satisfaction of the surveyor and in case such plan shall have been required then in accordance with the plan so approved and not otherwise and if any person drives or permits or causes to be driven any horse or vehicle across any footway unless and until such a communication as aforesaid has been so made he shall for each such offence be liable to a penalty not exceeding forty shillings. A.D. 1890.

35. It shall not be lawful for any person without the consent of the Corporation first obtained which consent shall not be unreasonably withheld to lay any building materials rubbish or other thing or make any excavation on or in any street and when with such consent any person lays any building materials rubbish or other thing or makes any excavation on or in any street he shall at his own expense cause the same to be sufficiently fenced and a sufficient light to be fixed in a proper place on or near the same and to be continued every night from sunset to sunrise and shall remove such materials rubbish or thing or fill up such excavation (as the case may be) when required by the Corporation and if any person fails to comply in any respect with the requirements of this enactment he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may remove any such materials rubbish or thing or fill up such excavation (as the case may be) and recover the expenses from the offender summarily. Deposits of building materials or excavations not to be placed without consent.

36. The Corporation may remove appropriate use and dispose of any old materials existing in any street at the time of the execution by the Corporation of any works in such street unless the owners of buildings and lands in such street within forty-eight hours after notice so to do served on them by the surveyor remove such materials or their respective proportions thereof and the Corporation may if they think fit allow such sum as the surveyor may fix to be the reasonable value thereof to such owners for any materials which have been re-used or removed. Materials in streets sewered and paved.

37. If the footway of any street belonging to or under the management of the Corporation be injured by or in consequence of any excavations on lands adjoining thereto the Corporation may repair or replace the footway injured and all damages and expenses of or arising from such injury and repair or replacement shall be paid to the Corporation by the owner of the lands on which such excavation has been made or by the person causing the injury. Recovery of damages caused to footways by excavations.

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Power to
name and
alter names
of streets
and names
to be put up
and houses
to be
numbered
&c.

38. The Corporation may name any street or any part of a street which is without a name or which bears two names and may from time to time alter the name of any street or of any part of a street and may from time to time paint engrave or otherwise describe and place the name of any street or of any part of a street on a conspicuous part of any building or other erection at or near each end corner or entrance thereof and number every building or other erection therein on the door thereof or otherwise as they think proper and if any person wilfully or without sufficient reason destroys obliterates defaces removes or without the consent of the Corporation alters any such name or number or any part thereof he shall be liable to a penalty not exceeding forty shillings.

Entrances
to courts &c.
not to be
closed &c.
without
consent of
Corporation.

39. The entrance to any court or place not being a highway repairable by the inhabitants at large shall not at any time after the commencement of this Act be closed or narrowed or built over or the height or headway thereof lowered without in each case the consent of the Corporation in writing.

Fencing of
vacant lands.

40. Where any vacant or waste lands are in a state to cause a nuisance to the public the Corporation may serve a notice on the owner or occupier requiring him within a time thereby limited to effectually fence the same so as to exclude the public therefrom and if the owner or occupier fails to comply with the requisitions of the notice or to keep such lands effectually fenced the Corporation may cause such lands to be effectually fenced or the fences thereof to be repaired and may recover the expenses incurred thereby summarily.

Penalty on
filling up or
embanking
ground with
offensive
matter.

41. It shall not be lawful to raise fill in or embank any ground with any offensive or unwholesome matter and every person who does or causes to be done any act in contravention of this section shall for every such offence be liable to a penalty not exceeding five pounds and a daily penalty not exceeding forty shillings.

Power to
accept
statues &c.

42. The Corporation may from time to time by writing under the hand of the town clerk authorise the erection in any street or public place of any statue monument or drinking or other fountain or other work of ornament or of art and may maintain the same and also any statue monument or fountain erected before the passing of this Act.

Back yards
to be paved
&c.

43. The back yards of all houses which shall be built after the passing of this Act shall be formed with such fall and shall for the space of at least one hundred and fifty square feet be flagged or asphalted or paved with such materials as shall be satisfactory to the Corporation for the purpose of carrying off the surface water to

the drains of such houses and if the back yard of any house erected before or after the passing of this Act shall not be so formed flagged asphalted or paved so as to allow of the surface water being carried off as aforesaid the Corporation may give to the owner of such house notice in writing requiring him within seven days after such notice shall have been so given to proceed to form and to flag asphalt or pave such back yard so as to allow of the surface water being carried off to the drain of such house and within twenty-one days after such notice shall have been so given to complete such several works to the satisfaction of the Corporation and if such owner shall make default in complying with any of such requirements to the satisfaction of the Corporation within the respective times aforesaid the Corporation may if they think fit execute the works necessary for carrying out such requirements and the expenses incurred by them in so doing shall be paid to the Corporation by such owner and shall be recoverable summarily.

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44. If any court or passage leading to the back of several buildings in separate occupations (such passage not being a public highway) be not regularly and effectually swept and kept clean and free from rubbish or other accumulation to the satisfaction of the Corporation the Corporation may if they think fit sweep and clean such court or passage and the expense thereby incurred may be recovered in a summary manner in equal proportions from the occupiers of the buildings in the court or to the back of which the passage leads.

Penalty for not keeping common courts and passages clean.

45. With respect to the repairing or enclosing of dangerous places the following provisions shall have effect (namely) :—

Dangerous places to be repaired or enclosed.

(1.) If any building wall steps structure or other thing or any well excavation or reservoir pond stream or dam or bank or any land or place is in the opinion of the Corporation for want of sufficient repair protection or enclosure dangerous to the occupiers thereof or to the neighbouring buildings or to the passengers along any street or footpath the Corporation may order the owner within the period specified in such order to repair remove protect or enclose the same so as to prevent any danger therefrom.

(2.) If after service of the order on the owner he shall neglect to comply with the requirements thereof within the prescribed period the Corporation may cause such works as they think proper to be done for effecting such repair removal protection or enclosure and the expenses thereof shall be payable by the owner and may be recovered summarily.

A.D. 1890.

Buildings
abutting on
streets.

What to be
deemed new
buildings.

46. For the purposes of this Act buildings and lands shall be deemed to be in a street when they abut upon a street or when they have an access covered or uncovered to a street.

47. From and after the passing of this Act—

The re-erection wholly or partially on the same site of any building of which an outer wall is pulled down to or within ten feet of the surface of the adjoining ground and of any frame building so far pulled down as to leave only the framework of the ground floor storey thereof;

The re-conversion into a dwelling-house of any building which has been discontinued as and appropriated for any purpose other than that of a dwelling-house;

The making of any addition to an existing building by raising any part thereof or making any projection therefrom but so far as regards such addition only; and

The roofing or covering over of an open space between walls or buildings;

shall for all the purposes of this part of this Act and of the Public Health Acts and of any byelaw made thereunder respectively be deemed to be the erection of a "new building" and the word "building" shall for all such purposes include an erection or building of a permanent character of whatever material constructed.

Elevation of
buildings
erected on
front land
to be subject
to approval
of Corpora-
tion.

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

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.

49. With respect to the height of chimneys the following provisions shall have effect (that is to say):—

A.D. 1890.

Height of
chimneys.

(1.) All chimneys hereafter erected for carrying any smoke from the furnace of any mill factory brewery sizing-house dye-house gasworks corn-mill foundry or buildings used for manufacturing purposes or for the conveying away of any noisome or deleterious gases or effluvia from any such buildings shall be raised to the height of fifty feet at least from the level of the centre of the street nearest thereto and in all cases where any chimney serves the furnace of a steam engine the chimney shall be raised to an additional height from such level adapted to the power of such engine according to the following scale (that is to say) If such steam engine be of more than six horse-power and do not exceed thirty horse-power the height of such chimney shall not be less than eighty feet if such steam-engine be of more than thirty horse-power and do not exceed forty horse-power the height of such chimney shall not be less than one hundred and ten feet and if such steam-engine be of more than forty horse-power the height of such chimney shall not be less than one hundred and twenty feet Provided that where any chimney serves the furnace of any annealing oven the height of such chimney shall not be less than eighty feet;

(2.) No portable steam-engine shall after the passing of this Act be erected or used within sixty-three feet of any occupied dwelling-house unless connected with a chimney of such height not less than forty feet as the Corporation may in each case prescribe but the Corporation may not in any such case prescribe a greater height than one hundred feet;

(3.) All steam ejected from any fixed steam-engine or the boiler thereof and all spent or ejected steam arising or produced in any trade or business shall be discharged so as not to be an annoyance to the public;

(4.) The foregoing provisions of this section shall not apply to locomotives used upon any railway or tramway or to portable steam-engines in use for agricultural purposes or to traction-engines steam-rollers or fire-engines or to any chimneys used exclusively for casting or puddling furnaces;

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

50. No building not already occupied as a dwelling-house shall be so occupied until the drainage thereof has been made and completed nor until a certificate has been granted by the surveyor

Certificate
that houses
fulfil certain
require-
ments.

A.D. 1890. — to the owner that such house is in every respect in accordance with the requirements for the time being in force within the borough. Provided that if the surveyor fail to give such certificate within fourteen days after a written application for it shall have been made to him by the owner of such building and shall not in the meantime specify to such owner which of the aforesaid requirements have not been complied with with respect to such building then such building may be thereupon occupied as a dwelling-house. If any building is occupied contrary to the provisions of this section the owner of such building occupying the same or allowing the same to be so occupied and every person wilfully occupying the same shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding two pounds.

Power of inspection.

51. The surveyor and his assistants may at any reasonable times inspect any building in progress of construction or any work connected therewith and for such inspection he and they shall have from the builder free of expense all reasonable use and assistance of ladders scaffolding and plant in and about the building or works inspected. The owner or his agent or the builder shall give forty-eight hours' notice in writing to the surveyor before the commencement of the building and before any foundation of a new building or any sewer or drain is covered up and the like notice after any work required by the Corporation to be done in amendment of any irregularity has been completed and before the same is covered up.

Power of surveyor on inspecting.

52. If the surveyor on inspecting any building or work finds that the same is so far advanced that he cannot ascertain whether anything has been done contrary to any enactments or byelaws in force in the borough or to the plans and sections approved by the Corporation in pursuance of any such byelaws or whether anything required by any such enactments byelaws or plans and sections has been omitted to be done the surveyor shall within twenty-four hours after such inspection give to the owner or his agent or to the builder or person engaged in erecting such building or doing such work notice in writing requiring such builder or person within forty-eight hours from the service of such notice to cause so much of any building or work as prevents such surveyor from ascertaining whether anything has been done or omitted to be done as aforesaid to be to a sufficient extent cut into laid open or pulled down and such builder or other person shall forthwith comply with the notice so given. Provided always that the expense of cutting into laying open or pulling down as the case may be any such building or work and of reinstating the same and a reasonable sum for the delay or damage occasioned thereby shall be borne and paid by the

Corporation if it shall appear on inspection that such enactments byelaws plans and sections have not been infringed. A.D. 1890.

53. Whenever large numbers of persons are likely to assemble on the occasion of any public procession open-air meeting or other like occasions every building platform balcony or other structure or part thereof let or used or intended to be let or used for the purpose of affording sitting or standing accommodation for a number of persons shall be safely constructed or secured to the satisfaction of the surveyor and unless the same be so constructed or secured the section of this Act whereof the marginal note is "Dangerous places to be repaired or enclosed" shall be applicable to such building platform or other structure and may be put in full force accordingly.

Safety of
platforms
erected or
used on
public
occasions.

54. Every building which shall after the passing of this Act be used as a place of public resort shall to the satisfaction of the Corporation be substantially constructed and supplied with ample safe and convenient means of ingress and egress for the use of the public regard being had to the purposes for which such building is intended to be used and to the number of persons likely to be assembled at any one time therein and no such building shall at any time be used as a place of public resort unless the provisions of this section shall have been complied with and the means of ingress and egress to and from such building shall be during the whole time that such building shall be so used as available and unobstructed as the Corporation shall require and whenever any building shall be used as a place of public resort contrary to the provisions of this section the occupier or person in charge thereof and where such place is let for any period less than one year the owner thereof as well shall be deemed to have committed an offence against the provisions of this section Every person who shall offend against the provisions of this section shall for every such offence be liable to a penalty not exceeding twenty pounds.

Means of
ingress to
and egress
from places
of public
resort.

For the purposes of this section the expression "place of public resort" means a building used or constructed or adapted to be used either ordinarily or occasionally as a church chapel or other place of public worship or as a college or school (not being merely a dwelling-house so used) or as a theatre public hall public concert-room public ball-room public lecture-room or public exhibition-room or as a public place of assembly for persons admitted thereto by tickets or by payment or used or constructed or adapted to be used either ordinarily or occasionally for any other public purpose but shall not include a private dwelling-house used occasionally or exceptionally for any of those purposes Provided that this enactment shall not extend to any church chapel or other place of public worship used

A.D. 1890. — as such before or at the passing of this Act Provided also that any court before which a penalty is sought to be recovered under this section may refuse to inflict such penalty when the court is satisfied that a reasonable time has not elapsed to admit of the necessary alterations being made and the necessary alterations are in progress.

As to the erection of temporary buildings.

55.—(1.) Before any person erects any temporary building (not being a new building within the meaning of this Act) he shall apply to the Corporation for permission so to do and such application shall be accompanied by a plan and section of the proposed temporary building and a specification describing the materials proposed to be used in the construction thereof and the purpose for which the building is intended.

(2.) The Corporation shall within twenty-one days after the delivery of the plan and section and specification signify in writing their approval or disapproval of the intended building to the person proposing to erect the same.

(3.) The Corporation may attach to their approval any condition which they deem proper with regard to the sanitary arrangements of such building the ingress thereto and egress therefrom protection against fire and the period during which such building shall be allowed to stand.

(4.) If any such temporary building is commenced after the disapproval of the Corporation or before the expiration of the said twenty-one days without such approval or is in any respect not in conformity with the conditions imposed by the Corporation or is not removed within the period allowed by the Corporation (or any prolongation thereof) the Corporation may cause such building to be pulled down and removed and any expense incurred by them in or about the pulling down or removal of the building may be recovered in a summary manner from the owner of the building or from the person erecting the same at their discretion.

Pipes from slopstone to be disconnected from sewers.

56. Every pipe from any slopstone bath or lavatory in a building erected before as well as after the passing of this Act shall if required by the Corporation or the surveyor be carried through the external wall of such building and be constructed so as to discharge in the open air on the outside of such building over a channel leading to a gully-grating at a suitable distance and every gully-grating or other inlet to the drains shall be properly trapped Provided always that with respect to a building erected before the passing of this Act any penalty for an offence against the provisions of this section shall not be enforced unless default has been made for twenty-eight days in complying with a notice

from the Corporation or the surveyor requiring the owner of such building to comply with the provisions of this section. A.D. 1890.

57. If it appears to the Corporation by the report of the surveyor or inspector of nuisances or medical officer of health that any cesspool used at or at any time after the commencement of this Act as a receptacle for excreta or for the whole or any part of the drainage of any house or part of a house within the borough or any ash-pit belonging to any such house or part of a house is prejudicial to health or is inconveniently situated or is ill-constructed or is not watertight or that for other sanitary reasons it is desirable that the same should be filled up or removed the Corporation may if they think fit by written notice require the owner or occupier of such house or part of a house within a reasonable time to be specified in such notice to cause such cesspool or ash-pit to be filled up or removed and any drain communicating with such cesspool to be effectually disconnected destroyed and taken away and in cases where it appears by such report that any cesspool or ash-pit is used in common by the occupiers of two or more houses or parts of houses such notice for the filling up or removal of such common cesspool or ash-pit may be served on the owners or occupiers respectively who have the right to use the same cesspool or ash-pit and the cost of filling up or removing such last-mentioned cesspool or ash-pit shall be defrayed by the owners thereof in such proportion as the Corporation shall determine.

Provision as
to filling up
cesspools &c.

If any such notice as is mentioned in this section is not complied with or is not fully complied with the Corporation may at the expiration of the time specified in such notice do any work thereby required to be done which has not been done by the owner or occupier and may recover in a summary manner from the owner or (if there be more than one owner) from the owners in such shares and proportions as shall be apportioned and determined by the Corporation the expenses incurred by them in so doing or may by order declare the expenses apportioned as aforesaid to be private improvement expenses.

58. The term "ash-pit" in the Public Health Act 1875 shall for the purposes of the execution within the borough of that Act and of this Act include any ash-tub or other proper receptacle for the deposit of ashes faecal matter refuse or sewage.

Defining
"ash-pit"
in Public
Health Act
1875.

59. If any trade refuse or any building or other materials or rubbish of a like description be deposited in any privy cesspool ash-pit or ash-tub the Corporation may make a reasonable charge for the removal of the same which charge shall be paid to the

Charge for
emptying
privies of
rubbish.

A.D. 1890. Corporation by the occupier of the premises in respect of which the charge is made.

Penalty for not cleansing closets &c.

60. If any privy pan-closet water-closet earth-closet ash-pit ash-tub or urinal used in common by the occupiers of two or more buildings or of separate parts of the same building or the approaches to or the walls floor seats or fittings of any such privy pan-closet water-closet earth-closet ash-pit ash-tub or urinal or any of them shall be in such a state or condition as to be a nuisance for want of the proper cleansing thereof then any one of the persons who shall have the use thereof in common as aforesaid and who shall be in default or in the absence of proof satisfactory to the justices as to which of them shall be in default each of the persons who shall have the use thereof in common as aforesaid shall be liable to a penalty not exceeding ten shillings and to a daily penalty not exceeding five shillings.

Penalty for injuring privies &c.

61. If any person shall injure or improperly foul any privy pan-closet water-closet earth-closet ash-pit ash-tub or urinal which shall be used in common by the occupiers of two or more buildings or of separate parts of the same building he shall for every such offence be liable to a penalty not exceeding ten shillings.

Soil pipes to be ventilated.

62. The soil pipes of the water-closets of houses and buildings shall if required by the Corporation be properly ventilated by means of a pipe carried up therefrom or by such other method as they shall direct and any owner or occupier of a house or building who shall neglect or fail to comply with any requirement of the Corporation under this section for a period of twenty-eight days after notice in writing of such requirement and the mode in which the same is to be complied with shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Rain water pipes not to be used as soil pipes.

63. No pipe used for the carrying off of rain-water from any roof shall be used for the purpose of carrying off the soil or drainage from any privy or water-closet.

Power to supply courts with water-closets &c.

64. The Corporation for the purpose of supplying a court or place with a water-closet earth-closet ash-pit or other sanitary accommodation may from time to time purchase by agreement any building and remove the same and execute all consequent structural and other works and the owner or owners of the houses in the court or place benefited thereby shall be liable to pay the cost of the purchase of such building and the other expenses incurred by the Corporation in the execution of this section and the amount thereof shall be apportioned among those owners by the surveyor in proportion

to the rateable value of the property held by them in such court or place and the amount apportioned to each owner shall be payable by and recoverable from him in a summary manner or as private improvement expenses under the Public Health Acts Provided that if any owner feels himself aggrieved as regards either the amount of such expenses or the apportionment thereof he may appeal to a court of summary jurisdiction to determine the amount or apportionment as the case may be. A.D. 1890.

65. It shall not be lawful for any person to throw or to suffer or permit to be thrown or to pass into any drain or sewer any matter or substance which would interfere with the free flow of the sewage or surface or storm water or which would be injurious to the drains or sewers and every person offending against this enactment shall for every such offence be liable to a penalty not exceeding five pounds. Placing matters in sewers so as to affect run of water.

66. Every person who having had notice from the Corporation of the provisions of this section shall at any time after the expiration of seven days from the service of such notice turn or knowingly permit to enter into any sewer or drain communicating therewith any waste steam condensing water or heated water from any boiler or other receptacle used with any steam engine or for any manufacturing or trade purpose (such water being of a higher temperature than one hundred and ten degrees of Fahrenheit) shall be liable for every such offence to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds The Corporation or any of their officers duly authorised in this behalf by writing under the hand of the town clerk and producing such authority if required may enter into any premises for the purpose of examining whether the provisions of this section are being contravened and if such admission be refused any justice on complaint thereof on oath by any officer of the Corporation (made after reasonable notice in writing of such intended complaint has been given to the person having custody of the premises) may by order under his hand require such person to admit the officer of the Corporation into the premises and any such order shall continue in force until the offence shall have ceased or the works necessary to prevent the recurrence thereof shall have been executed. Steam &c. not to be turned into sewers.

67. In addition to all other powers vested in the Corporation the Corporation if it shall appear to them on the report of the surveyor or medical officer of health that any building whether built before or after the passing of this Act is not provided with a proper sink or drain or other necessary appliances for carrying off refuse water from such building may give notice in writing to the owner or Summary power to provide sinks and drains for buildings.

A.D. 1890. occupier of such building requiring him in the manner and within the time to be specified in such notice to provide such sink drain or other appliances and if such owner or occupier shall make default in complying with such requirement to the satisfaction of the Corporation within the time specified in such notice he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and in case of default the Corporation may if they think fit themselves provide such sink drain or other appliances and the expenses incurred by them in so doing shall be repaid to them by such owner or occupier and may be recovered summarily.

Corporation may make communications between private drains and their sewers on payment &c.

68. If the owner or occupier of any premises within the borough desires that any private sewer or any drain from such premises shall be made to communicate with any sewer of the Corporation the Corporation may and shall make so much of such private sewer or drain as is to be constructed under any public highway and also the junction of such private sewer or drain with the sewer of the Corporation and may and shall execute all necessary works for those purposes upon the reasonable cost or estimated cost thereof being paid to the Corporation or the payment thereof to them being secured to their satisfaction.

Corporation may agree to make drains at expense of owner.

69. The Corporation may agree with the owner or occupier of any premises that any sewer or drain required to be made altered or enlarged by such owner or occupier or any part of such sewer or drain shall as to so much thereof as shall be in a street be constructed made altered and enlarged by the Corporation and the cost price of preparing the requisite plans and sections for and superintending making altering or enlarging such sewer or drain and also the cost of the execution of the works as estimated or certified by the surveyor shall be paid in advance to the Corporation by the owner or occupier so agreeing.

Extension of section 41 of the Public Health Act 1875.

70. In cases where two or more houses are connected with a single private drain which conveys their drainage into a public sewer the Corporation shall have all powers conferred by the forty-first section of the Public Health Act 1875.

The Corporation may recover any expenses incurred by them in executing any works under the powers conferred on them by that section from the owners of the houses in such proportions as shall be settled by the surveyor or (in case of dispute) by arbitration under the Public Health Acts and any expenses shall be recoverable summarily or the Corporation may declare them to be private improvement expenses and may recover them accordingly.

71. Every building used as a workshop manufactory or school shall be provided with at least one privy or water-closet and one urinal for every forty males or fractional part thereof employed therein or attending thereat and with at least one privy or water-closet for every thirty females or fractional part thereof employed therein or attending thereat.

A.D. 1890.
Privies &c.
for manu-
factories &c.

72. The Corporation may erect and maintain or permit to be erected and maintained in any street or on land belonging to them or on land belonging to any person with the consent of the owner lessee or occupier thereof for the time being water-closets urinals and lavatories for the use of the public and may charge for the use of such water-closets and lavatories erected or maintained by them such sums as they may think proper and the Corporation may make byelaws for the management of such water-closets urinals and lavatories and for the conduct of the persons using the same Every water-closet urinal or lavatory erected by permission of the Corporation under this section shall be subject to such terms and conditions as the Corporation may prescribe with respect to the charges if any to be made for the use thereof and for repairing and keeping the same in proper order and for closing or removing the same if and when required by the Corporation but nothing herein shall be held to authorise a charge for the use of a public urinal.

Public
water-closets
urinals and
lavatories.

73.—(1.) The surveyor or any other person from time to time appointed by the Corporation may inspect any drain water-closet privy or cesspool or any sinks traps syphons pipes or other works or apparatus connected therewith and for that purpose may (on production of his authority if required) at all reasonable times in the day-time after twelve hours' notice in writing has been given to the occupier of or left on the premises to which such drain water-closet privy or cesspool or such works or apparatus is attached or in case of emergency without notice enter with or without workmen on any premises and cause the ground to be opened wherever such surveyor thinks fit doing as little damage as may be and if any person obstructs or attempts to obstruct or incites any person to obstruct the surveyor or such person or workmen in the exercise of any of the powers conferred by this section he shall for every such offence be liable to a penalty not exceeding five pounds.

Power for
Corporation
to authorise
inspection of
drains
privies and
cesspools.

(2.) If such drain water-closet privy or cesspool or the connected works and apparatus be found on inspection as aforesaid to be properly made and in proper order and condition the Corporation shall cause the same to be reinstated and made good as soon as may be and the expenses of examination reinstating and making good such drain water-closet privy cesspool or other works or apparatus

A.D. 1890. — as aforesaid shall be defrayed by the Corporation and compensation shall be made by them for all damage or injury done or occasioned by the examination of any such drain water-closet privy cesspool or other works or apparatus as aforesaid.

(3.) If upon such inspection as aforesaid any drain water-closet privy or cesspool or the connected works or apparatus appear to be in bad order and condition or to require cleansing alteration or amendment or to be filled up the Corporation shall cause notice in writing to be given to the owner or occupier of the premises upon or in respect of which the inspection was made requiring him forthwith or within such reasonable time as shall be specified in such notice to do the necessary works and if such notice be not complied with by the person to whom it is given the Corporation may if they think fit execute such works and may recover the expenses incurred by them in so doing from the owner or occupier of the premises in a summary manner.

Corporation may require old drains to be laid open for examination by surveyor before communicating with sewers.

74. Before any drain existing at the time of the passing of this Act and then not communicating with any sewer of the Corporation shall be made to communicate with any sewer of the Corporation the Corporation may require the same to be laid open for examination by the surveyor and no such communication shall be made until the surveyor shall certify that such drain may be properly made to communicate with such sewer and the surveyor shall cause the ground to be closed and any damage done to be made good as soon as can be and the expense of the works shall be defrayed by the Corporation.

Rooms over privies not to be used as dwelling or sleeping rooms.

75. No room built before or after the commencement of this Act any portion of which extends immediately over any privy (not being a water-closet) cesspool midden or ash-pit or immediately over any cow-byre or other place in which cows are kept and which is not effectually separated from such room shall be occupied as a dwelling or sleeping or work room or place of habitual employment of any person in any manufacture trade or business during any portion of the day or night and no person shall after the expiration of one month after the commencement of this Act knowingly occupy or suffer to be occupied as a dwelling or sleeping or work room any such room Any person offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

Power to require privies &c. to be filled up.

76. When any building whether built before or after the passing of this Act shall be provided with sufficient and suitable pan-closet or water-closet or earth-closet and ash-tub or other like accommodation to the satisfaction of the Corporation they may give notice in

writing to the owner or occupier of such building requiring him within a reasonable time to be specified in such notice to fill up any existing privy or ash-pit which they may deem unnecessary and if such owner or occupier shall make default in complying with such requirement to the satisfaction of the Corporation within the time specified in such notice the Corporation may if they think fit execute the works necessary for carrying out such requirement and the expense incurred by them in so doing shall be repaid to them by such owner or occupier and shall be recoverable as a penalty under this Act is recoverable.

A.D. 1890.

77.—(1) Where on the plan of any building whether built before or after the passing of this Act as deposited with and approved by the Corporation a part of such building is described or shown as or appears to be intended to be separated from the remainder of such building for the purpose of being used as a lock-up shop workshop shed or place of business and not a dwelling-house the use of such part of such building for the purposes of human habitation shall be an offence and every person who shall wilfully so use or knowingly suffer to be so used such part of such building shall for every such offence be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Prevention
of lock-up
shops and
other places
of business
being im-
properly
used for
purposes of
habitation.

(2) Provided that if such part of such building has in the rear thereof and adjoining and exclusively belonging thereto such an open space as is required by any Act or byelaw for the time being in force with respect to buildings intended to be used as dwelling-houses and if such part of such building has undergone the structural alterations (if any) necessary in the opinion of the Corporation for converting it into a dwelling-house the Corporation may on the application of the owner thereof authorise the same to be used as a dwelling-house.

(3) Any justice of the peace by warrant under his hand may authorise any officer of the Corporation at any time to enter upon and examine any building suspected of being used in contravention of this section.

(4) Every person who shall prevent or obstruct any such officer so authorised and producing such authority if required from or in making such inspection shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding the like sum.

78. The Corporation may from time to time give notice in writing to the owner of any inn public-house or beer-shop whether built before or after the passing of this Act requiring him within a reasonable time to be specified in such notice to provide and

Urinals for
inns public-
houses &c.

A.D. 1890. — maintain upon or adjoining such premises a urinal or urinals and if such owner shall make default in complying with such requirement to the satisfaction of the Corporation within the time specified in such notice he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding five shillings Section XXIX (Privies and urinals to be attached to public houses Penalty for neglect) of the Act of 1848 is hereby repealed.

Urinals not to be placed in public places without consent of Corporation.

79.—(1) No person shall after the passing of this Act make or provide any urinal or similar convenience in any street or public place without the consent in writing of the Corporation.

(2) The Corporation may from time to time give notice in writing to the owner or occupier of any building or land requiring him within a reasonable time to be specified in such notice to remove any urinal or similar convenience belonging thereto or thereon which shall in the opinion of the Corporation be so situated or constructed as to be a nuisance or offensive to public decency and if such owner or occupier shall make default in complying with such requirement within the time specified in such notice the Corporation may if they think fit remove such urinal or similar convenience and the expenses incurred by them in so doing shall be repaid to them by such owner or occupier and shall be recoverable as a penalty under this Act is recoverable.

(3) Provided that nothing in this section contained shall extend or apply to any urinal or similar convenience now or hereafter to be erected by any railway company at or within any railway station or station yard.

Patent rights as to dealing with sewage.

80. The Corporation may from time to time contract for take and use any leave license or authority (not being exclusive) to work use or exercise or put in practice any invention under any letters patent heretofore made or hereafter to be made granting any right or privilege of working using or vending any invention in relation to the utilisation treatment dealing with and disposal of sewage excreta and refuse and may enter into and carry into effect agreements and arrangements in relation to any such disposal or dealing respectively.

Under-takings &c. to bind successive owners.

81. Every undertaking or agreement in writing given by or to the Corporation to or by or on behalf of any owner of property on the passing of plans or for the removal of obstructions or otherwise in connexion with the property of such owner shall be binding upon the owner of the property for the time being and upon his successors in title and upon the Corporation and may be enforced by either party in any court of summary jurisdiction by a penalty not exceeding five pounds for each breach of such undertaking or agreement

and a daily penalty not exceeding twenty shillings for each such breach and such owner shall be entitled to require from the Corporation a copy of such undertaking or agreement and every intending owner or lessee of property shall be entitled to information from the Corporation as to the existence of any such undertaking or agreement affecting the property and the terms of the undertaking or agreement if any such exist. A.D. 1890.
—

82. Every person offending against any of the provisions of this part of this Act shall except as otherwise provided be liable to a penalty not exceeding forty shillings for every such offence and in the case of a continuing offence to a daily penalty not exceeding five shillings. Penalties.

83. Whenever by or in pursuance of this Act or any byelaw for the time being in force within the borough any work act or thing is required to be done by any owner occupier or other person and default is made therein or if any such work act or thing is improperly or insufficiently done the Corporation may cause such work act or thing to be executed re-executed or done (as the case may require) and also whenever any work act or thing is by this Act or any such byelaw prohibited from being done and it nevertheless is done the Corporation may remove abate or alter the work act or thing so done and the expenses incurred by the Corporation in any such case or incidental thereto shall be repaid to them by the person making default in the execution or doing of or improperly or insufficiently or unlawfully executing or doing such work act or thing as the case may be notwithstanding any penalty may be imposed upon such person by any Act or byelaw. Power to execute works in default of person liable.

84.—(1.) In case the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect in respect thereof any notice given by the Corporation under this Act or under any byelaw made under the powers of this Act then after notice of this provision shall have been given by the owner to the occupier any justice upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the first-mentioned notice 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 five pounds and during the continuance of such 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. Penalty on occupiers refusing execution of Act.

A.D. 1890. (2.) If the occupier of any premises when requested by or on behalf of the Corporation to state the name of the owner of the premises occupied by him shall refuse or wilfully omit to disclose or wilfully misstate the same he shall (unless he shall show a cause to the satisfaction of the court for his refusal) be liable to a penalty not exceeding five pounds.

Exemption
of Govern-
ment pro-
perty from
building
regulations.

85. There shall be exempted from so much of the provisions of this Act as relates to buildings and structures every building structure or work vested in or in the occupation of Her Majesty Her heirs and successors either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or for public services also any building structure or work vested in or in the occupation of any department of Her Majesty's Government for public purposes or for the public service.

Saving in
favour of
railway
companies.

86. Nothing in this Act or any byelaws to be made thereunder shall apply to any building (not being a dwelling-house) belonging to any railway company and used by such company as a part of or in connexion with their railway.

PART IV.—PRIVATE STREET WORKS.

Definition
of street.

87. "Street" in this part of this Act means (unless the context otherwise requires) a street as defined by the Public Health Act 1875 and not being a highway repairable by the inhabitants at large or a street belonging to or repairable by a railway company.

Definition
of paving
metalling
and flagging.

88. The expression "paving metalling and flagging" used in this part of this Act shall include macadamising asphaltting gravelling kerbing and every method of making a carriageway or footway and words referring to paving metalling and flagging shall be construed accordingly.

Private
street works.

89.—(1.) Where any street or part of a street is not sewered levelled paved metalled flagged kerbed channelled made good and lighted to the satisfaction of the Corporation the Corporation may from time to time resolve with respect to such street or part of a street to do any one or more of the following works (in this Act called private street works) (that is to say) To sewer level pave metal flag kerb channel or make good or to provide proper means for lighting such street or part of a street and the expenses incurred by the Corporation in executing private street works shall be apportioned (subject as in this Act mentioned) on the premises

fronting adjoining or abutting on such street or part of a street A.D. 1890.
Any such resolution may include several streets or parts of streets
or may be limited to any part or parts of a street.

(2.) The surveyor shall prepare as respects each street or part of a street—

(a.) A specification of the private street works referred to in the resolution with plans and sections (if applicable):

(b.) An estimate of the probable expenses of the works:

(c.) A provisional apportionment of the estimated expenses among the premises liable to be charged therewith under this Act:

Such specifications plans sections estimates and provisional apportionments shall comprise the particulars prescribed in Part I. of the Third Schedule to this Act and shall be submitted to the Corporation who may by resolution approve the same respectively with or without modification or addition as they think fit.

(3.) The resolution approving the specifications plans and sections (if any) estimates and provisional apportionments shall be published in the manner prescribed in Part II. of the Third Schedule to this Act and copies thereof shall be served on the owners of the premises shown as liable to be charged in the provisional apportionment within seven days after the date of the first publication. During one month from the date of the first publication the approved specifications plans and sections (if any) estimates and provisional apportionments (or copies thereof certified by the surveyor) shall be kept deposited at the Corporation offices and shall be open to inspection at all reasonable times.

90. During the said month any owner of any premises shown in a provisional apportionment as liable to be charged with any part of the expenses of executing the works may by written notice served on the Corporation object to the proposals of the Corporation on any of the following grounds (that is to say):—

Objections
to proposed
works.

(a.) That an alleged street or part of a street is not or does not form part of a street within the meaning of this Act:

(b.) That a street or part of a street is (in whole or in part) a highway repairable by the inhabitants at large:

(c.) That there has been some material informality defect or error in or in respect of the resolution notice plans sections or estimate:

(d.) That the proposed works are insufficient or unreasonable or that the estimated expenses are excessive:

(e.) That any premises ought to be excluded from or inserted in the provisional apportionment:

A.D. 1890.

(f.) That the provisional apportionment is incorrect in respect of some matter of fact to be specified in the objection or (where the provisional apportionment is made with regard to other considerations than frontage as herein-after provided) in respect of the degree of benefit to be derived by any persons or the amount or value of any work already done by the owner or occupier of any premises.

For the purposes of this Act joint tenants or tenants in common may object through one of their number authorised in writing under the hands of the majority of such joint tenants or tenants in common.

Hearing and
determina-
tion of
objections.

91.—(1.) The Corporation at any time after the expiration of the said month may apply to a court of summary jurisdiction to appoint a time for determining the matter of all objections made as in this Act mentioned and shall publish a notice of the time and place appointed and copies of such notice shall be served upon the objectors and at the time and place so appointed any such court may proceed to hear and determine the matter of all such objections in the same manner as nearly as may be and with the same powers and subject to the same provisions with respect to stating a case as if the Corporation were proceeding summarily against the objectors to enforce payment of a sum of money summarily recoverable. The court may quash in whole or in part or may amend the resolution plans sections estimates and provisional apportionments or any of them on the application either of any objector or of the Corporation. The court may also if it thinks fit adjourn the hearing and direct any further notices to be given.

(2.) No objection which could be made under this Act shall be otherwise made or allowed in any court proceeding or manner whatsoever.

(3.) The costs of any proceedings before a court of summary jurisdiction in relation to objections under this Act shall be in the discretion of the court and the court shall have power if it thinks fit to direct that the whole or any part of such costs ordered to be paid by an objector or objectors shall be paid in the first instance by the Corporation and charged as part of the expenses of the works on the premises of the objector or objectors in such proportions as may appear just.

Incidental
works.

92.—(1.) The Corporation may include in any works to be done under this Act with respect to any street or part of a street any works which they think necessary for bringing the street or part of a street as regards sewerage drainage level or other matters into conformity with any other streets (whether repairable or not by the

inhabitants at large) including the provision of separate sewers for the reception of sewage and of surface water respectively. A.D. 1890.

(2.) The Corporation in any estimate of the expenses of private street works may include a commission not exceeding five pounds per centum (in addition to the estimated actual cost) in respect of surveys and superintendence such commission when received to be carried to the credit of the district fund.

93. In a provisional apportionment of expenses of private street works the apportionment of expenses against the premises fronting adjoining or abutting on the street or part of a street in respect of which the expenses are to be incurred shall unless the Corporation otherwise resolve be apportioned according to the frontage of the respective premises but the Corporation may if they think just resolve that in settling the apportionment regard shall be had to the following considerations (that is to say) :—

Apportionment of expenses.

(a.) The greater or less degree of benefit to be derived by any premises from such works :

(b.) The amount and value of any work already done by the owners or occupiers of any such premises.

They may also if they think just include any premises which do not front adjoin or abut on the street or part of a street but which in their opinion will be benefited by the works and may fix the sum or proportion to be charged against any such premises accordingly.

94. The Corporation may from time to time amend the specifications plans and sections (if any) estimates and provisional apportionments for any private street works but if the total amount of the estimate in respect of any street or part of a street is increased such estimate and the provisional apportionment shall be published in the manner prescribed in Part II. of the Third Schedule to this Act and shall be open to inspection at the Corporation offices at all reasonable times and copies thereof shall be served on the owners of the premises affected thereby and objections may be made to the increase and apportionment and if made shall be dealt with and determined in like manner as objections to the original estimate and apportionment.

Amendment of plans &c.

95.—(1.) When any private street works have been completed and the expenses thereof ascertained the surveyor shall make a final apportionment by dividing the expenses in the same proportions in which the estimated expenses were divided in the original or amended provisional apportionment (as the case may be) and such final apportionment shall be conclusive for all purposes and notice of such final apportionment shall be served upon the owners

Final apportionment and recovery of expenses.

A.D. 1890. of the premises affected thereby and the sums apportioned thereby shall be recoverable in manner provided by this Act or in the same manner as private improvement expenses are recoverable under the Public Health Act 1875 including the power to declare any such expenses to be payable by instalments.

(2.) Within one month after such notice the owner of any premises charged with any expenses under such apportionment may by a written notice to the Corporation object to such final apportionment on the following grounds or any of them :—

(a.) That the actual expenses have without sufficient reason exceeded the estimated expenses by more than fifteen per cent. :

(b.) That the final apportionment has not been made in accordance with this section :

(c.) That there has been an unreasonable departure from the specification plans and sections :

(d.) That the interest has been increased by unreasonable delay in ascertaining the expenses or making the apportionment.

(3.) Objections under this section shall be determined in the same manner as objections to the provisional apportionment.

Charge on premises.

96.—(1.) Any premises included in the final apportionment and all estates and interest from time to time therein shall stand and remain charged (to the like extent and effect as under section 257 of the Public Health Act 1875) with the sum finally apportioned on them or if objection has been made against the final apportionment with the sum determined to be due as from the date of the final apportionment with interest at the rate of five pounds per centum per annum and the Corporation shall for the recovery of such sum and interest have all the same powers and remedies under the Conveyancing and Law of Property Act 1881 and otherwise as if they were mortgagees having powers of sale and lease and of appointing a receiver.

(2.) The Corporation shall keep a register of charges under this Act and of the payments made in satisfaction thereof and the register shall be open to inspection to all persons at all reasonable times on payment of not exceeding one shilling in respect of each name or property searched for and the Corporation shall furnish copies of any part of such register to any person applying for the same on payment of such reasonable sum as may be fixed by the Corporation.

Recovery of expenses summarily or by action.

97. The Corporation if they think fit may from time to time (in addition and without prejudice to any other remedy) recover summarily in a court of summary jurisdiction or as a simple

contract debt by action in any court of competent jurisdiction from the owner for the time being of any premises in respect of which any sum is due for expenses of private street works the whole or any portion of such sum together with interest at a rate not exceeding five pounds per centum per annum from the date of the final apportionment till payment thereof. A.D. 1890.

98. The Corporation if they think fit may at any time resolve to contribute the whole or a portion of the expenses of any private street works and may pay the same out of the district fund or general district rate. Contribution by Corporation to expenses.

99. The incumbent or minister or trustee of any church chapel or place appropriated to public religious worship which is for the time being by law exempt from rates for the relief of the poor shall not be liable to any expenses of private street works as the owner of such church chapel or place or of any churchyard or burial ground attached thereto nor shall any such expenses be deemed to be a charge on such church chapel or other place or on such churchyard or burial ground or to subject the same to distress execution or other legal process but the proportion of expenses in respect of which an exemption is allowed under this section shall be borne and paid by the Corporation. Exemption from expenses of incumbent of church.

100. All owners of buildings or lands being persons who under the Lands Clauses Consolidation Act 1845 are empowered to sell and convey or release lands may charge such buildings or lands with such sum as may be necessary to defray the whole or any part of any expenses which the owners of or any persons in respect of such buildings or lands for the time being are liable to pay under this part of this Act and the expenses of making such charge and for securing the repayment of such sum with interest may mortgage such buildings or lands to any person advancing such sum but so that the principal due on any such mortgage shall be repaid by equal yearly or half-yearly payments within twenty years. Power for limited owners to borrow for expenses.

101. The Corporation may from time to time with the sanction of the Local Government Board borrow on the security of the district fund and general district rate moneys for the purpose of temporarily providing for expenses of private street works and the powers of the Corporation to borrow under the Public Health Act 1875 shall be available as if the execution of private street works under this Act were one of the purposes of the Public Health Act 1875. Power for Corporation to borrow for private street works.

102. Whenever all or any of the private street works in this Act mentioned have been executed in a street or part of a street by Adoption of private streets.

A.D. 1890.

the Corporation and the Corporation are of opinion that such street or part of a street ought to become a highway repairable by the inhabitants at large they may by notice to be fixed up in such street or part of a street declare the whole of such street or part of a street to be a highway repairable by the inhabitants at large and thereupon such street or part of a street as defined in the notice shall become a highway repairable by the inhabitants at large :

Provided that no such street shall become a highway so repairable if within one month after such notice has been put up the owner or the majority in number or value of owners of such street by notice in writing to the Corporation object thereto and in ascertaining such majority joint owners shall be reckoned as one owner.

On street
being paved
&c. Corpora-
tion to
declare same
public high-
way.

103. If any street is now or shall hereafter be sewered levelled paved metalled flagged kerbed channelled and made good (all such works being done to the satisfaction of the Corporation) then on the application in writing of the greater part in value of the owners of the houses and land in such street the Corporation shall within three months from the time of such application by notice put up in such street declare the same to be a highway repairable by the inhabitants at large and thereupon such street shall become a highway repairable by the inhabitants at large.

Separate
accounts of
expenses of
works.

104. The Corporation shall keep separate accounts of all moneys expended and recovered by them in the execution of the provisions of this Act relating to private street works All moneys recovered by the Corporation under this part of this Act in respect of private street works shall be applied in the execution of other private street works or in repayment of moneys borrowed for the purpose of executing private street works.

Railways
and canals
abutting but
not com-
municating
with streets
not to be
chargeable
with private
street
expenses.

105. No railway company or canal company shall be deemed to be an owner or occupier for the purposes of this part of this Act in respect of any land of such company upon which any street as defined in this part of this Act shall wholly or partially front or abut and which shall be used by such company solely as a part of their line of railway or canal or railway or canal sidings and shall have no direct communication with such street and the expenses incurred by the Corporation under the powers of this part of this Act which but for this provision such company would be liable to pay shall be repaid to the Corporation by the other owners having frontages abutting on such street and in such proportion as shall be settled by the surveyor and in the event of such Company subsequently making a communication with such street they shall notwithstanding such repayment as last aforesaid pay to the Corporation the expenses which but for the foregoing provision

such company would in the first instance have been liable to pay A.D. 1890.
 And the Corporation shall divide among the other owners for the
 time being having frontages abutting on such street the amount so
 paid by such company to the Corporation less the costs and expenses
 attendant upon such division in such proportion as shall be settled
 by the surveyor whose decision shall be final and conclusive This
 section shall not apply to any street existing at the date of the
 passing of this Act.

PART V.—SANITARY PROVISIONS.

106. Whenever it shall be certified to the Corporation by the Cowkeepers
 medical officer of health or by any other registered medical and others
 practitioner that the outbreak or spread of infectious disease is in to furnish
 the opinion of such medical officer of health or medical practitioner lists of
 attributable to the milk supplied by any cow-keeper purveyor of customers
 milk or occupier of a dairy milk-store or milk-shop the Corporation in certain
 may require such cow-keeper purveyor of milk or occupier to cases.
 furnish to them within a time to be fixed by them a full and
 complete list of the names and addresses of all his customers within
 the borough and such cow-keeper purveyor of milk or occupier shall
 furnish such list accordingly and the Corporation shall pay to him
 for every such list the sum of sixpence and after the rate of six-
 pence for every twenty-five names contained therein but no such
 payment shall exceed three shillings and every person who shall
 wilfully or knowingly offend against this enactment shall for each
 such offence be liable to a penalty not exceeding five pounds and to
 a daily penalty not exceeding forty shillings.

107. In case the medical officer of health shall have reasonable Medical
 cause to believe that any person in the borough is suffering from officer may
 infectious disease attributable to milk supplied within the borough inspect
 from any farmhouse dairy cow-shed milk-shop or place situate beyond dairies &c.
 the borough boundary or that the consumption of milk from such beyond
 farmhouse dairy cow-shed milk-shop or place is likely to cause borough in
 infectious disease to any person residing in the borough such medical certain cases.
 officer shall if authorised in that behalf by any order of a justice
 having jurisdiction in the place where such farmhouse dairy cow-
 shed milk-shop or place is situate have power to inspect such
 farmhouse dairy cow-shed milk-shop or place and if on such
 inspection he shall be of opinion that infectious disease is caused or
 is likely to arise from consumption of the milk supplied therefrom

A.D. 1890. — he shall report thereon to the Corporation who may thereupon give notice to the occupier of such farmhouse dairy cow-shed milk-shop or place not to supply any milk therefrom within the borough until such notice has been withdrawn by the Corporation and the Corporation shall forthwith give notice of the facts to the sanitary authority of the district acting in execution of the Contagious Diseases (Animals) Acts 1878 to 1886 in which such farmhouse dairy cow-shed milk-shop or place is situate and also to the Local Government Board in order that such further measures may be adopted in relation thereto as may be considered proper and as may be within the provinces of such authorities respectively Any person refusing to permit the medical officer of health on the production of such order as aforesaid to inspect any such farmhouse dairy cow-shed milk-shop or place or after any such notice by the Corporation has been given supplying any milk therefrom within the borough or selling it for consumption therein until such notice has been withdrawn shall be deemed guilty of an offence against this Act and shall on summary conviction be liable to a penalty not exceeding five pounds for such offence and to a daily penalty not exceeding forty shillings Provided always that proceedings for the recovery of any penalty under this enactment shall be taken before the justices of the peace having jurisdiction in the place where the said farmhouse dairy cow-shed milk-shop or place is situate.

Persons engaged in washing or mangling clothes to furnish lists of owners of clothes in certain cases.

108. Whenever it shall be certified to the Corporation by the medical officer of health that it is desirable with a view to prevent the spread of infectious disease that they should be furnished with a list of the customers of any person or company earning a livelihood or deriving gain by the washing or mangling of clothes the Corporation may require such person or company to furnish to them a full and complete list of the names and addresses of the owners of clothes for whom such person or company washes or mangles or has washed or mangled during the past six weeks and such person or company shall furnish such list accordingly and the Corporation shall pay to him her or them for every such list the sum of sixpence and at the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed three shillings and every person who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Further powers in relation to disinfection of premises.

109. Where the Corporation are of opinion on the certificate of their medical officer of health or of any other registered medical practitioner that the cleansing and disinfecting of any house or part thereof and of any articles therein likely to communicate any

infectious disease or to retain infection would tend to prevent or to check infectious disease and that such cleansing and disinfection would more effectually be carried out by the Corporation than by the owner or occupier of such house or part thereof the Corporation without requiring such owner or occupier to carry out such cleansing and disinfection as aforesaid may if they think fit but at their own cost themselves cleanse and disinfect such house or part thereof and articles and may for that purpose remove any such articles and shall make compensation to such owners or occupiers for all property or articles destroyed or injured by the exercise of the provisions of this section. And any person who shall obstruct any duly authorised officer of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

A.D. 1890.

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

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

111. No person shall without the sanction in writing of the medical officer of health or other registered medical practitioner retain unburied elsewhere than in a mortuary for more than forty-eight hours the dead body of any person who has died of any infectious disease and any person offending against this enactment shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings.

Prohibiting the retention of dead bodies in certain cases.

112. If any person shall die from any infectious disease in any hospital or place of temporary accommodation and the medical officer of health or any other registered medical practitioner certifies that in his opinion it is desirable in order to prevent the risk of communicating any infectious disease or of spreading infection that the dead body shall not be removed from such hospital or place except for the purpose of being forthwith buried it shall not be

Bodies of persons dying in hospital &c. of infectious diseases to be removed only for burial.

A.D. 1890. — lawful for any person or persons to remove such dead body from such hospital or place except for the last-mentioned purpose and when the dead body is taken out of such hospital or place for that purpose it shall be forthwith carried or taken directly to some cemetery or place of burial and shall be forthwith there buried and any person wilfully offending against this section shall be liable to a penalty not exceeding fifty pounds. But nothing in this section shall prevent the removal of any dead body from any such hospital or place of temporary accommodation to any public mortuary and such mortuary shall for the purposes of this section be deemed part of such hospital or place of temporary accommodation.

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

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

Corpses not to be carried in public conveyances.

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

afterwards provide for the disinfection of such conveyance shall be liable to a penalty not exceeding five pounds. A.D. 1890.

115. The provisions of the Public Health Act 1875 respecting infectious diseases and hospitals shall be and are hereby extended so as to authorise any court of summary jurisdiction having jurisdiction in the borough upon a certificate of the medical officer of health to make an order directing the detention in hospital at the cost of the sanitary authority of any person in the borough suffering from any infectious disease and not provided with lodging or accommodation in which proper precautions can be taken to prevent the spreading of the disorder by such person. Any order so to be made by any such court shall be limited to some specific time not exceeding one month but with full power to any such court on the certificate of the said medical officer to enlarge such time as often as may be necessary. It shall be lawful for any sanitary officer or inspector of police of the borough on any such order being made to take all necessary measures and do all necessary acts for enforcing the execution thereof.

Detention of infected person without proper lodging in hospital by order of justice.

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

Temporary shelter and nurses.

117. The provisions contained in the one hundred and sixteenth to the one hundred and nineteenth sections (both inclusive) of the Public Health Act 1875 shall extend and apply to all articles intended for the food of man sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale within the borough.

Extension of sections 116 to 119 inclusive of Public Health Act 1875.

118. For the purpose of carrying into effect the provisions of sections 49 120 or 121 of the Public Health Act 1875 the Corporation may by any officer appointed in that behalf and producing his authority if required enter on any premises between the hours of ten o'clock in the forenoon and six o'clock in the afternoon.

Powers of entry for purposes of sections 49 120 and 121 of Public Health Act 1875.

119. Any keeper of a common lodging-house in the borough who fails to give the notice required by section 84 of the Public Health Act 1875 shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding five shillings.

Penalty for offences under section 84 of Public Health Act 1875.

A.D. 1890.

[Ch. cxxx.] *Walsall Corporation Act, 1890.* [53 & 54 Vict.]

For pre-
venting
infectious
rubbish
being
thrown into
ash-pit &c.

Power to
make bye-
laws for
sanitary
purposes.

120. Any person who shall knowingly cast or cause or permit to be cast into any ash-pit ash-tub or other receptacle for the deposit of refuse matter any infectious rubbish without previous disinfection shall be liable to a penalty not exceeding forty shillings.

121. The Corporation may from time to time make and enforce byelaws for the following purposes (that is to say):—

For prescribing the times for the removal or carriage through the streets of any foecal offensive or noxious matter or liquid whether such matter or liquid shall be in course of removal or carriage from within or without or through the borough and that the vessel receptacle cart or carriage used therefor shall be properly constructed so as to prevent the escape of any such matter or liquid and to compel the cleansing of any place whereon such matter or liquid shall have been dropped or spilt in such removal or carriage.

River
streams &c.
choked up
to be a
nuisance
under Public
Health Act
1875.

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

PART VI.—MARKETS AND FAIRS.

Commence-
ment of this
part of Act.

123. This part of this Act shall come into operation on the twenty-eighth day of August one thousand eight hundred and ninety.

Limits of
markets and
fairs.

124. The limits of the markets and fairs of the Corporation shall be the extended borough.

Tolls.

125.—(1.) In lieu of the tolls authorised by the Act of 1850 the Corporation may demand and receive tolls (not exceeding the tolls specified in the Fourth Schedule to this Act) from persons selling or offering or exposing for sale animals or articles in any market or fair in the borough or using or occupying any market premises or using the weighing-house or places weights measures scales or machines in the markets or fairs.

(2.) Section XIII. (Corporation empowered to take tolls and stallages &c.) section XIV. (Corporation empowered to take tolls for cattle market) and section XV. (Tolls for weighing machines) of the Act of 1850 are hereby repealed. A.D. 1890.

126. If any person shall without the license of the Corporation on any land belonging or reputed to belong to or occupied by him in any part of the borough hold or permit to be held any market or fair he shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding ten pounds. Markets not to be held except by Corporation or their licensees.

127. The several tolls payable in respect of the occupation or use of any market premises shall be paid not only by the original taker or occupier thereof for part of a day if he do not occupy it the whole day but also by any subsequent taker or occupier of the same for any subsequent part of the same day. Market tolls for stalls &c. payable by successive occupiers.

128. The several tolls in the markets and fairs payable in respect of any articles shall be paid not only by the original seller but also by any subsequent seller or person who offers such article for sale and such tolls shall become payable before such article is sold or offered for sale. Tolls to be payable by successive sellers of articles.

129. If any tenant shall on demand thereof after the same shall have become due and payable make default in the payment of any rent or toll for any market premises the Corporation may enter upon and take possession of such premises and relet the same without prejudice to any other remedy for the recovery of such rent or toll. Power to take possession of stalls &c. for nonpayment of rent &c.

130. The Corporation or the lessee for the time being of the market tolls may from time to time let to any person any market premises for any time not exceeding three years (or in the case of a lease by a lessee of the market tolls not exceeding the unexpired term of his lease) at such rent and on such terms (pecuniary or otherwise) and conditions as the Corporation or lessee (as the case may be) may deem expedient. Power to let market premises.

131. No lease of any tolls granted by the Corporation under the Act of 1850 shall be assigned without the consent in writing of the Corporation. Leases of tolls &c. not to be assigned.

132. The Corporation may from time to time alter the days on which and the places at which their markets and fairs respectively are or may be held and may establish and hold new markets and fairs and generally may establish and hold all such markets and fairs on such days at such times and in such places as they shall deem expedient. Power to alter market days and places.

A.D. 1890.

Public
notice of
removal of
markets &c.

133. Notwithstanding anything in this Act before the Corporation remove any market or fair or alter the day for holding any such market or fair they shall give at least one month's public notice by advertisement in some newspaper circulating in the borough and by placards affixed at the entrances to the market or fair as the case may require and a statutory declaration by an officer of the Corporation to the effect that public notice has been given in accordance with this section shall be received as evidence of the facts thereby declared.

Saving for
pedlars and
horse dealers.

134. Nothing in this Act shall interfere with the lawful exercise of their calling by hawkers or pedlars duly licensed or certificated under any Act relating to such calling or by horse-dealers.

Forfeiture of
articles left
in markets.

135. Every animal or article brought into any market or fair and left therein after the hour of closing (except such as may be left in charge of the superintendent or inspector of the market or fair) may be taken possession of by the superintendent or inspector and if the same being of a perishable nature be not claimed within one hour after the closing or not being of a perishable nature be not claimed within seven days thereafter then and in every such case the same may be sold by the Corporation who shall return the surplus proceeds of such sale after deducting any unpaid toll due in respect thereof and the expenses of detention and sale to the owner on demand if made within one month after the sale but if demand be not so made the proceeds of the sale shall be forfeited to the Corporation.

PART VII.—ALMSHOUSES.

Power to
remove and
rebuild
almshouses.

136.—(1) It shall be lawful for the Corporation to take down and remove the eleven almshouses belonging to them in Bath Street in the borough and to erect and maintain on other lands belonging to the Corporation and not specially appropriated to any public purpose or upon lands to be acquired by them under this section the same number of almshouses or other building or buildings with accommodation for the same number of inmates as the existing almshouses are intended to hold Provided that the Corporation shall not take down the existing almshouses or remove or disturb the inmates thereof until they shall have made suitable provision to the satisfaction of the Charity Commissioners by the erection of new almshouses or otherwise for the accommodation of the same number of inmates as the existing almshouses are intended to hold.

(2) The Corporation may sell the site of the existing almshouses and any adjoining land belonging to them and shall apply the proceeds of such sale in or towards the erection of the new almshouses or other buildings and if necessary the purchase of the site thereof and the deficiency (if any) may be paid out of the borough fund or borrowed on the security of the borough fund and rate under and in accordance with the provisions of the Municipal Corporations Act 1882 or the surplus (if any) shall be applied as the Charity Commissioners may direct.

(3) The Corporation shall out of the borough fund continue the weekly payment of three shillings heretofore made to each of the inmates of the existing almshouses or to the inmates of such new almshouses or other buildings as aforesaid and shall out of the same fund repair and maintain such almshouses or buildings.

(4) In case the Corporation shall not be in possession of suitable lands for the re-erection of the almshouses or other buildings they may purchase by agreement other lands in the borough for that purpose.

(5) The obligation on the part of the Corporation to provide and maintain almshouses or other suitable buildings in accordance with the provisions of this section and to make the weekly payments herein-before mentioned shall be deemed a charitable trust in respect of which the High Court or the Charity Commissioners may make a scheme for the regulation thereof.

(6) Nothing in this section shall enable the Corporation to sell or appropriate without the approval of the Local Government Board any lands which they could not have sold or appropriated without that approval if this Act had not been passed.

PART VIII.—PARKS.

137. The Corporation may on such days as they think fit (not exceeding twelve days in any one year nor four consecutive days on any one occasion) close any park or place of public resort or recreation provided by them against the public and the Corporation may grant the use of the same either gratuitously or for payment to any public charity or institution or for any agricultural horticultural or other show or any other public purpose or may use the same for any such show or purpose and the admission to the said park or place or such part thereof on any such days may be either with or without payment as directed by the Corporation or with the consent of the Corporation by the society or persons to whom the use of the park or place or such part thereof may be granted Power to close parks. Provided that

A.D. 1890. — the powers conferred by this section shall only be exercised in respect of one park or place of public resort or recreation at the same time.

As to
pleasure
boats fishing
and skating.

138.—(1) The Corporation may either themselves provide and let for hire or may license any person to let for hire any pleasure boats on any lake or piece of water in any such park or place of public resort or recreation and may make byelaws for regulating the numbering and naming of such boats the number of persons to be carried therein the boat houses and mooring places for the same and for fixing rates of hire and the qualification of boatmen and for securing their good and orderly conduct while in charge.

(2) The Corporation may also make byelaws for regulating the fishing in and skating upon any such lake or piece of water and for admitting persons to such park or place of public resort or recreation for either of the said purposes at times when the same is not open to the public and for fixing charges to be paid by persons fishing therein.

Power to
set apart
lands for
games.

139. The Corporation may from time to time set apart portions of any park or place of public resort or recreation for the time being belonging to or held by them for cricket football archery and other games and for the drill of volunteers yeomanry or cadets or any military or police force but so that the same shall be open to the public when not in use for such games or drill and the Corporation may make byelaws for regulating the use of the portions of the park or place so set apart.

Power to
provide
apparatus
for games.

140. The Corporation may provide apparatus for games and recreation for the use of the public frequenting the parks and pleasure grounds belonging to or under the management of the Corporation and may charge for the use thereof and they may lease or grant for any term not exceeding three years the right of providing and charging for such apparatus on such terms and conditions as they think proper.

Band of
music.

141. The Corporation may from time to time pay or contribute towards the payment of a band of music to perform in any public park or other place of public resort or recreation within the borough as the Corporation may prescribe and the Corporation may enclose an area within which such band shall play and may make byelaws for regulating the time and place for the playing of the band the payments to be made for admission within the said enclosure and for securing good and orderly conduct during the playing of the band Provided that the payments or contributions by the Corporation for or towards such band or bands shall be paid out of the

district fund and shall not in any one year exceed the sum of fifty pounds. A.D. 1890.

142. The Corporation may from time to time plant and take all necessary steps for the protection and preservation of ornamental trees and shrubs in or on any public park or pleasure ground or open space or street for the time being vested in or under the management of the Corporation. Planting of trees and shrubs.

143. The Corporation may from time to time place or authorise any person or persons to place seats or chairs in any street park gardens pleasure ground recreation ground or other public place for the use of the public and may if they think fit charge or allow such person or persons to charge a reasonable sum for the use of chairs and may make regulations for the use of seats and chairs and for preventing injury or damage thereto. Chairs and seats for public use.

PART IX.—POLICE REGULATIONS.

144. Any householder personally or by his servant or by any constable may require any street musician or singer to depart from the neighbourhood of the house of such householder and every person who shall sound or play upon any musical instrument or sing in any street near or within hearing of such house after being so required to depart shall be liable to a penalty not exceeding forty shillings. Street musicians to depart when required to do so.

145. Any three or more persons assembled in any street for the purpose of betting shall be deemed to be obstructing the street and each of such persons shall be liable to a penalty not exceeding forty shillings. Prohibition of persons assembling in streets for purpose of betting.

146. If two or more persons shall be assembled together in any street at any time of the day or night for the purpose of assaulting insulting or annoying foot passengers and if any of such persons shall not comply with the direction or request of any constable to move away so as to leave the footway clear and unobstructed or shall assault insult or annoy any foot passenger he shall be liable to a penalty not exceeding forty shillings. Penalty on persons obstructing footway.

147. If any person destroys pulls down injures or defaces any boards or conveniences for the reception of advertisements of the Corporation or any advertisement placard or bill affixed thereto or any placard or notice issued and put up by or under the direction of the Corporation or any notice of the position of a fire-plug or hydrant or any board provided by the Corporation on which any Penalty on pulling down notice boards.

A.D. 1890. — byelaw or part of a byelaw of the Corporation is painted or placed such boards placards or notices being affixed in places where the Corporation are legally entitled to affix the same he shall for every such offence be liable to a penalty not exceeding forty shillings.

As to unfenced ground.

148. Any unfenced ground adjoining or abutting upon any street shall for the purposes of the Act passed in the fifth year of the reign of King George IV. intituled “An Act for the punishment of idle and disorderly persons and rogues or vagabonds in that part of Great Britain called England” and any Act for the time being in force altering or amending the same be deemed to be a public place.

Byelaws for regulating traffic.

149. The Corporation may from time to time make byelaws for all or any of the following purposes:—

For prescribing the times during which and the route along which cattle may be driven :

For prescribing the places where and the hours within which during any fair or at any other time any show booth caravan circus or exhibition may be kept open and for preventing such places being open on Sundays and for preserving order therein :

And the provisions of section 23 of the Municipal Corporations Act 1882 shall apply to such byelaws as if they were byelaws made under that section for the good rule and government of the borough.

Restriction on advertising vehicles &c.

150. It shall not be lawful in any street in the borough to use any vehicle exclusively or principally for the purpose of displaying advertisements without the consent of the Corporation which consent shall be in writing under the hand of the town clerk and may contain such terms and conditions as the Corporation think fit Any person acting in contravention of the provisions of this section or of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds.

Places for dancing music and other entertainments to be licensed.

151. For the regulation of places for public dancing or music or other public entertainment of the like kind the following provisions shall have effect (namely):—

1. After the expiration of six months from the passing of this Act a house room garden or other place whether or not licensed for the sale of wine spirits beer or other fermented or distilled liquors shall not be kept or used for public dancing singing music or other public entertainment of the like kind without a licence for the purpose or purposes for which the same respectively is to be used first obtained from the justices acting for the borough for which licence and for

the registration thereof a fee of five shillings shall be paid by the person applying therefor: A.D. 1890.

2. Such justices may under the hands of a majority of them assembled at any annual licensing meeting or at any adjournment thereof or at any special session convened with fourteen days' previous notice grant licences to such persons as they think fit to keep or use houses rooms gardens or places for all or any of the purposes aforesaid upon such terms and conditions and subject to such restrictions as they by the respective licences determine and every licence shall be in force for one year expiring on the tenth day of October or for such shorter period as the justices on the grant of the licence shall determine unless the same shall have been previously revoked as herein-after provided:
3. Such justices may from time to time at any such special session aforesaid transfer any such licence to such person as they think fit:
4. Each person shall in each case give fourteen days' notice to the clerk of the justices and to the chief constable of the borough of his intention to apply for any such licence or for the transfer of any such licence:
5. Any house room garden or place kept or used for any of the purposes aforesaid without such licence first obtained shall be deemed a disorderly house and the person occupying or rated as occupier of the same shall be liable to a penalty not exceeding five pounds for every day on which the same is kept or used for any of the purposes last aforesaid:
6. There shall be affixed and kept up in some conspicuous place on the door or entrance of every house room garden or place so kept or used and so licensed as aforesaid an inscription in large capital letters in the words following
" Licensed in pursuance of Act of Parliament for
" with the addition of words
showing the purpose or purposes for which the same is licensed:
7. Any house room garden or place so kept or used although so licensed as aforesaid shall not be open for any of the said purposes except on the days and between the hours stated in the licence and the observance of the days and hours of opening and closing shall be inserted in and made a condition of every such licence:
8. The affixing and keeping up of such inscription as aforesaid and the observance of the days and hours of opening shall be inserted in and made conditions of every such licence:

A.D. 1890.

9. In case of any breach or disregard of any of the terms or conditions upon or subject to which the licence was granted the holder thereof shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds and such licence shall be liable to be revoked by the order of any two justices :

10. No notice need be given under sub-section 4 of this section when the application is for a renewal of an existing licence held by the applicant for the same premises :

11. The justices in any petty sessions may if and as they think fit grant to any person applying for the same a licence to keep or use any house room garden or place for any purpose within the meaning of this section for any period not exceeding fourteen days which they shall specify in such licence notwithstanding that no notice shall have been given under sub-section (4) of this section :

Provided nevertheless that this section shall not apply to any entertainment given by or under the direction of any religious charitable philanthropic literary or scientific institution society or body.

PART X.—OVERHEAD WIRES.

Byelaws for
prevention of
danger from
telegraph
wires &c.

152.—(1.) The Corporation may from time to time make and when made may from time to time alter and repeal byelaws for prevention of danger or obstruction to the public from posts wires tubes or any other appliances or apparatus stretched or placed over above along or across any street (whether before or after the passing of this Act) for the purposes of any telegraph or telephone or other purpose.

(2.) By such byelaws provision may be made for the inspection and examination by the Corporation of any such posts wires tubes or other appliances or apparatus and for the prohibition of any such posts wires tubes or other appliances or apparatus being or continuing to be stretched or placed as aforesaid in such manner as to be dangerous or to cause obstruction to the public.

(3.) Offenders against such byelaws shall be liable to such reasonable penalties as may be thereby prescribed not exceeding five pounds for each offence and a daily penalty not exceeding forty shillings and in addition to awarding any penalty the court of summary jurisdiction may order the removal of any post wire tube or other appliance which shall be adjudged to be stretched or

placed as aforesaid in contravention of any byelaw made by the Corporation under this section. A.D. 1890.

(4.) Byelaws made under this section and any alteration or repeal of any such byelaw shall not take effect unless and until they have been submitted to and confirmed by the Board of Trade which Board is hereby empowered to allow or disallow or to modify or amend the same as it may think proper and such reasonable notice of the intended submission of any such byelaw or of any alteration or repeal thereof for confirmation shall be given by the Corporation by advertisement in one or more local newspapers circulating in the borough and by circular letter to any company or person owning or leasing any post wire tube or other appliance or apparatus to which such byelaw shall apply and such company or person shall be entitled to appear before the Board of Trade and object to the confirmation alteration or repeal of any byelaw and all costs incurred by any parties in reference to the application for or objection to the confirmation alteration or repeal of any such byelaw shall be in the discretion of the Board of Trade.

(5.) The Board of Trade may exempt from the operation of any such byelaw for such period as they think proper not exceeding five years from the confirmation thereof any post wire tube or other appliance or apparatus which shall have been stretched or placed as aforesaid before such confirmation (herein-after referred to as "an existing work") And the Board of Trade may exempt from any alteration or repeal of any such bye-law for such period as they think proper not exceeding five years from the confirmation of such alteration or repeal any post wire tube or other appliance or apparatus which shall have been stretched or placed as aforesaid prior to such alteration or repeal in accordance with the byelaw proposed to be altered or repealed as originally framed.

(6.) The foregoing provisions of this section shall not apply to or include any apparatus which shall belong to any railway or canal company or which shall be used by them in connexion with their business and which now is or hereafter shall be fixed upon posts or supports upon any railway or the towing path of any canal provided such apparatus do not project or be not stretched or placed beyond such railway or towing path over any public street or be not stretched or placed over any public street crossing over such railway other than public streets which cross any railway on the level.

153. If during the said period of five years any of the existing works to which the last section is applicable is in the opinion of the surveyor in such a state or position that immediate danger to any person is to be apprehended he may give information to any justice who may thereupon summon the owner or lessee thereof or other

As to
existing
telegraph
wires &c.

A.D. 1890. — person interested therein forthwith to appear before a court of summary jurisdiction and the court may make an order requiring such owner lessee or other person or all or any of them to remove the source of danger or authorising the surveyor to do so at the expense of such owner lessee or other person or of all or any of them or such other order as may appear to the court under all the circumstances of the case to be necessary and proper.

Restrictions on placing wires &c. other than telegraph wires &c. over across or along streets.

154. It shall not be lawful for any person to fix or place any rope line cord wire tube or other similar apparatus (other than wires tubes or other apparatus for telegraphic telephonic or any electrical or railway signalling purpose) above ground over across or along any street without the consent in writing of the Corporation which consent may contain such terms and conditions as the Corporation think fit Any person acting in contravention of the provisions of this section or of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Saving for works of electric lighting undertakings.

155. Nothing in this part of this Act or any byelaws made thereunder shall extend to any works of any undertakers within the meaning of the Electric Lighting Acts 1882 and 1888 to which the provisions of those Acts apply.

Saving for posts wires &c. of Postmaster-General.

156. Nothing in this part of this Act shall extend to any posts wires tubes or other property of Her Majesty's Postmaster-General.

Saving as to rights of mine owners.

157. Nothing in this part of this Act shall limit or interfere with the rights of any owner lessee or occupier of any mines or minerals lying under or adjacent to any road along or across which any posts wires tubes or other appliances shall be stretched or placed to work such mines and minerals nor shall any such owner lessee or occupier be liable to make good or pay compensation for any damage which may be occasioned to such posts wires tubes or appliances by the working in the usual and ordinary course of his mines or minerals.

PART XI.—CORPORATION STOCK.

Preliminary.

Interpretation.

158.—(1.) In this part of this Act—

Rate includes gas rents and charges for supply of gas or of meters or fittings connected therewith.

(2.) Any power (whether or not coupled with a duty) of borrowing or continuing on loan or re-borrowing money or of redeeming or

paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under this Act or under any Act of Parliament public or local passed or to be passed or under any provisional order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed is for purposes of this part of this Act a statutory borrowing power.

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

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

Creation and Charge of Stock.

159.—(1.) Where the Corporation have for the time being any statutory borrowing power then subject and according to the provisions of this part of this Act the Corporation may from time to time by resolution of the council exercise the power by creation of redeemable stock to be from time to time issued for such amount within the limit of the power at such price to bear such half-yearly or other dividends and to be so transferable that is to say in books or by deed as the Corporation by the resolution direct Provided that all stock at any time and from time to time so created shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock bearing one and the same rate of dividend and redeemable at the option of the Corporation at one and the same period not exceeding sixty years from the first creation of Corporation stock.

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

Creation of
Corporation
stock.

A.D. 1890. time after the date of the first creation of any Corporation stock granted by the Corporation in pursuance of any statutory borrowing power.

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

(4.) Each resolution for creation of stock shall specify that the stock thereby created is redeemable.

(5.) Stock so created shall be designated by the Corporation as Walsall Corporation Redeemable Stock.

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

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

Charge of
Corporation
stock.

161.—(1.) All Corporation stock for the time being issued and the dividends thereon shall be and the same are by virtue of this Act charged indifferently on the whole revenues of the Corporation from time to time arising from the land undertakings and other property for the time being of the Corporation and on the borough fund and borough rate and on the district fund and general district rate and on all other funds and rates established and leviable by the Corporation as a municipal body for municipal purposes or as a sanitary authority for sanitary purposes.

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

Loans Fund.

A.D. 1890.

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

Establishment of consolidated loans fund.

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

Contributions to loans fund for dividends.

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

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

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

Contributions to loans fund for extinction of stock.

(2.) They shall provide the sum or sums last aforesaid by contributions from the several Corporation revenues if any specifically made liable to provide the same by or under any Act of Parliament

A.D. 1890.

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

(3.) The amounts of those several contributions (subject to any payment in reduction thereof authorised by this part of this Act) shall be the same amounts as would in the same respective cases have been payable towards a sinking fund or towards payment off as aforesaid those contributions to be subject to accumulation if and as in the same respective cases accumulation was prescribed Provided that if the Corporation shall issue stock for the purpose of raising money to pay off the mortgage debt charged upon their sewage lands and works they shall pay into the loans fund such yearly sums as with accumulations at the rate of three pounds per centum per annum will be sufficient to purchase at its nominal amount the portion of stock issued for that purpose at the end of sixty years from the date of issue of such stock And in case the Corporation shall issue stock for the purpose aforesaid their power to mortgage their sewage lands and works under section 235 (Power to borrow on credit of sewage land and plant) of the Public Health Act 1875 shall cease.

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

(5.) But if the extinction of any portion of Corporation stock or any part thereof is accelerated by the application to such extinction of any part of the loans fund required by this part of this Act to be applied to the making and maintenance of those accumulations then a sum or sums equal to the dividends on the stock so

extinguished shall thenceforth in every year during the residue of the period expressly or by implication limited for the continuance of any loan by or under the statutory borrowing power in exercise whereof that portion of stock is issued be paid into the loans fund out of the Corporation revenues chargeable with payment of the dividends on that portion of stock. A.D. 1890.

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

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

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

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

(2.) The Corporation shall pay into the loans fund and shall carry to the proper separate account forming part of the general account of the loans fund the rents and profits of any land and other property of the Corporation acquired by them for the purposes of any undertaking or purpose for or in respect of which any statutory borrowing power is exercised by them by the issue of stock and

A.D. 1890. — not otherwise wholly or in part appropriated or made applicable by law or by valid contract.

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

Application of loans fund.

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

Extinction of stock redeemed or purchased.

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

Account of loans fund.

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

(a.) Each undertaking or purpose for or in respect of which any statutory borrowing power is exercised by them by the issue of stock; and

(b.) Each statutory borrowing power so exercised.

(2.) Those separate accounts shall distinguish and show—

(c.) The portions of Corporation stock for the time being unextinguished and chargeable to each undertaking or purpose and respectively attributable to the exercise of the several statutory borrowing powers if more than one relating to that undertaking or purpose; and

(d.) The amounts of those several portions of Corporation stock redeemed or purchased by means of the loans fund and cancelled and extinguished.

(3.) Those separate accounts shall further distinguish and show in relation to each undertaking or purpose—

(e.) All money being capital or in the nature of capital arising from any sale lease or other disposition of land or other property of the Corporation paid into the loans fund and in the judgment of the Corporation properly attributable to that undertaking or purpose and the securities on which that money or any part thereof is from time to time invested; and

(f.) All money from time to time received as interest and annual proceeds of the last-mentioned money and securities; and

- (g.) All money from time to time received as rents and profits of any land and other property of the Corporation so as aforesaid acquired and not otherwise appropriated or made applicable; and
- (h.) All money and securities transferred to the loans fund as having formed part of a sinking fund and all money from time to time received as interest and annual proceeds of the last-mentioned money and securities or of securities wherein the same interest and annual proceeds are from time to time invested by way of accumulation; and
- (j.) All money paid into the loans fund as contributions from the Corporation revenues in respect of dividends on the several portions of Corporation stock chargeable to that undertaking or purpose; and
- (k.) All money paid into the loans fund as contributions from the Corporation revenues in respect of redemption and extinction or purchase and extinction of those several portions of Corporation stock; and
- (l.) All money being unclaimed dividends paid into the loans fund as herein-after provided.

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

Application of income in reduction of contributions.

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

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

A.D. 1890. Corporation from time to time may consider equitable and expedient (that is to say) :—

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

(b.) In reduction of such contributions out of the Corporation revenues as are payable into the loans fund for redemption and extinction or purchase and extinction of those portions of stock.

Determina-
tion as to
charge of
stock.

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

Conversion of other Securities into Stock.

Payment off
or substitu-
tion for
existing
securities.

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

(2.) The Corporation may in every such case make such reasonable payment as they may think fit to the holder of any security for his consent or for otherwise compensating him for the payment off or redemption of or substitution for his security and any such payment may be either in money or Corporation stock or partly in one and partly in the other.

(3.) The Corporation may create and issue Corporation stock to such amount as may be requisite for purposes of this section and that stock shall be deemed to be created and issued and any money

raised thereby shall be deemed to be raised by virtue of the statutory borrowing power under which the security was granted or created and any money so raised shall be applied in payment off or redemption of the security.

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

(5.) Where the holder of the security is one of the persons described in section seven of the Lands Clauses Consolidation Act 1845 and by that Act enabled to sell land thereunder that person may consent to payment or redemption of or substitution for the money secured or represented by that security and may accept money for giving that consent as if the person so consenting were the absolute owner of that security and that person is hereby indemnified for so doing and his receipt shall be a good discharge for the same.

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

Effect on Borrowing Powers.

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

Extinction
or suspen-
sion of
power.

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

(b.) If the stock is issued for part only of that term then so much of the money raised by that stock as has not been paid off out of the loans fund may be reborrowed by the

A.D. 1890.

Corporation for the residue of that term or any part thereof and so from time to time.

Application of Money raised.

General application of money from Corporation stock.

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

Temporary investment of money raised by stock.

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

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

Registration and Certificates.

Appointment of registrar.

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

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

Corporation stock register.

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

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

178.—(1.) On demand of a holder of Corporation stock the Corporation may if they think fit give to him a certificate of the proprietorship thereof under their common seal specifying the amount of Corporation stock to which he is entitled (in this part of this Act referred to as a stock certificate). A.D. 1890.
Certificates
of pro-
prietorship
of stock.

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

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

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

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

Transfer.

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

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

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

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

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

A.D. 1890. (5.) The person to whom a transfer is made may if he thinks fit underwrite his acceptance thereof.

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

Transfer by deed.

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

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

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

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

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

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

Evidence on transfer.

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

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

Closing of transfer books.

183.—(1.) The Corporation or the registrar with the approval of the Corporation may as regards any portion of Corporation stock close the Corporation stock transfer books or the register of transfers of Corporation stock (as the case may be) on any day in

the month next before that in which dividends on that portion of Corporation stock are payable but so that the books be not at any time kept closed for more than fifteen days. A.D. 1890.

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

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

Transmission.

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

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

186.—(1.) If the interest in any Corporation stock has become transmitted in consequence of the bankruptcy of a stockholder or the marriage of a female stockholder or by any lawful means other than a transfer in books or by deed or than the death of a stockholder that transmission shall be authenticated by a statutory declaration of one or more competent persons or in such other manner as the Corporation or the registrar require. Transmission on bankruptcy &c.

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

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

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

(5.) Until the transmission has been so authenticated the Corporation or the registrar shall not be affected thereby and no

A.D. 1890. — person claiming by virtue thereof shall be entitled to receive any dividend on the stock.

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

Dividends.

Payment of dividends. **187.** The Corporation may pay by the registrar the dividends on Corporation stock.

Dividends to executors &c. **188.** The Corporation or the registrar shall not be required to allow any executors or administrators to receive any dividend on Corporation stock held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the Corporation or the registrar for registration.

Evidence of title. **189.** The Corporation or the registrar before allowing the receipt of any dividend on any Corporation stock may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming a right to receive the dividend and that evidence shall be a statutory declaration of competent persons or of such other nature as the Corporation or the registrar may require.

Dividends to joint holders. **190.—(1.)** Where more persons than one are registered as joint holders of any Corporation stock any one of them may give an effectual receipt for any dividend thereon unless notice to the contrary has been given to the Corporation or the registrar by any other of them.

(2.) Where Corporation stock is standing in the name of an infant or person of unsound mind jointly with any person not under legal disability a letter of attorney for receipt of the dividends on the stock shall be sufficient authority in that behalf if given under the hand and seal of the person not under disability attested by two or more credible witnesses but the Corporation or the registrar before acting on the letter of attorney may if they or he think fit require proof to their or his satisfaction of the alleged infancy or unsoundness of mind by a statutory declaration of one or more competent persons.

Dividend warrants by post. **191.—(1.)** Where a Corporation stockholder desires to have his dividends sent to him by post he may make a request for that purpose to the Corporation or the registrar in writing signed by him in a form approved by the Corporation and shall give to the Corporation or the registrar an address in the United Kingdom or

in the Channel Islands or the Isle of Man to which the letters A.D. 1890.
containing the warrants are from time to time to be sent.

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

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

Stock Certificates with Coupons to Bearer.

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

Provisions
respecting
stock certi-
ficates with
coupons to
bearer.

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

(3.) No trustee shall apply for purchase take or hold a Corporation stock certificate to bearer unless he is in express words authorised to do so by the instrument creating his trust and any contravention of this provision by a trustee shall be deemed a breach of trust but this provision shall not impose on the Corporation or the registrar an obligation to inquire or to take notice whether a person applying for or holding a stock certificate to bearer is or is not a trustee or subject the Corporation or the registrar to any liability in case of their or his with or without notice issuing to a trustee a stock certificate to bearer or invalidate any stock certificate to bearer issued.

(4.) Where a Corporation stock certificate to bearer is outstanding the stock represented thereby shall cease to be transferable in books or by deed under and according to the provisions of this part of this Act.

(5.) The bearer of a Corporation stock certificate to bearer may on delivery up to the Corporation or the registrar of the certificate and of all unpaid coupons belonging thereto require to be entered in the Corporation stock register as the holder of the stock described in the certificate under which he derives title and thereupon the

A.D. 1890.

stock shall be re-entered in the register as transferable and shall become and again be transferable in the Corporation stock transfer books or by deed as the case may require and shall as regards the mode of payment of the dividends thereon be in the like condition as if no stock certificate to bearer had been issued in respect thereof.

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

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

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

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

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

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

(12.) All coupons issued under this Act in respect of any Corporation stock certificate to bearer shall for the purposes of the Acts relating to stamp duties be deemed to have been attached to and issued with such stock certificate.

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

continued to be registered in the Corporation stock register as transferable in books or by deed. A.D. 1890.

General.

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

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

Nature of Corporation stock notice of trusts.

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

194.—(1.) If at any time the Corporation for two months after demand in writing fail to pay any dividend due on any Corporation stock the person entitled thereto may apply to the High Court for a receiver and the court may if it thinks fit appoint a receiver on such terms as it thinks fit.

Receiver.

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

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

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

Protection of holders of Corporation stock.

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

Annual return to Local Government Board.

A.D. 1890.

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

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

Unclaimed
dividends.

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

(2.) Where any dividend remains unclaimed for five years from the time for payment thereof the Corporation shall cause notice thereof to be sent by post in a registered letter addressed to the stockholder named in their books by the description and at the address therein appearing and so at the expiration of three other successive periods of five years.

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

(4.) At the end of every successive period of ten years from the day when the first dividend becomes payable on Corporation stock first issued after the passing of this Act the Corporation unless it has been otherwise agreed between them and the registrar may require the registrar to repay to them all dividends unclaimed during that period and then in his hands and the Corporation shall pay the same into the loans fund and may deal therewith as they are by his part of this Act empowered to deal with money paid into the loans fund as interest on cash balances received by them

without prejudice nevertheless to the rights of any person to those dividends. A.D. 1890.

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

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

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

201.—(1.) Nothing in this part of this Act shall affect any power or duty of the Corporation to sell lease or otherwise dispose of any land or property of the Corporation or to apply any purchase money or other money arising thereby in discharge of any charge on that land or property or the revenues thereof other than the charge of Corporation stock or affect any claim of any person under such first-mentioned charge. Saving for power to sell lands &c.

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

202. Nothing in or done under this part of this Act shall affect any security or charge created or granted or payable by the Corporation before the date of the first creation of any Corporation stock and the Corporation shall whenever required by the holder of any security or charge aforesaid apply all such money do all such acts exercise all such powers collect all such money and make and levy all such rates as they would or ought to have applied done Saving for existing securities.

A.D. 1890. exercised collected made and levied for his benefit and security if this part of this Act had not been enacted.

Forgery. **203.**—(1.) Corporation stock shall be deemed capital stock of a body corporate within the Act of the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty (chapter ninety-eight) “to consolidate and amend the statute “law of England and Ireland relating to indictable offences by “forgery.”

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

Orders of Local Government Board. **204.** Any order of the Local Government Board under this part of this Act may contain such directions as the Board think necessary or proper for giving effect thereto and shall be enforceable by writ of mandamus to be obtained by the Board out of Her Majesty’s High Court of Justice and may be from time to time cancelled or varied by the Board as the circumstances of the case may require but the Board shall not make any such order without first hearing the Corporation if desirous of being heard which hearing may be in the form of a public inquiry with or without a published report or in such other form as the Board having regard to the circumstances think just and expedient and sections 294 and 296 of the Public Health Act 1875 shall apply to hearings inquiries and other proceedings to which this section relates.

Regulations by Bank of England. **205.** Where the Bank of England or any other bank are the registrar they may with the sanction of the Corporation from time to time issue any forms that may be required for carrying into effect the provisions of this part of this Act and may also from time to time make any regulations that are not inconsistent with this part of this Act relative to the following things and when made may alter vary or repeal any such regulations and make other regulations instead thereof or in addition thereto and any such regulations for the time being in force shall be duly observed :—

- (a.) The period for which coupons are to be given ;
- (b.) The mode in which the bank are to act in issuing stock certificates to bearer or entering in the transfer books the bearers of stock certificates to bearer ;
- (c.) The mode of proving the title of or identifying any person applying for a stock receipt or stock certificate or stock certificate to bearer ;

(d.) With respect to anything necessary for carrying into effect the provisions of this part of this Act which relate to or affect the bank. A.D. 1890.

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

207.—(1.) Fees not exceeding those specified in the said schedule may be taken by or on behalf of the Corporation in the cases therein mentioned. Fees.

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

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

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

PART XII.—RATES.

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

210. For the better and more effectually maintaining and improving the Walsall free library and otherwise carrying into execution the powers and duties of the Corporation under the Public Libraries (England) Acts 1855 to 1889 those Acts shall be read and have effect as if the limit on the rate thereby imposed Limit of library rate enlarged.

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were twopence in the pound. Provided that such rate shall not be increased beyond the sum of one penny in the pound unless a notice of the resolution of the council authorising such increase shall have been published in some newspaper circulating within the borough. And if within fourteen days after the publication of such notice fifty ratepayers or more by writing under their hands require the mayor to take the opinion of the burgesses as to the expediency of increasing the said rate he shall proceed to ascertain the opinion of the ratepayers of the borough by the issue of voting papers in accordance with the Public Libraries (England) Acts 1855 to 1889 and no such increased rate shall (in the event of the opinion of the ratepayers being so required) be levied unless consented to by a majority of the ratepayers of the borough voting on the question.

The Corporation may collect municipal rates.

211.—(1) The Corporation may if they think fit from and after the commencement of this Act by resolution of the Council determine themselves to levy collect and recover as well as to make and assess all or any of the municipal rates as herein-after defined.

(2) After the passing of such resolution the Council may from time to time make any municipal rate of the amount in the pound necessary for raising the sum estimated by the council to be required for the purposes to which such rate is applicable but subject to any limitation of amount to which any such rate is subject.

(3) Every municipal rate so made by the council shall (subject to the provisions of this Act) be assessed on and levied from the occupiers of all hereditaments in the borough for the time being by law assessable to any rate for the relief of the poor and shall be assessed on the full net annual value of such property as ascertained by the valuation list for the time being in force or if there be none by the rate for the relief of the poor made next before the making of the assessment under this Act.

(4) Subject as aforesaid the council may make assess levy collect and recover any such municipal rate in the same manner as and with and under the same provisions (except as to exemptions from and reductions in the assessment and deductions from the amounts of rates) with which they make assess levy and recover the general district rates and they may so make assess levy collect and recover the same rates either together or as separate rates.

(5) They may employ and pay such clerks collectors and other persons as may be required for the purpose of this section and the Corporation and persons so employed shall as nearly as may be have the like powers rights and remedies for and be subject to the

like obligations with respect to the making assessing levying collecting and recovering of such rates as overseers have and are subject to by law in relation to poor rates and the obligations and duties of the overseers and their collectors shall on the exercise by the Corporation of the powers of this section cease in relation to the making assessing levying and collecting of the said rates within the borough. A.D. 1890.

(6) Nothing in this section shall prejudice or affect the collection and recovery by the overseers of any borough rate or municipal rate made before the Corporation so exercise the said powers.

(7) Nothing in this Act shall be construed to require any municipal rate to be allowed by justices.

(8) The Corporation may include any municipal rate general district rate water or gas rate rent or charge and all other rates for the time being leviable by them in one or more book or books or set of books of assessment with separate columns and divisions and in one demand note.

212. If any person think himself aggrieved by any rate or assessment made under the preceding section of this Act the marginal note whereof is "The Corporation may collect municipal rates" he may at the first practicable meeting of the council held after the publication of such rate after giving three days' notice in writing to the Corporation apply to the Corporation for relief and they may grant such relief as they may think right and may amend such rate or assessment accordingly and if any such person think himself aggrieved by the determination of the Corporation he may appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts. Power to appeal against rates.

213. In and for the purposes of this part of this Act the expression "municipal rate" means and includes the borough rate and watch rate and all other rates or contributions (general or special) which the council are authorised to levy under this Act or to levy or cause to be levied under or for the purposes of the following Acts (namely) :— Definition of municipal rate.

The Public Libraries Act 1855 (18 and 19 Victoria chapter 70) and any Act amending the same ;

The Education Act 1870 (33 and 34 Victoria chapter 75) and any Act amending the same ;

The Municipal Corporations Acts ;

and other public or local Act or Acts for the time being and from time to time hereafter in force authorising the Corporation or the council to levy or cause to be levied or to pay or provide any rate

A.D. 1890. contribution sum of money or payment on the same basis as or out of the borough rate.

Rating of owners instead of occupiers in certain cases.

214. The Corporation may by resolution declare that the owners instead of the occupiers of such rateable hereditaments as are mentioned in section 4 of the Poor Rate Assessment and Collection Act 1869 shall be rated to the municipal rates and thereupon the enactments contained in that section shall be deemed to apply to rating to the municipal rates and with the same incidents conditions powers liabilities and remedies as if the municipal rates were the poor rate except that instead of the allowance therein mentioned the assessment may be made on one-half of the amount at which such hereditaments would be liable to be rated if the same were occupied and the rate were levied on the occupiers For the purpose of this section the word "owner" includes an owner who is also the occupier of rateable hereditaments.

On the passing of the said resolution and publication thereof in the London Gazette and some newspaper circulating within the borough section XXIX (by mistake numbered XXX in the Sixth Schedule to the Act of 1876) the marginal note of which is "Owners of small tenements to be rated instead of occupiers and to pay reduced rate whether tenement occupied or not" of the Act of 1850 shall be repealed.

Power to levy rates by instalments.

215. The Corporation may levy any rate they are for the time being authorised to make either in one sum or by any number of instalments (not being more than four) of such amounts and to be paid at such times within the financial year as they shall from time to time fix and determine at the time of making the rate but if the rate is made payable by instalments the demand note shall in addition to other requisite particulars state the time appointed for payment of each instalment and all the powers rights and remedies of the Corporation and their officers for levying and recovering of rates shall extend and apply to each instalment as if the same were a separate rate.

PART XIII.—MISCELLANEOUS PROVISIONS.

Repeal of differential gas charges.

216. So much of section 45 (Charge for gas with additional charge in outlying districts of borough) of the Act of 1876 as authorises or requires the Corporation to make an additional charge for the supply of gas outside the limits of the Act of 1848 and all other provisions of that section relating to such additional charge shall as from the twenty-ninth day of September one thousand eight hundred and ninety be repealed.

217.—(1) The Corporation may if they think fit grant a gratuity (not exceeding one year's pay) to any of their officers or servants who may be disabled or injured in their service or to the widow or family of any such officer or servant who may die in the service.

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Power to grant gratuity in certain cases.

(2.) Every such gratuity shall be charged on and paid out of the fund or funds on which the salary or emoluments of the officer or servant would have been charged or paid if he had continued in his office or service.

218. When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided for by the Public Health Acts.

Compensation how to be determined.

219. All costs incurred by the Local Government Board (including such reasonable sum not exceeding three guineas a day for the services of any inspector) in relation to any duties imposed on that Board under this Act shall be paid by the Corporation.

Costs of Local Government Board to be paid by Corporation.

220. Any person deeming himself aggrieved by any order judgment determination or requirement or the making or withholding of any certificate licence or consent or approval of or by the Corporation or of or by any officer or valuer of the Corporation or by any conviction or order made by a court of summary jurisdiction under any provision of this Act may appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts.

As to appeal.

221. Offences against this Act and 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.

Recovery of penalties &c.

222. Any notice or other such document under this Act may be in writing or print or partly in writing and partly in print and if the same require authentication by the Corporation the signature of the town clerk or other duly authorised officer of the Corporation shall be sufficient authentication. Notices orders and any other documents required or authorised to be served under this Act may be served in the same manner as notices under the Public Health Act are by section 267 of that Act authorised to be served. Provided always that in the case of any company any such notice or document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

Authentication and service of notice.

- A.D. 1890. **223.** All the provisions with respect to byelaws contained in sections 182 to 185 (both included) of the Public Health Act 1875 (except so much thereof as relates to byelaws of a rural sanitary authority) shall apply to all byelaws from time to time made by the Corporation under the powers of this Act except byelaws made under Part X (Overhead Wires) of this Act and byelaws to which the Municipal Corporations Act 1882 applies.
- General provisions as to byelaws.
- Contents of summons. **224.** Any summons or warrant issued for any purpose of this Act may contain in the body thereof or in the schedule thereto several sums.
- Judges not disqualified. **225.** 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 payable to the Corporation.
- Saving for Acts relating to animals &c. **226.** Nothing in or done under this Act shall interfere with the operation or effect of the Contagious Diseases (Animals) Acts 1878 to 1886 or of any Act amending the same or of any order licence or Act of the Board of Agriculture made granted or done or to be made granted or done thereunder or of any order regulation licence or Act of a local authority made granted or done or to be made granted or done under any such order of the Board of Agriculture or exempt the markets or fairs to which this Act relates or any building or thing whatsoever or any body or person from the provisions of any general Act relating to animals already passed or to be passed in this or any future session of Parliament.
- Saving as to water supply in added part of borough. **227.** Nothing in this Act contained shall render it obligatory upon the South Staffordshire Waterworks Company to supply water within the added part of the borough at a greater pressure than would have been sufficient if this Act had not been passed or alter prejudice diminish or affect any of the rights powers and privileges of the South Staffordshire Waterworks Company under any Act or Acts relating to that company.
- Costs of Act. **228.** 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 rate or out of moneys to be borrowed on the security of that fund and rate and which moneys the Corporation are hereby authorised to borrow and required to repay if borrowed in accordance with the provisions of the Public Health Acts.

THE FIRST SCHEDULE.

MUNICIPAL LOAN ACCOUNT (BOROUGH RATE).

1	2	3	4	5	6	7
Authority for borrowing.	Amount autho- rised.	Amount bor- rowed.	Period allowed for repayment from date of borrowing.	Amount paid off to 29th September 1889.	Balance out- standing on 29th Sep- tember 1889.	Purposes for which borrowed.
	£	£		£ s. d.	£ s. d.	
The Municipal Corporation (Mort- gages, &c.) Act, 1860 - - -	1,500	1,500	30	1,000 0 0	500 0 0	} Municipal Buildings, Wal- sall and Bloxwich. Prison Accommodation.
The Prisons Act, 1877 - - -	2,500	2,500	30	-	2,500 0 0	
	4,620	4,620	35	1,386 0 0	3,234 0 0	
The Public Libraries Act, 1855 -	1,500	1,500	} No term fixed for repayment.	500 0 0	1,000 0 0	} Free Library Buildings.
The Act of 1876 - - -	100,000	100,000		2,700 0 0	97,300 0 0	
The Walsall Corporation (Loans) Order, 1882 - - -	15,000	7,800	30	-	7,800 0 0	} Gasworks Undertaking. Walsall and Bloxwich Cemeteries.
	5,000	5,000	} Repaid by instalments of 1/50th annually. Repaid by means of a sinking fund of 1/50th annually.	2,980 0 0	2,020 0 0	
The Burial Act, 1854 - - -	5,000	5,000		1,000 0 0	4,000 0 0	
	£135,120	127,920	-	9,566 0 0	118,354 0 0	

SANITARY LOAN ACCOUNT (GENERAL DISTRICT RATE).

The Public Health Act, 1872 -	2,000	2,000	30	785 7 11	1,214 12 1	Epidemic Hospital.
	600	600	30	-	600 0 0	} Street Improvements.
	1,213	1,013	30	160 0 0	853 0 0	
	3,620	3,620	30	215 4 10	3,404 15 2	} Wharves and Sanitary Depôt.
	5,300	5,300	20	1,833 18 5	3,466 1 7	
	520	520	20	-	520 0 0	} Making West Bromwich Road.
	567	567	15	-	567 0 0	
	167	167	10	-	167 0 0	} Steam Fire Engine and Fire Escape.
	400	400	10	-	400 0 0	
The Public Health Act, 1875 -	2,100	2,100	20	299 9 4	1,800 10 8	} Steam Road Roller. Sewage Farm Horses and Implements.
	30,000	30,000	50	1,223 14 10	28,776 5 2	
	6,135	6,135	30	1,998 15 0	4,136 5 0	} Land and Works for dis- posal of Sewage.
	27,510	20,000	30	3,864 12 6	16,135 7 6	
	12,500	12,500	} Borrowed on Land, no term fixed for repayment.	-	12,500 0 0	} Artizans Dwellings Im- provement Scheme.
	7,000	7,000		-	7,000 0 0	
The Artizans and Labourers Dwell- ings Improvement Act, 1875 -	10,000	10,000	50	855 14 3	9,144 5 9	
	5,000	5,000	30	791 16 5	4,208 3 7	
	£114,632	106,922	-	12,028 13 6	94,893 6 6	

SUMMARY of OUTSTANDING LOANS owing by the CORPORATION on 29th September 1889.

	£	s.	d.
Charged on the borough fund and rate - - -	118,354	0	0
" " " general district rate - - -	82,393	6	6
" " " lands for disposal of sewage - - -	12,500	0	0
	213,247	6	6

A.D. 1890.

THE SECOND SCHEDULE.

DESCRIPTION OF THE ADDED PART OF THE BOROUGH.

So much of the parish of Rushall as lies within the following boundary (that is to say) commencing from and out of the boundary of the existing borough where such boundary intersects the Cartbridge Lane at Coal Pool thence proceeding in a southerly direction along the easterly side of such lane to its junction with the Lichfield Road thence northward for a distance of thirty-seven yards along the westerly side of such road to a point opposite to the end of Hall Lane thence eastward across the Lichfield Road and along the northerly side of Hall Lane for a distance of three hundred and thirty-two and a half yards thence across Hall Lane to a point in that lane thirty-three yards from an imaginary line in production of the east end of Rushall Church thence south-eastward in a straight line to the junction of Mellish Road with the road from Longwood Bridge to Walsall thence eastward along the northerly side of the said last-mentioned road to Longwood Lane thence southward along the easterly side of Longwood Lane to the boundary of the existing borough.

THE THIRD SCHEDULE.

PRIVATE STREET WORKS.

PART I.

Particulars to be stated in Specifications Plans and Sections Estimates and Provisional Apportionments.

Specifications.—These shall describe generally the works and things to be done and in the case of structural works shall specify as far as may be the foundation form material and dimensions thereof.

Plans and Sections.—These shall show the constructive character of the works and the connections (if any) with existing streets sewers or other works and the lines and levels of the works subject to such limits of deviation (if any) as shall be indicated on the plans and sections respectively.

Estimates.—These shall show the particulars of the probable cost of the whole works including the commission provided for by this Act.

Provisional Apportionments.—These shall state the amounts charged on the respective premises and the names of the respective owners or reputed owners and shall also state whether the apportionment is made according to the frontage of the respective premises or not and the measurements of the frontages and the other considerations (if any) on which the apportionment is based.

PART II.

A.D. 1890.

Any resolution notice or other document required by this Act to be published in the manner prescribed by this schedule shall be published once in each of two successive weeks in some local newspaper circulating within the borough and shall be publicly posted at the town hall and in or near the street to which it relates once at least in each of three successive weeks.

THE FOURTH SCHEDULE.

TOLLS IN THE GENERAL MARKET AND FAIR.

	s.	d.
For every couple of ducks and fowls - - - - -	0	0½
For every goose or turkey - - - - -	0	1
For every chest of oranges or pot of fruit - - - - -	0	2
For eggs or articles not specifically charged carried in a basket on the arm - - - - -	0	1
For articles carried about for sale by any one person - - - - -	0	1
Ditto for two persons - - - - -	0	2
For articles in a basket on the ground and not specifically charged the following sums namely :—		
If occupying not more than two square feet - - - - -	0	1
If occupying more than two square feet then for every square foot and fraction of a square foot - - - - -	0	1
For every umbrella reversed to contain articles for sale - - - - -	0	2
For articles spread on the ground and not herein-before charged the following sums namely :—		
If occupying not more than one square yard - - - - -	0	2
If occupying more than one square yard then for every square yard and fraction of a square yard - - - - -	0	2
For articles sold by mock auction or out of a vehicle from which articles are sold - - - - -	2	0
For articles in a wheelbarrow - - - - -	0	2
For articles in a truck hand cart or other vehicle not drawn by any animal the following sums namely :—		
If occupying not more than one square yard - - - - -	0	2
If occupying more than one square yard then for every square yard and fraction of a square yard - - - - -	0	2
For vegetables or other articles contained in a cart when loaded in the body only - - - - -	0	6
Ditto when loaded on the wings or higher than the body of the same - - - - -	0	9
Ditto contained in a waggon when loaded in the body only - - - - -	1	0
Ditto when loaded on the wings - - - - -	1	6

A.D. 1890.

	s.	d.
For articles not specifically charged placed upon a stall not exceeding three feet wide per foot in length - - - - -	0	1
For articles not specifically charged placed upon a stall exceeding three feet but not exceeding four feet wide per foot in length - - - - -	0	1½
For articles not specifically charged on a table or stand the following sums namely:—		
If occupying more than one square yard - - - - -	0	2
If occupying more than one square yard then for every square yard and fraction of a square yard - - - - -	0	2
For articles in a tub or cask capable of containing not more than two bushels - - - - -	0	2
For articles in a tub or cask capable of containing more than two but not more than three bushels - - - - -	0	4
For articles in a tub or cask capable of containing more than three bushels - - - - -	0	6
For articles of every description not herein-before charged each - - - - -	0	1

FAIR.

For cheese per ton or fraction of a ton - - - - -	2	0
For every cheese weighing frame - - - - -	1	0
For every stack of onions per cubic yard or fraction of a yard - - - - -	0	6

TOLLS IN THE CATTLE AND PIG MARKET.

For every pig - - - - -	0	1
For sheep per score - - - - -	1	8
For every ewe with lambs per score - - - - -	2	6
For fat lambs per score - - - - -	1	8
And in that proportion for a greater or less number.		
For every bull - - - - -	1	0
For every cow and calf - - - - -	0	3
For every calf - - - - -	0	1
For every cow steer or other bullock not herein-before specified - - - - -	0	2
For every horse mare filly or gelding - - - - -	0	4
For every sucking colt - - - - -	0	2
For every ass or mule - - - - -	0	2
For every entire horse for hire sale or show - - - - -	1	0
For every van stage show or swing - - - - -	2	6
For every goat - - - - -	0	1

TOLLS FOR WEIGHING MACHINES.

For weighing any cart waggon or other carriage not exceeding one ton	0	2
And so in proportion for any smaller or greater weight than one ton.		

THE FIFTH SCHEDULE.

A.D. 1890.

FORMS.

(A.)

RESOLUTIONS OF COUNCIL ON CREATION OF STOCK.

Resolved first—

That under the authority and subject to the provisions of the Walsall Corporation Act 1890 the Corporation acting by the council do hereby in exercise of their several statutory powers create stock to be called Walsall Corporation Redeemable Stock and to be issued to an amount sufficient for the following purposes but not exceeding pounds:—

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

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

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

and which sums the Corporation are under those Acts authorised to reborrow.

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C. For raising the sum of _____ pounds for repaying the amount temporarily borrowed by the Corporation from [*the Bank of England*] in order to enable the Corporation to meet sums which amount to _____ pounds being a portion of their debt secured on _____ outstanding securities granted by the Corporation for raising money _____ for the purposes of the following Acts (that is to say):—

and which sums the Corporation are under _____ those Acts authorised to reborrow.

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

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

Resolved secondly—


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

- A. The minimum price of issue to be £ _____ per cent. the first dividend to be payable on the [1st January 18 ____];
- B. Tenders for stock to be made to [*the Bank of England*]. A deposit of 5 per cent. on the amount of stock tendered for to be paid at [*the Bank of England*] at the time of the delivery of the tender;
- C. The dates for the further payments on account of the said tenders when accepted to be as follows:—On [Wednesday the 20th day of October 18 ____] so much of the amount tendered and accepted as when added to the deposit will leave £75 (sterling) to be paid for each £100 of stock On Friday the 26th day of November 18 ____ 25 per cent. On Tuesday the 11th day of January 18 ____ 25 per cent. On Tuesday the 1st day of March 18 ____ 25 per cent.] In case of default in the payment of any instalment at its proper date the deposit and instalments previously paid will be liable to forfeiture;
- D. Dividends at £ _____ per cent. per annum payable [*quarterly*];
- E. Dividends on the total amount of stock (calculated from the [1st October 18 ____]) to be payable on the [1st January 18 ____];
- F. Scrip certificates to bearer with coupons attached for the dividends payable [1st January 18 ____] and [1st April 18 ____] to be issued in exchange for the provisional receipts;
- G. In the event of the receipt of tenders for a larger amount of stock than that proposed to be issued at or above the minimum price the tenders at the lowest price accepted to be subject to proportionate diminution;
- H. Stock to be issued in sums of not less than £10;
- J. Stock to be transferable [*in books and not by deed*].

Resolved thirdly—
That such stock shall be redecmable as follows : [*state terms*].

A.C 1890.

Resolved fourthly—
That an agreement be entered into with the Commissioners of Inland Revenue for the payment to them of composition under the provisions of the Customs and Inland Revenue Act 1887 for the stamp duty on transfers of stock issued under the foregoing resolutions.

(B.)		
STOCK RECEIPT.		
WALSALL CORPORATION REDEEMABLE STOCK.		
(£ per cent.)		
Redeemable 19		
<i>Transfer days :</i> Monday, Tuesday, Wednesday, Thursday, Friday. <i>Holidays excepted.</i>	RECEIVED this day of 18	 The Proprietors to protect themselves from fraud are recommended to accept by themselves or their attorneys all transfers made to them.
	of	
	herein-after called the said transferee	
	the sum of	
	being the consideration for	
interest or share in the WALSALL CORPORATION REDEEMABLE STOCK (£ per cent.) transferable at [the Bank of England] and all my property and interest in and right to the same and the dividends thereon by this day transferred unto the said transferee		£ s. d.
Witness Witness hand		
Witness		

[Indorsement.]

NOTICE TO HOLDERS OF WALSALL CORPORATION REDEEMABLE STOCK.

(£ per Cent.)

Payment of Dividends.

Dividends are due on [*the 1st January 1st April 1st July and 1st October*] unless the [1st] of either of these months falls on a Sunday in which case the dividends will be payable on the following day.

F 3

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

I. To the stockholders personally or to their attorneys at [the Bank of England].

N.B.—Stockholders may arrange for the receipt of their dividends free of charge at any of the [country] branches on application to the agent.

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

1. Any stockholder residing within the United Kingdom or in the Channel Islands or the Isle of Man who desires to have his dividend warrant sent to his address by post must fill up a form of application to be obtained at [the bank or at any of its branches].
2. In the case of joint accounts the application must be signed by all the members of the account directing the warrant to be sent to one of them at a given address.
3. Post dividend warrants will be crossed & Co. and will only be payable through a banker. They will be drawn to the order of the stockholder and must be endorsed.

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

Stock Certificates to Bearer.

Stock certificates to bearer of the denominations of [£10 or any multiple of £10] with coupons for the [quarterly] dividends attached may be obtained in exchange for inscribed stock except in the case of stock held on any trust.

(C.)

WALSALL CORPORATION REDEEMABLE STOCK CERTIFICATE.

Redeemable 19 .

BOROUGH OF WALSALL.

Number

This is to certify that A.B. of [] is the proprietor of [] pounds of Walsall Corporation Redeemable Stock subject to the Acts of Parliament relating thereto.

Given under the common seal of the mayor aldermen and burgesses of the borough of Walsall this day of 18 .

(D.)

A.D. 1890.

TRANSFER IN BOOKS.

WALSALL CORPORATION REDEEMABLE STOCK (£

PER CENT.)

Redeemable 19 .

No.

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

Witness to
the identity
of interest or share in the WALSALL CORPORA-
TION REDEEMABLE STOCK (£
PER CENT.) transferable at [the Bank of
England] and all my property and interest
in and right to the same and the dividends
thereon unto

executors administrators or assigns Witness
hand
Witness
do freely and voluntarily accept the above stock transferred
to
Witness

£	s.	d.

(E.)

APPLICATION FOR ISSUE OF POWER OF ATTORNEY.

[Bank of England] the day of 18

From A.B. and C.D. [the registered stockholders in the Bank Books]

£ WALSALL CORPORATION REDEEMABLE STOCK (£ per cent.)

To G.H. [the intended attorney]

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

A.D. 1890.

(F.)

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

Corporate }
Account. }

WALSALL CORPORATION REDEEMABLE STOCK.

Acceptance Sale of £

and Dividends

We
our attorneys and attorney
for us and in our name and on our behalf—

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

WALSALL CORPORATION REDEEMABLE STOCK:

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

said stock standing in our name in the books of [*the Governor and Company of the Bank of England*];

Thirdly—to receive and give receipts for all dividends or payments due or to become due on any sum of the said stock from time to time standing in our name in the books of [*the Governor and Company of the Bank of England*];

And also—to do whatever is necessary or proper to be done for the purposes aforesaid or any of them.

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

Sealed with the corporate seal and delivered in the presence of

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

[Indorsement.]

INSTRUCTIONS FOR EXECUTING THE WITHIN LETTER OF ATTORNEY.

Corporate }
Account. }

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

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

A witness resident in a town must give the number of the house as well as the name of the street.

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

When a witness is a *female* she must state whether she is a *spinster wife* or *widow* and if a *wife* she must give her husband's name address and quality profession or occupation. A.D. 1890.

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

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

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

(G.)
DEED OF TRANSFER.
BOROUGH OF WALSALL.

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

As witness our hands and seals the day of 18 .

(H.)
DIVIDEND WARRANT.
WALSALL CORPORATION REDEEMABLE STOCK.
(£ per Cent.)

To [the cashiers of the Bank of England.]

Pay to bearer the sum of _____

for [one quarter] of a year's dividend on the	}						
sum of £							
WALSALL CORPORATION REDEEMABLE STOCK (£							
per cent.) due							
18 Less property tax at d. per £.	}						

A.D. 1890.

I do hereby acknowledge to have received of [the Bank of England] the above-mentioned sum in full payment for [one quarter] of a year's dividend due as abovesaid.

Witness

Witness my hand this

18 .

(I.)

DIVIDEND WARRANT BY POST.

WALSALL CORPORATION REDEEMABLE STOCK (£ PER CENT.)

REQUEST FOR TRANSMISSION OF DIVIDEND WARRANTS BY POST.

To [the Governor and Company of the Bank of England].

Amount.
"my" or
"our."

A sum of £ WALSALL CORPORATION REDEEMABLE STOCK
(£ per Cent.) is now standing in name as follows:—

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

"I" or "we."
"myself" or
"our nominee."

As the person entitled to the dividends upon the above-mentioned amount of stock hereby authorise [the Accountant-General of the Bank of England for the time being] in the name of to draw upon [the Governor and Company of the Bank of England] for the amount of the [quarterly] dividends due and to become due on the said amount of stock or on the amount for the time being standing in name :

"my" or
"our."

"I" or "we."
"my" or
"our."

And hereby request the said [Accountant-General] to send through the post at risk and until further notice the warrants so drawn to—

If the account is a sole one insert here the name and address of the stockholder.
If the account is a joint one insert here the name and address of one of the stockholders as nominee.

Name _____

Present address _____

SIGN HERE.

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

Date _____ 18 ____ .

[*On second half-sheet of same form.*]

A.D. 1890.

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

NOTICE TO HOLDERS OF WALSALL CORPORATION REDEEMABLE STOCK.

(£ per cent.)

Transmission of Dividend Warrants by Post.

Dividends upon the above-named stock may be transmitted through the post to the *stockholder* in sole accounts and to *any one of the stockholders* in joint accounts *at their risk* upon a form of request being duly filled up and forwarded to [the Accountant-General Bank of England] Forms are obtainable at [the Bank of England and at any of its branches].

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

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

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

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

Dividends are payable on [1st January 1st April 1st July and 1st October].

When the [1st] happens on a Sunday the dividends are not payable until the [2nd].

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

For the dividend payable [1st January] the balance is struck on or about the [1st December].

For the dividend payable [1st April] the balance is struck on or about the [1st March].

For the dividend payable [1st July] the balance is struck on or about the [1st June].

For the dividend payable [1st October] the balance is struck on or about the [1st September].

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

Any change of address of the stockholder in sole accounts or of the nominee in joint accounts should be notified at once to [the Accountant-General] When any such notification reaches [the bank] less than a fortnight before the next dividend is due there may be a delay of a few days in the delivery of the warrant for such next dividend.

In the absence of any notification to the contrary it will be taken for granted that dividend warrants have duly reached their destinations When

A.D. 1890. they are not received on the correct day notice should be given to [the Accountant-General] without delay.

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

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

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

All communications with reference to postal dividend warrants should be addressed to [the Accountant-General Bank of England] and the postage should be prepaid.

(2.)

POST DIVIDEND WARRANT.

WALSALL CORPORATION REDEEMABLE STOCK.

(£ per Cent.)

To [the Governor and Company of the Bank of England London].

Pay to me or my order on demand the sum of

being [one quarter] of a year's dividend at }
£ per cent. per annum due on the }
[1st] day of 18 on }
the sum of £ { Walsall Corporation
Redeemable Stock
(£ per cent.) }

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

Less property tax at per £

*Accepted for [the Governor and Company
of the Bank of England].*

[Per pro]

[F. May]

[Chief Cashier.]

[Accountant-General.]

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

K.

STOCK CERTIFICATE WITH COUPONS TO BEARER.

WALSALL CORPORATION REDEEMABLE STOCK CERTIFICATE TO BEARER.

Dividend at £ per cent. per annum.

[£50]

A 00000.

This is to certify that the bearer of this certificate is entitled to [FIFTY] POUNDS WALSALL CORPORATION REDEEMABLE STOCK with dividend thereon at

[53 & 54 VICT.] *Walsall Corporation Act, 1890.* [Ch. cxxx.]

the rate of £ per cent. per annum transferable at [the Bank of England] A.D. 1890.
pursuant to the Walsall Corporation Act 1890.

Dated 18 .

For [the Governor and the Company
of the Bank of England]
[F. MAY].

Countersigned
[*S. O. GRAY*
Chief Accountant
Bank of England].

A 00000 [£50]

The coupons attached to this certificate are payable at [the chief establishment of the Bank of England] or at [any of the country branches].

When the coupons are exhausted this certificate will be exchanged on presentation at [the chief cashier's office Bank of England] for a new certificate with fresh coupons attached.

[COUPONS.]

<p>5 Div. WALSALL CORPORATION REDEEMABLE STOCK.</p> <p>Coupon for Shillings and Pence (less Income Tax)</p> <p>being [Three] Months' Dividend at £ per Cent. per Annum.</p> <p>A 00000 Due [1st January 18]</p> <p>on Certificate for [FIFTY] POUNDS WALSALL CORPORATION REDEEMABLE STOCK.</p> <p>£0 0 0. Payable at [the Bank of England].</p>	<p>5 Div.</p> <p>WALSALL CORPORATION REDEEMABLE STOCK.</p> <p>Due [1st Jan. 18 .]</p> <p>A 00000</p> <p>£0 0 0</p>	<p>4 Div. WALSALL CORPORATION REDEEMABLE STOCK.</p> <p>Coupon for Shillings and Pence (less Income Tax)</p> <p>being [Three] Months' Dividend at £ per Cent. per Annum.</p> <p>A 00000 Due [1st October 18]</p> <p>on Certificate for [FIFTY] POUNDS WALSALL CORPORATION REDEEMABLE STOCK.</p> <p>£0 0 0. Payable at [the Bank of England].</p>	<p>4 Div.</p> <p>WALSALL CORPORATION REDEEMABLE STOCK.</p> <p>Due [1st Oct. 18 .]</p> <p>A 00000</p> <p>£0 0 0</p>
<p>3 Div. WALSALL CORPORATION REDEEMABLE STOCK.</p> <p>Coupon for Shillings and Pence (less Income Tax)</p> <p>being [Three] Months' Dividend at £ per Cent. per Annum.</p> <p>A 00000 Due [1st July 18]</p> <p>on Certificate for [FIFTY] POUNDS WALSALL CORPORATION REDEEMABLE STOCK.</p> <p>£0 0 0. Payable at [the Bank of England].</p>	<p>3 Div.</p> <p>WALSALL CORPORATION REDEEMABLE STOCK.</p> <p>Due [1st July 18 .]</p> <p>A 00000</p> <p>£0 0 0</p>	<p>2 Div. WALSALL CORPORATION REDEEMABLE STOCK.</p> <p>Coupon for Shillings and Pence (less Income Tax)</p> <p>being [Three] Months' Dividend at £ per Cent. per Annum.</p> <p>A 00000 Due [1st April 18]</p> <p>on Certificate for [FIFTY] POUNDS WALSALL CORPORATION REDEEMABLE STOCK.</p> <p>£0 0 0. Payable at [the Bank of England].</p>	<p>2 Div.</p> <p>WALSALL CORPORATION REDEEMABLE STOCK.</p> <p>Due [1st April 18 .]</p> <p>A 00000</p> <p>£0 0 0</p>

A.D. 1890.

FEEs.

	£	s.	d.
On original issue of stock receipt or stock certificate	-	-	0 2 6
On any new stock certificate	-	-	0 2 6
On transfer including certificate	-	-	0 5 0
On any issue of stock certificate to bearer in respect of every ten pounds of stock specified therein	-	-	0 0 6
On re-entry in Corporation stock register of stock specified in stock certificate to bearer	-	-	0 5 0

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