

| 1. Original Acts. | 2. How far continued. | 3. Amending Acts. |
|--|--------------------------|----------------------|
| (23) 34 & 35 Vict. c. 87. Sunday Observance Prosecutions. | The whole Act. | — |
| (24) 34 & 35 Vict. c. 105. Petroleum - | The whole Act. | — |

CHAPTER 68.

An Act for preventing the introduction and spreading of Insects destructive to Crops. [14th August 1877.]

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 :

Great Britain.

1. The Lords and others of Her Majesty's Most Honourable Privy Council (in this Act referred to as the Privy Council) may from time to time make such Orders as they think expedient for preventing the introduction into Great Britain of the insect designated as *Doryphora decemlineata*, and commonly called the Colorado beetle.

Power to Privy Council to make Orders for preventing introduction of destructive insects.

Any such Order, if the Privy Council think fit, may prohibit or regulate the landing in Great Britain of potatoes, or of the stalks and leaves of potatoes, or other vegetable substance, or other article, brought from any place out of Great Britain, the landing whereof may appear to the Privy Council likely to introduce the said insect into Great Britain, and may direct or authorise the destruction of any such article, if landed.

If any person lands or attempts to land any article in contravention of any Order under this Act, such article shall be liable to be forfeited in like manner as goods the importation whereof is prohibited by the Acts relating to the Customs are liable to be forfeited; and the person so offending shall be liable, according to those Acts, to such penalties as are imposed on persons importing or attempting to import goods the importation whereof is prohibited by those Acts.

2. The Privy Council may from time to time make such Orders as they think expedient for preventing the spreading in Great Britain of the said insect.

Power to Privy Council to make Orders for preventing spreading of destructive insects.

Any such Order may, if the Privy Council think fit, direct or authorise the removal or destruction of any crop of potatoes or other crop or substance on which the said insect in any stage of existence is found, or to or by means of which the said insect may appear to the Privy Council likely to spread, and the entering on any lands for the purpose of such removal or destruction, or for the purpose of any examination or inquiry authorised by the Order, or for any other purpose of the Order.

Any such Order may, if the Privy Council think fit, prohibit the keeping, selling, or exposing or offering for sale, or the keeping of living specimens of the said insect, in any stage of existence, or the distribution in any manner of such specimens.

Any such Order may impose penalties for offences against the Order, not exceeding ten pounds for any offence; and those penalties shall by virtue of this Act be recoverable, with costs, on summary conviction before two justices of the peace, and shall be applied as penalties recovered under the Contagious Diseases (Animals) Act, 1869, are applicable.

82 & 33 Vict. c. 96.

3. Where by any Order under this Act the Privy Council direct or authorise the removal or destruction of any crop, they may direct or authorise the payment by the

Compensation for crops.

Local Authority of compensation for the crop; and the Local Authority shall pay the same, subject and according to the following provisions:

(1.) In the case of a crop on which the said insect, in any stage of existence, is found, the compensation shall not exceed one half of the value of the crop.

(2.) In every other case the compensation shall not exceed three fourths of the value of the crop.

(3.) The value of the crop shall in each case be taken to be the value which, in ordinary circumstances, the crop would have had at the time of its removal or destruction.

(4.) The Local Authority may, if they think fit, require the value of the crop to be ascertained by their officers or by arbitration.

(5.) The Local Authority may, if they think fit, withhold compensation if, in relation to the crop, the owner or the person having charge thereof, has, in their judgment, done anything in contravention of, or failed to do anything in compliance with, any Order under this Act.

Local Authorities and execution of Orders of Council.

4. The Local Authorities under the Contagious Diseases (Animals) Act, 1869, with their respective districts, local rates, clerks, and committees, shall be in like manner Local Authorities for the purposes of this Act.

The Privy Council may, if they think fit, require a Local Authority to carry into effect any Order of the Privy Council under this Act.

The expenses incurred and compensation paid by a Local Authority in pursuance of any Order under this Act shall be paid by them out of the local rate.

Every local authority shall keep, in such manner and form as the Privy Council from time to time by Order direct, a record relative to proceedings in pursuance of any Order under this Act, stating the date of the removal or destruction of any crop or substance, and other proper particulars, which record shall be admitted in evidence.

Publication of Orders of Council.

5. Every Order of the Privy Council under this Act shall be published, if it relates to England, in the London Gazette, and, if it relates to Scotland, in the Edinburgh Gazette; save that, where the Order affects only specified lands, the insertion in the London or Edinburgh Gazette (as the case may require) of a notice of the making of the Order shall be sufficient.

Any Order of the Privy Council under this Act shall be published by any Local Authority, to whom it is sent by the Privy Council for publication, in such manner as the Privy Council direct, and, subject to, or in the absence of, any such direction, in such manner as the Local Authority think sufficient and proper to insure publicity.

Exercise of powers of Act by Privy Council.

6. The powers by this Act conferred on the Privy Council may be exercised by any two or more of the Lords and others of the Privy Council, and, as regards the making of Orders affecting only specified lands, may be exercised by the Lord President or one of Her Majesty's Principal Secretaries of State.

Ireland.

Application of Act to Ireland.

7. The foregoing provisions of this Act shall apply to Ireland, as if Ireland were named therein instead of Great Britain, but subject to the provisions of this section:

(1.) The powers conferred on the Privy Council shall be vested in the Lord Lieutenant, or other chief governor or governors, of Ireland, acting by the advice of Her Majesty's Privy Council in Ireland.

(2.) The Local Authorities shall be the boards of guardians of the several poor law unions.

(3.) The expenses incurred and compensation paid by a Local Authority shall be paid by the treasurer of the union out of union funds, that is to say, out of any money in his hands to the credit of the guardians of the union, and if there is not sufficient money in his hands, then out of the money next received by him and placed to their credit.

(4.) Penalties (other than penalties recoverable under the Acts relating to the Customs) shall be recovered in a summary manner, and shall be applied according to the provisions of the Fines Act (Ireland), 1851, and any Act amending the same.

(5.) Orders shall be published in the Dublin Gazette.

General.

8. Every Order under this Act shall be laid before both Houses of Parliament within ten days after the making thereof, if Parliament is then sitting, and if not, then within ten days after the next meeting of Parliament.

Orders to be laid before Houses of Parliament.

9. The expenses of the execution of this Act, other than expenses and compensation paid by Local Authorities, shall be paid out of money to be provided by Parliament.

Expenses of Act.

10. This Act may be cited as *The Destructive Insects Act, 1877.*

Short title.

CHAPTER 69.

An Act to amend the Law with respect to the Grant of Municipal Charters.

[14th August 1877.]

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:

1. This Act may be cited as "*The Municipal Corporations (New Charters) Act, 1877.*"

Short title.

2. In this Act the expression "*Municipal Corporation Acts*" means the Acts mentioned in the First Schedule to this Act, so far as they are unrepealed, and any Act hereafter to be passed amending those Acts, or any of them, and each of the Acts in the said schedule may be cited by the short title in that schedule mentioned.

Definition of "*Municipal Corporation Acts,*" and short titles.

3. If on the petition to Her Majesty of the inhabitant householders of any town or towns or district in England, or of any of those inhabitants, praying for the grant of a charter of incorporation, Her Majesty, by the advice of Her Privy Council, thinks fit by charter to create such town, towns, or district, or any part thereof specified in the charter, with or without any adjoining place, a municipal borough, and to incorporate the inhabitants thereof, it shall be lawful for Her Majesty by the charter to extend to that municipal borough and the inhabitants thereof so incorporated the provisions of the *Municipal Corporation Acts*.

Power to Crown in granting charter to borough to extend to it the provisions of the *Municipal Corporation Acts*.

4. Every petition for a charter under this Act shall be referred to a Committee of the Lords of Her Majesty's Privy Council (in this Act referred to as the Committee of Council).

Reference to Committee of Council and notice of petition for charter.

One month at least before the petition is taken into consideration by the Committee of Council, notice thereof and of the time when the same will be taken into consideration by the Committee of Council shall be published in the *London Gazette*, and otherwise in such manner as may be directed by the Committee of Council for the purpose of making the same known to all persons interested.

5. Where Her Majesty by a charter extends the *Municipal Corporation Acts* to a municipal borough it shall be lawful for Her Majesty, by the charter, to do all or any of the following things:

Power by charter to settle wards and by fixing dates and otherwise to adapt the *Municipal Corporation Acts* to first constitution of new borough.

(1.) To fix the number of councillors, and to fix the number and boundaries of the wards (if any), and to assign the number of councillors to each ward; and

(2.) To fix the years, days, and times for the retirement of the first aldermen and councillors; and

(3.) To fix such days, times, and places, and nominate such persons to perform such duties, and make such other temporary modifications of the *Municipal Corporation Acts*, as may appear to Her Majesty to be necessary or proper for making those Acts applicable in the case of the first constitution of a municipal borough.

The years, days, times, and places fixed by the charter, and the persons nominated therein to perform any duties, shall, as regards the borough named in the charter, be