



CHAPTER ccxlix.

An Act to make better provision for the health local government and improvement of the Borough of Macclesfield and to make further provision in relation to the existing and future loans of the Corporation and for other purposes.

A.D. 1882.

[18th August 1882.]

WHEREAS the borough of Macclesfield in the county of Chester (in this Act called the borough) is a municipal borough under the government of the mayor aldermen and burgesses (in this Act called the Corporation) of the borough and the Corporation are the sanitary authority for the borough with the powers and obligations of an urban sanitary authority :

And whereas the Corporation are the owners of the gas and water undertakings of the borough and it is expedient that the gasworks be extended and the powers of the Corporation in relation to the gas and water supply be enlarged :

And whereas it is expedient that the limits of the Corporation for the supply of gas should be extended so as to include the townships of Butley-cum-Newton Rainow and Prestbury :

And whereas it is expedient to make further provision in relation to markets and slaughter-houses and also to make regulations and other provisions in respect of the park and town hall of the borough :

And whereas it is expedient that the powers of the Corporation in relation to the health local government and improvement of the borough be enlarged and that the Acts in force in the borough be in divers respects amended :

And whereas by an Act (local) passed in the eleventh year of the reign of King George the Fourth chapter 124 (in this Act called the Act of 1830) the Corporation by the waterworks committee were authorised to borrow moneys for the purposes of the waterworks and that Act did not limit the amount so to be borrowed or provide for the repayment of the sum so borrowed by means of a sinking fund or otherwise and sums amounting to nine thousand

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A.D. 1882. two hundred and fifty pounds were borrowed under the powers of that Act on mortgages of the waterworks and water rents which mortgages are still subsisting and such mortgages and the interest thereon are by section 8 of the Macclesfield Borough Waterworks Act 1849 (in this Act called the Act of 1849) charged on the water rents rates and property chargeable with moneys to be borrowed under the Act of 1849 including the borough fund :

12 & 13 Vict.
c. xxvi.

And whereas by the Act of 1849 the Corporation were authorised (section 47) in addition to any sums theretofore borrowed under the Act of 1830 to borrow for waterworks purposes on the security of the borough rate and of any property vested in or belonging to them or which might be acquired by them further sums not exceeding forty-nine thousand pounds and the Corporation were (section 57) required to provide a sinking fund for the repayment of the sums so to be borrowed by setting aside once in every year such sum as they should think proper not being more than five pounds per centum on the amount of the principal moneys for the time being owing and moneys amounting in the whole to the sum of forty-nine thousand and eighty-eight pounds sixteen shillings were between the passing of the said Act and the 31st day of December one thousand eight hundred and seventy-four borrowed and applied for the purposes of the said Act and since the said day further sums amounting to twelve thousand one hundred and fifteen pounds have been borrowed and applied for the same purposes but in excess of the powers granted by the said Act and until the year one thousand eight hundred and seventy-eight the Corporation neglected to make any provision for a sinking fund.

15 & 16 Vict.
c. x.

And whereas by the Macclesfield Improvement Act 1852 (in this Act called the Act of 1852) the Corporation in addition to certain sums theretofore borrowed by the Corporation as the commissioners for executing a former Act of the sixth year of the reign of King George the Fourth chapter one hundred and ninety-six were authorised to borrow with the consent of the Treasury further moneys to the extent of twenty thousand pounds and were required to provide out of the borough fund a sinking fund for the repayment as well of the sums borrowed under the said former Act as of the sums to be borrowed under the Act of 1852 and the Corporation have not exercised their borrowing powers under the Act of 1852 except for the purpose of reborrowing to pay off the moneys borrowed under the said former Act amounting to nine thousand pounds and except the sums amounting to four thousand three hundred and ninety-five pounds borrowed under the Act of 1852 for street improvements and the Corporation have unexhausted borrowing powers under the Act of 1852 to the extent of fifteen thousand six hundred and five pounds but they neglected until the year one

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thousand eight hundred and seventy-eight to make provision for a sinking fund as required by the Act of 1852 and so far as can be ascertained the consent of the Treasury was never obtained for the borrowing of the said sum of four thousand three hundred and ninety-five pounds and doubts have arisen whether the consent of the Treasury ought not to have been obtained for the re-borrowing of the said sum of nine thousand pounds and such consent was not obtained :

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And whereas under the Macclesfield District Gas Act 1860 (in this Act called the Act of 1860) the Corporation were authorised to borrow and have borrowed on the security of the gas rents lighting rate and general district fund sums amounting to forty-nine thousand pounds but until the year one thousand eight hundred and seventy-seven they neglected to make provision for a sinking fund as required by the said Act :

23 & 24 Vict.
c. clxxxi.

And whereas before the passing of the Municipal Corporations Act 1835 the Corporation borrowed a sum of seven thousand pounds on bond for the erection of a town hall for the granting of which bond no statutory authority was then necessary and the same is by the effect of the Municipal Corporation Act 1835 charged on the borough fund and borough rate and the said bond is still in force and unsatisfied :

5 & 6 Will. 4.
c. 76.

And whereas under the powers of the Municipal Corporation (General) Act 1837 (7 Will. IV. and 1 Vict. c. 78. s. 40) the Corporation enlarged the town hall and provided a police station and they expended on such town hall and police station and in the improvement of their ancient markets sums amounting in the whole to sixteen thousand eight hundred and ten pounds and the said sums were raised by means of bonds and other securities and doubts have arisen whether such bonds and securities are valid and it is expedient that such doubts should be removed :

And whereas under the Public Works (Manufacturing Districts) Act 1863 the Public Works Loans Commissioners advanced to the Corporation under the powers of that Act sums amounting to twenty thousand pounds a portion of which was expended in improving the cemetery of the borough and the approaches thereto and doubts have arisen whether under the said Act the said portion could lawfully be so expended :

26 & 27 Vict.
c. 70.

And whereas under the Burial Acts the Corporation have borrowed and expended for the purposes of those Acts sums amounting to twenty-one thousand one hundred and seventy-one pounds four shillings and the sanction of the Secretary of State was duly given for the purposes of such expenditure but doubts have arisen whether the consent of the Treasury to the borrowing of the said sums ought not to have been obtained but such consent

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A.D. 1882. was not obtained except as to the sum of three thousand five hundred pounds part of the said sum of twenty-one thousand one hundred and seventy-one pounds four shillings :

And whereas sums amounting to two thousand one hundred and five pounds have been expended by the Corporation for the purposes of the Baths and Washhouses Acts but at the time of such expenditure the said Acts had not been duly adopted in the borough :

And whereas the entire debt of the Corporation as the municipal corporation and as the sanitary authority and burial authority and otherwise consists of the sums before mentioned and which are set forth in the following table (that is to say) :

At 25th November, 1881.	Total amount of Loans raised.	Amount of Sinking Fund invested or paid.	Net amount of Debt.
	£ s. d.	£ s. d.	£ s. d.
Debt incurred prior to the Municipal Corporation Act 1835 - -	7,000 0 0	—	7,000 0 0
On waterworks account (Acts of 1830 and 1849) - - -	9,250 0 0 61,203 16 0	} 6,507 1 7	63,946 14 5
On gas and improvement accounts (Acts of 1852 and 1860) - -	62,395 0 0		
For enlargement of town hall and erection of police station &c. -	16,810 0 0	—	16,810 0 0
To Public Works Loan Commissioners (the Public Works (Manufacturing Districts) Act 1863) -	20,000 0 0	10,583 6 8	9,416 13 4
On cemetery account - - -	21,171 4 0	1,326 8 9	19,844 15 3
On baths account - - -	2,105 0 0	—	2,105 0 0
	£ 199,935 0 0	25,127 5 7	174,807 14 5

And whereas of the above-mentioned total of one hundred and ninety-nine thousand nine hundred and thirty-five pounds the sums of nine thousand two hundred and fifty pounds and sixty-one thousand two hundred and three pounds sixteen shillings borrowed in respect of waterworks and forty-nine thousand pounds borrowed in respect of gas amounting together to one hundred and nineteen thousand four hundred and fifty-three pounds sixteen shillings are in the nature of profitable investments and the receipts for water and gas are more than sufficient to provide for the interest and sinking funds on the said sums and the residue of the said total being eighty thousand four hundred and eighty-one pounds four

shillings is less than one year's rateable value of the borough which in the year ended the thirtieth day of September one thousand eight hundred and eighty-one amounted to ninety-one thousand nine hundred and forty-five pounds being an increase of sixteen thousand seven hundred and one pounds beyond the rateable value in the year one thousand eight hundred and seventy-two :

And whereas it is expedient that all doubts as to the validity of the above-mentioned mortgages and securities should be removed and that further provision should be made with respect thereto and that the Corporation should be authorised to issue consolidated stock :

And whereas it is expedient that the Corporation be authorised to borrow further sums of money for the purposes of this Act :

And whereas estimates have been prepared in relation to the following purposes in respect of which the Corporation are by this Act authorised to raise moneys and such estimates are as follows :—

For gas purposes £45,000.

For waterworks purposes £10,000.

For market purposes £25,000.

For street improvements £20,000.

For cemetery purposes £1,500.

And whereas the several works included in such estimates respectively are permanent works within the meaning of section 234 of the Public Health Act 1875 :

38 & 39 Vict.
c. 55.

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

And whereas by the Act of 1852 (section 38) it is in effect enacted that no application shall be made to Parliament by the Corporation for further powers or for power to raise further sums of money for the purposes of that Act or for the purposes of any further or other Act until they shall by notice (given for two consecutive weeks in a newspaper published in Macclesfield or if none then in the newspaper published nearest to Macclesfield) have called a public meeting of the ratepayers of the borough at which meeting the Corporation shall cause to be stated the object of the intended application to Parliament nor unless at such meeting the Corporation shall be authorised by a majority of the ratepayers present at such meeting to make such application. Provided always that the Mayor of Macclesfield shall be the chairman of such meeting and the voting at such meeting shall be according to the provisions in that respect prescribed by the Acts 58 George III. chap. 69. and 59 George III. chap. 85. for the regulation of vestries. Provided also that if a poll shall be demanded at the said meeting in respect of any question it shall be open to all

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the ratepayers within the borough during a period of one day next following the holding of such meeting to signify their votes in writing in respect of such question and the same shall be decided by the majority of votes so signified and the voting shall be in accordance with the provisions in that respect prescribed by the last-mentioned Acts :

And whereas under the last recited enactment a meeting of the ratepayers of the borough was held on the thirtieth day of November 1881 and at that meeting a resolution was duly passed authorising the Corporation to make application to Parliament for this Act :

And whereas plans showing 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 and of the lessees or reputed lessees and of the occupiers of those lands and describing those lands have been deposited with the clerk of the peace for the county of Chester and are in this Act referred to as the deposited plans and book of reference :

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

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

PART I.—PRELIMINARY.

Short title.

1. This Act may be cited as the *Macclesfield Corporation Act 1882*.

Limits of Act.

2. This Act shall unless otherwise expressed or implied apply only to the borough.

Incorporation of general Acts.

3. The following enactments (so far as they are applicable for the purposes of and are not varied by or inconsistent with this Act) are hereby incorporated with and shall form part of this Act (that is to say) :

8 & 9 Vict.
c. 18.
23 & 24 Vict.
c. 106.
32 & 33 Vict.
c. 18.
10 & 11 Vict.
c. 15.
34 & 35 Vict.
c. 41.

The Lands Clauses Consolidation Acts 1845 1860 and 1869 (in this Act referred to as the Lands Clauses Acts) ;

The Gasworks Clauses Act 1847 (except the provisions with respect to the amount of profits to be received by the undertakers) and the Gasworks Clauses Act 1871 shall apply to the gas undertaking of the Corporation as if the same were hereby authorised.

And in the construction of those Acts for the purposes of this Act the terms "the promoters of the undertaking" "the undertakers" and "the company" respectively mean the Corporation.

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4. In this Act "the council" "the mayor" "the town clerk" "the treasurer" "the medical officer of health" "the borough surveyor" or "surveyor" "the inspector of nuisances" "the borough fund" "the borough rate" "the district fund" "the general district rate" "the watch committee" and "a constable" mean respectively the council the mayor the town clerk the treasurer the medical officer of health the borough surveyor the inspector of nuisances the borough fund the borough rate the district fund the general district rate the watch committee of the borough and a constable belonging to any police force having authority within the borough. A.D. 1882.
Interpreta-
tion.

In this Act "the Municipal Corporations Acts" means the Municipal Corporation Act 1835 and any Acts for the time being in force amending the same or otherwise relating to municipal corporations in England.

In this Act "the Public Health Acts" means the Public Health Act 1875 and all Acts for the time being in force amending or extending the same and the several words and expressions to which meanings are assigned by the Public Health Act 1875 (including the definition of new building in section 159 of that Act) have in this Act the same respective meanings unless there is something in the subject or context repugnant to such construction.

"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.

In this Act "the Bank of England" means the Governor and Company of the Bank of England. "Rate" includes water rents gas rents and charges for supply of water or gas or of meters or fittings connected therewith. "Statutory declaration" means declaration under the Statutory Declarations Act 1835 and "person" includes corporation. 5 & 6 Will. 4.
c. 62.

In this Act and for purposes thereof in enactments incorporated therewith "court of competent jurisdiction" means such a court as would have jurisdiction if the debt or demand with respect to which that expression is used were a common simple contract debt and not a debt or demand created by statute and "superior courts" includes any court of competent jurisdiction.

5. This Act shall be carried into execution by the Corporation acting by the council and according to the Municipal Corporations Acts the Public Health Acts and the recited Acts and other laws for the time being affecting the Corporation as a municipal body Act to be
executed by
council.

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and as a sanitary authority respectively and with all the rights powers privileges and authorities conferred by those Acts and laws on the Corporation and on the council and committees of the council and the officers agents and servants of the Corporation with respect to matters provided for by or comprised in the Municipal Corporations Acts and Public Health Acts and other Acts and as nearly as may be in all respects as if the powers duties and property vested in imposed on or enjoyed by them by or under this Act were vested in imposed on or enjoyed by them by or under the Municipal Corporations Acts the Public Health Acts and other Acts respectively.

PART II.—GAS.

Extension of gas limits.

6. The limits within which the Corporation may supply gas and exercise the powers conferred upon them by the recited Acts and this Act in relation to such supply shall extend to and include the townships of Butley-cum-Newton Rainow and Prestbury.

Purchase of lands for gas undertaking.

7. Subject to the provisions of this Act the Corporation may enter upon take and use the lands shown on the deposited plans and described in the deposited book of reference (and which lands are also described in the Second Schedule to this Act) and they may also from time to time purchase by agreement such further lands not exceeding in the whole five acres as they may require for the purposes of their gas undertaking and the lands purchased under the authority of this section shall be used only for the purposes of that undertaking.

Period for compulsory purchase of lands.

8. 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.

Houses of labouring classes.

9. The Corporation shall not less than eight weeks before they take fifteen houses or more occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers make known their intention to take the same by placards handbills or other general notice placed in public view upon or within a reasonable distance from such houses and shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that they have so made known their intention and before taking any such houses the Corporation shall unless they and the persons aforesaid otherwise agree procure sufficient accommodation elsewhere for persons belonging to the labouring classes who will be displaced under the powers of this Act and for that purpose may appropriate any lands for the time being belonging to the Corporation and thereon erect houses and if any question arises as to the sufficiency of the accommodation

provided by the Corporation under this section the same shall be determined by a court of summary jurisdiction under section 181 of the Public Health Act 1875.

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10. The Corporation may upon the piece of land described in the Second Schedule to this Act construct and maintain and from time to time alter enlarge extend and remove retorts gasholders receivers meters apparatus and works for the manufacture and storing of gas and of coke and other residual products obtained in the manufacture of gas and matters producible therefrom and may make store and supply gas and residual products accordingly and may make and maintain all requisite and proper approaches and conveniences for the purposes of such works

Power to construct gasworks.

11. It shall not be lawful for the Corporation to manufacture or store gas or residual products except upon the lands described in the Second Schedule to this Act and the lands on which they are authorised to manufacture or store gas by the Act of 1860.

Restriction on manufacture and storing of gas.

12. Section 19 (Provision of service pipes) of the Act of 1860 is hereby repealed.

Repeal of s. 19 of Act of 1860.

13. Section 24 (Quality of gas) of the Act of 1860 is hereby repealed and in lieu thereof and for the purposes of the application of the Gasworks Clauses Act 1871 the following provisions shall apply—

Repeal of section 24 of Act of 1860 and as to application of 34 & 35 Vict. c. 41.

1. The prescribed number of candles shall be sixteen.

2. The prescribed burner shall be Sugg's London Argand Burner No. 1 with a six-inch by one-and-three-quarter-inch chimney but if the flame at any time tail over the top of that chimney a six-inch by two-inch chimney shall be used or other approved burner or chimney capable of consuming five cubic feet of gas an hour.

3. The prescribed testing place shall be some part of the gasworks of the Corporation and the prescribed time shall be six months after the passing of this Act.

14. All gas supplied by the Corporation to any consumer of gas shall be supplied at such pressure as to balance a column of water from midnight to sunset not less than six tenths of an inch and from sunset to midnight not less than eight tenths of an inch in height at the main as near as may be to the junction therewith of the service pipes supplying such consumer and any gas examiner appointed under the Gasworks Clauses Act 1871 may subject to the terms of his appointment from time to time test the pressure at which the gas is supplied and may for that purpose open any street road passage or place vested in or under the control of any local or road authority and the provisions of the Gasworks Clauses Act 1871

Pressure of gas.

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with reference to testing of gas and to penalties shall mutatis mutandis apply to such testing of pressure and two hours previous notice shall be given to the Corporation of the time and place at which such testing shall be conducted.

Corporation to pay interest on money deposited as security for gas meter &c.

15. If any person is required by the Corporation to give to them security for the payment of the price or rent of a meter the Corporation shall pay interest after the rate of four pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Power to supply gas for heating purposes.

16. The Corporation may on the request of the owner or occupier of any premises within their gas limits supply gas for heating purposes on such premises.

Repeal of sec. 73 of Act of 1860 and new provision as to gas revenue.

17. Section 73 (Application of receipts of board) of the Act of 1860 is hereby repealed and in lieu thereof be it enacted as follows: The Corporation shall keep separate accounts of their capital and revenue in respect of their gas undertaking separate from all their other accounts and shall apply all money from time to time received by them in respect of their gas undertaking except borrowed money and other money received on capital account as follows (that is to say):

In payment of the expenses properly chargeable to revenue of conducting managing and maintaining the gasworks and otherwise carrying on the gas undertaking of the Corporation:

In payment of the interest upon money borrowed under the Act of 1860:

In payment of the interest upon money borrowed under this Act for gasworks purposes:

In providing the requisite appropriations or annual repayments or sinking fund under this Act in relation to money borrowed for gasworks purposes:

And shall carry to the district fund any balance remaining in any year.

Deficiency of funds of gasworks.

18. If in any year the amount standing to the credit of the gas account be insufficient for the payment of the charges thereon and the execution of the Act of 1860 and this Act in relation to the gas undertaking the deficiency shall be made up out of the general district rates by carrying an adequate sum therefrom to the credit of the gas account and the Corporation from time to time in preparing the estimates of the amount required in their judgment to be raised by means of a general district rate for the purposes of the borough may include therein such sums respectively (if any) as in the judgment of the Corporation are necessary to be provided in aid

of the deficiency from time to time arising as aforesaid in the gas account and shall collect the same as part of such general district rates. A.D. 1882.

PART III.—WATER.

19. The Corporation are hereby authorised to cause either main pipes or service pipes as circumstances shall require to be laid down and water to be brought through every street within the borough and shall at the request of the owner or occupier of any house in any street in which such pipes shall have been so laid down furnish to such person within such house by means of branch or communication pipes and other necessary and proper apparatus to be provided and laid down as in this section mentioned a sufficient supply of water for domestic purposes and the owner of any house within the borough not furnished with a proper supply of water shall when thereunto required by the Corporation provide a branch or communication pipe and other necessary and proper apparatus to convey the water into such house from any main or service pipe which now is or hereafter may be laid in any street in which such house may be situate in such manner as to afford an actual supply of water within such house to the occupier thereof and the occupier of such house shall pay the water rates in respect of such supply. Supply of water for domestic purposes.

20. The Corporation shall not be compellable to supply with water any bath if it contain when filled for use more than fifty gallons of water or any watercloset or bath or the apparatus connected therewith unless the same be made to the satisfaction of the Corporation and used so as to prevent the waste contamination or undue consumption of the water of the Corporation. For preventing waste of water.

21. If and whenever any house building or premises which shall have been supplied with water by the Corporation shall be unoccupied the Corporation their agents servants or workmen after giving twenty-four hours previous notice to the owner by serving the notice on him or sending the same by post addressed to him at his usual place of abode or business or if the owner or his usual place of abode or business be not known to the Corporation by affixing the same for three days on some conspicuous part of such house building or premises may enter into such house building or premises between the hours of six o'clock in the forenoon and six o'clock in the afternoon and remove and carry away any pipe meter fittings or other works the property of the Corporation. Power for Corporation to remove water pipes.

22. The Corporation from time to time when and as they think expedient may put up and continue and from time to time remove or discontinue drinking places with proper conveniences for the gratuitous supply of water to the public and to horses and cattle Public drinking fountains.

A.D. 1882. (but for drinking only) in such public places within the borough as the Corporation think fit but not against any private dwelling-house warehouse counting-house or shop except with the consent of the owner and occupier thereof or against any public building unless the building shall be the property of the Corporation.

Where several houses supplied by one pipe each to pay.

23. Where several houses or parts of houses in the occupation of several persons shall be supplied by one common pipe the several owners or occupiers of such houses or parts of houses shall be liable to the payment of the same rates for the supply of water as they would have been liable to if each of such several houses or parts of houses had been separately supplied with water from the works of the Corporation by a distinct pipe: Provided always that the Corporation shall not be compelled to supply water to the occupier of any part of a dwelling-house or for any premises occupied with a dwelling-house unless the water rate is paid for the whole of such dwelling-house and premises.

Supply to houses partly used for trade &c.

24. The Corporation shall not be bound to supply with water otherwise than by measure any building used as a dwelling-house whereof any part is used as a warehouse or for any trade or manufacturing purpose for which water is required.

Incoming tenant not to be liable for arrears of water rent except by express agreement.

25. If any water consumer leave the premises to which water has been supplied without paying to the Corporation the water rate or charges due from him the Corporation shall not require from the next tenant of the premises payment of the arrears so left unpaid by the defaulting consumer unless the incoming tenant shall have agreed with the Corporation or with the defaulting consumer to pay the arrears but the Corporation shall supply water to the incoming tenant upon the terms and conditions prescribed by this Act if required by him so to do.

Power to make regulations with respect to fittings for preventing the misuse of water.

26. The Corporation from time to time with the approval of the Local Government Board may make regulations to be observed by persons supplied or applying to be supplied with the water of the Corporation and thereby direct the use and prescribe the dimensions weight nature strength materials and quality and the mode of connexion arrangement alteration and repair of any fittings for that supply and require any fittings to be examined or tested before or during use and interdict generally or in particular cases the future use or application of any fittings or the continued use of any existing fittings not in accordance with such regulations or not examined or tested as thereby required and require persons by whom or on whose premises fittings are laid attached connected or altered to permit the same to be inspected by the officers of the Corporation before the same are covered up and to give notice to

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the Corporation before covering up the same. And the Corporation shall not be bound to begin or continue to supply water to any person unless such regulations as aforesaid are and continue to be observed by him and if any person supplied with water by the Corporation fails to observe any such regulation or interdict as aforesaid the Corporation may after twenty-four hours notice in writing or in case of emergency without notice cut off the supply of water to him and alter remove repair supply or replace any fittings and the expenses of their so doing shall be repaid to them by the person to whom or on whose credit the water is supplied and may be recovered by them as a debt in any court of competent jurisdiction.

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27. Section 30 (Application of water rates) of the Act of 1849 is hereby repealed and in lieu thereof be it enacted as follows: The Corporation shall keep separate accounts of their capital and revenue in respect of their water undertaking separate from all their other accounts and shall apply all money from time to time received by them in respect of their water undertaking except money borrowed and other money received on capital account as follows (that is to say):

Provision
as to water
revenue.

In payment of the expenses properly chargeable to revenue of conducting managing and maintaining the waterworks and otherwise carrying on the water undertaking of the Corporation

In payment of the interest upon money borrowed under the Act of 1830 for waterworks purposes

In payment of the interest upon money borrowed under the Act of 1849 for waterworks purposes

In payment of the interest upon money borrowed under this Act for waterworks purposes

In providing the requisite instalments or sinking fund under this Act in relation to money borrowed for waterworks purposes.

And shall carry to the borough fund any balance remaining in any year.

PART IV.—SANITARY PROVISIONS.

28. The Corporation may order the owner or occupier of any building or lands to remove any urinal belonging thereto so situated or constructed as to be a nuisance or offensive to public decency and if any person fails in any respect to comply with this section he shall be liable to a penalty not exceeding five shillings for every day during which such failure continues after the expiration of fourteen days from the service of such order on him.

Removal of
urinals.

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Corporation may provide temporary accommodation during disinfection of dwellings.

Corporation may provide nurses, &c.

Notice to be given of persons suffering from infectious disease.

29. The Corporation may from time to time provide temporary shelter or house accommodation for the members of any family in which any infectious disease has appeared and who have been compelled to leave their dwellings for the purpose of enabling such dwellings to be disinfected.

30. The Corporation may provide or contract with any person or persons to provide nurses for attendance upon persons suffering from infectious disease within the borough and may charge a reasonable sum for the service of any nurse provided by them.

31. 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 have effect (that is to say) :

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 registered medical practitioner resident or practising 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.

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

32. 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 provision.

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 registered medical practitioner residing in the borough but the omission to send any such copy shall not affect the validity of such order.

33. Where the Corporation are of opinion on the certificate of their medical officer of health or of any registered medical practitioner that the cleansing and disinfecting of any house or part thereof and of any articles therein likely to communicate any infectious disease or to retain infection would tend to prevent or to check infectious disease and that such cleansing and disinfection would more effectually be carried out by the Corporation than by the owner or occupier of such house or part thereof the Corporation without requiring such owner or occupier to carry out such cleansing

Further powers in relation to disinfection of premises.

A.D. 1882.

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.

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

34. 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 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.

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

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

36. 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 or the medical attendant (if any) 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

[45 & 46 VICT.] *Macclesfield Corporation Act*, 1882. [Ch. ccxlix.]

buried and any person wilfully offending against this section shall be liable to a penalty not exceeding fifty pounds. A.D. 1882.

37. 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 registered medical practitioner or is retained in a room in which persons live or sleep or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or of any adjoining or neighbouring house or building 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.

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

38. 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.

Corpses not to be carried in public conveyances.

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

Penalty for offences under section 84 of 38 & 39 Vict. c. 55.

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

Penalties only recoverable by Corporation.

A.D. 1882.

Saving for
Acts relating
to dairies
animals &c.
41 & 42 Vict.
c. 74.

41. Nothing in or done under this Act shall interfere with the operation or effect of the Contagious Diseases (Animals) Act 1878 or of any order license or act of Her Majesty's Privy Council 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 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.

PART V.—MARKETS AND SLAUGHTER-HOUSES.

Forfeiture
of articles
left in
market.

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

Licensing of
hawkers &c.

43. The Corporation may from time to time if they think fit grant to any person a license to sell or expose for sale in a place (other than a market-place or market-house or in his own dwelling-house or shop) or from door to door any article in respect of the sale or exposure for sale whereof in any market-place or in respect of the user of any stall or other convenience for the sale or exposure for sale whereof in any market-place any toll stallage or rent is leviable by or payable to the Corporation every such license being granted on such terms and conditions as the Corporation think fit and to endure for a period not exceeding twelve months and to be revocable in such case as the Corporation prescribe and the Corporation may demand and take for every such license for a period of twelve months any sum not exceeding one pound and in like proportion for any shorter period. And if any person other than a hawker holding an excise license does any act for which a license under this section is authorised without having obtained such license or does any act in contravention of or omits to do anything required by any license granted to him he shall be liable on sum-

mary conviction to a penalty not exceeding forty shillings for every day on which any such offence is committed by him. Provided always that nothing herein contained shall prevent the owner of any horse or any licensed horse dealer on behalf of such owner from selling or exposing the same for sale otherwise than by auction on his own premises or from showing or trying any horse preliminary to any such sale or intended sale thereof.

A.D. 1882.

44. With respect to the licensing of slaughter-houses and knackers' yards the following provisions shall have effect (namely):

Power to license slaughter-houses.

(1.) The Corporation may from time to time grant licenses for the use of buildings or premises as slaughter-houses or knackers' yards and they may demand a sum not exceeding five shillings for any such license for twelve months and in the like proportion for any shorter period and they may grant such licenses upon such terms and conditions and subject to such restrictions as they by the respective licenses shall specify.

(2.) They may by order revoke or suspend the license for any slaughter-house or knacker's yard when in their opinion the same is a nuisance.

(3.) In case of any such revocation or suspension the Corporation shall give notice thereof to the owner or occupier of such slaughter-house or knacker's yard.

(4.) If any person slaughters or dresses for sale any animal in any slaughter-house or knacker's yard the license for which is suspended or revoked he shall be liable to a penalty not exceeding five pounds.

(5.) If any slaughter-house or knacker's yard is not used as such for the space of three months the license thereof shall be deemed to have lapsed.

45. It shall not be lawful for any person except with the consent of the Corporation to slaughter for sale any cattle or to dress for sale the carcase of any cattle in any place within the borough other than a slaughter-house provided or licensed by the Corporation or to use any place within the borough as a knacker's yard unless licensed by the Corporation for that purpose and if any person acts in any respect in contravention of this enactment he shall for every such offence be liable to a penalty not exceeding five pounds.

Power to provide slaughter-houses.

46. The Corporation may at any time after they have provided public slaughter-houses revoke cancel or call in any license granted by them whether before or after the passing of this Act to carry on private slaughter-houses and no person shall except with their consent slaughter any animal in any place within the borough except in such slaughter-houses and if any person acts in any respect in contravention of this section he shall be liable for each offence to a

Corporation may revoke licenses for private slaughter-houses and prohibit slaughtering except in Corporation

A.D. 1882.
slaughter-
houses when
provided.

penalty not exceeding five pounds Provided always that the Corporation shall pay or tender compensation to the owner and occupier of any slaughter-house existing at the passing of this Act and of any licensed slaughter-house existing at the time when the Corporation provide the public slaughter-houses except that if any such licenses shall have been granted upon condition that the same should be given up to be cancelled after notice by or request of the Corporation no such compensation shall be payable and the amount of such compensation in case of dispute shall be ascertained and recovered in manner provided by the Public Health Acts.

PART VI.—PARK AND TOWN HALL.

Present
park to be
maintained.

47. The public park (which with its appurtenances is in this Act referred to as the park) shall remain vested in the Corporation and shall always be held and maintained by the Corporation as a place of public resort and recreation.

Power to
make byelaws
for regulation
of public
park &c.

48. The Corporation may from time to time make byelaws for all or any of the following purposes relating to the park that is to say :—

For regulating the days on and hours at which the park is to be opened and closed :

For prohibiting the holding therein of any public meeting :

For regulating the days on and hours at which games and gymnastics are to be permitted therein or for otherwise regulating or prohibiting games and gymnastics therein :

For regulating the days on and hours at which bands of music or music of any sort are or is to be permitted therein :

For letting and regulating refreshment rooms booths or stalls therein and for determining the days on and hours at which they are to be opened and closed (subject to the provisions of the Licensing Act 1872 to 1874) and the nature and price of the articles and things to be sold therein :

For preventing or regulating the admission therein of dogs vehicles and horses :

For preventing males from intruding on or using playgrounds therein set apart for the use of females and vice versa :

For regulating the traffic and if thought necessary prohibiting any particular kind of traffic in any road within or forming an approach to or boundary road of such place and not being a public highway :

For protecting from injury buildings greenhouses terraces fountains lakes bridges walks seats fences and other parts of or things belonging to the park and for preventing the destruction or injury of aquatic or other birds animals trees shrubs plants or flowers or the plucking of flowers or leaves therein :

35 & 36 Vict.
c. 94.
37 & 38 Vict.
c. 49.

[45 & 46 VICT.] *Macclesfield Corporation Act*, 1882. [Ch. ccxlix.]

For enabling the servants of the Corporation or any police constable to remove therefrom gipsies hawkers rogues prostitutes and vagabonds and any persons who may be intoxicated or who may within the park commit any breach of any byelaw or regulation relative thereto.

A.D. 1882.

49. The Corporation may from time to time and on such occasions as they think fit not exceeding in all ten days in any year close the park under their control or any part thereof against the public and may on such occasions admit to any such place 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 think fit and the admission of every individual to the park on such occasions may be either with or without payment as directed by the Corporation or by such society institution or persons with the consent of the Corporation and any payment made in respect of such admission may be applied for the purpose of such society institution or persons.

Corporation may close park on special occasions.

50. The Corporation may from time to time appoint and dismiss such officers as they may think requisite for securing the execution of the provisions of the Public Health Acts and this Act and of any byelaws made in pursuance thereof with respect to the park and may pay to such officers such salaries or remuneration as they may think fit.

Corporation may appoint officers for purposes of Act as to the park.

51. The Corporation may continue and maintain the town hall and offices of the Corporation and may from time to time enlarge and improve the same and furnish and fit up the same with all proper furniture and conveniences and may let the same or any rooms therein for such purposes and at such rent as the Corporation may think fit.

Maintenance &c. of town hall and offices.

PART VII.—BUILDINGS.

52. In any building to be erected every habitable room except rooms wholly or partially in the roof shall be in every part nine feet in height at the least from the floor to the ceiling and every habitable room in the roof of any such building shall be at the least nine feet in height from the floor to the ceiling throughout not less than one half the area of such room.

Height of rooms.

53. Every building now or hereafter used or intended to be used as a place of public amusement or entertainment or for holding large numbers of people for any purpose whatever shall be provided with ample and convenient means of ventilation and ingress and egress to be approved by the Corporation.

Ventilation &c. of public buildings.

A.D. 1882.

If the owner or occupier or person in charge of any such building after the expiration of three months from the receipt of a notice from the surveyor to the effect that the Corporation are not satisfied with the sufficiency of the means of ventilation ingress and egress provided for such building and specifying the alterations or additions which the Corporation think necessary shall allow such building to be used for any such purpose as aforesaid without having first complied with the terms of the notice he shall for every such offence be liable to a penalty not exceeding fifty pounds.

Passage
between
yards of
back to back
houses.

54. In every case where the backs of new dwelling-houses or the yards thereto do not abut upon a street there shall be a passage at least ten feet wide immediately at the back or side thereof and every such passage shall be open uncovered and free from obstruction throughout its entire length and communicate with a street and where practicable at each end with a street.

Waterclosets
privies and
ashpits.

55. Except as herein otherwise provided every new building shall be provided with a separate watercloset earth-closet pan-closet or privy and ashpit accommodation the situation dimensions materials and construction of which respectively shall be subject to the approval of the Corporation or their surveyor. Every pan-closet earth-closet privy and ashpit shall be in the yard attached to such building. Every privy shall have an opening as near to the top as practicable communicating directly with the external air or shall be furnished with such other means of ventilation as the Corporation or their surveyor may direct. Every watercloset in a building shall be constructed in such a position that one of its sides at the least shall be an external wall. Every watercloset in connexion with a building whether the situation of such watercloset be or be not within such building shall have in one of the walls thereof a window made to open of not less dimensions than two feet by one foot exclusive of the frame and opening directly into the external air.

Privies &c.
for manu-
factories.

56. Every building used as a workshop or manufactory whether erected before or after the commencement of this Act shall be provided outside such building with at least one privy and one urinal for every forty males or fractional part thereof employed therein and with at least one privy for every twenty females or fractional part thereof employed therein.

Rooms over
privies or
ashpits not
to be used
as dwelling

57. No room built before or after the commencement of this Act any portion of which extends immediately over any privy cess-pool midden ashpit or stable shall be occupied as a dwelling or sleeping or workroom and no person shall after the expiration of

[45 & 46 VICT.] *Macclesfield Corporation Act*, 1882. [Ch. ccxlix.]

one month after the commencement of this Act wilfully occupy or suffer to be occupied as a dwelling or sleeping or workroom any such room. A.D. 1882.
or sleeping
rooms.

58. The owner of every oven used by any baker and of every furnace used by any tradesman or artificer shall construct a wall of not less than nine inches in thickness between the fire of the oven or furnace and the wall of the building in which such oven or furnace shall be and such wall shall be constructed above below and around the oven or furnace to the satisfaction of the Corporation. Ovens and
furnaces to
have pro-
tecting walls

59. If the medical officer of health or any two registered medical practitioners shall by writing certify to the Corporation that any building or part of a building is unfit for human habitation the Corporation may cause a notice of such certificate to be served on the owner or occupier of such building or part of a building and appoint a time for him to appear and answer the same before them and upon such appearance or in default thereof may by their order affixed conspicuously on the building or part of the building declare that the same is not fit for human habitation and the same shall not after a date therein to be specified be inhabited and after the date or time mentioned in such order no person shall let or occupy or continue to let or occupy or knowingly suffer to be occupied such building or part of a building. Provided always that if at any time after such order has been made the Corporation shall be satisfied that such has become or been rendered fit for human habitation they may revoke their said order and the same shall thenceforth cease to operate. Buildings
unfit for
human
habitation.

60. Every owner of a new building shall before the same shall be inhabited give to the Corporation a notice in writing that the said building and its appurtenances and the drainage and the ventilation of such building are completed and that the drains thereof are sufficiently trapped according to the provisions of the enactments and byelaws for the time being in force and a demand that the same may be inspected within seven days from the service of such notice. And no owner of a new building shall occupy or allow the same to be occupied if he shall have received from the surveyor within seven days after the service of such notice a notice in writing that such new building is not complete or sufficiently ventilated and fit for habitation or that the drainage thereof is not completed and the drains not sufficiently trapped in accordance with any enactment or byelaw then in force in the borough (the notice to state in what particulars the building or the ventilation or the drainage is defective). And any owner who shall occupy or allow such new building to be occupied and any person who shall wilfully occupy Houses
not to be
inhabited
until certifi-
cate of com-
pletion given
by Corpora-
tion.

A.D. 1882.

the same after such last-mentioned notice has been given shall be liable to a penalty not exceeding five pounds and a further penalty not exceeding forty shillings for every day during which such building shall be inhabited until the defects specified in such notice and found to be contrary to any enactment or byelaw then in force in the borough have been remedied.

Power of inspection.

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

Power of surveyor on inspecting.

62. If the surveyor on inspecting any building or work find that the same is so far advanced that he cannot ascertain whether anything has been done contrary to any enactment or byelaw in force in the borough or to the plans and sections approved by the Corporation in pursuance of any such byelaws or whether anything required by any such enactments byelaws or plans and sections has been omitted to be done the surveyor shall within forty-eight hours after such inspection give to the owner or his agent or to the builder or person engaged in erecting such building or doing such work notice in writing requiring such builder or person within forty-eight hours from the date of such notice to cause so much of any building or work as prevents such surveyor from ascertaining whether anything has been done or omitted to be done as aforesaid to be to a sufficient extent cut into laid open or pulled down and such builder or other person shall forthwith comply with the notice so given. Provided always that in case the surveyor shall neglect to inspect any building or work within forty-eight hours after notice has been served upon him pursuant to this Act or if he shall neglect to inspect after such notice any other building or work before the same is so far advanced that he is unable to inspect without cutting into laying open or pulling down the same the expense of cutting into laying open or pulling down as the case may be any such building or work and of reinstating the same and a reasonable sum for the delay occasioned thereby shall be borne and paid by the Corporation if it shall appear on inspection that such requirements have not been infringed.

63. The borough surveyor may repair any building drain trap grid coal shoot window guard cellar grating and kerb stone (and provide all new material required for the same) that he considers dangerous to passengers after giving twenty-four hours notice to the owner of such dangerous building drain trap grid coal shoot window guard cellar grating or kerb stone or to the agent of the owner and recover the expense of such repairs from the owner in a summary manner but such repairs shall not extend beyond the removal of the cause of danger.

A.D. 1882.
Borough
surveyor
may repair
buildings &c.

64. Where in the plan of a building submitted to and approved by the Corporation a building is described as a lock-up shop workshop shed or place of business the use thereof or of any part thereof for the purposes of habitation by any person other than a caretaker shall be an offence against this Act and shall be deemed to have been committed on the day when the user thereof is first detected. The mayor may from time to time by warrant under his hand authorise the surveyor medical officer of health or any officer to enter at any time into and examine any building suspected of being so used. If any person obstructs the surveyor or such officer so authorised in his entry or examination he shall be liable to a penalty not exceeding five pounds.

Prevention
of lock-up
shops &c.
being used
for habita-
tion.

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

Height of
chimneys.

(1.) Every new chimney of whatever material used or intended to be used in connexion with any workshop or manufactory or in connexion with any trade or business shall be of such reasonable height as the Corporation may prescribe :

(2.) Any person who shall offend against any provisions of this section shall be liable to a penalty not exceeding twenty pounds and to a further penalty not exceeding five pounds for every day during which such offence shall continue.

66. Every person offending against this part of this Act whether he be the owner agent architect builder contractor workman labourer servant or other person employed in or about any works shall (unless otherwise in this Act provided) be liable to a penalty not exceeding five pounds and in the case of a continuing offence to a further penalty not exceeding forty shillings for every day during which such offence continues after the expiration of twenty-four hours from the service of notice on him by the Corporation. Provided always that if any such agent architect builder contractor workman labourer servant or other person has acted in relation to any such offence with the privity or consent of the owner or person causing or directing the work to be done he shall not be liable to any penalty under this part of this Act.

Penalties.

A.D. 1882.

PART VIII.—PRIVATE IMPROVEMENT EXPENSES.

As to private improvement expenses.

67. In regard to expenses incurred by the Corporation under section 150 (Power to compel paving &c. of private streets) of the Public Health Act 1875 (in this section called private improvement expenses) and the recovery thereof the following provisions shall apply :

- (1.) The Corporation may in relation to the cost to them of the surveying and superintendence of the works in respect of which private improvement expenses are incurred charge the owners or other persons liable to the payment of such expenses with a commission not exceeding the rate of five per centum on the amount of those expenses and may add the same to those expenses and recover the same therewith and the sum so recoverable shall bear interest from the demand thereof at a rate fixed by the Corporation not exceeding five per centum per annum and such interest shall be recoverable accordingly :
- (2.) The Corporation may apportion the private improvement expenses incurred in respect of any work executed in or for any court passage alley or yard amongst the owners of the lands or premises in on or abutting on any such court passage alley or yard in such manner as the Corporation may deem equitable instead of in proportion to their respective frontages But any person deeming himself aggrieved by the decision of the Corporation may appeal to the Local Government Board under and in accordance with the provisions of section 268 of the Public Health Act 1875 and that board may alter the apportionment as they may think equitable :
- (3.) The Corporation shall have the same powers and remedies in relation to the charge created by section 257 (Recovery of expenses by local authority from owners) of the Public Health Act 1875 on the premises in respect of which private improvement expenses are incurred as if they were mortgagees of such premises for the amount of such charge and having powers of sale lease and of appointing a receiver and the powers and provisions contained in Part IV. (Mortgages) of the Conveyancing and Law of Property Act 1881 shall apply thereto :
- (4.) Summary proceedings for the recovery of private improvement expenses or any instalment thereof may be commenced at any time within two years from the date of the service of the notice of demand :
- (5.) The Corporation may apply the improvement rate in or towards defraying private improvement expenses but this power shall not affect the liability of any owner or other person chargeable therewith to repay the moneys expended by the Corporation.

44 & 45 Vict.
c. 41.

68. The Corporation may from time to time enter into such agreements as they think fit with owners of lands buildings or premises being tenants for life or for other limited interest or being trustees or committees of estates of lunatics or being otherwise in a fiduciary relation to the lands buildings or premises or being by the Lands Clauses Acts empowered to sell and convey or release lands with reference to the making of new streets and the widening paving flagging sewerage and otherwise improving of existing streets and for the repayment to the Corporation of the expenses incurred by them in execution of such agreements at deferred periods or by instalments or otherwise and all such agreements shall be valid as against and binding on the Corporation and shall be carried into execution by them and shall be valid as against and binding on the other parties thereto to the extent of their respective estates and interests in the lands buildings or premises affected and also as against and on their respective successors in title or interest to the extent to which those other parties have power or authority independently of this Act to enter into such agreements so as to bind their successors in title or interest but not further or otherwise.

A.D. 1882.

Power for Corporation to enter into agreements with tenants for life &c.

PART IX.—POLICE.

69. If any person destroys pulls down injures or defaces any boards or conveniences for the reception of advertisements or any advertisement placard or bill affixed thereto or any placard or notice issued and put up by or under the direction of the Corporation or any notice of the position of a fireplug or hydrant or any board provided by the Corporation on which any byelaw or part of a byelaw of the Corporation is painted or placed he shall for every such offence be liable to a penalty not exceeding forty shillings.

Penalty on pulling down notice boards.

70. If three or more persons shall be assembled together in any street at any time of the day or night for the purpose of assaulting insulting or annoying foot passengers and if any of such persons shall not comply with the direction or request of any constable to move away so as to leave the footway clear and unobstructed or shall assault insult or annoy any foot passenger he shall be liable to a penalty not exceeding forty shillings and such persons shall be deemed to be assembled together for the purpose of assaulting insulting or annoying foot passengers within the meaning of this Act if being assembled together any one or more of them shall assault insult or annoy any foot passenger.

Penalty on persons obstructing footway.

71. Any justice may by order in writing authorise any constable to enter into any building or part of a building or any place kept

Power to enter used theatres &c.

[Ch. ccxlix.] *Macclesfield Corporation Act, 1882.* [45 & 46 VICT.]

A.D. 1882.

or used or suspected to be kept or used for stage plays or dramatic entertainments into which admission is obtained by payment of money and which is not a licensed theatre at any time when the same is opened for the reception of persons resorting thereto and to take into custody any person found therein without lawful excuse. And every person keeping using or knowingly letting any building or part of a building or any place for the purposes aforesaid or any of them shall be liable to a penalty not exceeding twenty pounds and every person performing or being therein without lawful excuse shall be liable to a penalty not exceeding forty shillings and the burden of proving that any such place is a licensed theatre shall be upon the person keeping the same.

Restriction on casual employment of children. 39 & 40 Vict. c. 79.

72. After the passing of this Act no child under the age of fourteen years shall unless he has obtained a certificate of ability to read and write and of a knowledge of elementary arithmetic in terms of section 5 of the Elementary Education Act, 1876 be employed in any casual employment within the borough after nine o'clock at night from the first day of April to the first day of October and after seven o'clock at night from the first day of October to the first day of April.

Definition of term "casual employment."

73. Casual employment shall mean employment for purposes of gain in streets or other places in vending or exposing for sale any article whatsoever.

Penalty for employing a child in contravention of Act.

74. Every person who takes a child into his employment in contravention of this Act shall be liable on summary conviction to a penalty not exceeding forty shillings.

Definition of employment in case of parent.

75. A parent of a child who employs such child in any labour exercised by way of trade or for the purposes of gain or who permits such child to be engaged in any such labour on its own behalf shall be deemed for the purposes of this Act to take such child into his employment.

Enforcement of Act by school board or by inspectors of factories &c.

76. The provisions of this Act respecting the employment of children shall be enforced by the school board of the borough provided that it shall be the duty of the inspectors and sub-inspectors acting under the Acts regulating factories workshops and mines respectively and not of the school board to enforce the observance by the employers of children of the provisions of this Act respecting the employment of children in such factories workshops and mines but it shall be the duty of the school board to assist the said inspectors and sub-inspectors in the performance of their duty by information and otherwise.

Byelaws as to bicycles.

77. The Corporation may from time to time make and enforce byelaws for regulating the use of bicycles in highways in the

[45 & 46 VICT.] *Macclesfield Corporation Act, 1882.* [Ch. ccxlix.]

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. And for the purposes of this section "bicycle" shall include velocipede and other similar mechanical contrivance.

A.D. 1882.
41 & 42 Vict.
c. 77.

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

Prohibition
of persons
assembling
in streets
for purposes
of betting.

79. If any person affixes to any house building wall board or public urinal waterclosets or lavatory or delivers or exhibits to any inhabitant or passenger in or near to any street any bill or printed or written paper (whether enclosed in a sealed or other envelope or not) of an obscene or indecent nature or referring to any disease of a loathsome or secret kind or to any cure for any such disease he shall for every such offence be liable to a penalty not exceeding forty shillings or in the discretion of the justice before whom he is convicted to imprisonment for any term not exceeding one month with or without hard labour.

Prohibition
of obscene
bills &c.

80. The Corporation may from time to time make byelaws for compelling the fencing off of whirligigs and swings which in the opinion of the Corporation or any officer authorised in that behalf may be a source of danger or accident if not so fenced and for controlling the speed thereof and the use of steam power as applied thereto and for prohibiting dangerous whirligigs and swings.

Byelaws
relating to
dangerous
amusements.

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

Dancing
music &c.

(1.) Any house or other place licensed for the sale of wine spirits beer or other fermented or distilled liquors or any room garden or place shall not be kept or used for public dancing music or other public entertainment of the like kind without a licence for all or some of those purposes first obtained from the justices acting for the borough:

(2.) Such justices may under the hands of a majority of them assembled at the general annual licensing session grant licenses to such persons as they think fit to keep or use houses rooms gardens or places for all or some of the purposes aforesaid upon such terms and conditions and subject to such restrictions as they by the respective licenses determine and every license shall be in force for one year:

A.D. 1882.

- (3.) Such justices may from time to time at any such session as aforesaid transfer any such license to such person as they think fit :
- (4.) Each person shall in each case give seven days notice to the clerk of the justices of his intention to apply for any such license or for the transfer of any such license :
- (5.) Any house room garden or place kept and used for public dancing music or other public entertainment of the like kind without such license first obtained shall be deemed a disorderly house and the person occupying or rated as the occupier of the house shall be liable to a fine not exceeding five pounds for every day on which the same is kept and used for any of those purposes :
- (6.) There shall be affixed and kept up in some conspicuous place on the door or entrance of every house room garden or place so kept or used and so licensed as aforesaid an inscription in large capital letters in the words following "licensed in pursuance of Act of Parliament :"
- (7.) Any house room garden or place so kept or used although so licensed as aforesaid shall not be opened for any of the said purposes except between the hours stated in the license :
- (8.) The affixing and keeping up of such inscription as aforesaid and the limitation of the hours of opening shall be inserted in and made conditions of every such license and in case of any breach of either of those conditions such license shall be liable to be revoked by the order of any two justices :

PART X.—MARINE STORE DEALERS AND BROKERS.

Power to license marine store dealers and brokers.

82. The Corporation may from time to time grant to every such person as they think fit a license to carry on the business of a broker or dealer in second-hand goods or in marine stores or in old metals and may charge a fee not exceeding five shillings for any such license for twelve months and in the like proportion for any shorter period.

Power to make byelaws as to brokers &c.

83. With respect to such brokers and dealers and their licenses the Corporation may from time to time make byelaws for all or any of the following purposes (namely) :

For regulating the applications for such licenses and the form contents signature and registration thereof :

For regulating the duration of every such license and providing for the suspension or revocation thereof by the Corporation :

For requiring every person so licensed to give notice to the Corporation in case of his changing his place of abode or his place of carrying on his business either to a different building or to a different or additional part of the same building :

For requiring every person so licensed to keep exhibited outside his place of business his name and occupation and any other particulars : A.D. 1882.

For requiring every person so licensed to enter in a book the description and the price of every article purchased or acquired by him in the course of his business and the name address and occupation of the person from whom the same is purchased or otherwise acquired and any other particulars and for securing free access to every such book to the Corporation their officers and servants and persons authorised by the Corporation to inspect the same.

84. Any such license may be suspended or revoked by any justice before whom the person licensed is convicted of any offence making it in the opinion of such justice expedient that such license should be suspended or revoked. License may be suspended or revoked.

85. If any person after the expiration of six months from the commencement of this Act carries on while unlicensed the business of such a broker or dealer as aforesaid he shall be liable to a penalty not exceeding twenty pounds and to a further penalty not exceeding five pounds for every day during which such offence continues after the time when the penalty of twenty pounds is incurred. Penalty on persons carrying on business without license.

86. Nothing in this Act with respect to such brokers or dealers shall affect persons carrying on the business of pawnbrokers being duly licensed for that purpose. Act not to extend to pawnbrokers &c.

PART XI.—FINANCE.

87. The sums borrowed by the Corporation before the passing of this Act for the purposes of the several recited Acts and constituting the amounts of the recited debts of the Corporation shall be deemed to have been lawfully borrowed notwithstanding any excess beyond the limits of the borrowing powers granted by such Acts and notwithstanding that the requisite sanctions may not have been given by the Treasury or the Local Government Board for such borrowing and all mortgages or securities given before the passing of this Act to secure any such sums shall be as valid for all purposes as if they had been authorised by such Acts and had been duly given in pursuance of the powers and provisions thereof. Confirmation of mortgages &c.

88. In lieu of the obligations under the recited Acts in respect of the payment off of the balance of the moneys borrowed under those Acts the Corporation shall repay the same and also all the other recited loans in respect of which no statutory obligation exist as to the payment off of the same (unless converted into stock) within forty-five years from the passing of this Act by any one or Provisions as to sinking fund in respect of existing loans.

A.D. 1882.
38 & 39 Vict.
c. 83.

more of the methods including a sinking fund mentioned in the Local Loans Act 1875 with respect to the discharge of loans borrowed in the manner provided by that Act provided that nothing shall alter or affect the obligations in respect of moneys borrowed of the Public Works Loans Commissioners.

Power to
borrow.

89. The Corporation may from time to time independently of any other borrowing power borrow at interest for the several purposes the several sums following (that is to say):

For gas purposes forty-five thousand pounds;

For waterworks purposes ten thousand pounds;

For market purposes twenty-five thousand pounds;

For street improvements twenty thousand pounds;

For cemetery purposes one thousand five hundred pounds;

For the purposes of paying the costs of this Act as herein-after defined the sum requisite for that purpose.

Provided always that the Corporation shall not exercise the borrowing powers hereby conferred with respect to waterworks markets street improvements and cemetery unless and until they shall have obtained the consent of the Local Government Board after such local or other inquiry as they may think proper to institute.

The Corporation may in respect of moneys borrowed for gas purposes mortgage the revenue of their gas undertaking and the district fund and general district rate and in respect of moneys borrowed for waterworks purposes they may mortgage the revenue of their water undertaking and the borough fund and borough rate and in respect of moneys borrowed for market purposes they may mortgage the market tolls and the borough fund and borough rate and in respect of street improvements they may mortgage the district fund and general district rate and in respect of the moneys borrowed for cemetery purposes they may mortgage the burial rate and borough fund and borough rate and in respect of moneys borrowed for the purpose of paying the costs of this Act they may mortgage the borough fund and borough rate.

In addition to the moneys which the Corporation are by this section authorised to borrow they may from time to time with the approval of the Local Government Board borrow at interest on the securities mentioned in this section or any of them such sum or sums of money as they may require for any of the purposes for which money is by this Act authorised to be borrowed.

Subject to the provisions of this Act the mortgages from time to time granted by the Corporation under this section shall be granted in accordance with the provisions of the Public Health Acts with respect to mortgages of the general district rate and all

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the powers and provisions of those Acts applicable with respect to mortgages of the general district rate and transfer of mortgages the appointment of a receiver and otherwise shall apply and have effect with respect to the mortgages granted under this section. A.D. 1882.

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

The Corporation shall pay off all money borrowed by them under this section by any one or more of the methods including a sinking fund mentioned in the Local Loans Act 1875 with respect to the discharge of loans borrowed in the manner provided by that Act within forty-five years from the borrowing of the same respectively.

Money borrowed under this section shall be applied only to the purpose for which it is authorised to be borrowed and for purposes to which capital is properly applicable.

90. If the Corporation pay off any moneys borrowed by them under the last preceding section of this Act otherwise than by instalments or appropriations or by means of a sinking fund, or out of the proceeds of the sale of land acquired under the powers of this Act they may re-borrow the same and so from time to time: Provided that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing has been made and that the moneys originally borrowed and any amounts from time to time re-borrowed under the foregoing provisions for the repayment of such moneys shall for the purpose of section 15 of the Local Loans Act 1875 be deemed to form the same loan and the obligations of the Corporation with respect to the sinking fund to be set aside in respect of such moneys shall not be in any way affected by reason of such re-borrowing. Power to re-borrow.

91. The treasurer shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for any sinking fund or appropriated or paid as an instalment under the preceding provisions of this Act transmit to the Local Government Board a return in such form and verified in such manner as that Board may from time to time prescribe showing the amount which has been appropriated or paid by instalments or invested for the purpose of such sinking fund during the year next preceding the making of such return and the description of the securities upon which the same has been invested and the purposes Annual return to Local Government Board with respect to sinking funds.

A.D. 1882.

to which any portion of the moneys invested for the sinking fund or the interest thereof has been applied during the same period and the total amount (if any) 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 Acts in a summary manner may be recovered by parties aggrieved within the meaning of those Acts. If it appears to the Local Government Board by such return or otherwise that the Corporation have failed to pay any instalment or to make any appropriation or set apart the sum required by the preceding provisions of this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or the interest thereof to any other purposes than those authorised 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 or applied by the Corporation as part of the sinking fund and any such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the Queen's Bench Division of the High Court of Justice.

Saving for existing charges.

92. Nothing in this Act shall prejudicially affect any charge on the revenue and rates or the estates and property of the Corporation subsisting at the passing of this Act and every mortgagee or person for the time being entitled to the benefit of any such charge shall have the same priority of charge and all the like rights and remedies in respect of the revenue rate and property subject to his charge as if this Act had not been passed and all such charges created before the passing of this Act shall during the subsistence thereof have priority over any mortgage or charge granted under this Act on the same revenue rate and property.

PART XII.—CORPORATION STOCK.

Interpretation of statutory borrowing power and statutory security.

93. (1.) Any power (whether or not coupled with a duty) of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security represented 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

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be passed is for purposes of this part of this Act a statutory borrowing power.

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(2.) 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 including the Corporation or of any other local authority within section thirty-four of the Local Loans Act 1875 is for purposes of this part of this Act a statutory security.

(3.) 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.

94. This part of this Act shall be carried into execution by the Corporation acting by the council.

Execution
by council.

CREATION AND CHARGE OF STOCK.

95. (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 stock either redeemable or irredeemable 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 redeemable 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 and that all irredeemable 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.

Creation of
Corporation
stock.

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

A.D. 1882.

(3.) The resolution for the first creation of redeemable 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.) Irredeemable stock shall not be redeemable except by agreement between the Corporation and the holder of stock.

(5.) Each resolution for creation of stock shall specify whether the stock thereby created is redeemable or irredeemable.

(6.) Stock so created shall be designated by the Corporation as Macclesfield Corporation Redeemable Stock or as Macclesfield Corporation Irredeemable Stock (as the case may require).

(7.) All stock for the time being so created whether redeemable or irredeemable is comprised in the term Corporation stock when hereafter used in this part of this Act except where either redeemable stock or irredeemable stock is separately mentioned.

Borrowing power to be exerciseable for actual sum raiseable.

96. 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 statutory security granted by the Corporation.

Charge of Corporation stock.

97.—(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 lands undertakings and other property for the time being of the Corporation and on the borough fund and borough rate and on the district fund and general district rate and on all other funds and rates established and leviable by the Corporation.

(2.) The dividends for the time being payable on all Corporation stock shall rank equally with the interest on all other securities of the Corporation created or granted after the passing of this Act in pursuance of any statutory borrowing power and the same dividends and interest shall subject to all charges existing at the passing of this Act 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). A.D. 1882.

LOANS FUND.

98. 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 Macclesfield Corporation Consolidated Loans Fund (in this part of this Act referred to as the loans fund). Establishment of consolidated loans fund.

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

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

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

(2.) They shall provide the sum or sums last aforesaid by contributions from the several Corporation revenues if any specifically

A.D. 1882. — 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 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 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 such amounts as with accumulations at the rate of three pounds ten shillings per centum per annum shall be from time to time calculated to be sufficient to purchase at its nominal amount the portion of stock towards the extinction whereof those contributions are payable within the periods following (that is to say):

(a) In case of money already raised under any statutory borrowing power and in case of stock issued for the purpose of paying off or converting any of the recited debts of the Corporation (other than the debt due to the Public Works Loans Commissioners) within forty-five years from the passing of this Act.

(b) In case of money to be hereafter raised under any statutory borrowing power within such period as the Act or provisional order or departmental order or sanction authorising the raising of that money has prescribed or shall prescribe for the payment off thereof.

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

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

expressly or by implication limited for the continuance of any loan by or under the statutory borrowing power in exercise whereof that portion of stock is issued be paid into the loans fund out of the Corporation revenues chargeable with payment of the dividends on that portion of the stock.

A.D. 1882.

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

Raising of contributions to loans fund.

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

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

102.—(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.

A.D. 1882.

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

Application
of loans
fund.

103. 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 redeemable stock according to the terms of issue and purchasing for extinction Corporation redeemable or irredeemable stock.

Purchase of
irredeemable
stock.

104.—(1.) The Corporation shall not be bound to purchase for extinction any Corporation irredeemable stock unless they can do so at or below par that is to say at a price not higher than the nominal amount thereof.

(2.) If any portion of Corporation irredeemable stock is not wholly extinguished within the period expressly or by implication limited for the continuance of any loan by or under the statutory borrowing power in exercise whereof that portion of stock is issued then after that period the dividends on that portion of stock while unextinguished shall be paid out of the interest and annual proceeds of such money and securities forming part of the loans fund as are properly applicable to the extinction of that portion of stock and except as far as at any time a deficiency of the loans fund in that behalf exists no further money shall be paid into the loans fund in respect of those dividends out of the Corporation revenues liable to contribute to the loans fund in respect of those dividends.

(3.) But in that case the Corporation shall continue to pay into the loans fund the yearly sum theretofore required to be provided for extinction of that portion of stock until the securities forming part of the loans fund applicable to that extinction are of sufficient value to enable the Corporation to purchase therewith for extinction the unextinguished part of that portion of stock.

(4.) In case at any time after the expiration of the period limited as aforesaid the Local Government Board are of opinion that the Corporation can without material loss regard being had to the price of issue of the portion of Corporation irredeemable stock which ought to be extinguished within that period and to the rate of dividend payable thereon purchase that portion of stock for extinction then the Local Government Board may if they think fit order the purchase for extinction of that portion of stock or of any part thereof.

(5.) In case at any time during any period limited for the continuance of any loan by or under the statutory borrowing power in

exercise whereof any portion of Corporation irredeemable stock is issued the Local Government Board are of opinion that regard being had to the market value of Corporation irredeemable stock the provision made for the purchase and extinction of any portion of such stock within the prescribed period is insufficient the Local Government may from time to time by order direct that the contributions to be made to the loans fund for the purchase and extinction of that portion of stock in accordance with the provisions of this part of this Act shall be increased by such amount as shall be specified in the order so as to provide that the Corporation shall purchase and extinguish or shall be in a position to purchase and extinguish that portion of Corporation stock within the period limited for the continuance of the corresponding loan.

105. All Corporation redeemable stock redeemed by the Corporation and all Corporation redeemable or irredeemable stock 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.

Extinction
of stock
redeemed or
purchased.

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

Account of
loans fund.

(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

A.D. 1882.

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

Application
of income in
reduction of
contribu-
tions.

107.—(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.

(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.D. 1882.

(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.

108. 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. Determination as to charge of stock.

EXISTING SECURITIES.

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

(2.) The Corporation may create and issue Corporation stock to such amount as may be requisite for purposes of this section and that stock shall be deemed to be created and issued and any money raised thereby shall be deemed to be raised by virtue of the statutory borrowing power or other power under which the statutory security was granted or created and any money so raised shall be applied in payment off or redemption of the statutory security.

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(3.) 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 statutory security.

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

(5.) Money received by the holder of any statutory security as authorised by this section and Corporation stock issued to him in substitution for any statutory security shall be subject to the same trusts powers testamentary and other dispositions provisions and incumbrances as the money secured or represented by the statutory security was subject to immediately before the payment off redemption or substitution and every 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.

Extinction
or suspension
of power.

110. 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):

(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 statutory security granted 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.

General
application
of money

111. 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.

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—
from Corporation stock.

Temporary investment of money raised by stock.

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

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

REGISTRATION AND CERTIFICATES.

113.—(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 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).

Appointment of 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.

42 & 43 Vict. c. 11.

114.—(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).

Corporation stock register.

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

115.—(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).

Certificates of proprietorship of stock.

(2.) A stock certificate shall be primâ facie evidence of the title of the person therein named his executors administrators successors or assigns to the stock therein specified but the want of a stock cer-

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tificate shall not prevent the holder of stock from disposing of and transferring the same if such want be accounted for to the satisfaction of the Corporation.

(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 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 stock certificate lost or destroyed.

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

TRANSFER.

Power for
stockholder
to transfer.

116. 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.

Transfer in
books.

117.—(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.

(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.

Transfer by
deed.

118.—(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.

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(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.

119.—(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.

Evidence on 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.

120.—(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.

Closing of transfer books.

(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.

121. 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

Stamp duty on transfers.

A.D. 1882. deed shall be duly stamped and the consideration shall be truly stated therein.

TRANSMISSION.

Transmis-
sion on
death.

122.—(1.) The interest in Corporation stock of a stockholder dying shall for the purposes of this part of this Act be transferable by his executors or administrators notwithstanding any specific bequest thereof.

(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.

Transmis-
sion on
marriage &c.

123.—(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 other 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.

(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.

DIVIDENDS.

Payment of
dividends.

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

Dividends to
executors
&c.

125. 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.

[45 & 46 VICT.] *Macclesfield Corporation Act, 1882.* [Ch. ccxlix.]

126. The Corporation or the registrar before allowing the receipt of any dividend on any Corporation stock may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming a right to receive the dividend and that evidence shall be a statutory declaration of competent persons or of such other nature as the Corporation or the registrar may require. A.D. 1882.
Evidence of title.

127. 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. Dividends to joint holders.

128. 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 think fit require proof to their satisfaction of the alleged infancy or unsoundness of mind by a statutory declaration of one or more competent persons. Dividends when one joint holder is infant &c.

129.—(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. Dividend warrants by post.

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

(3.) Every warrant so sent by post shall be deemed a cheque and the Corporation and the registrar shall in relation thereto be deemed a banker within the Crossed Cheques Act 1876. 39 & 40 Vict. c. 81.

STOCK CERTIFICATES WITH COUPONS TO BEARER.

130.—(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 Provisions respecting stock certificates with coupons to bearer.

A.D. 1882. bearer of the coupons to the dividends on the stock but so that in case of redeemable stock no such certificate or coupons shall give a title to dividends beyond the time limited for redemption.

(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 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 mode of payment of the dividends thereon be in the like condition as if no stock certificate to bearer had been issued in respect thereof.

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

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

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

(9.) Where the Bank of England are the registrar coupons shall be payable at the chief establishment of the bank at the expiration of three clear days from the day of presentation and at any branch establishment of the bank situated more than ten miles from the chief establishment at the expiration of five clear days from the day of presentation. A.D. 1882.

(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.) 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.

(13.) 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 is 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 certificates 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.

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GENERAL.

Nature of Corporation stock; notice of trusts.

131. (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.

Receiver.

132. (1.) If at any time the Corporation for two months after demand in writing fail to pay any dividend due on any Corporation stock the person entitled thereto may apply to 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.

Holding of Corporation stock by trustees.

133. (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 successively interested in trust money no investment thereof shall be made in Corporation redeemable stock at a price exceeding the redemption value of the stock.

Protection of holders of Corporation stock.

134. A person taking or holding Corporation stock shall not be concerned to inquire or to take notice whether the creation or issue thereof was or was not within any statutory borrowing power of the Corporation or otherwise in accordance with this part of this Act

or whether or not the council or any meeting thereof was properly constituted or convened or whether or not the proceedings at any meeting of the council were legal or regular or to see to the application of any money raised by Corporation stock or be answerable for any loss or misapplication thereof.

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135.—(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 town clerk if required by that Board.

Annual
return to
Local
Government
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 town clerk the town clerk 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 appear 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.

136. (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.

Unclaimed
dividends.

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

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

A.D. 1882. 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 under this section of persons showing title to those dividends.

Saving for power to borrow otherwise.

137. 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 passing of this Act 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 of revocation.

138. 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 other obligations.

139. 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 power to sell lands &c.

140.—(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 the revenues thereof other than the charge of Corporation stock or affect any claim of any person under such first mentioned charge.

(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 appli-

cation of that purchase money or other money or be answerable for any loss or mis-application thereof. A.D. 1882.

141. 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 passing of this Act 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. Saving for existing securities.

142.—(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.” 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. 33 & 34 Vict. c. 58.

143. 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 and inquiries and other proceedings to which this section relates. Orders of Local Government Board.

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

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

(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

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A.D. 1882. Corporation having regard to the cases in which the fees are paid determine.

Expenses.

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

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

PART XIII.—MISCELLANEOUS.

Power to use stone from certain Corporation quarries for repairing streets in borough &c.

147. Whereas by the award made on the enclosure of Macclesfield Common certain pieces of land were allotted to the several proprietors therein named (including the Corporation) for the purpose of getting stone gravel sand marl and other materials and such allotments are now known as Windyway Quarry and Tegsnose Quarry but doubts have arisen as to the extent of the powers of the Corporation in the working of such quarries. Be it therefore enacted that the Corporation may if they think fit take and use stone gravel sand and other material from the said quarries not only for the purpose of making and repairing roads within the manor of Macclesfield but also for making and repairing any other roads and streets within the borough.

Cabmen's shelters.

148. The Corporation may from time to time provide erect place and maintain or authorise to be erected placed and maintained in any public street in the borough such places of shelter as they think fit for the use and convenience of the drivers of hackney carriages and licensed porters and may make byelaws as to the user and cleaning thereof.

Power to accept statues.

149. The Corporation may from time to time accept in trust for the inhabitants of the borough and allow the erection in public streets and places in the borough of such statues and other monuments drinking and other fountains and seats as they think fit and may maintain the same and any statues monuments fountains and seats so accepted and erected before the passing of this Act and keep them in good order and repair.

As to appeal.

150. Any person deeming himself aggrieved by any order or determination of the Corporation or of any officer or valuer of the

[45 & 46 VICT.] *Macclesfield Corporation Act*, 1882. [Ch. ccxlix.]

Corporation or by any conviction or order made by a court of summary jurisdiction under any provision of this Act may appeal (but in cases where application for relief is authorised to be made to the Corporation then only after such application) to the next practicable court of quarter sessions under and according to the provisions of section 269 of the Public Health Act 1875.

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151. All byelaws authorised to be made by this Act shall be made subject to and in accordance with the provisions of the Public Health Act 1875 with respect to byelaws as though the same were made under and for the purposes of the said Act and sections 182 to 187 both inclusive of the Public Health Act 1875 shall be applicable to such first-mentioned byelaws accordingly.

Byelaws to be subject to provisions of 38 & 39 Vict. c. 55.

152. All offences penalties forfeiture costs and expenses by this Act or any Act incorporated herewith or any byelaw thereunder authorised or directed to be prosecuted or recovered summarily or in a summary way or before any justices or justice or the prosecution or recovery of which is not otherwise expressly provided for may be prosecuted and recovered before a court of summary jurisdiction and all penalties recovered summarily by the Corporation within the borough under this Act or any Act incorporated herewith or any byelaw thereunder shall be paid to the Corporation and carried to the borough fund.

Prosecution and recovery of offences and penalties.

153. The Corporation may levy any rate they are for the time being authorised to make either in one sum or payment or by any number of instalments of such amounts and to be paid at such times as they shall from time to time fix and determine at the time of making such rate and in the case of a rate payable by instalments the demand note shall in addition to other requisite particulars state the time appointed for payment of such instalments and all the powers and remedies of the Corporation for the recovery of rates shall extend and apply to each instalment as if the same were a separate rate.

Power to levy rates payable by instalments.

154. Any summons or warrant issued for any purpose of this Act or for the payment of any gas or water rates rents or charges may contain in the body thereof or in a schedule thereto several names and several sums.

Several sums in one summons.

155. A judge of any court or a justice or a member of the council shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate or other charge under this Act.

Judge &c. not disqualified.

156. The town clerk the treasurer and the surveyor respectively may from time to time with the approval of the Corporation appoint

Deputies may be appointed

A.D. 1882. a deputy and delegate to him the performance of all or certain of the duties of the office to which such town clerk treasurer and surveyor is appointed and the acts of such deputy within the terms and during the continuance of such appointment shall be valid accordingly. The provisions of section 58 of the Municipal Corporations Act 1835 shall apply with respect to the salary or allowance to and the securities to be taken from every such deputy and to vacancies in the office of any such deputy.

by town clerk &c.

Paid auditors.

157. The Corporation may from time to time appoint and pay a competent person or persons to act as auditor or auditors of the accounts of the Corporation in addition to and to act either along with or apart from the auditors appointed under the Municipal Corporation Acts.

Town clerk may take proceedings in bankruptcy. 32 & 33 Vict. c. 71.

158. The town clerk may institute and prosecute all such proceedings in bankruptcy under the Bankruptcy Act 1869 or any Act amending or substituted for the same as may be necessary to procure to be adjudged a bankrupt any person against whom the Corporation may have any claim or demand as though such claim or demand were the claim or demand of the town clerk and not of the Corporation.

Authentication proof and service of orders and notices.

159. Any order or resolution of the Corporation or of the council and any notice declaration requisition demand warrant of distress or other instrument made given delivered or served under or in pursuance or in exercise of the powers of this or any other Act may be either in print or in writing or partly in print or partly in writing and shall be sufficiently authenticated by the name of the town clerk being affixed thereto in print lithograph or writing and a copy thereof certified by the town clerk shall be receivable in evidence and the production of the original thereof shall not be necessary and it shall be sufficient in all cases where any such order resolution notice declaration requisition demand warrant of distress or other instrument is required to be given to or served upon the owner or occupier of any property to address the same to him by his description as owner or occupier (as the case may be) of the premises (naming them) in respect of which the order resolution notice declaration requisition demand warrant of distress or other instrument is given or served without further name or description and any such order resolution notice declaration requisition demand warrant of distress or other instrument may in addition to any other modes of service pointed out by such Acts and byelaws respectively be served upon any owner occupier or other person by sending the same through the post in a registered letter addressed to him by name at his last known place of abode or business.

[45 & 46 VICT.] *Macclesfield Corporation Act*, 1882. [Ch. ccxlix.]

160. 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 including the costs charges and expenses preliminary to and of and connected with the obtaining of the resolution of owners and ratepayers aforesaid shall be paid by the Corporation out of the borough fund or out of moneys borrowed on the security thereof under the powers of this Act.

A.D. 1882.
Expenses of
Act.

A.D. 1882.

THE FIRST SCHEDULE.

FORMS.

(A.)

RESOLUTIONS ON CREATION OF STOCK.

BOROUGH OF MACCLESFIELD.

[29th September 188 .]

At a meeting of the council of the borough of Macclesfield holden on [Wednesday the 29th day of September 188] at [eleven o'clock in the forenoon] in the [Council Chamber within the] Town Hall [as a special council].

Present:

[A.B.] Mayor and a full council.

Resolved first—

That under the authority and subject to the provisions of the Macclesfield Corporation Act 1882 the Corporation acting by the council do hereby in exercise of their several statutory powers create stock to be called Macclesfield Corporation [Irredeemable] Stock and to be issued to an amount which shall be sufficient for the following purposes but not exceeding [five hundred thousand] pounds [£500,000] :—

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 [waterworks];
- (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 [sewering 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

[45 & 46 VICT.] *Macclesfield Corporation Act, 1882.* [Ch. ccxlix.]

the security of outstanding securities granted by the Corporation for raising money for the purposes of the following Acts (that is to say):—

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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 authorised 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):—

- 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 [£98] 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 [£3 10s.] 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:

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H. Stock to be issued in sums of not less than £100 :

J. Stock to be transferable [in books and not by deed].

Resolved thirdly—

That such stock shall be irredeemable [or 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.

(B.)

STOCK CERTIFICATE.

BOROUGH OF MACCLESFIELD.

Number

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

Given under the common seal of the mayor aldermen and burgesses of the borough of Macclesfield, this _____ day of _____ 18 .

(C.)

TRANSFER IN BOOKS.

MACCLESFIELD CORPORATION STOCK [£3 10s.] PER CENT.

No. _____ this _____ day of _____ in the _____
 Entered by _____ year of our Lord one thousand eight hundred and _____
 do assign and transfer _____
 interest or share in the Macclesfield Corporation Stock _____
 Witness to the [£3 10s.] per cent. transferable at [the Bank of England] _____
 identity of _____ and all my property and interest in and right to the same and _____
 the dividends thereon unto _____

£	s.	d.

executors administrators or assigns. Witness _____ hand

 Witness

do freely and voluntarily accept the above stock transferred to

Witness _____

(D.)

A.D. 1882.

APPLICATION FOR ISSUE OF POWER OF ATTORNEY.

[Bank of England] the _____ day of _____ 188 .
From A.B. and C.D. the registered stock holders in the [bank] books

_____ Macclesfield Corporation Stock [£3 10s.] per. cent.
to G.H. [the intended attorney]

(E.)

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

MACCLESFIELD CORPORATION STOCK.

Acceptance, sale of £ _____ and dividends.

I [or we] _____ of _____ do hereby
constitute and appoint _____ of _____ and
attorney _____ of _____ my attorneys and

for me and in my name and on my behalf—

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

MACCLESFIELD CORPORATION STOCK.

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

said stock standing in my name in the books of [the Governor and Company of the Bank of England].

Thirdly—to receive and give receipts for all dividends or payments due or to become due on any sum of the said stock from time to time standing in my 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 I have hereunto set my hand and seal this _____ day of _____ in the year of our Lord one thousand eight hundred and _____

Signed sealed and delivered by the above-named _____ in the presence of _____

N.B.—The execution of this power must be attested by [two witnesses].

For further instructions, see other side.

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[Indorsement.]

INSTRUCTIONS FOR EXECUTING THE WITHIN POWER OF ATTORNEY.

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

The execution must be attested by [two credible witnesses] 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 power of attorney when her husband's name appears in the power as attorney or transferee.

If any alteration interlineation or erasure be made in this power 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 power.

I demand to act by this power of attorney this day of 18 .

Witness

(F.)

• • DEED OF TRANSFER.

BOROUGH OF MACCLESFIELD.

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 pound Macclesfield Corporation Redeemable [or Irredeemable] Stock standing [or part of the stock standing] in my name in the books of the mayor aldermen and burgesses of the borough of Macclesfield 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

(G.)

A.D. 1882.

DIVIDEND WARRANT.

MACCLESFIELD CORPORATION STOCK.

[£3. 10s.] 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 £ _____ Macclesfield Corporation Stock [£3. 10s.] 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 for [one quarter] of a year's dividend due as above said.

Witness _____ Witness my hand this _____, 188 .

(H.)

REQUEST FOR TRANSMISSION OF DIVIDEND WARRANTS BY POST.

MACCLESFIELD CORPORATION STOCK [£3. 10s.] PER CENT.

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

A sum of £ _____ Macclesfield Corporation Stock Amount.
 [£3. 10s.] per cent. is now standing in name as follows:— "my" or "our."

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 :

[Ch. ccxlix.] *Macclesfield Corporation Act, 1882.* [45 & 46 VICT.]

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

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

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 _____

SIGN HERE.

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

Date _____ 188 .

[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 [MACCLESFIELD] CORPORATION STOCK
[£3. 10s.] 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.

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

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

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

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

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

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

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

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

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

[45 & 46 VICT.] *Macclesfield Corporation Act, 1882.* [Ch. ccxlix.]

For the dividend payable [1st October] the balance is struck on or about the [1st September]. A.D. 1882.

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.

As postal dividend warrants are made payable to order they must be indorsed; 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 powers 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.

POST DIVIDEND WARRANT.

MACCLESFIELD CORPORATION STOCK
[£3. 10s.] 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 [£3. 10s.] per cent. per annum due
on the 1st day of 188 on
the sum of £ { Macclesfield
Corporation Stock
[£3. 10s.] per cent.
per £

Less property tax at

--	--	--	--	--

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.

A.D. 1882.

(J.)

STOCK CERTIFICATE WITH COUPONS TO BEARER.

MACCLESFIELD CORPORATION STOCK CERTIFICATE TO BEARER.

DIVIDEND AT [£3. 10s.] PER CENT. PER ANNUM.

[£50]

[A00000]

This is to certify that the bearer of this certificate is entitled to [fifty pounds] Macclesfield Corporation [Redeemable] Stock with dividend thereon at the rate of [£3. 10s.] per cent. per annum transferable at [the Bank of England] pursuant to [the Macclesfield Corporation Act 1882].

Dated

188 .

[For the Governor of the 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.]

<p>5 Div. MACCLESFIELD CORPORATION STOCK. Coupon for [Eight Shillings and Ninepence] (Less Income Tax) being [Three] Months' Dividend at [£3. 10s.] per Cent. per Annum. [A00000] Due [1st January 1886] on Certificate for [FIFTY POUNDS] MACCLESFIELD CORPORATION STOCK. [£0 8 9] Payable at [the Bank of England.]</p>	<p>5 Div. MACCLESFIELD CORPORATION STOCK. Due [1st Jan. 1886] [A00000] [£0 8 9]</p>	<p>4 Div. MACCLESFIELD CORPORATION STOCK. Coupon for [Eight Shillings and Ninepence] (Less Income Tax) being [Three] Months' Dividend at [£3. 10s.] per Cent. per Annum. [A00000] Due [1st October 1885] on Certificate for [FIFTY POUNDS] MACCLESFIELD CORPORATION STOCK. [£0 8 9] Payable at [the Bank of England.]</p>	<p>4 Div. MACCLESFIELD CORPORATION STOCK. Due [1st Oct. 1885] [A00000] [£0 8 9]</p>
<p>3 Div. MACCLESFIELD CORPORATION STOCK. Coupon for [Eight Shillings and Ninepence] (Less Income Tax) being [Three] Months' Dividend at [£3. 10s.] per Cent. per Annum. [A00000] Due [1st July 1885] on Certificate for [FIFTY POUNDS] MACCLESFIELD CORPORATION STOCK. [£0 8 9] Payable at [the Bank of England.]</p>	<p>3 Div. MACCLESFIELD CORPORATION STOCK. Due [1st July 1885] [A00000] [£0 8 9]</p>	<p>2 Div. MACCLESFIELD CORPORATION STOCK. Coupon for [Eight Shillings and Ninepence] (Less Income Tax) being [Three] Months' Dividend at [£3. 10s.] per Cent. per Annum. [A00000] Due [1st April 1885] on Certificate for [FIFTY POUNDS] MACCLESFIELD CORPORATION STOCK. [£0 8 9] Payable at [the Bank of England.]</p>	<p>2 Div. MACCLESFIELD CORPORATION STOCK. Due [1st April 1885] [A00000] [£0 8 9]</p>

[45 & 46 VICT.] *Macclesfield Corporation Act, 1882.* [Ch. ccxlix.]

FEES.	£	s.	d.	A.D. 1882.
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	

THE SECOND SCHEDULE.

DESCRIPTION OF GAS LANDS.

All that triangular piece of land situate partly in the township of Macclesfield and partly in the township of Hurdsfield both in the borough of Macclesfield in the parish of Prestbury and county of Chester bounded on the north by Hibel Road on the south-east by Hurdsfield Road and Commercial Road on the south by the road running under the Macclesfield Bollington and Marple Railway and connecting Gas Road and Commercial Road and on the north-west by the present gasworks and Gas Road and such boundaries will be the limits within which such works are intended to be constructed, and which piece of land contains 11,123 square yards or thereabouts.

THE THIRD SCHEDULE.

CERTIFICATE OF DISEASE &C.

MACCLESFIELD CORPORATION ACT 1882.

To the Corporation of the Borough of Macclesfield.

Pursuant to the above-mentioned Act I hereby certify and declare that in my opinion the under-mentioned person is suffering from*

*Here specify the disease.

[Ch. ccxlix.] *Macclesfield Corporation Act, 1882.* [45 & 46 VICT.]

A.D. 1882. being an infectious disease within the terms of section _____ of the above-named Act.

Dated this _____ 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.

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

LONDON : Printed by GEORGE E. B. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1882.