

Weymouth Act 1887



[50 & 51 Vict.] *Weymouth and Melcombe Regis Corporation Act, 1887.*

[Ch. cliii.]



CHAPTER cliii.

An Act to enable the Mayor Aldermen and Burgesses of the Borough of Weymouth and Melcombe Regis to make a new Pier and new Streets and Street Improvements and to make further provision for the improvement and good government of the borough; and for other purposes. A.D. 1887.
[8th August 1887.]

WHEREAS the borough of Weymouth and Melcombe Regis in the county of Dorset is a municipal borough subject to the Acts relating to municipal corporations and the mayor aldermen and burgesses of the said borough acting by the council are the urban sanitary authority for the district thereof:

And whereas by an Act passed in the sixth year of the reign of King George IV. chapter cxvi. (in this Act called "the Act of 1825") the Corporation were authorised to demand and take certain petty customs or wharfage duties and certain harbour dues and ballast duties specified in the schedules to that Act and on the security thereof to borrow at interest to the extent of 15,000*l.* for the repairing improving and maintaining of the harbour of Weymouth and Melcombe Regis and the wharfs quays and piers therein and also to the extent of 20,000*l.* for the repairing improving or rebuilding of the outer pier or breakwater of the said harbour: 6 Geo. IV.
cap. cxvi.
(1825).

And whereas by the Weymouth and Melcombe Regis Markets and Pier Act 1854 (in this Act called "the Act of 1854") the Corporation were authorised to construct a pier known as the Pile Pier and for the use thereof to levy the tolls and rates specified in Schedules E and F to that Act and to borrow on the security thereof to the extent of 12,000*l.*: 17 Vict.
cap. xxxv.

And whereas by the Weymouth and Melcombe Regis Markets and Pier Amendment Act 1859 the Corporation were authorised to borrow on the security of the said pier tolls and rates a further sum not exceeding 5,000*l.*: 22 Vict.
cap. v.

[REDACTED]

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A.D. 1887. And whereas by the Weymouth Pier Order 1882 (in this Act called "the Order of 1882") confirmed by the Pier and Harbour Orders Confirmation (No. 1) Act 1882 the Corporation were authorised to extend and enlarge the Pile Pier but the time limited thereby for the execution of the works thereby authorised has expired and it is expedient that the said Order should be repealed:

Act of 1854. And whereas the Corporation hold by charter and prescription markets for the sale of butchers meat fish provisions and other articles and by the Act of 1854 the tolls stallages and dues leviable by the Corporation for the use of their markets (in this Act called "the market tolls") were fixed and the Corporation were authorised to borrow on the security of the market tolls to the extent of 10,000*l.*:

Act of 1859. And whereas by the Act of 1859 the Corporation were authorised to borrow on the security of the market tolls the further sum of 1,500*l.*:

And whereas the Corporation have for the purposes of the markets borrowed on the security of the market tolls and now owe the sum of 10,000*l.* and have borrowed for the purposes of the said harbour on the security of the harbour tolls the sum of 21,000*l.* of which 19,925*l.* is still owing and for the purposes of the Pile Pier on the security of the pier tolls the sum of 13,300*l.* of which 12,000*l.* is still owing:

And whereas it is expedient that the Corporation should be authorised by agreement with the holders of bonds and mortgages secured on the tolls and rates leviable in respect of the pier the harbour and the markets respectively to redeem the said mortgages and bonds by the payment of any sum of money not exceeding the amount of the principal moneys secured thereby and for that purpose to borrow the requisite moneys on the security of the borough fund and borough rate and to constitute the pier the harbour and the markets respectively part of the corporate estate and property of the Corporation:

And whereas the Corporation have also with the consent of the Lords Commissioners of Her Majesty's Treasury borrowed on the security of their corporate estates for various purposes 7,000*l.* of which they now owe the sum of 4,827*l.* 14*s.* 3*d.*:

1 Geo. IV.
cap. xl.

And whereas under the provisions of the Act 1 George IV. chapter xl. the Corporation rebuilt a bridge across the harbour in the said borough and under the provisions of that Act and the Act 6 George IV. chapter cxvi. were authorised to levy tolls for the use thereof:

And whereas under the provisions of the Weymouth and Melcombe Regis Bridge Act 1879 (in this Act referred to as "the Act of 1879") the Corporation have rebuilt the said bridge as an opening bridge and for that purpose borrowed on the security of the said bridge tolls and (as a collateral security) the borough fund and borough rate the sum of 6,000*l.* whereof the sum of 3,500*l.* is still owing:

And whereas it is expedient that the Corporation be authorised to deepen and improve the harbour of Weymouth:

And whereas it is expedient that the harbour dues payable to the Corporation under the Act of 1825 should be altered:

And whereas it is expedient that the petty customs or wharfage duties payable to the Corporation under the Act of 1825 in respect of certain goods in transitu going to or coming from places beyond the sea from or to places situate beyond a radius of 10 miles from the Guildhall of Weymouth (in this Act referred to as transit rates) should be altered:

And whereas it is expedient that the Corporation be authorised to construct and maintain the new pier and works herein-after mentioned and in certain events to extend and improve the Pile Pier as herein-after provided:

And whereas it is expedient that the Corporation be authorised to extend and improve the Esplanade and to make the street improvements herein-after mentioned:

And whereas a statement of the borrowing powers and indebtedness of the Corporation subsisting on the twenty-fifth day of March one thousand eight hundred and eighty-seven is set forth in the First Schedule to this Act:

And whereas it is expedient that such of the said loans as are charged on the rates of the borough be consolidated and that the Corporation be empowered to exercise their statutory borrowing powers for the time being by the creation and issue of Corporation stock:

And whereas it is expedient that further powers be granted to the Corporation for the improving and better governing of the borough and that the recited Acts be in divers particulars altered and amended and the powers thereof extended:

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

And whereas estimates have been prepared by the Corporation for the purchase of land for and the execution of the following works by this Act authorised and for the repayment of the loans made

A.D. 1887. for the purpose of the harbour the Pile Pier and the markets respectively and such estimates are as follows (namely) :—

- For the harbour forty thousand pounds;
- For the new pier thirty thousand pounds;
- For the Pile Pier forty-one thousand three hundred pounds;
- For street improvements eleven thousand pounds;
- For the markets ten thousand pounds;
- For general purposes six thousand seven hundred pounds:

And whereas the several works included in such estimates are permanent works within the meaning of the two hundred and thirty-fourth section of the Public Health Act 1875 :

And whereas an absolute majority of the whole number of the council of the borough at a meeting held on the sixth day of November one thousand eight hundred and eighty-six after ten clear days notice by public advertisement of such meeting and of the purposes thereof in the "Southern Times and Dorset County Herald" a newspaper published and circulating in the borough (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on and paid out of the borough fund and rate and the general district rate of the borough in equal proportions :

And whereas such resolution was published twice in the said "Southern Times and Dorset County Herald" and has received the approval of one of Her Majesty's Principal Secretaries of State and of the Local Government Board in respect of matters within their respective jurisdictions :

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 similar notice on the seventh day of January one thousand eight hundred and eighty-seven being not less than fourteen days after the deposit of the Bill in Parliament :

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

And whereas plans and sections describing the lines situations and levels of the works authorised by this Act and the lands to be acquired under the powers of this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of such lands and describing those lands have been deposited with the clerk of the

peace for the county of Dorset and are in this Act referred to as ^{A.D. 1887.} the deposited plans sections and book of reference :

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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 :—

PART I.—PRELIMINARY.

1. This Act may be cited for all purposes as the Weymouth and Short title.
Melcombe Regis Corporation Act 1887.

2. This Act is divided into parts as follows (that is to say) :— ^{Act divided into parts.}

- Part I.—Preliminary.
- Part II.—Harbour and piers.
- Part III.—Street works &c.
- Part IV.—Markets.
- Part V.—Esplanade parks &c.
- Part VI.—Infectious diseases.
- Part VII.—Byelaws.
- Part VIII.—Licensing.
- Part IX.—Lands &c.
- Part X.—Rates and finance.
- Part XI.—Corporation stock.
- Part XII.—Miscellaneous.

3. This Act except where otherwise expressly provided shall ^{Limits of Act.} apply exclusively to the borough.

4. The following enactments (that is to say) :—

- The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 (in this Act referred to as "the Lands Clauses Acts"); and
- The Harbours Docks and Piers Clauses Act 1847 (except sections 16 17 18 and 19 unless the Board of Trade otherwise require);

so far as the same are applicable for the purposes of and are not varied by or inconsistent with this Act are incorporated with and form part of this Act.

5. In this Act unless the subject or context otherwise requires— ^{Interpretation of terms.}
"The borough" means the municipal borough of Weymouth and Melcombe Regis;
"The Corporation" means the mayor aldermen and burgesses of the borough;

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- "The council" means the town council of the borough;
- "The mayor" means the mayor of the borough;
- "The town clerk" "the treasurer" "the medical officer of health" respectively mean the town clerk the treasurer and the medical officer of health of the borough;
- "The borough fund" and "the borough rate" mean respectively the borough fund and the borough rate of the borough;
- "District fund" and "general district rates" mean respectively the district fund and the general district rates of the borough;
- "Market revenue" means all moneys received by the Corporation for or in relation to their markets other than borrowed moneys and other moneys which ought to be carried to capital account;
- "Corporation stock" means Weymouth and Melcombe Regis Corporation Redeemable Stock created by the Corporation under the provisions of this Act;
- "Statutory borrowing power" means and includes every 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;
- "Statutory security" means and includes 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 (excluding the Corporation) or of any other local authority within section thirty-four of the Local Loans Act 1875;
- "The Pile Pier" means the pier made under the powers of the Act of 1854;
- "The new pier" means the new pier by this Act authorised to be constructed;

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- "The piers" means and includes the new pier and the Pile Pier if and when the same is declared a part of the corporate estate of the borough under the provisions of this Act and the works connected therewith respectively;
- "The recited Acts" means the Acts recited in the preamble to this Act;
- "The Pier Acts" means and includes such of the provisions of the recited Acts as relate to the Pile Pier;
- "The pier revenue" means and includes all moneys receivable by the Corporation for and in relation to the piers other than borrowed moneys and moneys which ought to be carried to capital account;
- "Parks" means and includes any park or place of public recreation for the time being belonging to or managed by the Corporation;
- "Food" includes every article other than water used or intended to be used for food or drink by man;
- "Infectious disease" means and includes small-pox cholera typhus typhoid scarlet relapsing continued and puerperal fever scarlatina and diphtheria and such other disease as the Corporation under the provisions and for the purposes of this Act may from time to time declare to be infectious;
- "Daily penalty" means a penalty to accrue for each day any offence shall continue after conviction;
- "Summary Jurisdiction Acts" means the Summary Jurisdiction Act 1848 and the Summary Jurisdiction Act 1879 and any Act amending either of those Acts;
- "Court of summary jurisdiction" means any justice or justices of the peace stipendiary or other magistrate or officer by whatever name called to whom jurisdiction is given by or who is or are authorised to act under the Summary Jurisdiction Acts or any of such Acts;
- "The Public Health Acts" means the Public Health Act 1875 and any Act amending the same;
- "The Municipal Corporations Acts" means the Municipal Corporations Act 1882 and any Act amending the same or otherwise relating to municipal corporations in England;
- "Omnibus" means any carriage (other than a tramway car) used for the conveyance of passengers paying separate and distinct fares and used for the taking up and setting down of passengers upon its route or for the conveying such passengers to or from any place within the borough or to or from the borough from or to any place without the same;

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"Velocipede" includes bicycles tricycles and every like mechanical contrivance:

Words to which meanings are assigned in enactments incorporated with this Act or which have therein special meanings have in this Act the same respective meanings unless there be something in the subject or context repugnant to such construction.

Act to be
executed by
council.
Committees
of council.

6. Subject to the provisions of this Act this Act shall be carried into execution by the Corporation acting by the council.

7.—(1) For the purpose of carrying into effect the provisions of this Act the council may from time to time appoint committees of their members and may define the duties of each such committee: Provided that the acts and proceedings of every such committee shall be submitted to the council for their approval.

(2) The quorum of any such committee shall be five unless the council otherwise direct and the council may from time to time make such regulations as they may think fit for the guidance of a committee and the council may from time to time remove any member of a committee and appoint in his stead another member of the council.

PART II.—HARBOUR AND PIERS.

Limits of the
harbour.

8. The limits of the harbour of Weymouth and Melcombe Regis seaward shall comprise the area included within a line drawn from the Nothe Fort to the north-east corner of the dockyard port of Portland and thence to the north-east boundary stone of the borough near the sluice on the Preston Road in the parish of Radipole and the Corporation may within those limits dredge deepen and improve the harbour or any part or parts thereof and underpin pile or otherwise strengthen and improve the walls and foundations of the quays therein and of the bridge thereover:

Provided that the Corporation shall not levy any harbour dues or ballast duties on any vessel unless she enter that part of the harbour which is situate within a line drawn between the extremities of the outer piers or breakwaters as they now exist or as they may hereafter be extended or unless such vessel uses one or other of the piers nor shall they levy any petty customs or wharfage duties on any goods unless the same be imported into or exported from the said portion of the harbour or be landed at or embarked from one or other of the piers.

Consent of
Board of
Trade to
works below

9. The Corporation shall not construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows

any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Corporation shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the Corporation and the amount of such costs and charges shall be a debt due from the Corporation to the Crown and shall be recoverable accordingly with costs.

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high-water
mark.

10. From and after the passing of this Act the harbour dues specified in the Second Schedule to this Act shall be substituted for the harbour dues specified in the Second Schedule to the Act of 1825 and that Act shall be read and construed accordingly.

Alteration of
certain of the
harbour
dues.

11. From and after the passing of this Act transit rates not exceeding those specified in Part II. of the Second Schedule to this Act shall be payable to the Corporation on the goods mentioned in that part and going to or coming from parts beyond the sea from or to any place situate beyond a radius of ten miles from the Guildhall of Weymouth in lieu of the petty customs or wharfage duties payable to the Corporation on those goods under or by virtue of the Act of 1825.

Rates on
certain goods
in transitu.

12. So much of the Pier and Harbour Orders Confirmation (No. 1) Act 1882 as confirms the Weymouth Pier Order 1882 is hereby repealed and that order is hereby annulled.

Order of
1882
annulled.

13. And whereas the Corporation have borrowed for the purposes of the Pile Pier and on the security of the Pile Pier rates and tolls the sum of thirteen thousand three hundred pounds whereof there is still owing the sum of nine thousand three hundred pounds secured on bonds (in this Act referred to as Pile Pier bonds) and the sum of two thousand seven hundred pounds secured on mortgages (in this Act referred to as Pile Pier mortgages) together with a large amount of interest: And whereas the holders of the Pile Pier bonds have agreed with the Corporation to accept seventy per centum of the principal sum due to them in full discharge of all principal and

Corporation
to redeem
Pile Pier
mortgages
and bonds
&c.

A.D. 1887. interest due in respect of and all claims under the said bonds: And whereas the mortgagees of the Pile Pier rates and tolls have agreed with the Corporation for the redemption of the Pile Pier mortgages on payment of all principal and interest secured thereby and now owing: Therefore with respect to the Pile Pier bonds and the Pile Pier mortgages the following provisions shall have effect (that is to say):—

- (1) The Corporation may and shall on or before the first day of October one thousand eight hundred and eighty-seven pay to the several persons who at that date are legally entitled to the Pile Pier bonds seven-tenths of the amount of the principal sum secured by such respective bonds and the said several persons shall accept the said amount in full discharge of all claims whatsoever under their respective bonds and shall deliver up the same to the Corporation and the same shall thereupon by virtue of this enactment become void for all purposes;
- (2) The Corporation shall on or before the first day of October one thousand eight hundred and eighty-seven pay to the respective Pile Pier mortgagees the amount then owing to them respectively for principal and interest on the security of their respective mortgages and upon such payment all claims under any mortgages issued under the powers of the Act of 1859 shall be deemed to be fully satisfied and discharged;
- (3) All powers contained in the Act of 1854 and the Act of 1859 respectively enabling the Corporation to borrow money on the security of the Pile Pier tolls and rates are hereby repealed.

Corporation
may make
Pile Pier
part of cor-
porate estate.

14. The Corporation may if they think fit by resolution declare and constitute the structure of the Pile Pier part of the corporate estate of the Corporation and the structure of the Pile Pier shall thereupon vest in the Corporation as the municipal authority of the borough.

Power to
execute
works.

15. Subject to the provisions of this Act the Corporation may in the lines and according to the levels shown on the deposited plans and sections and within the limits of deviation shown on those plans construct and maintain the following work (that is to say):—

The New Pier.—A pier jetty or landing place commencing at the wall on the east side of the Esplanade opposite to and about the centre of the Imperial Burdon Hotel and extending 534 yards or thereabouts in an east-south-east direction into the sea:

And if the Corporation declare that the structure of the Pile Pier shall vest in them as the municipal authority of the borough the following works (that is to say):—

- (1) The widening of the approach to the Pile Pier on the north side commencing in the Esplanade at the north corner of the Alexandra Gardens and terminating at the entrance to the said pier as proposed to be widened;
- (2) The widening of the Pile Pier on the north side thereof for the whole length thereof;
- (3) The extension of the Pile Pier into the sea for a distance of 600 feet or thereabouts in a north-east direction commencing in the bed of the sea at the present termination of the Pile Pier:

And the Corporation may subject to the provisions of this Act construct and maintain within the limits shown on the deposited plans with respect to the new pier and the Pile Pier all such walls piers groynes pierheads dummies approaches landing stages and places mooring buoys toll houses and gates roads buildings erections cranes lifts sewers drains and other appliances as may be deemed necessary or expedient for the foregoing works or any of them.

16. The Corporation in constructing the works authorised by this part of this Act may alter and deviate the same to any extent which may be approved in writing by the Board of Trade within the limits of deviation marked on the deposited plans: Power to deviate.

Provided that in constructing the new pier by this Act authorised the Company shall deviate vertically from the levels shown on the deposited plans to such extent as the Board of Trade may require.

17. If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Corporation on in over through or across tidal lands or tidal water or of the intended site of any such work the Corporation shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Corporation to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Corporation. Survey of works by Board of Trade.

18. If any work authorised by this Act and constructed by the Corporation on in over through or across tidal lands or a tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site Abatement of work abandoned or decayed.

A.D. 1887. thereof to its former condition at the expense of the Corporation and the amount of such expense shall be a debt due from the Corporation to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Corporation.

Steam
engines
diving bells
lighters &c.

19. The Corporation may provide such steam engines piling engines diving bells ballast lighters moorings dredging machines cranes lifts weighing machines and other machinery and things as they think necessary for effectuating any of the purposes of this part of this Act and may demand and receive such sums for the use of the same as they think reasonable.

Further
powers as to
buildings on
the piers.

20. The Corporation may from time to time on the new pier and on any extension or enlargement of the Pile Pier made under the powers of this Act erect toll-houses pavilions waiting assembly concert lecture reading refreshment and retiring rooms lavatories waterclosets baths and other buildings and conveniences applicable to the purposes of a pleasure pier or any like purpose (all which matters and things are in this part of this Act included in the word "buildings") and may from time to time make and recover such charges for the use of the buildings or any of them or any part or parts thereof respectively as they from time to time think fit and may from time to time let or lease the said buildings or any of them or any part or parts thereof respectively and all or any of the said charges for any term not exceeding twenty-one years to such person or persons company local authority commissioners or corporation upon such terms (pecuniary or otherwise) and under such restrictions and conditions as they think fit and a lessee shall have and may exercise all the same powers of making levying and recovering the said charges as the Corporation have or might exercise under this Act and shall be subject to the same provisions as to accounts and otherwise as the Corporation are subject to under the provisions of this part of this Act.

Limits of
piers.

21. The limits within which the authority of the Corporation with respect to the piers and the powers of the pier-master shall be exercised shall comprise the new pier and the Pile Pier as and when extended and the lands approaches works and conveniences connected therewith respectively and the whole area within the distance of one hundred yards in any direction seaward from any part of the said piers respectively.

As to pier
rates &c.

22. The Corporation may subject to the provisions of this Act demand and receive for the use of the piers respectively any rates

and tolls not exceeding those set forth in Schedule E and Schedule F respectively to the Act of 1854: Provided as follows:—

(1) The Corporation may charge for every person who shall go on to the new pier and for every person who shall go on to the Pile Pier when widened or extended for any purpose other than the landing thereat or the embarking therefrom for each and every time he shall go thereon a rate or toll of not exceeding twopence;

(2) The Corporation may on any special occasions but not exceeding twenty days in any one year close the piers or either of them against the public and may on such occasions charge such special rates of admission to each of the piers not exceeding sixpence for each person as the Corporation may from time to time think fit: Provided that on all such occasions the Corporation shall reserve along the south side of the Pile Pier from the western landing steps and from any other part of that side at which steam or other vessels are berthed by the harbour-master a passage available (on payment of the ordinary toll for landing or embarking) for persons landing at that pier solely for the purpose of going to or beyond the town or coming from or from beyond the town solely for the purpose of embarking from that pier but nothing in this proviso shall be deemed to authorise any person to remain in or upon the said passage or (except on payment of sixpence in addition to the said ordinary toll) to go upon any other part of the Pile Pier.

23. Subject to the provisions of this Act sections 30 to 40 and 43 to 46 (all inclusive) and section 56 of the Act of 1854 shall extend and apply to the piers: Provided that section 43 (power to lease the tolls and rates) of the said Act shall for the purpose of any lease of the tolls and rates leviable in respect of either of the piers be amended by the substituting therein of the words "seven years" instead of the words "three years."

24. The Corporation shall from time to time revise the pier rates received by them under the Acts of 1854 and 1859 and this Act so that the pier income of the Corporation under those Acts and this Act may always be so far as practicable not more than sufficient for the pier purposes of those Acts and this Act and if at any time and from time to time the clear annual income derived from the piers and works on the average of the then three last preceding years after payment of all expenses and outgoings shall exceed ten pounds per centum on the moneys from time to time expended by the Corporation for or in relation to the piers the

A.D. 1887. Board of Trade may if in their discretion they think fit reduce the rates leviable under the Pier Acts and this Act to such extent as will be sufficient to provide the amount aforesaid and the rates shall thereupon be reduced accordingly but the Board of Trade may at any time and from time to time raise the rates again but nothing in this section shall empower the Board of Trade or the Corporation to raise the pier rates to sums exceeding those authorised by the Acts of 1854 and 1859 and this Act nor prevent the Corporation at any time reducing the rates if they think it desirable at any time or times so to do.

Annual
account to be
sent to
Board of
Trade.

25. The Corporation within one month after sending to the clerk of the peace the copy of their annual account in abstract shall send a copy of the same to the Board of Trade and the sixteenth section of the General Pier and Harbour Act 1861 (Amendment) Act shall apply to and include any and every such account. If the Corporation refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Tolls under
Pier Acts
not to confer
right to use
new build-
ings &c.

26. The tolls rates and duties payable under the Pier Acts and this Act shall not entitle any person paying the same to the use of the buildings or any of them or any part or parts thereof respectively.

Power to
enter into
composi-
tions.

27. The Corporation may from time to time confer vary or extinguish exemptions from and enter into compositions with any person corporation or company with respect to the payment of any charges authorised to be taken by this Act but so that no preference be given.

Certain
fishing
vessels under
stress of
weather
exempt from
pier rates.

28. Fishing vessels belonging to countries with which for the time being treaties exist exempting from dues and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall when forced by stress of weather to make use of the piers and not breaking bulk nor selling any fish while making use thereof be exempt from pier rates leviable under this Act.

Board of
Trade
officers
exempt from
rates.

29. Officers of the Board of Trade being in the execution of their duty shall at all times have free ingress passage and egress to or along and from the piers by land and with their vessels and otherwise without payment.

Lifeboat
crew exempt
from tolls.

30. All persons going to or returning from any lifeboat or using any apparatus for saving life and being persons either belonging to the crew of the lifeboat or to the coastguard or being persons for

the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life and also all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to or along and from the piers other than the buildings without payment.

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31. The officers of the coastguard and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life may either permanently or temporarily and from time to time without payment attach or cause to be attached to any part of the piers or works spars and other apparatus for saving life and may also either in course of using or of exercising the apparatus for saving life fire rockets over the works.

Life-saving
apparatus
may be
attached to
the piers.

32. Subject to the provisions of this Act the Pile Pier works by this Act authorised shall be deemed part of the Pile Pier undertaking of the Corporation.

Pile Pier
works to be
part of that
pier.

33. Every person who in any manner wilfully obstructs the user of either of the piers shall be guilty of an offence and for every such offence shall be liable to a penalty not exceeding five pounds.

Obstruction
to user of
piers.

34. Nothing in this Act shall entitle any person with any vessel or boat to ship or unship at the new pier any sheep cattle or merchandise or to ship or unship there anything which in the judgment of the Corporation might in any manner interfere with the use of that pier for recreation or for the embarking or landing of passengers.

Restriction
on use of
new pier.

35. No vessel or boat except steamboats and pleasure boats embarking and disembarking passengers and their luggage shall be allowed to be moored alongside any landing stages without the consent of the Corporation or their officer duly authorised in that behalf and the Corporation may from time to time direct that steamboats and pleasure boats shall embark and disembark passengers at one only of the piers and at which of the piers such embarkation or disembarkation shall take place.

Restriction
on mooring
vessels to
landing
stages &c.

36. The piers shall in respect of all matters crimes or offences arising or committed thereon and as to licensing matters and as to all matters and provisions requiring the cognizance of any justices of the peace be deemed and taken to be part of the borough.

Piers to be
deemed
within the
borough.

37. The Corporation shall on or near the works below high-water mark hereby authorised during the whole time of the constructing altering or extending exhibit and keep burning at their own expense

Lights on
works.

A.D. 1887. every night from sunset to sunrise such lights (if any) as the Board of Trade from time to time require or approve.

If the Corporation fail to comply in any respect with the provisions of the present section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Corporation
to exhibit
lights.

38. The Corporation shall at the outer extremity of their works below high water exhibit and keep burning from sunset to sunrise such lights (if any) as the Corporation of Trinity House shall from time to time direct.

If the Corporation fail to comply in any respect with the provisions of the present section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Provision
against
danger to
navigation.

39. In case of injury to or destruction or decay of the pier or works or any part thereof the Corporation shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Trinity House of Deptford Strond and shall apply to the said Trinity House for directions as to the means to be taken and the Corporation shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

Corporation
to provide
lifeboat
house &c.

40. The Corporation shall at their own expense when directed by the Board of Trade provide to the satisfaction of the Board of Trade a site near the Pile Pier and build on such site a house and other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus and shall be liable to a penalty not exceeding twenty pounds for every calendar month during which they omit to provide such accommodation after having been required so to do by the Board of Trade.

Byelaws.

41. The Corporation may from time to time make vary and rescind byelaws for all or any of the following matters (that is to say):—

For controlling and regulating the fishing in the tidal waters of "the Backwater";

For regulating the collection and levying of the tolls rates duties and charges authorised by the Pier Acts and by this part of this Act;

For regulating the vessels boats goods and traffic on or near the piers;

For regulating the embarking and disembarking of passengers at the piers;

For regulating the conditions of the user of any portion of the piers or any of the buildings erected thereon: A.D. 1887.

For preventing injury to and protecting the buildings and the property therein or attached thereto;

For regulating the conduct of persons frequenting the piers and buildings and preserving order thereon and therein;

For regulating the sale of refreshments on the piers and in the buildings;

but byelaws under this part of this Act or under the Harbours Docks and Piers Clauses Act 1847 in relation to the piers shall not come into operation till they have been confirmed by the Board of Trade and shall not require any other confirmation or allowance.

PART III.—STREET WORKS &c.

42. Subject to the provisions of this part of this Act the Corporation may if they think fit make and maintain in the lines and situations and upon the lands shown on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections the following street works wholly within the borough (that is to say):—

Power to
make street
works.

No. 1.—The extension of "the Esplanade" commencing at the north end of Brunswick Terrace and terminating at the north-east boundary stone of the borough;

No. 2.—The widening of Trinity Road and North Quay Road on the north side;

No. 3.—The widening of North Quay Road on the south side;

No. 4.—The widening of Boot Lane on the east side for a distance of about 190 feet;

No. 5.—A retaining wall to the north side of Chapelhay Street commencing about 90 feet westward of West Row and terminating about 74 feet westward of Havelock Place;

No. 6.—The widening and improving of Cove Row on the north side thereof for a distance of about 105 feet; and

No. 7.—Also on the south side for a distance of about 70 feet;

No. 8.—The widening and improving of Cove Street at the south-east corner for a distance of about 50 feet by the removal of premises at the corner of Cove Street and Hope Square at the east side thereof;

No. 9.—The widening and improving of Hills Lane on the south side thereof;

No. 10.—The widening of the West Parade on the west side thereof;

A.D. 1887.

The Corporation may in addition to the foregoing works make and maintain subject to the provisions of this Act all such roadways footways pavements piers arches piling scaffolding gullies sewers drains gutters approaches works and conveniences connected with the foregoing works as they may deem necessary or ancillary thereto.

Limits of
lateral and
vertical
deviation.

43. Subject to the provisions of this part of this Act the Corporation in the construction of the street works may deviate laterally from the lines thereof as shown on the deposited plans to the extent of the limits of lateral deviation indicated thereon and where in any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards or five feet downwards. The Corporation shall make compensation to all persons injuriously affected by the exercise of the powers of this section.

Power to
make subsidiary
works.

44. Subject to the provisions of this part of this Act and within the limits defined on the deposited plans the Corporation in connexion with the street works or any of them and for the purposes thereof may make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the said works or any of them and may raise lower or alter any vault arch cellar or area under or adjoining any roadway or footway and may make diversions widenings or alterations of lines or levels of any existing streets for the purpose of connecting the same with the said works or improvements or any of them or of crossing under or over the same or any of them or otherwise: Provided always that the Corporation shall make to the owners and occupiers of and all other parties interested in any lands or houses injuriously affected by the exercise of the powers of this section full compensation for all damage sustained by them or any of them.

Power to
alter pipes
&c.

45. In executing the works by this part of this Act authorised the Corporation may raise sink or otherwise alter the position of any sewer drain water-pipe or gas-pipe belonging to or connected with any building adjoining or near to the site of any such work and also (subject nevertheless to the provisions of the Telegraph Act 1878) any pipe tube wire or apparatus laid down or used for telegraphic or other purposes and may remove any other obstruction causing as little detriment and inconvenience as circumstances admit and making reasonable compensation for damage caused by the execution of the powers of this enactment.

A.D. 1887.

Provided that nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Act 1882 to which the provisions of section 15 of the said Act apply.

46. Where any street or ground abutting on any street and dedicated to public use becomes in consequence of the execution by the Corporation of any street works shown on the deposited plans and authorised by this part of this Act no longer required for public use or for approach to any property adjoining the same the same is hereby vested in the Corporation freed and discharged from the public use thereof: Provided that if any land be injuriously affected by such street or ground being so vested in the Corporation they shall make to the owner and occupier of such land compensation therefor.

Streets dis-
used vested
in Corpora-
tion.

47. From and after the passing of this Act no crane or apparatus for hoisting goods porch projecting window lamps lamp-post lamp-iron sign sign-post sign-iron show-board window shutters or any other projection shall be placed or made in such a manner as to project over any part of any footway or carriageway in any street within the borough without the previous consent in writing of the Corporation unless such projection is of the same general dimensions construction and character and placed in the same position as and in substitution for some projection existing at the passing of this Act and every person so placing or making any such projection as aforesaid contrary to the provisions of this section shall for every such offence be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings and any such penalty may be recovered in a summary manner before a court of summary jurisdiction and the Corporation may require any person so making or placing any such projection to remove the same within seven days or may themselves remove the same and recover the expenses of such removal from such person in a summary manner and where any such projection has been so placed or made as aforesaid whether before or after the passing of this Act a court of summary jurisdiction upon complaint made if they are of opinion that such projection is or is likely to become dangerous to the public safety may notwithstanding any such consent as aforesaid make an order directing and authorising the removal of such projection by such person and upon such terms as they may think fit and if any such person fail to comply with any such order he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not

Prevention
and removal
of projec-
tions over
streets.

A.D. 1887. — exceeding twenty shillings to be recovered in a summary manner before a court of summary jurisdiction.

PART IV.—MARKETS.

Markets.

48. The Corporation may by agreement with the holders of mortgages or bonds of the Corporation secured on the market tolls redeem the same out of moneys borrowed in that behalf under the powers of this Act and may by resolution declare and constitute the markets of the Corporation a part of the corporate estate of the Corporation and the markets shall thereupon vest in the Corporation as the municipal authority of the borough: Provided that the Corporation shall not redeem any such mortgage or bond by the payment of a greater sum by way of principal than the amount of the principal money secured thereby.

PART V.—ESPLANADE PARKS &c.

As to the
Swannery.

49. The Swannery shall be deemed to be a part of the parks and the Corporation may maintain and improve the same accordingly.

Covered
shelters on
the Espla-
nade.

50. The Corporation may from time to time provide place and maintain on the Esplanade and on any public road and on any land of the Corporation and with the consent of the owners lessees and occupiers thereof on any other land adjoining the Esplanade covered shelters for the protection of the public against wind and rain.

Corporation
may lay out
north bank
of "the
Nothe."

51. The Corporation may from time to time with the previous consent in writing of Her Majesty's Principal Secretary of State for the War Department lay out plant drain and fence the north bank of "the Nothe" and provide place and maintain thereon such covered shelters as aforesaid and such consent the said Principal Secretary of State for the time being is hereby authorised to give subject to such special or other conditions as he shall think fit to prescribe. The Corporation shall not expend a greater capital sum than five hundred pounds under the provisions of this section.

Power to
close park on
special
occasions.

52. The Corporation may on any special occasion but not exceeding twelve days in any one year nor four consecutive days on any one occasion close any park against the public and may on such occasions admit to any park the members of any society or of any public or private institution or persons being attendants at or supported by any public or private institution or such other

persons as the Corporation may think fit and the admission of every individual to any park on such occasions may be either with or without payment as directed by the Corporation. A.D. 1887. —

53. The Corporation may from time to time make and enforce byelaws for prohibiting or regulating the use of velocipedes in the parks and on the Esplanade and any footpaths in the borough and for prescribing the park or parks in which and the parts thereof in which and the conditions on which such contrivances may be used. Byelaws as to velocipedes in parks &c.

54. The Corporation may from time to time pay or contribute towards the payment of a public band of music for the borough and may from time to time make rules and regulations with respect to the times and places at which it shall play: As to public band.

Provided that the amount of such payments or contributions do not in any year exceed the rate of one penny in the pound on the rateable value of the borough:

Any rate necessary for the purpose of this section may be levied with and as part of the borough rate.

PART VI.—INFECTIOUS DISEASES.

55. In order to secure that due notice be given to the Corporation of any inmate of any building used for human habitation who is suffering from any infectious disease the following provisions shall take effect (that is to say):— Notice to be given of persons suffering from infectious diseases.

- (1) If any such inmate be suffering from any infectious disease the occupier or the person having the charge management or control of such building (or if such occupier or person be prevented by reason of such disease then the person in charge of such inmate) shall so soon as he shall become aware of the existence in any such inmate of any such disease forthwith give notice thereof to the medical officer of health at his office;
- (2) If such inmate be not a member of the family of such occupier or person the head of the family (resident in such building) to which such inmate belongs or if there be no such head or if such head be prevented by illness then such inmate (unless prevented by reason of such disease or of youth) shall on becoming aware of the existence in such inmate or in his own person as the case may be of such disease forthwith give notice thereof to such occupier or person;
- (3) The Corporation shall provide and supply gratuitously to every legally qualified medical practitioner resident or practising

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in the borough who shall apply for the same forms for the certificate or declaration to be made by such medical practitioner of the particulars herein-after mentioned in relation to such cases according to the form set forth in the Third Schedule to this Act;

(4) Every medical practitioner attending on or called in to visit such inmate shall on becoming aware that such inmate is suffering from any infectious disease forthwith fill up sign and deliver or send to the medical officer of health at his office a certificate or declaration stating according to the form so prescribed the name of such inmate the situation of such building the name of such occupier or person and the nature of the infectious disease from which in the opinion of such medical practitioner such inmate is suffering;

(5) The Corporation shall pay to every legally qualified medical practitioner who shall in pursuance of this section duly make and give any such certificate or declaration a fee of two shillings and sixpence for each such certificate or declaration in respect of cases occurring in his private practice and a fee of one shilling for each such certificate or declaration in respect of cases occurring in his practice as a medical officer to any public body or institution;

And any person who shall wilfully offend against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Extension of section 132 of Public Health Act 1875.

56. Where a person not being a pauper is received as a patient into any infectious hospital belonging to or managed by the Corporation the Corporation shall be entitled to recover the reasonable expenses arising out of the reception of such patient from the person who may have applied for the admission of such patient into such hospital in cases where the person so applying stands to such patient in the relation of parent or guardian or in the case of a domestic servant in the relation of master or mistress and the circumstances of the person so applying seem to the court before which such expenses are sought to be recovered to be such as to render it reasonable that such person should bear such expenses.

Explaining section 124 of Public Health Act 1875.

57. The words "without proper lodging or accommodation" in section 124 (removal of infected persons without proper lodging to hospital by order of justice) of the Public Health Act 1875 shall for the purposes of enabling the Corporation to remove such persons be construed to include any person without proper lodging

or accommodation having regard to the requirements of such person or to the danger of infection to other persons in the same house. A.D. 1887.

58. 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 by the Corporation to leave their dwellings for the purpose of enabling such dwellings to be disinfected and shall also if necessary provide or contract with any person or persons to provide nurses for attendance upon persons suffering from infectious disease within the borough 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.

Corporation shall provide temporary accommodation during disinfection of dwellings.

59. The Corporation may from time to time by resolution on the report of the medical officer of health and approved by the Local Government Board order that any infectious disease other than those specifically mentioned in this Act shall be deemed to be an infectious disease within and subject to the provisions of this Act:—

Other diseases may be declared to be within the foregoing provisions.

(1) Any such order of the Corporation may be permanent or temporary only and if temporary the period during which it is to continue in force shall be specified therein and the Corporation shall give public notice of the order by publishing the same by advertisement in two of the local newspapers circulating in the borough and after such public notice has been given the provisions of this Act shall so long as the order continues in force apply to the disease specified therein in like manner in all respects as if the disease were an infectious disease specifically mentioned in this Act;

(2) The production of the newspapers containing a copy of the resolution shall be conclusive evidence that public notice of the order has been so given;

(3) The Corporation shall immediately after any such order shall have been made send a copy thereof to each legally qualified medical practitioner residing in the borough but the omission to send any such copy shall not affect the validity of such order.

60. Whenever it shall be certified to the Corporation by the medical officer of health or other legally qualified medical practitioner that the outbreak or spread of infectious disease is in the opinion of such medical officer of health or medical practitioner attributable to the milk supplied by any cowkeeper purveyor of

Cowkeepers and others to furnish list of customers in certain cases.

A.D. 1887. milk or occupier of a dairy milkstore or milkshop the Corporation may require such cowkeeper purveyor of milk or occupier to 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 cowkeeper 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 sixpence for every twenty-five names contained therein but no such payment shall exceed two 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 five shillings.

Medical officer may inspect dairies &c. beyond borough in certain cases.

61. In case the medical officer of health shall have reasonable cause to believe that any person in the borough is suffering from disease attributable to milk supplied within the borough from any farmhouse dairy cowshed milkshop or place situate beyond the borough boundary or that the consumption of milk from such farmhouse dairy cowshed milkshop or place is likely to cause disease to any person residing in the borough such medical officer shall if authorised in that behalf by an order of a justice having jurisdiction in the place where such farmhouse dairy cowshed milkshop or place is situate have power to inspect such farmhouse dairy cowshed milkshop or place and if on such inspection he shall be of opinion that disease is caused or is likely to arise from consumption of the milk supplied therefrom he shall report thereon to the Corporation who may thereupon give notice to the occupier of such farmhouse dairy cowshed milkshop 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 cowshed milkshop or place is situate in order that such further measures may be adopted in relation thereto as may be considered proper and as may be within the province of such authority. Any person refusing to permit the medical officer of health on the production of such order as aforesaid to inspect such farmhouse dairy cowshed milkshop or place or after any such notice has been given by the Corporation 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 each offence and to a daily penalty not exceeding forty shillings: Provided 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 cowshed milkshop or place is situate. A.D. 1887.

62. Whenever it shall be certified to the Corporation by the medical officer of health that it is desirable that he 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 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.

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

63. Where the Corporation are of opinion on the certificate of the medical officer of health or of any other legally qualified 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.

Further powers in relation to disinfection of premises.

64. 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 legally qualified

Penalty on persons ceasing to occupy houses without previous disinfection

A.D. 1887. or giving notice to owner or making false answer. 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.

Prohibiting the retention of dead bodies in certain cases. 65. No person shall without the sanction in writing of the medical officer of health or of a legally qualified 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.

Bodies of persons dying in hospitals &c. of infectious diseases to be removed only for burial. 66. If any person shall die from any infectious disease in any hospital or place of temporary accommodation provided by the Corporation and the medical officer of health certifies that in his opinion it is desirable in order to prevent the risk of communicating any infectious disease or 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 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 hospital or place of temporary accommodation to any mortuary belonging thereto or used therewith 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. 67. Where the dead 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 of a legally qualified 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 and there shall be a certificate thereof signed by a legally qualified medical practitioner any justice may order the body to be removed at the cost of the Corporation to any mortuary provided by the Corporation and direct the same to be buried within a time to be limited in the order or may in the case of the body of a person who has died of 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 expense 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.

68. 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.

69. No penalty under this part of this Act shall be recoverable except on the information or complaint of the Corporation.

70. 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 order license or act of Her Majesty's Privy Council or the Local Government Board made granted or done or to be made granted or done thereunder or of any order regulation license or act of a local authority made granted or done or to be made granted or done under any such order of the Privy Council or the Local Government Board or exempt the dairies milk-stores or milk-shops 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 dairies milk or animals already passed or to be passed in this or any future session of Parliament.

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Corpses not to be carried in public conveyances.

Penalties only recoverable by Corporation.

Saving for Acts relating to dairies animals &c.

A.D. 1887.

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

71. For the purpose of carrying into effect the provisions of sections 120 and 121 of the Public Health Act 1875 or either of those sections the Corporation may by any officer appointed in that behalf enter on any premises between the hours of ten o'clock in the forenoon and six o'clock in the afternoon.

PART VII.—BYELAWS.

General
provision as
to byelaws.

72. All the provisions with respect to byelaws contained in sections 182 to 186 (both inclusive) 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 the powers of Part II: Provided that all byelaws may be partly in print and partly in writing including lithograph.

Evidence of
byelaws.

73. A copy of any byelaws made by the Corporation under this Act signed and certified by the town clerk to be a true copy and to have been duly confirmed shall (until the contrary is proved) be evidence in all legal proceedings of the due making confirmation and existence of such byelaws without further or other proof.

Power to
make &c.
byelaws.

74. The Corporation may from time to time make revoke alter amend and enforce byelaws for and with respect to the following purposes and matters or any of them (that is to say):—

The licensing and regulating of bands of music porters cab drivers omnibus drivers and conductors wheel-chairmen messengers and commissionaires;

The controlling and regulating the use of wheel-chairs;
For the preservation of order and good conduct among persons frequenting the sands and for regulating the user thereof for the exercise of horses;

The control and regulation of bathing in and for a distance of five hundred yards adjacent to the borough; and

The protection of "the Swannery":

Provided always that no byelaws made under the authority of this Act affecting foreshore or the control of the foreshore below high-water mark shall come into operation until they have been confirmed by the Board of Trade:

Provided also that such byelaws shall not apply to any omnibus driver or conductor employed by any railway or steam packet company for driving or conducting any omnibus belonging to or hired

by them for conveying passengers and their luggage to or from the railway or steamboats or to any porter in the employment of any railway or steam packet company.

A.D. 1887.

75. The Corporation may from time to time make and enforce byelaws for regulating the use of velocipedes in highways in the borough in the same manner as a county authority may by virtue of the Highways and Locomotives (Amendment) Act 1878 make and enforce byelaws for that purpose in highways in their county but subject to the like confirmation as is required by that Act.

Byelaws as
to veloci-
pedes in
highways.

PART VIII.—LICENSING.

76.—(1) The Corporation may from time to time grant to every person they think fit a license to carry on the calling of luggage porter light porter public messenger or commissionaire and wheel-chairman and may charge a fee of one shilling for any such license.

Power to
license
persons
following
certain
callings.

(2) Any license issued by the Corporation under this Act may be granted for a year or for any less period according as the Corporation may think fit and may be suspended or revoked or endorsed by the Corporation whenever they shall deem such suspension or revocation or endorsement to be necessary or desirable in the interests of the public: Provided that the existence of this power to suspend or revoke or endorse a license shall be plainly set forth in the license itself.

77. The Corporation may license and if they think fit pay boatmen for the purpose of protecting persons whilst bathing.

Protection
of bathers.

78. Every license whensoever issued shall expire on the thirtieth day of April next following the date of its issue and may contain conditions as to the badge which the holder of any such license shall wear.

Conditions as
to licenses.

79. If any person feels himself aggrieved by the suspension or revocation of his license he may appeal to a court of summary jurisdiction and such court may either confirm or annul such suspension or revocation or make such order in the matter as shall appear to it expedient.

Appeal
against sus-
pension &c.
of licenses.

80. If any person while unlicensed represents himself to be licensed or wears any badge for the purpose of representing himself as licensed to carry on any of the callings specified in the foregoing section whereof the marginal note is "power to license persons following certain callings" he shall be liable to a penalty not exceeding twenty shillings.

Penalty on
persons mis-
representing
themselves to
be licensed.

A.D. 1887.

Power to
Corporation
to take lands
referenced.Owners may
be required
to sell parts
only of the
foreshore.Owners may
be required
to sell parts
only of cer-
tain lands
and build-
ings.Period for
compulsory
purchase of
lands.

PART IX.—LANDS &c.

81. Subject to the provisions of this Act the Corporation may enter on take and use all or any part of the lands described in the deposited plans and book of reference which they may require for the purposes of this Act.

82. And whereas certain portions of the footway and foreshore required for the purpose of the extension of the Esplanade (being Work No. 1 by this Act authorised) are claimed to form part of lands and buildings adjoining the said footway but are fenced off therefrom and such portions may be severed from the remainder of the said properties without material detriment thereto: Therefore notwithstanding anything contained in section 92 of the Lands Clauses Consolidation Act 1845 the owners of and persons interested in such lands shall sell and convey to the Corporation the portions only so required of the said footway and foreshore without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof the Corporation paying for the portions so taken and making compensation for any damage sustained by the owners or other persons interested therein by severance or otherwise.

83. And whereas in the construction of the improvements and works hereby authorised it may happen that portions only of certain of the lands and buildings shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto: Therefore notwithstanding section ninety-two of the Lands Clauses Consolidation Act 1845 the owners of and persons interested in the lands and buildings described in the Fourth Schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the judgment of the jury arbitrators or other authority assessing or determining the compensation under that Act be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Corporation the portions only of the premises so required without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof the Corporation paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

84. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

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Power to
take ease-
ments &c. by
agreement.

85. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Corporation any easement right or privilege (not being an easement of water) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

86. The Corporation may for the purposes of this Act (in addition to any lands they are authorised to acquire and hold under the other powers of this Act) from time to time by agreement acquire in fee either by purchase or by way of exchange or otherwise any land and foreshore not exceeding in the whole two acres and any right easement or privilege therein thereunder thereover or thereupon (not being an easement of water) and the Corporation may from time to time appropriate and use for the purposes of this Act any lands or foreshore for the time being vested in them.

Power to
acquire addi-
tional lands.

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

Power to
retain sell
&c. lands.

88. So long as any properties remain to be acquired by the Corporation under the authority of this Act the Corporation may so far as they consider necessary apply moneys received by them on resale or by leasing or letting as aforesaid in the purchase of properties so remaining to be acquired but as to moneys so received and not so required the Corporation shall apply the same in extinguishment of any loan raised by them under the powers of this Act and such application shall be in addition to and not in substitution

Proceeds of
sale of sur-
plus lands.

A.D. 1887. for any other mode of extinguishment by this Act provided and the borrowing powers of the Corporation by this Act authorised shall be reduced accordingly.

Corporation may use their own lands for purposes of Act. 89. The Corporation may from time to time appropriate and use for any of the purposes of this Act any lands for the time being vested in them as a municipal or urban sanitary authority and not required for the purposes for which the same were acquired.

Restriction on displacing persons of the labouring class. 90.—(1) The Corporation shall not under the powers of this Act except with the consent of the Local Government Board purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

(2) For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Temporary stoppage of streets. 91. The Corporation may during the execution and for the purposes of any works by this Act authorised from time to time break up and also stop up divert and interfere temporarily with any street (including in that expression any road highway foreshore and thoroughfare) and may for any reasonable time prevent all persons other than those bona fide going to or returning from any house in the street from passing along and using the same.

PART X.—RATES AND FINANCE.

Expenses of executing Act. 92. All expenses incurred by the Corporation in carrying into execution the provisions of this Act (except such of those expenses as are to be paid out of borrowed moneys) shall be paid as follows (that is to say):—

- Expenses of and connected with the piers out of the pier revenue;
- Expenses of and connected with markets out of market revenue;
- Expenses of and connected with street works parks and infectious diseases out of the district fund and general district rate;
- All other expenses out of the borough fund:

All moneys payable to or receivable by the Corporation under this Act or any byelaw thereunder shall be carried to the credit of the proper account: A.D. 1887.

All deficiencies in the said revenues shall be met out of the borough fund and borough rate:

And all surplus on the said respective revenues shall be carried to the credit of the funds and rates on which the respective deficiencies are respectively charged:

Provided that if there be any surplus on the pier revenue after payment of all expenses and outgoings and the said ten per centum on the moneys from time to time expended by the Corporation for or in relation to the piers such surplus shall be expended in reducing the rates as herein-before by this Act provided and for no other purpose.

93. The Corporation in addition to any moneys they now are or hereafter may be authorised to borrow under the provisions of any Public Act may from time to time borrow at interest on the following securities and for the following purposes the following sums (that is to say):— Power to borrow.

On the security of the borough fund and borough rate and the district fund and general district rate—

For paying the costs charges and expenses of this Act as herein-after defined and of and in relation to the borrowing paying off and re-borrowing of moneys under the powers of this Act the sums requisite for those purposes;

On the security of the market revenue and the borough fund and borough rate—

For the purposes of the market ten thousand pounds;

On the security of the harbour revenue and borough fund and borough rate—

For the purposes of the harbour forty thousand pounds;

On the security of the pier revenue and borough fund and borough rate—

For the purposes of the new pier thirty thousand pounds; and

For the purposes of the Pile Pier forty-one thousand three hundred pounds;

On the security of the district fund and general district rate—

For the purposes of street works eleven thousand pounds;

For the several purposes set forth in the Fifth Schedule to this Act six thousand seven hundred pounds:

A.D. 1887. — And in calculating the sums they may borrow under the provisions of any Public Act any sums they may borrow under this Act shall not be reckoned and the powers of the Corporation as to borrowing and re-borrowing shall not be restricted by any of the provisions of the Public Health Acts.

Provisions as to mortgages. 94. The following sections of the Public Health Act 1875 shall extend and apply mutatis mutandis to and in relation to all mortgages made under the powers of this Act (that is to say):—

Section 236 (form of mortgage);

Section 237 (register of mortgages);

Section 238 (transfer of mortgages); and

Section 239 (receiver may be appointed in certain cases).

As to repayment of borrowed moneys. 95. All provisions subsisting at the passing of this Act prescribing the time at which and the mode in which any moneys borrowed by the Corporation and then owing or to be re-borrowed in lieu thereof by the Corporation shall be repaid (except the provisions affecting loans raised with the sanction of the Commissioners of Her Majesty's Treasury) are hereby annulled and repealed and in lieu thereof and with respect to the repayment of moneys to be borrowed under the powers of this Act the following provisions shall have effect (that is to say):—

The Corporation shall repay:—

All moneys already borrowed and which on the twenty-fifth day of March one thousand eight hundred and eighty-eight will be owing by them and all moneys re-borrowed in lieu thereof within thirty years from that date;

All moneys borrowed under the powers of this Act for payment of the costs thereof within ten years from the date of the borrowing of the same;

All moneys borrowed under the powers of this Act for the purposes of the harbour or the Pile Pier within fifty years from the respective dates of the borrowing of the same;

All other moneys borrowed under the powers and for the several other purposes of this Act within thirty years from the respective dates of the borrowing of the same:

And such repayment shall be effected:—

Either by equal yearly or half-yearly instalments of principal or of principal and interest;

Or by means of sinking funds;

Or partly by such instalments and partly by sinking funds:

Provided that when the payment shall not be made by equal yearly or half-yearly instalments the instalment or

instalments payable in each year together with the interest payable in such year in respect of the principal moneys of which such instalment or instalments form part shall in every year amount to the same sum and every such instalment or instalments shall be paid out of the tolls rates and charges on the security of which the principal moneys in respect of which it or they are so paid were borrowed:—

And the sinking funds shall be provided as follows:—

The Corporation in every year after the respective dates in that behalf by this section prescribed shall appropriate and set apart out of the tolls funds and rates on the security of which such moneys shall have been borrowed such equal annual sums as will with the accumulations thereof by way of compound interest be sufficient to pay off the whole of the principal moneys borrowed on such security within the periods by this Act prescribed:

Provided that in calculating the said sums so to be set apart regard shall be had to the balances (if any) which on the said twenty-fifth day of March one thousand eight hundred and eighty-eight may be standing to the credit of the then existing sinking funds and which cannot then be applied in the repayment of loans under the provisions in that behalf in this section contained:

The payment to the said sinking funds shall commence at the following periods (namely):—

For repayment of moneys borrowed and owing on the twenty-fifth day of March one thousand eight hundred and eighty-eight on the twenty-fifth day of March one thousand eight hundred and eighty-nine;

For repayment of moneys to be borrowed under the powers of this Act on the twenty-fifth day of March next following the time of the borrowing of such moneys respectively:

Provided as follows (that is to say):—

The Corporation shall on or before the twenty-fifth day of March next pay into every sinking fund existing at the passing of this Act all sums due to those funds on the said twenty-fifth day of March and a proportionate part of each yearly payment in respect of the period between that date and the date of the last of such yearly payments and shall apply every such sinking fund in or towards the repayment of the loan for which it was set apart;

The yearly sums so to be appropriated and set apart shall be invested from time to time and accumulated in the way of

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compound interest by investing the same and the dividends interest and annual income thereof respectively in statutory securities;

The Corporation may at any time apply the whole or part of any sinking fund set apart by them in or towards the repayment of the borrowed moneys for the repayment of which such sinking fund was set apart in such order and manner as they deem proper: Provided that in such case they pay into such sinking fund in each year afterwards and accumulate as herein-before prescribed until the whole of the borrowed moneys to which such sinking fund is applicable are discharged a sum equal to the interest produced by the sinking fund or part thereof so applied at the rate per centum on which the annual payments to the sinking fund are based: Provided also that whenever and so long as the yearly income arising from the sinking fund shall be equal to the annual interest of such borrowed moneys then outstanding the Corporation may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to such sinking fund of the yearly sums required to be so paid thereto.

Sinking funds may be adjusted in certain events.

96. If the Corporation out of the proceeds of the sale or disposition of lands or other moneys received on capital account repay any principal moneys borrowed under the powers of this Act the payments to the sinking fund (if any) established under the provisions of this Act for the repayment of such principal moneys may be reduced to such extent and upon such terms as may from time to time be approved by the Local Government Board.

Corporation may lend sinking fund for one loan to repay any other loan.

97. The Corporation may at any time for the purpose of paying off debt transfer moneys belonging to one sinking fund to another sinking fund but in every such case the amounts so transferred together with interest thereon at the rate per centum on which the payments to the sinking fund from which the moneys were transferred are based shall be a debt due to such sinking fund from the other sinking fund and in the meantime the said transfer shall be deemed an authorised investment of the first-mentioned sinking fund within the meaning of this Act: Provided that the amount which the Corporation shall be bound to pay into any sinking fund shall not be altered by such transfer except that such amount shall be increased if necessary for the repayment of the debt to the sinking fund from which the transfer was made.

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98. The treasurer shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration of the treasurer if so required by them showing the amount which has been paid as an instalment or invested for the purposes of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof has been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return the treasurer shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act. If it appear to the Local Government Board by such return or otherwise that the Corporation have failed to pay any instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court of Justice.

Annual return to Local Government Board with respect to sinking fund.

99. The Corporation may from time to time borrow at interest on mortgage as aforesaid any money necessary for repaying any principal money borrowed under any statutory borrowing power on the same becoming repayable or for the paying off of any of such principal moneys as they can re-borrow at a lower rate of interest and so from time to time: Provided as follows:—

Power to re-borrow.

The time for the repayment of any moneys so re-borrowed shall in the case of loans sanctioned by the Commissioners of Her Majesty's Treasury not be extended beyond the unexpired portion of the term of repayment prescribed by those Commissioners for such loans and in other cases shall not be extended beyond the unexpired portion of the terms respectively in that behalf prescribed;

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For the purpose of repayment the moneys re-borrowed and the moneys originally borrowed shall be deemed the same loan; The Corporation shall not re-borrow any moneys paid off by means of instalments or a sinking fund or out of the proceeds of the sale of land or out of premiums or fines on leases; The Corporation shall not re-borrow any moneys borrowed under the powers of the recited Acts which they shall repay out of moneys borrowed under the powers of this Act or out of Corporation stock.

Corporation may borrow under recited Acts or this Act on specific securities.

Corporation not to regard trusts.

100. When under the powers of any statutory borrowing power the Corporation re-borrow any moneys they may so re-borrow on the security of all or any of the funds rates rents tolls and revenue which are respectively liable for the payment of interest of the money so re-borrowed.

101. The Corporation shall not be bound to see to the execution of any trust whether expressed or implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register book of the Corporation shall from time to time be a sufficient discharge to the Corporation in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Corporation have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register and the Corporation shall not be bound to see to the application of the money paid in any such receipt or be answerable or accountable for any loss misapplication or non-application of any of such money.

Power to borrow under Local Loans Act 1875.

102. The Corporation may if they think fit borrow any moneys which they are by any statutory borrowing power authorised to borrow under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another. Any moneys borrowed by the Corporation in manner by this section authorised shall be a charge upon and shall be paid out of the same funds and rates as they would be charged upon and paid out of if raised by way of mortgage under such statutory borrowing power and such funds and rates shall in each case be deemed to be the local rate as defined by the Local Loans Act 1875. Every such loan shall be discharged within the time prescribed in that behalf by this Act: Provided always that if the Corporation at any time think fit to form any such

sinking fund all sums paid into the same shall be as soon as may be invested by the Corporation in the manner in which sinking funds are by this Act authorised to be invested or applied in paying off a portion of the principal moneys owing by the Corporation. A.D. 1887.

103. All moneys borrowed by the Corporation under the powers of this Act shall be applied only to the purposes for which they are respectively authorised to be borrowed and to which capital is properly applicable. Application of borrowed moneys.

PART XI.—CORPORATION STOCK.

104.—(1) In this part of this Act—

“Rate” includes market and pier revenues;

“The Bank of England” means the Governor and Company of the Bank of England;

“Statutory declaration” means declaration under the Statutory Declarations Act 1835 and any Act amending the same;

“Person” includes corporation;

“Schedule” means the schedule to this Act relating to this part of this Act.

(2) 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.

Interpretation in this part of this Act.

Creation and Charge of Stock.

105.—(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.

(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

Creation of Corporation stock.

A.D. 1887. also rank equally with all other securities of the Corporation at any time after the date of the first issue of 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 by 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 Weymouth and Melcombe Regis Corporation Redeemable Stock.

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

106. 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.

107.—(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 corporate 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 at any time after the date of the first issue of Corporation stock granted or created by the Corporation 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.

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108. 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 Weymouth and Melcombe Regis Corporation Loans Fund" (in this part of this Act referred to as "the loans fund").

109.—(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.

Contribu-
tions to
loans fund
for divi-
dends.

(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 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 those several Corporation revenues according to the amount of stock the dividends whereon are properly payable thereout respectively.

110.—(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.

Contribu-
tions to
loans fund
for extinc-
tion 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

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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 in accordance with the provisions of Part X. of this Act 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.

(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 be paid into the loans fund out of the Corporation revenues chargeable with payment of the dividends on that portion of stock.

Raising of
contributions
to loans
fund.

111.—(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 borrow-

ing powers in exercise whereof the several portions of Corporation stock are issued. A.D. 1887.

(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 and a half 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 raised and paid out of the Corporation revenue on which the deficiency existed.

112.—(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 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.

113. 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.

Application
of loans
fund.

A.D. 1887.

Extinction
of stock
redeemed or
purchased.

114. 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.

115.—(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

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(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.

116.—(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 con-
tributions.

(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 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.

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Determination
as to
charge of
stock.

117. 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.

*Existing Securities.*Payment off
or substitution
for
existing
securities.

118.—(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 the 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 any sinking fund applicable to the discharge of the security.

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(5) Where the holder of the security is one of the persons described in section 7 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 incumbrances 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 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.

119. 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 suspension
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 re-borrowed by the Corporation for the residue of that term or any part thereof and so from time to time.

Application of Money raised.

120. 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.

General
application
of money
from Cor-
poration
stock.

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Temporary
investment of
money raised
by stock.

121.—(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 Certificate.*Appointment
of registrar.

122.—(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.

123.—(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 *prima 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.

Certificates
of pro-
prietorship
of stock.

124.—(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).

(2) A stock certificate shall be *prima 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 certi-

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ificate 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.

125. 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.

126.—(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.

(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.

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Transfer by
deed.

127.—(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 indorse 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 indorsement of the transfer on the existing stock certificate which indorsement 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.

128.—(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.

129.—(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.

(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.

130. 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.

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Stamp duty
on transfers.*Transmission.*

131.—(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.

132.—(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 marriage &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 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.

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*Dividends.*Payment of
dividends.

133. The Corporation may pay by the registrar the dividends on Corporation stock.

Dividends to
executors
&c.

134. 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.

135. 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 a competent person or of such other nature as the Corporation or the registrar may require.

Dividends
to joint
holders.

136.—(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.

137.—(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 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. A.D. 1887.

(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.

138.—(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) Notwithstanding anything in this Act a trustee shall not 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 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

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(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 if any 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.

General.

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

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

(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.

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

(2) The receiver shall have the like power of collecting receiving recovering and applying 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.

141.—(1) Trustees or other persons for the time being authorised to invest money in the mortgages debentures or debenture stock of any railway or other company shall unless the contrary is provided by the instrument authorising the investment have the same power of investing that money in Corporation stock (other than stock for the time being represented by a stock certificate to bearer) as they have of investing it in the mortgages debentures or debenture stock aforesaid.

(2) Provided that where two or more persons are or may under the instrument creating the trust become successively interested in trust money no investment thereof shall be made in Corporation stock at a price exceeding the redemption value of the stock.

142. 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

Nature of
Corporation
stock ;
Notice of
trusts.

Holdings of
Corporation
stock by
trustees.

Protection of
holders of
Corporation
stock.

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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.

Annual
return to
Local Government
Board.

143.—(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 treasurer if required by that Board.

(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 treasurer the treasurer 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.

144.—(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

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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 this 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.

145. 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 issue 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.

146. 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.

147. 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.

148.—(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.

A.D. 1887. — (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 misapplication thereof.]

Saving for existing securities. **149.** 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 and subsisting at the date of the first issue 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 exercised collected made and levied for his benefit and security if this part of this Act had not been enacted.

Forgery. **150.**—(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. **151.** 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.

Bank of England may make regulations. **152.** Where the Bank of England 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.

153. The forms given in the Sixth Schedule to this Act may if the Corporation think fit 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.

154.—(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.

(2) The proceeds of 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.

155.—(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 raisable under the statutory borrowing power in exercise whereof that portion of stock is issued.

(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 or as a sanitary authority are or may be defrayed.

PART XII.—MISCELLANEOUS.

156. Any instrument or document (including any notice order resolution declaration adjudication requisition consent approval

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disapproval demand determination appointment list roll register return form paper or other document) made given delivered or served under this or any other Act or any byelaw by the Corporation may be either in print or in writing (including lithograph) or partly in print and partly in writing (including lithograph) and shall be sufficiently authenticated by the signature of the town clerk and a copy thereof respectively so authenticated shall be receivable in evidence without the production of the original and it shall be sufficient in all cases where any such instrument is required to be given to or served on the owner or occupier of any property to address it to such owner or occupier by his description as owner or occupier (as the case may be) of the property (naming it) in respect of which it is given or served without further name or description and any such instrument may be addressed to owners or occupiers of any number of adjoining or neighbouring properties collectively and when so addressed may be served on more owners or occupiers than one (so that separate copies be served on the respective owners and occupiers of the several properties concerned) and any such instrument or document may be served on any owner occupier or other person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last known place of abode or business or by delivering the same to some inmate of his last known or usual place of abode or business or in case of an occupier of such property (being a building) to any inmate of such building or if the property is unoccupied and the place of abode of the person to be served is after diligent inquiry unknown it shall be sufficient to affix it or a copy thereof upon some conspicuous part of such property. Any instrument so served by post as aforesaid shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of the post and in proving such service it shall be sufficient to prove that the instrument or document was properly addressed and posted: Provided always that in the case of a railway company any such instrument or document shall be delivered or sent by post addressed to the secretary to the company at their principal office or place of business.

As to appeal.

157. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate consent or approval of or by the Corporation or of or by any officer 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 section 269 of the Public Health Act 1875 as amended by the Summary Jurisdiction Act 1884. A.D. 1887.

158. Whenever any person neglects to pay any toll rent rate or sum due to the Corporation under this Act the Corporation may recover the same with full costs of suit in any court of competent jurisdiction for the recovery of debts of the like amount and the remedy of the Corporation under this enactment shall be in addition to their other remedies for the recovery of such toll rent rate or sum.

Recovery of
sums by
action.

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

Damages
and charges
in case of
dispute to be
settled by
justices.

160. The Corporation when they are required by any enactment to make compensation to any person interested in any lands may by agreement with such person make such compensation wholly or partly in works land or money.

Compensation
may be
in land &c.

161. Any person who obstructs hinders or molests any member or officer of the Corporation in the execution of his duty under this Act or any byelaw thereunder for the time being in force within the borough shall be liable to a penalty not exceeding five pounds.

Penalty on
persons
obstructing
officers &c.

162. Any summons or warrant issued for any purpose of this Act may contain in the body thereof or in a schedule thereto several sums.

Several
sums in one
summons.

163. All penalties recovered under this Act or any byelaw thereunder except penalties recoverable from the Corporation shall be paid to the treasurer and be by him carried to the credit of the borough fund or the district fund as the Corporation direct.

Penalties to
be paid over
to the treasurer
&c.

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

Saving for
indictments
&c.

165. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers conferred

Powers of
Act cumulative.
&c.

A.D. 1887. on them by Act of Parliament charter law or custom and the Corporation may exercise such other powers as if this Act had not been passed: Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

166. Nothing in this Act shall take away abridge or prejudicially affect any right power authority estate or interest of the Corporation under any charter or under any former Act or the Public Health Acts or the Municipal Corporations Acts or otherwise and every such right power authority estate and interest may be had enjoyed and exercised by the Corporation as fully and effectually as if this Act had not been passed.

167. Nothing contained in this Act shall authorise the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exercisable by the Queen's Majesty Her heirs or successors.

168. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections 21 and 22 of the Crown Lands Act 1866 and belonging to or exercisable on behalf of Her Majesty Her heirs or successors.

169. The costs charges and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act as taxed by the taxing master of the House of Lords or of the House of Commons shall be paid by the Corporation out of the borough fund and the general district rate in equal proportions or out of moneys borrowed on the security thereof under the powers of this Act.

The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

STATEMENT OF AND RELATING TO LOANS OF THE CORPORATION.

Act or Sanction under which the Loan is authorised.	Date of Sanction.	Date of Morigen.	For what Purpose borrowed.	Amount authorised.	Amount borrowed.	Balance of Loans owing 23rd March 1887.	Term of Years authorised for Repayment.
The Local Government Act 1828.	5th March 1862.	24th April 1863.	Street improvements.	£ 500 0 0	£ 309 0 0	£ 73 0 8	30 years.
The Local Government Act 1858.	27th May 1868.	14th December 1869.	Paving works.	3,785 0 0	3,785 0 0	245 6 8	20 years.
The Local Government Act 1858.	27th May 1868.	14th December 1869.	Drainage works.	1,212 0 0	1,212 0 0	408 15 11	30 years.
The Local Government Act 1858.	21st May 1872.	23rd September 1872.	Do.	25,000 0 0	25,000 0 0	18,333 9 8	30 years.
Lords Commissioners of Treasury.	December 1883.	December 1883.	New road.	350 0 0	350 0 0	350 0 0	20 years.
16 Geo. III. chapter Ivil.	—	—	Paving.	2,000 0 0	2,000 0 0	1,500 0 0	None.
Lords Commissioners of Treasury.	—	1871.	General purposes.	7,000 0 0	7,000 0 0	4,827 14 3	30 years.
The Weymouth and Melcombe Regis Bridge Act 1879.	—	1880.	The bridge.	6,000 0 0	6,000 0 0	3,300 0 0	15 years.
Total				45,850 0 0	45,350 0 0	24,518 10 2	

The following sums are not charged on the borough or general district rates but only on the tolls of the respective undertakings.

The Act of 1825	—	—	The harbour	21,000 0 0	21,000 0 0	10,025 0 0	None.
The Act of 1854	—	—	The pier	12,000 0 0	9,300 0 0	3,300 0 0	None. Surplus funds to form sinking fund.
			The markets	10,000 0 0	10,000 0 0	10,000 0 0	
The Act of 1859	—	—	The pier	5,000 0 0	4,000 0 0	2,700 0 0	Do.
Total				48,000 0 0	44,300 0 0	31,025 0 0	

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THE SECOND SCHEDULE.

PART I.

HARBOUR DUES SUBSTITUTED FOR THE HARBOUR DUES IN THE
SECOND SCHEDULE OF THE ACT OF 1825.

Class 1.—For every vessel which shall load or unload in the harbour any sum not exceeding threepence per registered ton the one charge to cover either or both operations.

Class 2.—For every vessel (other than a yacht pleasure steamer tug boat fishing smack or pilot boat) which shall enter the harbour and not load or unload any sum not exceeding three shillings.

Class 3.—For every vessel (other than a yacht pleasure steamer tug boat fishing smack pilot boat or coasting vessel in ballast) which shall enter the harbour to repair damages any sum not exceeding sixpence per registered ton but if she be discharged then a sum not exceeding threepence per registered ton.

Class 4.—For every vessel which shall remain in harbour more than twenty-eight days an additional due not exceeding—

If such vessel be in Class 1 or in Class 2 twopence per registered ton; and

If such vessel be in Class 3 one penny per registered ton;

for every twenty-eight days beyond the first twenty-eight days and every period of twenty-eight days entered on but not completed shall be deemed a complete period: Provided that no vessel chargeable with a due under section 27 of the Act of 1825 shall be liable to either of the above-mentioned additional dues.

Class 5.—For every pleasure steamer which shall enter or leave the harbour any sum not exceeding two shillings and sixpence.

Class 6.—For every tug boat not for the time being engaged and used as a pleasure steamer which shall enter or leave the harbour any sum not exceeding one shilling and sixpence per day.

Class 7.—For every fishing smack which shall enter the harbour any sum not exceeding one shilling which sum shall clear such vessel for fourteen days from the date of such entry.

PART II.

TRANSIT RATES.

On the following goods and articles:—

Apples	Cheese
Alum	Clover seed
Beer	Coals for bunkers free of any charge.
Bottles (stone)	Cordage
Bottles (glass)	Currants
Braziers wares	Cider
Butter	Cork
Chairs	Deals double and single

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Deal ends and battens	Oranges
Earthenware	Painters colours
Earthenware coarse	Pears
Earthenware pans for chimneys	Peas
Eggs	Pewterers wares
Feathers	Pitch
Figs	Plaster of Paris
Flax	Planks (not fir)
Flour or meal	Prunes
Fuller's earth	Raisins
Fish salt	Rice
Grindstones	Seeds
Groceries or other dry goods	Shot (bird)
Hampers or cases with beer porter or cider	Soap
Hemp	Spices
Herrings red and white	Staves barrel
Honey	Staves firkin
Hoops wooden	Staves hogshead
Hops	Staves pipe
Iron hoop rods plate	Stones (burr)
Iron manufactured wrought cast and steel	Sugar and other dry goods not before enumerated
Kitchen ranges	Sugar in loaves or lumps
Lath wood	Stoves bath
Lead	Tallow
Lemons	Tar
Leather	Terras or cement
Logwood and all other dyeing wood	Timber beech
Mahogany	Timber converted
Malt	Timber elm ash and oak
Marble	Timber walnut
Molasses	Vinegar
Nails	Waincot boards 12 feet long and 1 inch thick
Nuts	Wheat
Oats	Whiting
Oil	Window glass
Oil salad in chests	Wool and cotton wool
Onions	

One shilling per ton.

On brandy rum and other spirituous liquors per 84 gallons one shilling.

On wine in cask per 126 gallons one shilling.

On wine in hamper per dozen bottles one halfpenny.

On tea per ten one shilling and eightpence.

On all other goods and articles not specified both in this schedule and in the First Schedule of the Act of 1825 (fresh fish only excepted) per ton one shilling.

Greater or lesser weights and quantities to be charged proportionately.

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[Ch. cliii.]

Weymouth and Melcombe Regis [50 & 51 Vict.]
Corporation Act, 1887.

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THE THIRD SCHEDULE.

BOROUGH OF WEYMOUTH AND MELCOMBE REGIS.

Certificate of Disease &c.

WEYMOUTH AND MELCOMBE REGIS CORPORATION ACT 1887.

TO THE CORPORATION OF THE BOROUGH OF WEYMOUTH AND
MELCOMBE REGIS.

Pursuant to the above-mentioned Act I hereby certify and declare that in
my opinion the under-mentioned person is suffering from a disease within the
terms of such Act.

Dated the day of 18 .

(Signed)

Name of person suffering from the }
disease }
Situation of the building wherein such }
person is }
Name of occupier or other person having }
the charge management or control of }
the building or room }
Nature of disease }

NOTE.—This certificate must (under a penalty of forty shillings in case of
neglect) be forthwith sent to the medical officer of health of the Corporation at
the office of the town clerk.

THE FOURTH SCHEDULE.

LANDS AND BUILDINGS OF WHICH PORTIONS ONLY ARE REQUIRED.

Parish.	Numbers on deposited Plans (all inclusive).
Radipole	WORK NO. 1. - 3, 4, 5, 6
Weymouth	WORK NO. 5. - 1, 2, 3, 4, 5
Weymouth	WORK NO. 9. - 3
Weymouth	WORK NO. 10. - 1

[50 & 51 Vict.]

Weymouth and Melcombe Regis
Corporation Act, 1887.

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THE FIFTH SCHEDULE.

PURPOSES FOR WHICH THE SUM OF £6,700 IS TO BE BORROWED.

The improvement of—

Victoria Street
Queen Street
Green Hill
Dorchester Road
Grosvenor Road
Southfield Road
Westbourne Road
Crescent Street
Park Street
Great George Street
Commercial Road
Lower East Street
Helen's Lane
York Buildings and Charlotte Row
Gloucester Row
Dorset Place
Saint Leonard's Road
Scrambridge Hill
Radwell Road
Trinity Street
Trinity Terrace
Augusta Terrace Franchise Street
Nothe Parade and Approach
Western Esplanade

The erection of shelters on the Esplanade

The laying out of "The Nothe"

The providing of cab stands.

THE SIXTH SCHEDULE.

FORMS.

(A.)

RESOLUTIONS ON CREATION OF STOCK.

Borough of Weymouth and Melcombe Regis.

[29th September 1887.]

At a Meeting of the Council of the Borough of Weymouth and Melcombe
Regis holden on [Wednesday the 29th day of September 1887] at [Eleven

A.D. 1887. o'clock in the forenoon] in the [Council Chamber within the] Town Hall [as a Special Council].

Present:

[A.B.] Mayor and an absolute majority of the Council.

Resolved first—

That under the authority and subject to the provisions of the Weymouth and Melcombe Regis Corporation Act 1887 the Corporation acting by the Council do hereby in exercise of their several statutory powers create Stock to be called Weymouth and Melcombe Regis Corporation [Redemable] Stock and to be issued to an amount which shall be sufficient for the following purposes but not exceeding [state the sum].

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 [sewerage and paving within the Borough].

B. For raising instead of re-borrowing 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 [1st January 188] 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 re-borrow.

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 authorized to re-borrow.

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):—

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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 188];
- 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 188] 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 188 25 per cent. On Tuesday the 11th day of January 188 25 per cent. On Tuesday the 1st day of March 188 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 of October 188) to be payable on the 1st January 188 ;
- F. Scrip certificates to bearer with coupons attached for the dividends payable 1st January 188 and 1st April 188 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 redeemable as follows: [state terms].

Resolved fourthly—

That subject to the approval of the Commissioners of Her Majesty's Treasury an agreement be entered into with the Commissioners of Inland Revenue for the payment to the last-mentioned Commissioners of composition under the provisions of section 53 of the Inland Revenue Act 1880 for the stamp duty on transfers of stock issued under the foregoing resolutions.

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(B.)

STOCK RECEIPT.

WEYMOUTH AND MELCOMBE REGIS CORPORATION
REDEEMABLE STOCK (£ PER CENT.)

	RECEIVED this day of 188	The Pro-
	of	prietors to
		protect them-
		selves from
Transfer	herein-after called the said Transferee	Fraud are re-
days:	the sum of	commended to
		accept by
		themselves or
Monday	being the consideration for	their Attorneys
Tuesday		all Transfers
Wednesday	Interest or Share in the Weymouth and Mel-	made to them.
Thursday	combe Regis Corporation Redeemable Stock	
Friday	(£ per cent.) transferable at the Bank of	£ s. d.
Holidays	England and all my Property and Interest in	
excepted.	and Right to the same and the Dividends	
	thereon by this day trans-	
	ferred unto the said Transferee	
	Witness Hand	
	Witness	

[Indorsement.]

NOTICE TO HOLDERS OF WEYMOUTH AND MELCOMBE REGIS
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.

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 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.

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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 indorsed.

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 upon any trust.

(C.)

CORPORATION STOCK CERTIFICATE.

BOROUGH OF WEYMOUTH AND MELCOMBE REGIS.

Number

This is to certify that A.B. of [] is the proprietor of [] pounds of Weymouth and Melcombe Regis 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 Weymouth and Melcombe Regis this [] day of [] 18 [].

(D.)

TRANSFER IN BOOKS.

WEYMOUTH AND MELCOMBE REGIS CORPORATION
REDEEMABLE STOCK (£ PER CENT.)

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

interest or share in the WEYMOUTH AND MELCOMBE REGIS 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 unto

executors administrators or assigns. Witness hand

Witness

do freely and voluntarily accept the above Stock transferred to

Witness

A.D. 1887.

(E.)

APPLICATION FOR ISSUE OF POWER OF ATTORNEY.

Bank of England the day of 188
From A.B. and C.D. [the registered stockholders in the Bank books.]

£ WEYMOUTH AND MELCOMBE REGIS CORPORATION REDEEMABLE
STOCK (£ per cent.)
To G.H. [the intended attorney.]

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

(F.)

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

Corporate }
Account. }

WEYMOUTH AND MELCOMBE REGIS 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

WEYMOUTH AND MELCOMBE REGIS 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 A.D. 1887.
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.

For further instructions see other side.

[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 No. 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 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 previously
to the Execution of the Letter.

I demand to act by this Letter of Attorney this day of 18
Witness

[Ch. cliii.]

Weymouth and Melcombe Regis
Corporation Act, 1887.

[50 & 51 Vict.]

A.D. 1887.

(G.)

DEED OF TRANSFER.

BOROUGH OF WEYMOUTH AND MELCOMBE REGIS.

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 Weymouth and Melcombe Regis 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 Weymouth and Melcombe Regis 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 []

(H.)

DIVIDEND WARRANT.

WEYMOUTH AND MELCOMBE REGIS 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 £ Weymouth and Mel-
combe Regis Corporation Redeemable
Stock (£ per Cent.) due 188
Less Property Tax at d. per £

I do hereby acknowledge to have received of the Bank of England the above-mentioned sum in full payment of one Quarter of a Year's Dividend due as aforesaid.

Witness

Witness my hand this

188 .

[50 & 51 Vict.]

Weymouth and Melcombe Regis
Corporation Act, 1887.

[Ch. cliii.]

A.D. 1887.

(I.)

DIVIDEND WARRANT BY POST.

(1.)

WEYMOUTH AND MELCOMBE REGIS CORPORATION
REDEEMABLE STOCK.

(£ PER CENT.)

Request for Transmission of Dividend Warrants by Post.

To the Governor and Company of the Bank of England.

A sum of £ Weymouth and Melcombe Regis Corporation Redeemable Stock (£ per Cent.) is now standing in name as follows:—

Amount:
"my" or
"our."Names
addresses and
descriptions
as recorded in
the Bank
books.

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 : _____
And hereby request the said Accountant-General to send through the Post at _____ risk and until further notice the Warrants so drawn to—

Name _____

Present Address _____

If the Account
is a solo 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.

SIGN HERE.

In the case of joint
Stockholders or
of Co-Executors
all must sign.

Date _____ 188 .

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[On second half-sheet of same form.]

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

NOTICE TO HOLDERS OF WEYMOUTH AND MELCOMBE REGIS 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 or the Isle of Man.

Persons receiving Dividends under Letter 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 they are not received on the correct day notice should be given to the Accountant-General without delay.

[50 & 51 Vict.]

Weymouth and Melcombe Regis
Corporation Act, 1887.

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A.D. 1887.

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.

WEYMOUTH AND MELCOMBE REGIS 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 188 on the sum of
£ { Weymouth and Melcombe Regis 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.

WEYMOUTH AND MELCOMBE REGIS CORPORATION REDEEMABLE STOCK
CERTIFICATE TO BEARER.

DIVIDEND AT £ PER CENT. PER ANNUM.

£50.

A00000.

This is to certify that the bearer of this Certificate is entitled to Fifty Pounds Weymouth and Melcombe Regis Corporation Redeemable Stock with dividend

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Weymouth and Melcombe Regis
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A.D. 1887. thereon at the rate of £ per Cent. per Annum transferable at the Bank of England pursuant to The Weymouth and Melcombe Regis Corporation Act 1887.

Dated 188 .
For the Governor and Company
of the Bank of England
[F. MAY.]

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

A00000. £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.]

5 Div.	5 Div.	4 Div.	4 Div.
WEYMOUTH AND MELCOMBE REGIS COR- PORATION REDEEMABLE STOCK.	WEYMOUTH AND MELCOMBE REGIS CORPORATION REDEEMABLE STOCK.	WEYMOUTH AND MELCOMBE REGIS COR- PORATION REDEEMABLE STOCK.	WEYMOUTH AND MELCOMBE REGIS CORPORATION REDEEMABLE STOCK.
Coupon for Shillings and Pence (Less Income Tax) being Three Months' Dividend at £ Per Cent. Per Annum.	Coupon for Shillings and Pence (Less Income Tax) being Three Months' Dividend at £ Per Cent. Per Annum.	Coupon for Shillings and Pence (Less Income Tax) being Three Months' Dividend at £ Per Cent. Per Annum.	Coupon for Shillings and Pence (Less Income Tax) being Three Months' Dividend at £ Per Cent. Per Annum.
A00000 Due [1st January 1889] on Certificate for FIFTY POUNDS WEYMOUTH AND MELCOMBE REGIS COR- PORATION REDEEMABLE STOCK. £0. 0. 0. Payable at the Bank of England.	Due [1st Jan. 1889]. A00000 £0.	A00000 Due [1st October 1888] on Certificate for FIFTY POUNDS WEYMOUTH AND MELCOMBE REGIS COR- PORATION REDEEMABLE STOCK. £0. 0. 0. Payable at the Bank of England.	Due [1st Oct. 1888]. A00000 £0.
3 Div.	3 Div.	2 Div.	2 Div.
WEYMOUTH AND MELCOMBE REGIS COR- PORATION REDEEMABLE STOCK.	WEYMOUTH AND MELCOMBE REGIS CORPORATION REDEEMABLE STOCK.	WEYMOUTH AND MELCOMBE REGIS COR- PORATION REDEEMABLE STOCK.	WEYMOUTH AND MELCOMBE REGIS CORPORATION REDEEMABLE STOCK.
Coupon for Shillings and Pence (Less Income Tax) being Three Months' Dividend at £ Per Cent. Per Annum.	Coupon for Shillings and Pence (Less Income Tax) being Three Months' Dividend at £ Per Cent. Per Annum.	Coupon for Shillings and Pence (Less Income Tax) being Three Months' Dividend at £ Per Cent. Per Annum.	Coupon for Shillings and Pence (Less Income Tax) being Three Months' Dividend at £ Per Cent. Per Annum.
A00000 Due [1st July 1888] on Certificate for FIFTY POUNDS WEYMOUTH AND MELCOMBE REGIS COR- PORATION REDEEMABLE STOCK. £0. 0. 0. Payable at the Bank of England.	Due [1st July 1888]. A00000 £0.	A00000 Due [1st April 1888] on Certificate for FIFTY POUNDS WEYMOUTH AND MELCOMBE REGIS COR- PORATION REDEEMABLE STOCK. £0. 0. 0. Payable at the Bank of England.	Due [1st April 1888]. A00000 £0.

[50 & 51 Vict.] Weymouth and Melcombe Regis
Corporation Act, 1887.

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FEES.

A.D. 1887.

	£	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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