



## CHAPTER cxlvi.

An Act to extend the municipal boundary of the borough of Bury to confer further powers upon the Corporation of Bury with respect to their gas and water undertakings and to make further provision for the good government of the borough to authorise the creation of Corporation stock and for other purposes. A.D. 1885.

[31st July 1885.]

**W**HEREAS the borough of Bury in the county of Lancaster is a municipal borough under the government of the mayor aldermen and burgesses thereof (in this Act referred to as “the Corporation”) and the Corporation acting by the council of the borough are the urban sanitary authority for the district of the borough :

And whereas the borough is subject to the Acts relating to municipal corporations and to the several Public and Local Acts provisional orders and sanctions of public departments mentioned and referred to in the First Schedule to this Act annexed and now in force (which Acts orders and sanctions together with the Acts altering amending or affecting any of such Public Acts so far as the same relate to the borough are in this Act referred to collectively as “the Corporation Acts”):

And whereas it is expedient that the boundaries of the borough should be extended in manner by this Act authorised :

And whereas the Corporation are the owners of the gasworks and waterworks which respectively supply the borough and a portion of the neighbourhood with gas and water and it is expedient that they be empowered to borrow further moneys for the improvement of their said works respectively and that the powers of the Corporation in relation thereto should be otherwise enlarged :

And whereas it is expedient that further powers in relation to streets buildings sanitary and other matters should be conferred on the Corporation :

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And whereas it is expedient that the Corporation should be empowered to consolidate rates and assessments in manner provided by this Act:

And whereas the Corporation have from time to time set apart sums as sinking funds for the redemption of the various mortgages and annuities created under the Corporation Acts set out in the Second Schedule to this Act annexed and have from time to time thereout paid off and extinguished pro tanto the loans raised by them under such powers and it is expedient that further provision should be made with reference to sinking funds for the redemption of such of the said mortgages and annuities as remain unredeemed at the passing of this Act:

And whereas estimates have been prepared for carrying out the purposes aforesaid and the same are as follows:

	£	s.	d.
For gasworks purposes - - - -	28,263	2	3
For waterworks purposes - - - -	100,000	0	0
	£	128,263	2 3

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

And whereas the Corporation have from time to time expended upon permanent works in connexion with their gas undertaking sums amounting to thirty-one thousand seven hundred and thirty-six pounds seventeen shillings and ninepence in excess of the sums which under the Corporation Acts they are authorised to borrow for gasworks purposes:

And whereas it is expedient that the Corporation should be authorised to borrow the said sum of thirty-one thousand seven hundred and thirty-six pounds seventeen shillings and ninepence in addition to the sums herein-before set forth:

And whereas the Corporation require to raise moneys for the purposes aforesaid and it is expedient that the Corporation should be authorised to raise moneys for the several purposes herein-before mentioned in manner by this Act provided:

And whereas the Corporation are empowered under the Corporation Acts from time to time to levy rates and to borrow moneys for the purposes of the said Acts respectively:

And whereas the Corporation acting in execution of the Corporation Acts have from time to time raised various sums of money by



mortgages and annuities and such sums have been charged upon various securities at various rates of interest and are repayable at various times :

And whereas a statement with respect to the indebtedness and sinking fund and borrowing powers of the Corporation on the twenty-fifth day of March one thousand eight hundred and eighty-four is set forth in the said Second Schedule to this Act :

And whereas it is expedient that subject to the provisions of this Act the Corporation be empowered to convert any existing securities granted by them under the authority of the Corporation Acts into Corporation stock by agreement with the respective holders thereof and to exercise their statutory borrowing powers for the time being by means of the creation and issue of Corporation stock :

And whereas the Corporation are the owners of the gas water and market undertakings and of valuable land and property in the borough :

And whereas the net annual value of the property in the borough rateable to the relief of the poor now amounts to two hundred and fifteen thousand four hundred and forty-one pounds :

And whereas it is expedient that further and other powers be conferred and provisions made as are herein-after contained :

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

And whereas that resolution was published twice in the "Bury Times" a newspaper circulating in the borough and has received the approval of the Local Government Board in respect of matters within the jurisdiction of that board and the approval of one of Her Majesty's Principal Secretaries of State in respect of other matters :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the twenty-second day of January one thousand eight hundred and eighty-five being not less than fourteen days after the deposit of the Bill for this Act in Parliament :

And whereas the owners and ratepayers of the borough by resolution in the manner provided in the Third Schedule of the

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Public Health Act 1875 consented to the promotion of the Bill for this Act :

And whereas the objects aforesaid cannot be effected 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 for all purposes as the Bury Improvement Act 1885.

Act to be divided into parts.

2. This Act is divided into parts as follows :

Part I. Preliminary.

Part II. Extension of Borough.

Part III. Gas.

Part IV. Water.

Part V. Sanitary Provisions.

Part VI. Infectious Diseases.

Part VII. Streets.

Part VIII. Buildings.

Part IX. Provisions as to Barn Brook &c.

Part X. Sewers.

Part XI. Parks &c.

Part XII. Police &c.

Part XIII. Notices and Procedure.

Part XIV. Borrowing &c.

Part XV. Corporation Stock.

Interpretation.

3. In this Act—

“The existing borough” means the borough of Bury as existing immediately before the passing of this Act ;

“The added part of the borough” means the district added to the existing borough by this Act ;

“The borough” used without qualification or “the extended borough” means the borough as extended by this Act ;

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

“The council” means the council of the existing borough or of the extended borough (as the case may require) ;

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



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PART I.  
*Preliminary.*

- “District fund” and “general district rate” mean the district fund and general district rate of the district of the Corporation as a sanitary authority ;
- “The town clerk” “the treasurer” “the surveyor” “the medical officer of health” “the inspector of nuisances” respectively mean the town clerk the borough treasurer the surveyor the medical officer of health and the inspector of nuisances of the borough and “office” in relation to any such officer means the office of such officer at the municipal buildings or at such other place in the borough as the Corporation may from time to time appoint ;
- “The Municipal Corporations Acts” means the Municipal Corporations Act 1882 and all Acts for the time being in force amending or extending the same ;
- “The Public Health Acts” means the Public Health Act 1875 and all Acts for the time being in force amending or extending the same ;
- “The Education Acts” means the Elementary Education Act 1870 and any Acts amending the same ;
- “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 ;
- “Person” includes a corporation ;
- “Rate” includes water rents gas rents and charges for supply of water or gas or the loan of meters or fittings connected therewith ;
- “Daily penalty” means (except where otherwise expressed or implied) a penalty for every day on which the offence is continued after conviction ;

Terms to which meanings are assigned in enactments wholly or partially incorporated with this Act or which have therein special meanings have in this Act the same respective meanings unless there be something in the subject or context repugnant to such construction and in this Act and (for the purposes of this Act) in enactments incorporated with this Act the term “superior courts” or “court of competent jurisdiction” or any other like term shall have effect as if the debt or demand with respect to which it is used were a simple contract debt and not a debt or demand created by statute.

4. This Act shall be carried into execution by the Corporation acting by the council and according to the Municipal Corporations Acts Public Health Acts and other laws for the time being affecting

Act to be  
executed by  
the council.



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*Preliminary.*

the Corporation as a municipal body and a sanitary authority respectively and with all the rights powers privileges obligations duties and authorities conferred and imposed 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 respectively.

PART II.—EXTENSION OF BOROUGH.

Extension of  
borough.

5. The borough shall comprise the district described in the Third Schedule to this Act.

Deposit of  
borough  
plan.

6. A plan of the borough as extended by this Act signed in duplicate by John Gilbert Talbot Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred shall within one week after the passing of this Act be deposited in the Private Bill Office of the House of Commons and with the town clerk of the borough at his office (in this Act called the borough plan) and a copy thereof certified by the town clerk shall be sent by him as soon as may be after the deposit of the same as aforesaid to the Director General of Her Majesty's Ordnance Survey Southampton and to the Local Government Board In the event of any disagreement between the description contained in the Third Schedule to this Act and the borough plan the borough plan shall prevail.

Copies of  
deposited  
borough plan  
to be  
evidence.

7. Copies of the borough plan deposited with the town clerk or any extract therefrom certified by him to be true shall be received by all courts of justice or elsewhere as *primâ facie* evidence of the contents of such plan and such plan shall at all reasonable times be open to the inspection of the persons liable to rates imposed by the Corporation and all persons so liable shall be entitled to a copy of or extract from such plan certified by the town clerk on payment of a reasonable fee for every such copy or extract.

Authority of  
Corporation  
extended.

8. Subject to the provisions of this Act the jurisdictions powers rights privileges obligations duties and authorities of the Corporation under all charters and Acts relating to the Corporation or to the existing borough and also all the jurisdictions powers rights privileges obligations duties and authorities of the Corporation as a municipal body and of the Corporation acting by the council as the sanitary authority for the district of the existing borough or otherwise and of all officers and servants of the Corporation shall extend to and throughout the extended borough and all byelaws which at the commencement of this Act are in force within the existing



borough shall (subject to any future repeal or amendment of the same) extend and apply to the extended borough and the jurisdictions powers rights privileges obligations duties and authorities of the rural sanitary authority of the Bury Union and of any other sanitary or highway authority within the added part of the borough shall cease.

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PART II,  
*Extension of  
Borough.*

**9.** The jurisdiction powers rights privileges authorities and duties of the justices of the peace appointed for the existing borough whether acting in petty sessions or out of sessions or otherwise and of the police constables and other peace officers of the existing borough shall extend to and throughout the extended borough in the same manner and to the same extent as they now do throughout the existing borough.

Jurisdiction  
of justices,  
&c. extended.

**10.** Subject to the provisions of this Act the lands houses buildings roads and works precincts and places by this Act added to the existing borough and included within the limits of the borough shall henceforth be and be deemed part of the borough to all intents and purposes whatsoever and shall be severed from and cease to be included within the limits of the district of any highway or sanitary authority.

Lands added  
to be deemed  
part of  
borough for  
all purposes.

**11.** Notwithstanding anything contained in any other Act of Parliament the county authority as defined by the Highways and Locomotives (Amendment) Act 1878 shall so long as the said Act shall remain in force pay in respect of the main roads within the added part of the borough as a contribution under the said Act a sum calculated in regard to the main roads within the added part of Elton at the rate of one hundred and twenty pounds a mile per annum in regard to the main roads within the added part of Walmersley-cum-Shuttleworth at the rate of one hundred and eighty pounds a mile per annum and in regard to the main roads within the added part of Tottington Lower End Lower Division at the rate of seventy pounds a mile per annum Provided that every sum so contributed shall be expended solely in the maintenance of the main roads in the added part in respect of which the contribution is made.

Saving for  
non-liability  
of county  
authority in  
respect of  
main roads.

**12.** Within three months after the passing of this Act the Corporation shall pay to the rural sanitary authority of the Bury Union in respect of the loss of rateable value to the said authority by reason of the passing of this Act the sum of three hundred and fifty pounds and such sum shall be applied by the said authority (1) in payment of the costs charges and expenses incurred by them in opposing the Bill for this Act and (2) towards the repayment of moneys borrowed

Compensa-  
tion to rural  
authority of  
Bury Union  
in respect of  
loss of rate-  
able value.

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PART II.  
*Extension of Borough.*  
As to mortgage debt of school board of Walmersley-cum-Shuttleworth.

Special provisions with regard to rating &c. in the added area.

by the said authority in respect of sewerage works constructed for the drainage of the township of Tottington Lower End.

**13.** The mortgage debt of the school board of the township of Walmersley-cum-Shuttleworth shall be apportioned between the portion of the said township by this Act included within the borough and the portion of the said township not included within the borough in such manner as shall be agreed upon between those districts respectively or as in default of agreement shall be settled on the application of either of those districts by the Education Department and any payments necessary to be made or rates necessary to be levied in consequence of such apportionment shall be made and leviable accordingly.

**14.** With respect to the added part of the borough the following provisions shall have effect:—

(a.) The added part of the borough shall not be charged or chargeable with any portion of the existing debt of the Corporation including the debts due from the Corporation on account of their gas and water undertakings nor with any debt created under the powers of this Act and no rates shall be made and levied in the added part of the borough in respect of or on account of any such debts :

(b.) For the purposes of gas and water supply the added part of the borough shall be treated as if it were still outside the borough and all persons supplied with gas and water within the added part of the borough shall be charged and shall pay for water and gas on the same terms and conditions as persons outside the borough but within the water and gas limits of the Corporation and any charges proposed to be levied in extending lighting in any rating district shall upon the petition of any owner or ratepayer be subject to the approval of the Local Government Board The provisions of section 218 of the Bury Improvement Act 1846 with respect to the extinguishing of fires beyond the limits of the existing borough and the charges to be made therefor shall apply to the added part of the borough :

(c.) For the purposes of the Burial Acts now in force within the borough the added part of the borough shall be treated as if it were outside the borough and all persons within the added part of the borough burying their dead at the borough cemetery shall pay such charges as persons outside the borough now pay for burying at the borough cemetery :

(d.) From and after the thirty-first day of March one thousand eight hundred and eighty-six the added part of the borough



shall be divided into four districts (in this Act called "rating districts") and such districts shall respectively be called by the names mentioned in the Fourth Schedule to this Act and shall consist of the areas and places described in the second column of that schedule. No rate from and after the thirty-first day of March one thousand eight hundred and eighty-six shall be made and levied within any of the said rating districts in excess of the average amount of the rates (other than poor rates) made and levied in the township of which such rating district forms part during a period of five years immediately before the passing of this Act except for the purposes next herein-after set forth. The local authorities of the added part of the borough shall maintain and keep in good repair the highways within the added part of the borough until the thirty-first day of March one thousand eight hundred and eighty-six :

- (e.) From and after the thirty-first day of March one thousand eight hundred and eighty-six in addition to the average amount of the rates to be levied and paid under the last preceding subsection each rating district shall be rated for all expenses incurred or payable by the Corporation for lighting and scavenging (other than roads) that particular rating district and for all sewers sewerage and other works executed by the Corporation for sanitary purposes in that particular rating district or for works executed for sanitary purposes common to the existing borough and any of the rating districts or common to two or more of such rating districts :
- (f.) Each rating district shall be rated for all expenses incurred or payable by the Corporation to prevent any interference with the due flow within the same of any river brook stream or watercourse or to prevent the pollution of any such river brook stream or watercourse :
- (g.) In the added part of the borough the provisions of section 85 of the Bury Improvement Act 1846 as to the levelling paving and flagging of streets which have not become highways repairable by the inhabitants at large shall apply :
- (h.) When any expenditure is incurred for sanitary purposes common to the existing borough and any of the rating districts or common to two or more of such rating districts the Corporation may apportion the same in such manner as they deem equitable :
- (i.) If any question arise between the Corporation and any owner or ratepayer whether any such expenditure be an expenditure incurred for purposes common to the existing borough and any of the rating districts or common to two or more of such rating



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*Extension of  
Borough.*

districts and whether such expenditure be reasonable and whether such apportionment be equitable such questions shall be submitted in writing by the Corporation or by such owner or ratepayer for the decision of the Local Government Board who may after inquiring therein make such order in the matter as they deem equitable and the order so made shall be binding and conclusive on all parties and the costs of and attending the determination of such questions (including any expenses incurred by the Local Government Board in relation to any inquiries under this section the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that board not exceeding three guineas a day for the services of such inspector) shall be in the discretion of the Local Government Board:

- (j.) The several provisions in force in the borough with respect to the making assessing levying collecting and recovering of the Bury general rate and the Bury sewer rate shall so far as they are applicable extend and apply mutatis mutandis to and in relation to the rates to be levied under this section.

## DIVISION OF BOROUGH INTO WARDS.

Wards &c.  
in extended  
borough.

**15.** The borough shall continue to be divided into five wards having respectively the names and boundaries contained in the Fifth Schedule to this Act and shown upon the borough plan signed in duplicate and to be deposited as aforesaid but in the event of any disagreement between the description contained in such Fifth Schedule and in the wards shown upon the borough plan the borough plan shall prevail.

Provisions of  
municipal  
Corporations  
Act as to  
wards to  
apply.

**16.** Notwithstanding anything in this Act the provisions of the Municipal Corporations Act 1882 relating to the division of a borough into wards or alteration of wards and of any enactment substituted for or amending the same shall continue to apply to the borough.

Number of  
aldermen and  
councillors.

**17.** The borough shall continue to have ten aldermen and thirty councillors and each ward shall continue to return six councillors.

Burgess list.

**18.** For the purpose of the burgess list burgess roll and other lists to be made after the passing of this Act under the provisions of the Municipal Corporations Acts the added part of the borough shall be deemed to have always formed part of the borough.

Alteration of  
wards to take  
effect on 10th  
June 1886.

**19.** As regards the existing wards the alterations of the boundaries thereof shall be deemed to take effect as from and immediately after the tenth day of June one thousand eight hundred and eighty-six but all proceedings for elections of councillors before the first day of



November one thousand eight hundred and eighty-six shall be taken as if the boundaries of those wards remained unaltered. A.D. 1885.

**20.** The councillors for the existing wards holding office on the thirty-first day of October one thousand eight hundred and eighty-six shall on the first day of November one thousand eight hundred and eighty-six for the purposes of retirement or continuance in office be deemed to be the councillors of those wards respectively as altered by this Act and shall retire or continue in office as if this Act had not passed. PART II.  
*Extension of Borough.*  
As to rotation of councillors &c.

**21.** All the retiring aldermen and councillors shall if duly qualified be eligible for re-election. Aldermen and councillors eligible for re-election.

**22.** The mayor of the borough shall be elected on the ninth day of November one thousand eight hundred and eighty-six from among the aldermen or councillors of the borough or persons qualified to be such. Appointment of mayor.

**23.** Subject to the foregoing provisions of this Act such elections and all vacations of office and rotations shall be governed by the Municipal Corporations Acts. Mode of election.

PART III.—GAS.

**24.** The limits of the Corporation Acts in relation to gas supply are hereby extended so as to include in addition to the places therein comprised so much of the added part of the borough as is not already included in those limits and the Corporation may exercise throughout such extended limits of gas supply the like powers as the Corporation Acts and this Act would have enabled them to exercise therein had such extended limits been originally comprised in the limits of the Corporation Acts in relation to gas supply. Extension of gas limits.

**25.** The Ramsbottom Gas Company shall from and after the passing of this Act cease to supply gas within so much of the added part of the borough as is now comprised in their gas limits and so much of the Ramsbottom Gas Act 1854 as empowers the said Company to supply gas within those limits is hereby repealed. Repeal of portion of Ramsbottom Gas Act 1854.

**26.** On the passing of this Act section 58 of the Bury Gas Act 1857 is hereby amended and the Corporation shall appoint an auditor for the purpose of auditing the accounts of the gas committee of the Corporation instead of such auditor being appointed in the manner provided by that section. Amending section 58 of Bury Gas Act 1857.

**27.** The Corporation shall from time to time set apart out of the profits of their gas undertaking but not out of any other receipts such sums as they may think proper to form a reserve fund to meet contingencies or for improving from time to time works connected Reserve fund for gas-works.



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PART III.  
*Gas.*

with that undertaking and may invest and accumulate the several sums so set apart in the way of compound interest or otherwise but so that the reserve fund shall not at any time exceed the principal sum of five thousand pounds and may from time to time if and as occasion requires apply all or any part of such reserve fund to the purposes for which it is so set apart and replace by similar means all sums so applied and whenever and so long as such reserve fund unapplied amounts to five thousand pounds they shall carry the interest dividends or annual produce thereof to the revenue account of the gas undertaking of the Corporation.

As to recovery of gas rents &c.

**28.** An incoming tenant of any premises shall not be liable in respect of any arrears of any rent or charge due to the Corporation for or in connexion with the supply of gas accrued before the commencement of his tenancy unless he has agreed to be liable for the same.

Corporation may decline to supply gas until payment of arrears.

**29.** If any person requiring a supply of gas from the Corporation has previously quitted premises at which gas was supplied to him by them without paying to them all gas and meter rents due from him in respect thereof they may refuse to furnish to him a supply of gas until he pays the same.

Power to acquire and hold patent rights.

**30.** The Corporation may acquire hold and use any leave license privilege or authority to work use exercise or put in practice any invention comprised in any letters patent in relation to the manufacture and distribution of gas or the utilization of residual products arising from the manufacture of gas or otherwise in relation thereto Provided that the Corporation shall not enter into any contract which would have the effect of securing to them any right or privilege of an exclusive character.

As to supply of meters fittings &c.

**31.** The Corporation may manufacture purchase hire let for hire and supply gas meters fittings gas stoves and cooking or other apparatus and may also manufacture purchase let or deal in and contract for doing work in connexion with fittings tubes meters pipes apparatus stoves ranges and apparatus for heating and also engines and machines for the production of motive power for domestic agricultural manufacturing and other purposes by means of gas and all articles and things in any way connected with gas-works or with the supply of gas and may take charges and remunerations in respect thereof.

#### PART IV.—WATER.

Power to purchase additional lands by agreement.

**32.** In addition to the quantity of land vested in the Corporation or which they are authorised to purchase for the purposes of their waterworks the Corporation may from time to time by agreement



purchase and hold such further quantities of land situate in the parishes of Bury and Whalley in the county of Lancaster as they may deem expedient for the purposes of their waterworks undertaking and in order to protect the streams communicating with their waterworks from nuisance pollution or discolouration and such lands when purchased shall not be deemed to be superfluous lands within the meaning of the Waterworks Clauses Act 1847 or the Lands Clauses Acts Provided that no buildings shall be erected on such lands when purchased except buildings required for the purposes of the waterworks.

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PART IV.  
*Water.*

**33.** The Corporation shall not under the powers of this Act without the consent of the Local Government Board purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

Houses of  
"labouring  
class" not to  
be taken.

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

**34.** The period limited by section 101 of the Bury Improvement Act 1872 for the completion of the Ogden Reservoir and the works appertaining thereto is by this Act extended for a period of ten years from the passing of this Act and on the expiration of such period the powers of the Corporation for making the said reservoir and works or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Extending  
period for  
completion of  
the Ogden  
Reservoir.

**35.** For the protection of the local board for the district of Little Lever in the county of Lancaster as now constituted and of the inhabitants of the said district the following provisions shall have effect :

Provisions  
for the pro-  
tection of the  
Little Lever  
Local Board  
and the in-  
habitants of  
the district  
of Little  
Lever.

From and after the passing of this Act the Corporation shall at all times provide within the said district as good a supply of water for domestic purposes both as regards quantity and quality as they do within the borough.

**36.—(A.)** The Corporation shall within two years from the passing of this Act erect and completely finish for use a pumping station and service reservoir with all necessary apparatus for the

Provisions as  
to supply of  
water to  
outlying  
districts.

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—  
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*Water.*

better supply of water for domestic purposes to the town of Haslingden from or by means of a service reservoir to be established at or near Slate and at a top water level of nine hundred and fifty feet above Ordnance datum and the Corporation shall not open the valve in the trunk main from Hapton to Bury except between the hours of six in the evening and six in the morning.

(B.) Section 112 of the Bury Improvement Act 1872 is hereby repealed Provided always that the Corporation shall not be bound to supply water from any of their pipes to a higher level than can be afforded from such pipes by means of the reservoir from which the pressure therein is derived Provided that if at any time the local boards of Haslingden and Rawtenstall shall jointly demand a constant supply by means of a separate main from the Hampton Reservoir and shall be willing to pay one half of the expense of such main the Corporation shall lay such main and shall afford such constant supply and the said local boards shall thereupon pay one half of the expense so incurred.

(c.) If any dispute arise between the Corporation and the said local boards under the provisions of this section it shall be submitted in writing by the Corporation or by the said local boards for the decision of the Local Government Board who may after inquiry thereinto make such order in the matter as they may deem equitable and the order so made shall be final and conclusive on the parties and the costs of and attending the determination of such dispute (including any expenses incurred by the Local Government Board in relation to any inquiry under this section the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that board not exceeding three guineas a day for the services of such inspector) shall be in the discretion of the Local Government Board.

(D.) The Corporation shall supply the respective local authorities outside the existing borough with water for watering streets flushing sewers and other sanitary purposes at the rate of sixpence per thousand gallons.

(E.) Any person supplied by the Corporation with water outside the existing borough may at all reasonable times inspect the books of account of the Corporation kept for the purposes of their water undertaking on payment of a fee not exceeding one shilling per hour or part of an hour for each inspection.

(F.) The local authority of any district for the time being supplied with water by the Corporation shall have free access at all times to the valves and hydrants of the Corporation for the purposes of extinguishing fires within their district and of ascertaining that such valves and hydrants are in proper working order and condition:



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*Water.*

Provided always that except in the case of extinguishing fires the respective local authorities shall only examine and test the condition of such valves and hydrants after giving forty-eight hours notice in writing to the Corporation of their intention so to do.

(g.) The said local authorities shall be responsible for all damages done to the valves or hydrants which may arise from the exercise of the powers by this section conferred on them.

**37.** The Corporation shall apply all moneys from time to time receivable by them in respect of any sales exchanges or dispositions of lands and premises by this Act authorised including any money received as a fine on the granting of any lease by the Corporation under the provisions herein in that behalf contained in or towards paying off moneys (if any) raised otherwise than by means of Corporation stock for the time being owing on the credit of the fund out of which such lands or premises were purchased or acquired independently of the sinking fund and the borrowing powers of the Corporation shall be reduced to the extent of any amount so paid off And if no such moneys shall be owing then the moneys receivable by the Corporation as aforesaid shall be carried to the credit of the Bury Corporation Consolidated Loans Fund hereinafter constituted.

Application  
of moneys  
from sale &c.  
of lands.

#### PART V.—SANITARY PROVISIONS.

**38.** If any middenstead ashpit privy or watercloset within the borough used in common by the inmates of any premises used as a separate dwelling and also by any other persons or the approaches to or the walls floors seats or fittings of any middenstead ashpit privy or watercloset or any of them is or are in the opinion of the Corporation or of their inspector of nuisances or medical officer of health in such a state or condition as to be a nuisance or annoyance to any inhabitant of the borough for want of the proper cleansing thereof the persons having the use thereof in common as aforesaid shall severally be liable to pay a penalty not exceeding ten shillings each and a further penalty not exceeding five shillings for every day during which the same shall remain in such state or condition.

Prevention  
of nuisances.

**39.** No room built before or after the passing of this Act of which any portion extends immediately over any privy (not being a watercloset) cesspool midden or ashpit or immediately over any cow byre or other place in which cows are kept and which is not effectually separated from such room to the satisfaction of the Corporation shall be occupied as a dwelling or sleeping or workroom or place of habitual employment of any person in any manufacture trade or business during any portion of the day or night and no

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

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*Sanitary  
Provisions.*

person shall after the expiration of one month after the passing of this Act knowingly occupy or suffer to be occupied as a dwelling or sleeping or workroom any such room. Any person offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a penalty not exceeding ten shillings for every day during which such room continues to be so let or occupied after notice in writing from the Corporation to discontinue such letting or occupation.

Privies &c.  
to be subject  
to approval  
of Corpora-  
tion.

**40.** The Corporation shall from time to time have the power to decide upon the adoption of an uniform system for the construction of all privies and ash places within or throughout the borough. Provided that where the Corporation under this section require the alteration or removal of any privy or ash place previously approved of by them or which has been constructed on any system approved of by them all the expenses of such alteration or removal shall be paid by the Corporation.

Definition of  
"ashpit" in  
Public  
Health Act  
1875.

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

Penalty on  
spilling ashes  
&c. in streets.

**42.** Every person who shall spill or scatter any coal ashes lime rubbish or substance of a like nature on or upon any street or foot-way within the borough and shall not forthwith remove the same shall for every such offence be liable to a penalty not exceeding forty shillings.

Regulations  
as to burning  
bricks &c.

**43.** No person shall within fifty yards of any dwelling-house or workshop now existing in or near any street burn any bricks tiles or lime or within two hundred yards of any dwelling-house now existing in or near any street burn any cork rags or bones or other offensive substance for making manure ivory or other black or for any purpose of trade manufacture or commerce and every person who shall offend against this enactment shall without prejudice to any remedy by injunction be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Extension of  
sections 116  
to 119 in-  
clusive of  
Public  
Health Act  
1875.

**44.** The provisions contained in sections 116 to 119 (both inclusive) of the Public Health Act 1875 shall extend and apply to all articles intended for the food of man sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale within the borough.

Power to  
medical  
officer of  
health and

**45.** For the purpose of enabling the medical officer of health or inspector of nuisances to effectually inspect and examine under the provisions of section 116 of the Public Health Act 1875 any article



sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale within the borough and intended for the food of man such medical officer of health or inspector of nuisances may subject to the provisions of section 308 of the Public Health Act 1875 open any box or other receptacle in which any such article may be contained and any person who shall obstruct any such officer or inspector in the execution of this section shall be liable to a penalty not exceeding ten pounds.

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PART V.  
*Sanitary Provisions.*  
inspector of nuisances to open boxes &c. containing provisions.

**46.** Section 117 (power of justice to order destruction of unsound meat &c.) of the Public Health Act 1875 shall extend and apply to every diseased unsound or unwholesome article of food sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale whether such article be or be not seized and carried away to be dealt with by any justice or ordered by any justice to be destroyed or disposed of as mentioned in such section Provided that the justice before whom any complaint with respect to such article of food is made be satisfied on the evidence laid before him that such article of food was diseased or unsound or unwholesome or unfit for the food of man.

Extending powers as to unwholesome food.

**47.** The Corporation for the purpose of opening a close or ill-ventilated court or other place may from time to time take by agreement any building in the borough and remove the same and execute all necessary works making compensation to owners and occupiers for any injury sustained by them by reason or in consequence of the execution of the powers of this section Any compensation under this section shall in the case of difference be settled by arbitration in manner provided by sections 179 180 and 181 inclusive of the Public Health Act 1875.

Opening of ill-ventilated courts.

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

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

#### PART VI.—INFECTIOUS DISEASES.

**49.** Whenever it shall be certified to the Corporation by the medical officer of health or other legally qualified medical practitioner that the spread of infectious disease is in the opinion of such medical officer of health or medical practitioner attributable to the milk supplied by any cowkeeper purveyor of milk or occupier of a dairy milk-store or milk-shop the Corporation may require such cowkeeper purveyor of milk or occupier to furnish to them within a time to be fixed by them a full and complete list of the names and addresses of

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

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PART VI.  
*Infectious  
Diseases.*

all his customers within the borough and such cowkeeper purveyor of milk or occupier shall furnish such list accordingly and the Corporation shall pay to him for every such list after the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed two shillings and every person who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding five shillings.

Further  
powers in  
relation to  
disinfection  
of premises.

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

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

**51.** 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.

**52.** No person shall without the sanction in writing of the medical officer of health or of a legally qualified medical practi-



tioner 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 further penalty not exceeding forty shillings for every day during which the offence is continued.

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PART VI.  
*Infectious  
Diseases.*

**53.** If any person shall die from any infectious disease in any hospital or place of temporary accommodation provided by the Corporation and the medical officer of health certifies that in his opinion it is desirable in order to prevent the risk of communicating any infectious disease or spreading infection that the dead body shall not be removed from such hospital or place except for the purpose of being forthwith buried it shall not be lawful for any person or persons to remove such dead body from such hospital or place except for the last-mentioned purpose and when the dead body is taken out of such hospital or place for that purpose it shall be forthwith carried or taken directly to some cemetery or place of burial and shall be forthwith there buried and any person wilfully offending against this section shall be liable to a penalty not exceeding fifty pounds.

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

**54.** Where the dead body of any person who has died of any infectious disease remains unburied elsewhere than in a mortuary for more than forty-eight hours after death without the sanction of the medical officer of health or of a legally qualified medical practitioner or is retained in a room in which persons live or sleep or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or of any adjoining or neighbouring house or building and there shall be a certificate thereof signed by a legally qualified medical practitioner any justice may order the body to be removed at the cost of the Corporation to any mortuary provided by the Corporation and direct the same to be buried within a time to be limited in the order or may in the case of the body of a person who has died of any infectious disease or in any case in which he shall consider immediate burial necessary direct such body to be so buried without requiring the same to be removed to a mortuary and unless the friends or relatives of the deceased undertake to bury and do bury the body within the time limited by such order it shall be the duty of the relieving officer to bury such body at the expense of the poor rate but any expense so incurred may be recovered by the relieving officer in a summary manner from the person or persons 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.

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PART VI.  
*Infectious  
Diseases.*  
Corpses not  
to be carried  
in public  
conveyances.

**55.** 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.

Temporary  
shelter &c.

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

Certain  
diseases may  
be declared  
as infectious.

**57.** 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 specially mentioned in this Act shall be deemed to be an infectious disease within and subject to the provisions of this Act.

1. Any such order of the Corporation may be permanent or temporary only and if temporary the period during which it is to continue in force shall be specified therein and the Corporation shall give public notice of the order by publishing the same by advertisement in two of the local newspapers circulating in the borough and after such public notice has been given the provisions of this Act shall so long as the order continues in force apply to the disease specified therein in like manner in all respects as if the disease were an infectious disease specifically mentioned in this Act.
2. The production of the newspapers containing a copy of the resolution shall be conclusive evidence that public notice of the order has been so given.
3. The Corporation shall immediately after any such order shall have been made send a copy thereof to each legally qualified medical practitioner residing in the borough but the omission to send any such copy shall not affect the validity of such order.



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

PART VI.  
*Infectious Diseases.*  
Penalties only recoverable by Corporation.  
Notice of intention to lay out new streets to be given and plans and sections to be furnished.

PART VII.—STREETS.

59. From and after the passing of this Act every person who shall intend to make or lay out any new street within the borough whether the same is intended to be used as a public way or not shall comply with the following provisions (namely):

1. He shall give notice in writing thereof to the surveyor and shall furnish him with a plan of the intended new street drawn on an accurate scale of one inch to sixty feet and a section drawn on an accurate scale of one inch to sixty feet horizontally and one inch to twenty feet vertically:
2. Such plan shall show thereon the names of the owner or owners of land through or over which the street is intended to pass and its proposed width and direction and its position relatively to the streets adjoining or leading thereto and the name and address of the person intending to lay out the new street and such plan shall be signed by him or his agent:
3. Every such section shall show thereon the level of the present surface of the ground above the Ordnance datum the level and rate of inclination of the intended new street and the level and inclination of the streets with which it will be connected:
4. Every such plan and section shall be drawn on tracing paper in ink and coloured and shall be signed by the person intending to make or lay out such new street or his authorised agent:
5. It shall not be lawful for any person to make or lay out any new street until such notice shall have been given and such plans and sections shall have been approved by the Corporation under the hand of the surveyor and it shall not be lawful for any such person in making or laying out any such new street to deviate from such approved plans and sections without the consent in writing of the Corporation signified as aforesaid:
6. In case such plans and sections shall be approved then previous to the commencement of any building in any such street the whole length of such street shall be defined by posts or in some other sufficient manner to the satisfaction of the Corporation and such street or the part thereof in which it is intended to commence or carry on building operations shall have been formed and levelled to the like satisfaction and until the kerbstones shall have been placed along the



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PART VII.  
*Streets.*

intended footway for the whole length of the intended street or such part thereof to indicate the line and level shown on the plan thereof approved by the Corporation or in lieu of the kerbstones side datum stones (twenty-four inches by twelve inches) placed along the margin of both intended footpaths for the whole length of such intended new street to the satisfaction of the Corporation or their surveyor by the owner or owners of the land through or over which the street is intended to pass and such datum stones to be placed at distances of not more than twenty yards apart Any person who shall offend against this section shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding five pounds.

Duplicate plans and sections to be submitted.

**60.** Every person submitting plans and sections of any new street shall submit the same in duplicate at the office of the surveyor one copy of which shall be retained by the Corporation and one copy returned to such person with the approval or disapproval (as the case may be) of the Corporation and any such approval may be given subject to the observance of conditions endorsed upon or annexed to the copy so returned.

Continuation of existing streets to be deemed new streets.

**61.** Every continuation of an existing street shall be deemed a new street and shall be of the full available width at the least of the street of which it shall be a continuation Provided always that such new street shall in no case without the consent of the Corporation be of less available width than that specified in the byelaws for the time being in force Provided also that this section of this Act shall not apply to or in the case of any continuation of any existing street the plan and section of which have been approved of by the Corporation before the passing of this Act Provided further that the Corporation may allow areas or spaces below the level of the pavement covered to their approval not exceeding twelve inches in width.

Back passages to streets to be laid out.

**62.** Every new street intended as the principal or front access to a continuous line of dwellings shall unless the Corporation otherwise allow have provided and set out in connexion with it one or more back or transverse passages or roads open at each end and not less than twenty feet wide in such manner as to afford access for carts to the back of every house in such continuous line of dwellings in the new street and such passages or roads shall be kept free from any obstruction and uncovered and properly drained metalled and made good to the reasonable satisfaction of the Corporation Every such passage or road shall be maintained in proper repair by the owners of the premises abutting thereon in proportion to their



respective frontages and in default thereof the Corporation may from time to time execute the necessary repairs and recover the costs thereof from such of the owners of the said premises as are in default as private improvement expenses.

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PART VII.  
*Streets.*

**63.** All bridges (other than bridges which the inhabitants of the county palatine of Lancaster or of any hundred therein are by law liable to maintain and repair and other than bridges authorised to be made by any railway company) hereafter erected either as carriageways or footways shall be built substantially to the satisfaction of the Corporation and shall be of such width as the Corporation may approve.

Width of  
bridges.

**64.** The Corporation in cases where temporary repairs only are required of any street not being a highway repairable by the inhabitants at large may from time to time by notice served on the owners of the lands or buildings adjoining to or abutting on any such street require such temporary repairs to be executed in and upon such street as shall be specified in such notice and such repairs shall be thereupon executed in and upon such street by the owners of the lands and buildings adjoining thereto or abutting thereon and in default thereof the Corporation may themselves execute such repairs and works and the expenses thereof so far as they are incurred in respect of so much of the street as is not so repairable by the inhabitants at large shall be deemed private improvement expenses and may be recovered from such owners accordingly :

Corporation  
may require  
certain  
streets to be  
repaired and  
recover  
expenses  
thereof.

Provided always that if three fourths in number of the owners of premises fronting adjoining or abutting upon the street in which such temporary repairs are required shall within fourteen days of the service of such notice upon them respectively give notice in writing to the Corporation that they wish the said street to be sewered levelled paved metalled flagged channelled and lighted under the provisions of the Bury Improvement Act 1846 and the expenses of any works made chargeable as therein provided the Corporation shall not execute such temporary repairs but may cause such street or any part thereof to be sewered levelled paved metalled flagged channelled and lighted under the provisions of the Bury Improvement Act 1846 accordingly.

**65.** Whenever the person erecting any building shall be desirous of leaving any opening or placing any steps or other projections in any forecourt area or space left in front of such building such forecourt area or space shall be well and sufficiently fenced off from the footpath or street by a railing or parapet or dwarf wall and palisades or in such other manner as the Corporation may approve but where such garden forecourt area or space is free from any steps or

Gardens  
forecourts  
&c. to be  
fenced off  
from streets.



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PART VII.  
*Streets.*

other projections the extent of the same or such portion thereof as the person erecting the building may not wish to give to the street may be defined by the owner if he desire so to do instead of constructing a fence by a line of stones or other suitable material three inches or thereabouts wide by twelve inches or thereabouts deep laid flush with the surface of the footpath the object of this enactment being that footpaths shall be freed from objectionable obstructions and the owner of the building secured of his full rights over any land he may wish to retain in front of his building.

Removal of  
projections  
over streets.

**66.** Sections sixty-nine and seventy of the Towns Improvement Clauses Act 1847 incorporated with the Public Health Act 1875 shall with respect to the borough extend and apply to any crane or apparatus for hoisting or lowering goods and any other like projections from or at any buildings whether erected before or after the passing of this Act which is dangerous or is an obstruction to the safe and convenient use of any street.

Coal shoots  
&c.

**67.** No coal shoot area or cellar grating or opening shall be hereafter placed in the footway or carriageway of any street except with the consent of the Corporation and then only if formed of the materials and size and in the manner and in such position and with such protection as may be approved by them and the owner or occupier of the house or building with which any coal shoot area or cellar grating or opening is connected whether constructed before or after the passing of this Act shall at all times keep the same in repair to the satisfaction of the Corporation Any person offending against this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty of the same amount.

Crossings for  
horses or  
vehicles over  
footways.

**68.** Every person desirous of forming a communication for horses or vehicles across any footpath so as to afford access to any premises from a street shall first submit to the Corporation a plan of the proposed communication showing where it will cut the footpath and what provision (if any) is made for kerbing and for a paved crossing and the dimensions and gradients of the necessary works and such person after having obtained the sanction of the Corporation shall carry out the works at his own expense under the supervision and to the satisfaction of the surveyor and not otherwise and if any person shall drive or permit or cause to be driven any horse or vehicle across any footway unless and until the same has had such communication as aforesaid made and approved by the Corporation he shall be liable to a penalty not exceeding forty shillings.

Power to  
Corporation  
to put in  
footing walls  
and charge  
owners.

**69.** If any new street within the borough is carried on an embankment and it shall appear to the Corporation necessary to erect or put in footing or retaining walls in order to uphold or form the level of any such new street they may if they think fit charge and



recover the whole or such parts as they may deem fair of the cost of such footing or retaining walls upon and from the owner or owners of the lands in or upon which such footing or retaining walls may be erected or put in instead of including the same in any new street expenses as defined by section 85 of the Bury Improvement Act 1846 Provided that such costs in the event of the same being chargeable upon several owners shall be from time to time charged ascertained apportioned and settled and shall be subject to payment of interest or commission in like manner as if the same were new street expenses incurred under the said section.

**70.** No person shall after the commencement of this Act make or provide any urinal or similar convenience in or adjoining to any street without the consent in writing of the Corporation And if any urinal or convenience now or hereafter erected in or adjoining any street shall in the opinion of the medical officer of health or inspector of nuisances be so placed as to offend public decency the Corporation may by notice in writing require the owner to remove such urinal or convenience to a place to be fixed by the Corporation as free from such objection and any person offending against this enactment shall be liable to a penalty not exceeding twenty shillings and to a daily penalty of the same amount Provided that nothing in this section contained shall extend or apply to any convenience now or hereafter to be erected by any railway company at or within any railway station or station yard.

No convenience to be placed in any street without consent of Corporation.

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

Dangerous places to be repaired or enclosed.

1. If any building wall steps structure or other thing or any well coalpit shaft used or disused excavation or reservoir pond stream or dam of water or any bank thereof or any land or place is in the opinion of the Corporation for want of sufficient repair protection or enclosure dangerous to the occupiers thereof or to the neighbouring buildings or lands or to the passengers along any street or footpath the Corporation may order the owner within the period in the order prescribed to repair remove protect or enclose the same so as to prevent any danger therefrom :
2. If after service of the order on the owner the directions of the order are not complied with within the prescribed period the owner shall be liable to a penalty not exceeding twenty pounds and in that case and also if the owner is not known or cannot after due inquiry be found the Corporation may cause such works as they think proper to be done for effecting such repair removal protection or enclosure and the expenses thereof shall be payable by the owner :

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*Streets.*

3. If such owner can be found within the borough and if on demand of the expenses aforesaid he neglects or refuses to pay the same then such expenses may be levied by distress and any justice may issue his warrant accordingly :
4. If such owner cannot be found within the borough or sufficient distress of his goods and chattels within the borough cannot be made the Corporation after giving twenty-eight days notice of their intention to do so by posting a notice in a conspicuous place on or near such building thing or place may take possession of the same provided such expenses are not paid or tendered to them within the said twenty-eight days making compensation to the owner of such building thing or place but deducting out of such compensation the amount of the expenses aforesaid and may thereupon sell or otherwise dispose of such building thing or place :
5. If any such building wall structure or other thing or any part thereof is pulled down by virtue of the present section the Corporation may sell the materials thereof or of so much of the same as is pulled down and apply the proceeds of such sale in payment of the expenses incurred in respect of such building wall structure or other thing and the Corporation shall restore any overplus arising from the sale to the owner on demand :
6. Nevertheless the Corporation although they sell such materials for the purpose aforesaid shall have the same remedies for compelling the payment of so much of the said expenses as may remain due after the application of the proceeds of such sale as are herein-before given to them for compelling the payment of the whole of the said expenses.

No portable steam engine to be used in any street without previous license of Corporation.

**72.** No portable or movable steam engine other than a steam tramway engine locomotive or traction engine shall be used in any street or in any building land or unfinished building within the distance of fifty yards from any street or in any market or fair except in every instance with the previous license (under the hand of the town clerk) of the Corporation who may permit such user subject to such terms and conditions as may be stated in the license and may charge for each license a fee not exceeding five shillings and whoever without such license or contrary to the terms and conditions thereof shall so use or direct or permit to be used any such engine shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

Byelaws for prevention of danger from telegraph wires &c.

**73.—(1.)** The Corporation may from time to time make alter and repeal byelaws for prevention of danger or obstruction to the public from posts wires tubes or any other appliances or apparatus



stretched or placed over across under or in any street (whether before or after the passing of this Act) for the purpose of any telegraph telephone railway signalling or other purpose.

(2.) By such byelaws the Corporation may provide for the inspection and examination of any such posts wires tubes or other appliances or apparatus and for the prohibition of any such posts wires tubes or other appliances or apparatus being or continuing to be stretched or placed as aforesaid without a license from the Corporation and for the grant of such licenses on such terms and conditions for prevention of danger or obstruction to the public as the Corporation may see fit.

(3.) If any post wire tube or other appliance or apparatus is continued to be placed or stretched as aforesaid in contravention of any byelaw made or of the terms and conditions of any license granted by the Corporation under this section after notice of the contravention from the Corporation it shall be lawful for the Corporation to cause the same to be removed without incurring liability for damages to the owners or to any other person.

(4.) The Corporation may impose on offenders against such byelaws such reasonable penalties as they think fit not exceeding five pounds for each offence and in addition forty shillings for every day during which the offence is continued after conviction.

(5.) Byelaws made under this section and any alteration or repeal of any such byelaw shall not take effect unless and until they have been submitted to and confirmed by the Board of Trade which Board is hereby empowered to allow or disallow the same as it may think proper and such reasonable notice of the intended submission of any such byelaw or any alteration or repeal thereof for confirmation shall be given by the Corporation by advertisement in local newspapers circulating in the borough circular letter or otherwise as may enable any Company or person interested to object to such byelaw alteration or repeal.

(6.) Nothing in such byelaws shall extend to any works of any undertakers within the meaning of the Electric Lighting Act 1882 to which the provisions of the said Act apply.

(7.) Nothing in such byelaws shall extend to any post wire tube or other appliance or apparatus which before the passing of this Act was stretched or placed as aforesaid (herein-after called an existing work) until the expiration of five years from the passing of this Act.

**74.**—(1.) If during the said period of five years any existing work is in the opinion of the surveyor in such a state or position that immediate danger to any person is to be apprehended he may give information to any justice who may thereupon summon the owner

As to existing telegraph wires &c.



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*Streets.*

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

(2.) The Corporation may during the said period of five years on a written certificate from the surveyor to the effect that danger is to be apprehended from the state or position of any existing work require such owner lessee or other person as aforesaid or all or any of them to make such alterations as shall remove the source of danger on payment or tender by the Corporation of one half of the expense or estimated expense of or in connexion with such alterations and in default of compliance with such requirement the Corporation may enter into and effect the alterations and may recover one half of the expense thereof from such owner lessee or other person as aforesaid or from all or any of them.

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

**75.** It shall not be lawful for any person to fix or place any rope line post cord wire tube or other similar apparatus (other than posts wires tubes or other apparatus for telegraphic telephonic or railway signalling purposes above ground) over across or along any street without the consent of the Corporation which consent shall be in writing under the hand of the town clerk and may contain such terms and conditions as the Corporation think fit Any person acting in contravention of the provisions of this section and of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings Provided that nothing in this section shall extend to any works of any undertakers within the meaning of the Electric Lighting Act 1882 to which the provisions of the said Act apply.

Erection of  
statues  
fountains &c.

**76.** The Corporation may from time to time by writing under the hand of the town clerk authorise the erection in any street or public place of any statue fountain cabman's rest or shelter.

Traction  
engines.

**77.** The following provisions with respect to the use of traction engines in the borough shall have effect (that is to say):

1. The Corporation may from time to time prescribe the time (being the same hours as are from time to time prescribed by the county authorities) at which and the streets or classes of streets along or across which alone traction engines shall pass and the owner and person in charge of any such engine who shall knowingly pass therewith at any time or along or across any street not so prescribed shall be liable for such offence to a penalty not exceeding ten pounds in addition to



the cost of repairing any damage to such street which may arise by reason of such offence :

2. The Corporation may require any person who desires to use a traction engine in any street to deposit with them such sum of money not exceeding one hundred pounds as they may deem reasonable to recoup them the cost of repairing any damage which may be caused to any street by any such engine passing along or over the same respectively and in case of any such damage they may repair the same and apply such deposit to meet as far as it will extend the cost of such repair and may recover the balance of such cost from such person and so from time to time :
3. If the Corporation require any person to make such deposit they shall pay interest to such person after the rate of three pounds ten shillings per centum per annum on the amount of the deposit for the time being in the hands of the Corporation not so applied as aforesaid :
4. No person using or conducting any such engine shall supply the same with water from any public fountain trough well or receptacle for water situate in any street within the borough except with the license of the Corporation and upon such terms as to payment and otherwise as shall be stated therein and any person offending against this provision shall for every such offence be liable to a penalty not exceeding five pounds :
5. The term "traction engine" shall not for the purposes of this Act be deemed to include a steam or any other tramway engine.

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PART VII.  
*Streets.*

**78.** Nothing in this part of this Act shall extend to any building or structure or to any posts wires tubes or other property belonging to or in the occupation of Her Majesty's Postmaster-General.

This part of Act not to extend to buildings or wires of Postmaster-General.

#### PART VIII.—BUILDINGS.

**79.** From and after the passing of this Act—

The erecting of any building ;

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

The converting into a dwelling-house any building not originally constructed for human habitation ;

What to be deemed new buildings.



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Buildings.

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

The converting into two or more dwelling-houses any building constructed originally as one dwelling-house ;

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

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

shall for all purposes of this Act and of any other Local Act for the time being in force within the borough and of the Public Health Acts and of any byelaw made thereunder respectively be deemed to be the erecting of a new building and the word building shall for all such purposes include an erection or building of a permanent character of whatever material constructed.

Provision as to plans of new buildings.

**80.** Every drawing plan and section deposited with the Corporation for or in relation to a new building shall be drawn on tracing paper in ink and coloured and shall be signed by the person intending to erect the building or his authorised agent.

Plans and sections to be deposited in duplicate.

**81.** Every person submitting plans and sections of any new buildings shall submit the same in duplicate at the office of the surveyor one copy of which shall be retained by the Corporation and one copy returned to such person with the approval or disapproval (as the case may be) of the Corporation.

Limit of time in which approved plans shall operate.

**82.** The approval of building plans shall cease to operate within five years after date of approval by the Corporation.

Fireplaces of buildings to have hearths of certain dimensions.

**83.** Every fireplace opening or chimney opening in a new building shall have a sufficient hearth or horizontal slab of durable and incombustible material at the level of the floor extending throughout the length and depth of such opening and to a distance of at least eighteen inches beyond the face of the chimney breast and at least six inches beyond each side of the opening of the chimney-piece.

Every such hearth shall be laid upon a bed of cement concrete brick or other compact and incombustible material having a depth of at least seven inches below the upper surface of the hearth and in no case shall the hearth be supported or rest on wood or timber.

Height of rooms.

**84.** In any new building every habitable room except rooms in the roof and ante or slip rooms shall be in every part eight feet six inches in height at the least from the floor to the ceiling and every habitable room in the roof of any such building and every ante or slip room shall over the whole area of such room be at the least seven feet six inches in height on the average but no part of any



such room which shall be less than four feet six inches in height shall be taken into account in calculating the average height of such room.

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*Buildings.*

**85.** The back yards of all houses to be hereafter erected shall be formed with such fall and shall for the space of at least one hundred and fifty square feet be flagged paved or asphalted with such materials as shall be satisfactory to the surveyor for the purpose of carrying off the surface water to the drains of such houses and if any back yards of houses erected before or after the passing of this Act shall not be formed paved flagged or asphalted so as to allow of the surface water being carried off as aforesaid the owner or occupier shall within seven days after notice in writing to be given him by the surveyor or left at or affixed on such house proceed to form flag pave or asphalt the same and shall complete such several works to the satisfaction of the surveyor within twenty-one days after such notice so given left or affixed and in case any person fail to comply with the provisions of this section in any particular in which compliance may be required by the surveyor within the respective times aforesaid it shall be lawful for the surveyor to execute the requisite works without further notice and the cost of so doing shall be paid to the Corporation by such owner or occupier.

Formation of  
back yards of  
houses.

**86.—(1.)** It shall not be lawful without the written consent of the Corporation to build or to bring forward the main outer face of any external wall beyond the building line in any street or to construct build make place or fix any projection beyond the building line in any street or over or upon the surface thereof except in accordance with the following regulations (that is to say):

Restrictions  
on projec-  
tions and  
projecting  
buildings in  
streets.

(A.) In any street having the available width between the building lines specified in the first column of the following table the jambs pilasters or architraves of any doorway or window (including any bases or plinths of such jambs or pilasters) and any window in the ground storey of any shop for the sale of goods by retail (including any name plate or signboard at or near the sill of such window) may project to any extent not exceeding that specified in the second column of the same table and the cornice or stringcourse of any storey (such cornice or stringcourse being at least ten feet above the ground) may project to any extent not exceeding that specified in the third column of the same table and any balcony or window sill above the ground storey and any cornice or eaves of a bay window or oriel window above the ground storey may project to any extent not exceeding that specified in the fourth column of the same table and the body of any bay window or oriel window above



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Buildings.

the ground storey may project to any extent not exceeding that specified in the fifth column of the same table ;

Where available Width of Street between building line	Projection of Jamb &c. not to exceed	Projection of Cornice &c. not to exceed	Projection of Balcony &c. not to exceed	Projection of body of Bay or Oriel Window not to exceed
	Inches.	Inches.	Inches.	Inches.
Does not exceed 30 feet -	2	12	12	6
Exceeds 30 feet but not 40 feet - -	3	15	15	9
Exceeds 40 feet but not 50 feet - -	3	18	18	12
Exceeds 50 feet but not 60 feet - -	4	21	21	15
Exceeds 60 feet - -	4	21	24	18

(B.) The amount of the projection as aforesaid of any such jamb pilaster cornice stringcourse eaves balcony window sill bay window or oriel window shall be measured to the outermost portion of the same ;

(C.) Every balcony and the body of every bay window or oriel window as aforesaid shall be placed at a distance from the middle of the nearest party wall not less than the distance to which such balcony or window projects ;

(D.) No such bay window or oriel window projecting as aforesaid shall extend upwards through more than one storey without the written consent of the Corporation nor shall any two such windows in any storey of the same building be at a less distance apart than twenty feet without the written consent of the Corporation ;

(E.) Water pipes small architectural dressings and sliding doors or gates may project three inches and no more in any street having an available width of not more than thirty feet and in any street having an available width of more than thirty feet they may project four inches and no more :

(2.) Notwithstanding the foregoing provision as to the consent of the Corporation in no case shall the jambs pilasters or architraves of any doorway or window project beyond the building line in any street to a greater extent than one foot and in no case shall any bay window or oriel window as aforesaid project to a greater extent than two feet and in no case shall any balcony or window sill or any cornice or eaves of a bay window or oriel window as aforesaid project to a greater extent than three feet :

Provided that in any case where the corner of any building at the junction of any two streets is cut off or set back so as to increase



the available width of such streets it shall be lawful for the Corporation to consent to the construction of any overhead projection at such corner:

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*Buildings.*

(3.) In any external wall of any building the faces of any two or more external jambs pilasters or columns which do not form the sides of any doorway or window or which extend throughout the height of more than one storey shall be deemed to be the main outer face of such external wall:

(4.) Every projection beyond the main outer face of any external wall shall be constructed built made placed and fixed in every respect to the satisfaction of the surveyor:

(5.) It shall not be lawful without the written consent of the Corporation to construct place fix or hang any door shutter trap platform shoot sign cathead crane hoist or other apparatus or thing in connexion with any building or structure so as to project over the surface of any street at any time or so as to allow any suspended load to hang over the surface of any street at any time:

(6.) Any consent under this section may be given by the Corporation subject to such terms and conditions as they may deem expedient:

(7.) Every person offending against this section shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding twenty shillings.

**87.** In all cases where party walls shall hereafter be built adjoining to vacant land with chimney openings and flues on the inner side thereof the outside courses and situations of all such chimney openings or flues shall be distinctly marked and continued with paint on lines of not less than three inches wide upon the outer side of such party walls and every person who shall hereafter build any such party wall without causing such openings and flues to be so marked and continued shall for every such offence forfeit a sum not exceeding five pounds.

Flues to be painted on buildings adjoining vacant land.

**88.** Every owner of a new building intended for habitation or of a building not hitherto used as a dwelling-house shall before the same be occupied give to the surveyor a notice in writing that the said building and its appurtenances and the drainage and the ventilation of such buildings 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 the owner of such new buildings shall not 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

Houses not to be inhabited until certificate of completion given by Corporation.



A.D. 1885. fit for habitation or that the drainage thereof is not completed and  
 PART VIII. the drains not sufficiently trapped in accordance with any enactment  
*Buildings.* or byelaw then in force in the borough (the notice to state in what  
 particulars the building or the ventilation or the drainage is defec-  
 tive) And any person who shall allow such new building to be  
 occupied and any person who shall wilfully occupy the same after  
 such last-mentioned notice has been given shall be liable to a penalty  
 not exceeding five pounds and to a daily penalty of forty shillings  
 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.

Buildings  
 described as  
 lock-up shops  
 not to be  
 used as  
 dwellings.

**89.** Where in the plan of a building submitted to and approved  
 by the Corporation such building is described as a lock-up shop  
 workshop shed or place of business the use of such building or any  
 part thereof for the purposes of habitation or sleeping in at night  
 shall be an offence against this Act and shall be deemed to be com-  
 mitted on the day when such user is made known to the Cor-  
 poration Every person so using such building or permitting the  
 same to be used shall for every such offence be liable to a penalty  
 not exceeding five pounds and to a further penalty not exceeding  
 forty shillings for every day during which such offence continues.

Regulations  
 as to raising  
 buildings.

**90.** No building shall hereafter be raised unless the outer walls  
 and the party walls or separate side or end walls thereof are of the  
 several strengths specified in the byelaws in force pursuant thereto  
 and so far sound and in good repair as to be fit to bear additional  
 walls to the satisfaction of the Corporation or their surveyor.

Elevations of  
 buildings  
 erected on  
 front land to  
 be subject to  
 approval by  
 Corporation.

**91.** All buildings or parts of buildings erected on any ground  
 which in consequence of any improvement made by the Corporation  
 becomes front land shall be erected according to such plan for  
 the outside or front elevation thereof as may be approved of by the  
 Corporation and in case the Corporation for the space of six weeks  
 after any plan is submitted to them neglect to notify their deter-  
 mination in writing with reference thereto they shall be deemed to  
 have approved of such plan.

Wooden  
 buildings to  
 be removed.

**92.** If the Corporation by resolution declare that any wooden  
 building existing at the passing of this Act is likely to cause danger  
 to adjoining buildings they may order the same to be removed  
 within one year from the making of the order and if any such  
 wooden building be not so removed the owner thereof shall in each  
 case be liable to a penalty not exceeding fifty pounds and to a daily  
 penalty not exceeding ten pounds Provided that if any such  
 building not in the occupation of the owner thereof be so removed  
 the occupier thereof shall be entitled to a remission or in case the



building form part of a holding to a reduction of the rent payable by him in respect of such building or holding The amount of such remission or reduction to be settled in case of difference by the surveyor.

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*Buildings.*

**93.** The owner of any oven to be used by any baker for the first time after the passing of this Act and of any furnace to be used by any tradesman or artificer for the first time after the passing of this Act 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 on 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 protecting walls.

**94.** Every building which after the passing of this Act is intended to be used as an hotel public-house inn beer-shop coffee-shop tavern church chapel school lecture hall or room assembly room or any place of public amusement or entertainment shall be provided with ample and convenient means of ingress and egress regard being had to the purposes for which such building is intended to be used and the number of persons likely to be assembled at the same time therein and it shall not be lawful for the owner or occupier or person in charge of such building to allow the same to be used for any such purpose as aforesaid unless and until he has obtained a certificate under the hand of the town clerk or surveyor that the Corporation are satisfied with the sufficiency of the means of ingress and egress provided at such building and any person who being the proprietor or occupier or person in charge of such building shall permit the same to be used for any such purpose as aforesaid without having previously obtained such certificate shall for every such offence be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding ten pounds.

Buildings to be used as hotels &c. to have sufficient means of ingress and egress.

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

Safety of platforms erected or used on public occasions.



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PART VIII.

*Buildings.*

Part VIII.

not to apply  
to railway  
buildings, &c.This part of  
Act not to  
extend to  
buildings of  
Postmaster-  
General.Corporation  
may order  
retaining  
walls to be  
built or re-  
built.As to arch-  
ing over  
Barn Brook  
and other  
streams.

**96.** The foregoing provisions of Part VIII. of this Act relating to buildings shall not nor shall any of them extend or apply to buildings belonging to or occupied by a railway company and used for the purposes of such railway company under any Act of Parliament.

**97.** Nothing in this part of this Act shall extend to any building or structure or other property belonging to or in the occupation of Her Majesty's Postmaster-General.

## PART IX.—PROVISIONS AS TO BARN BROOK &amp;C.

**98.** In addition to the powers conferred on the Corporation by sections 50 51 52 and 53 of the Bury Improvement Act 1872 with respect to Barn Brook and other streams and watercourses within the borough it shall be lawful for the Corporation if they think fit by notice in writing to be served upon the owners of lands buildings and hereditaments adjoining or abutting upon the sites of the Barn Brook and any other streams and watercourses within the borough to require such owners within a reasonable time to be named in such notice to build or rebuild retaining walls on or adjoining the banks of the said streams and watercourses or to restore the banks and walls thereof to such a state as will prevent the flooding of the adjoining lands and buildings and the falling of soil refuse and other matters into the said streams and watercourses or any of them and to maintain and keep the said walls and banks in good order and repair for such purposes And in case of default of such owners to comply with the terms of such notice the Corporation may execute such works and may recover either summarily or in like manner as private improvement expenses under the Public Health Acts all costs charges and expenses which may be incurred by them in the execution of such works from such owners respectively with interest thereon in proportion to the extent of the frontage to the said streams and watercourses of the lands and buildings of such owners respectively.

**99.** After the passing of this Act it shall be in the discretion of the Corporation to allow or disallow riparian owners on the streams and watercourses within the borough to arch or cover over the said streams and watercourses or any part thereof respectively provided that if the Corporation in the exercise of their discretion should allow the said streams and watercourses or any part thereof respectively to be arched or covered over they may do so subject to conditions as to the dimensions materials thickness solidity and general quality of the arch or cover to be thrown placed or constructed



over or across such streams or watercourses or any part thereof respectively and may also stipulate that the crown of such arch or cover shall be of a certain height at least above the bottom or bed of the said streams or watercourses or such part thereof respectively as it is intended to arch or cover over.

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PART IX.  
*Provisions as to Barn Brook &c.*

**100.** Notwithstanding any of the foregoing provisions of this Act if by reason of the execution of any of the powers of this part of this Act any damage shall be directly or indirectly occasioned to any bridge over any such stream or watercourse as aforesaid which is now repairable by the county palatine of Lancaster or by any hundred thereof then and in every such case the Corporation shall be liable to pay full compensation for such damage to the justices of the peace for the said county and the amount thereof shall in case of difference be settled by arbitration in manner provided by this Act.

Proviso for liability of Corporation in respect of county and hundred bridges.

#### PART X.—SEWERS.

**101.** It shall not be lawful for any person to throw or to permit or suffer to be thrown or to pass into any of the sewers of the Corporation any refuse matter from chemical works dyeworks and other manufactories or any substance which would be injurious to the construction of the sewers or produce corrosion or decay in the materials thereof or generate poisonous or pernicious gases and every person offending against this enactment shall for every such offence forfeit and pay a sum not exceeding fifty pounds to be recoverable by the Corporation with full costs of suit in any court of competent jurisdiction.

Chemical refuse and other injurious matters not to pass into the sewers.

**102.** In the case of hat works dye works bleach works print works soap works sizeing house gas works foundries chemical works tanneries breweries or other mills or manufactories which may be lawfully connected with the sewers of the Corporation the drains shall be intercepted by a tank to be constructed upon the premises and at the expense of the owner and in such situation and of such dimensions and with such strainers as the Corporation may from time to time and in each case determine.

Intercepting tanks for manufactories.

**103.** If the owner or occupier of any premises within the borough desires that the sewer or drain from such premises shall be made to communicate with any sewer of the Corporation such communication shall be made by the Corporation upon the cost or estimated cost of making the communication being paid to the Corporation or the payment thereof to them being secured to their satisfaction and the Corporation may execute all works necessary for that purpose.

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

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## PART XI.—PARKS &amp;C.

PART XI.  
Parks &c.  
Maintenance  
and improve-  
ment of  
parks.

**104.** The Corporation may from time to time maintain re-arrange improve and ornament any park or parks for the time being belonging to them and may erect on any part of the same refreshment rooms shelters and other like buildings and conveniences for the use of the public and buildings and conveniences for the better storing and keeping of materials for maintaining repairing and improving the same and they may for the purpose of improving and ornamenting the parks and the approaches thereto make and execute all such works roads and conveniences and enlarge all or any of the existing roads leading thereto as they may from time to time think necessary or expedient.

Power to set  
apart lands  
for games.

**105.** The Corporation may set apart portions of the parks and recreation grounds for cricket football archery and other like games and for drill of any volunteer regiment or any part thereof but so that the same shall be open to the public when not in use for such games or drill.

Power to  
provide ap-  
paratus for  
games.

**106.** The Corporation may provide apparatus for games and recreation for the use of the public frequenting the parks and recreation grounds belonging to the Corporation and may charge for the use thereof and they may lease or grant for any term not exceeding three years the right of providing and charging for such apparatus upon such terms and conditions as they think proper and the Corporation may make byelaws with respect to the use and the payment for the use of such apparatus.

Power to  
close parks  
and let  
portions for  
special pur-  
poses.

**107.** The Corporation may from time to time on giving notice by advertisement in a local newspaper circulating within the borough and by placard close any park or part of any park for such days not exceeding fifteen days altogether in any one year as they think fit and may take money for special use on those days of any park or any part thereof for any purpose they may approve.

Corporation  
may appoint  
and remove  
park keepers  
&c.

**108.** The Corporation may appoint employ and remove keepers and other persons to maintain order in and attend to the parks and recreation grounds belonging to the Corporation and may from time to time fix and vary the hours during which such parks and recreation grounds shall be opened and closed and any person breaking the regulations of the Corporation with respect to such opening and closing shall be liable to be proceeded against summarily before the justices and upon conviction shall pay for every such offence a penalty not exceeding forty shillings.



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## PART XII.—POLICE &amp;C.

PART XII.

*Police &c.*Byelaws as  
to bicycles.

**109.** The Corporation may from time to time make and enforce byelaws for regulating the use of bicycles in highways in the borough in the same manner as a county authority may by virtue of the Highways and Locomotives (Amendment) Act 1878 make and enforce byelaws for that purpose in highways in their county but subject to the like confirmation as is required by that Act. And for the purposes of this section "bicycle" shall include tricycle velocipede and other similar mechanical contrivances.

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

Persons not  
to assemble  
in streets for  
purpose of  
betting.

**111.** If any person affixes to any house building wall board public urinal watercloset 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.

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

Street  
musicians to  
depart when  
required so  
to do.

**113.** For the regulation of places for public dancing or music or other public entertainment of the like kind the following provisions shall take effect namely—

Dancing  
music &c.

(1.) Any house room garden or place licensed for the sale of wine spirits beer or other fermented or distilled liquors or any other house room garden or place shall not be kept or used for public dancing music or other public entertainment of the like kind without a license 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 any special session convened by fourteen days previous notice grant licenses to such persons as they think fit



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*Police &c.*

- 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 and there shall be paid for such license the sum of five shillings.
- (3.) Such justices may from time to time at any such special session 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.) The person occupying or rated as the occupier of any house room garden or place kept or used for public dancing music or other public entertainment of the like kind without such license first obtained shall be liable to a penalty not exceeding five pounds for every day on which the same is kept and used for any of the purposes last aforesaid.
  - (6.) There shall be affixed and kept up in some conspicuous place on the door or entrance of every house room garden or place so kept or used and so licensed as aforesaid an inscription in large capital letters in the words following "Licensed for music" (or as the case may be) "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.
  - (9.) No notice need be given under sub-section (4) of this section when the application is for a renewal of an existing license held by the applicant for the same premises.
  - (10.) The justices in any petty sessions may if and as they think fit grant to any person applying for the same a license to keep or use any house room garden or place for any purpose within the meaning of this section for any period less than three months which they shall specify in such license notwithstanding that no notices shall have been given under sub-sections (2) and (4) of this section.
  - (11.) If any person think himself aggrieved by any decision of the justices under this section he may at any time within one month after the same is made give notice of his intention to



appeal to the next court of quarter sessions holden not less than fourteen days after such notice but no such appeal shall be entertained at such quarter sessions unless fourteen days notice in writing of such appeal stating the nature and grounds thereof be given by the aggrieved party to the Corporation.

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*Police &c.*

(12.) The court shall hear and determine the appeal in a summary way at the quarter sessions for which any such notice of appeal is given or at the following session when the court thinks fit to adjourn the appeal to the following session and the decision of the court shall be final and conclusive on all parties.

**114.** Every undertaking or agreement in writing given by or to the Corporation to or by or on behalf of any owner of property on the passing of plans or for the removal of obstruction or otherwise in connexion with the property of such owner shall be binding upon the owner of the property for the time being and upon the Corporation and may be enforced by either party by penalty in any court of summary jurisdiction such penalty not exceeding five pounds for each breach of such undertaking or agreement and twenty shillings for each day during which such breach continues and every such owner shall be entitled to require from the Corporation a copy of such undertaking or agreement and every intending owner or lessee of property shall be entitled to information from the Corporation as to the existence of any such undertaking or agreement affecting the property and the terms of the undertaking or agreement if any such exist.

Under-  
takings  
to bind  
successive  
owners.

#### PART XIII.—NOTICES AND PROCEDURE.

**115.—(1.)** Any instrument (including a notice order resolution declaration requisition consent approval disapproval demand or other document) made given delivered or served by the Corporation under this Act or any byelaw made under this Act may be either in print or in writing (including lithograph) or partly in print and partly in writing (including lithograph) and shall be sufficiently authenticated by the name of the town clerk treasurer surveyor or other proper officer (according to the subject of the particular instrument) being affixed thereto in print or writing or by a stamp on behalf of the Corporation.

Form and  
service of  
notices by  
Corporation.

(2.) Subject to any express provision of this Act it shall be sufficient where any such instrument is required to be given to or served on the owner or occupier of any premises to address it to such owner or occupier by his description as owner or occupier (as the case may be) of the premises (naming them) in respect of which it is given or

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*Notices and  
 Procedure.*

served without further name or description and any such instrument may be addressed to owners or occupiers of any adjoining or neighbouring premises collectively and when so addressed may be served on more owners or occupiers than one so that separate copies be served on the respective owners and occupiers of the premises concerned.

(3.) Any such instrument may be served on any such owner occupier or other person either personally or 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 or by delivering the same to some inmate at his last known or usual place of abode or business or in case of an occupier to any inmate of the premises in respect of which it is given or served or if the premises are unoccupied and the place of abode of the person to be served is after diligent inquiry unknown it shall be sufficient to affix it or a copy thereof upon some conspicuous part of such premises Provided always that where any such instrument is required to be served on any railway company incorporated by Act of Parliament such instrument shall be served at the office of the secretary of such company or forwarded to him by post in a registered letter addressed to the head office of the said company.

(4.) Service by a registered letter under this section shall be deemed to be effected on the day on which such letter would be delivered in the ordinary course of post.

(5.) Every notice served by the Corporation under this Act or any byelaw made under this Act shall set out at the head or foot or back thereof a copy or extract of the particular section or the particular provisions of the section under which the notice is given Provided that in any summary or other proceeding under this Act no objection to the validity of any notice shall be allowed if in the opinion of the court having cognizance of the case the person on whom the notice is served was aware of the provision of the Act under which the notice was given.

Service of  
 notices on  
 Corporation.

**116.** Any notice to or demand on the Corporation under this Act may be served on the Corporation by being delivered to the town clerk or by being sent through the post in a registered letter directed to the town clerk in which latter case service shall be deemed to be effected on the Corporation on the day on which such letter would be delivered in the ordinary course of post.

Penalty on  
 injuring  
 notice  
 boards

**117.** 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.

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PART XIII.  
*Notices and  
Procedure.*

**118.** Any justice who issues a warrant of distress may order that the costs of the proceedings for the recovery of the rate rent or sum in respect of which such warrant is issued shall be paid by the person liable to pay such rate rent or sum and may include such costs ascertained by him in the warrant of distress.

Costs of  
distress.

**119.** Any summons or warrant issued for any purpose of this Act or any of the Corporation Acts may contain in the body thereof or a schedule thereto several names and several sums.

Several sums  
in one sum-  
mons.

**120.** Any person who considers himself aggrieved by any order determination or requirement or the withholding of consent or approval by the Corporation or any officer of the Corporation or by any order or conviction of any court of summary jurisdiction may appeal to the court of quarter sessions such appeal shall be made to the next court of general quarter sessions of the peace for the county of Lancaster holden by adjournment within the hundred of Salford holden not less than twenty-one days next after the order or decision from which the appeal is made and the provisions of section 269 of the Public Health Act 1875 shall so far as the same are applicable extend and apply to such appeal.

Appeal to  
quarter  
sessions.

**121.** Any difference between the Corporation and the justices of the county palatine of Lancaster with respect to the amount of any compensation or other payment or with respect to any other matter arising in the execution of this Act shall be referred to a single arbitrator or to two arbitrators or their umpire pursuant to and so as with regard to the mode and consequences of the reference and in all other respects to conform to the provisions in that behalf contained in the Common Law Procedure Act 1854 and any Act amending the same and on any such reference the costs of and incident to the reference and award shall be in the discretion of the arbitrators or umpire and any such reference shall be made a rule of Her Majesty's High Court of Justice on the application of either party.

Arbitration  
between the  
Corporation  
and county  
justices.

## PART XIV.—BORROWING &amp;C.

**122.—(1.)** The Corporation may from time to time independently of any other borrowing power borrow at interest for the

Power to  
borrow.



A.D. 1885. several purposes sums not exceeding the several sums following (that is to say) :

PART XIV.  
*Borrowing  
&c.*

	£	s.	d.
For gasworks purposes . . . . .	60,000	0	0
For waterworks purposes - - - - .	100,000	0	0
	£	160,000	0 0

(2.) The Corporation in order to secure the moneys borrowed for the purposes aforesaid and the interest thereon may mortgage the district fund and general district rate.

(3.) 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 Act 1875 with respect to mortgages authorised to be made under that Act and all the powers and provisions of that Act applicable with respect to the form register 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.

(4.) 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.

(5.) 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 fifty years after the expiration of five years from the passing of this Act as to moneys borrowed for waterworks purposes and within twenty-seven years from the time of borrowing the same as to moneys borrowed for gasworks purposes.

Power of Corporation to borrow for private street works.

**123.** The Corporation may from time to time with the sanction of the Local Government Board borrow on the security of the district fund and general district rate moneys for the purpose of temporarily providing for expenses of private street works but any moneys so borrowed shall be repaid within a period of twenty years from the respective times of borrowing the same and the powers of the Corporation to borrow under the Public Health Act 1875 shall be available as if the execution of private street works under this Act were one of the purposes of the Public Health Act 1875.



**124.** The Corporation shall out of the said sum of sixty thousand pounds borrowed by them for gasworks purposes under the authority of this Act (forthwith) repay to their bankers the sum of thirty-one thousand seven hundred and thirty-six pounds seventeen shillings and ninepence borrowed in excess of the sums which under the Corporation Acts the Corporation are authorised to borrow for gasworks purposes and the Corporation shall apply the said sum of one hundred thousand pounds solely in constructing the Ogden Reservoir and the works appertaining thereto and the Corporation shall raise the one hundred thousand pounds by instalments not exceeding twenty thousand pounds for each instalment but no instalment except the first shall be raised by the Corporation until a certificate of the Local Government Board or one of their engineering inspectors has been obtained by the Corporation that the previous instalment has been expended upon the said reservoir and works Any costs incurred by the Local Government Board under this section shall be a debt due from the Corporation to that Board and be recoverable accordingly.

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 PART XIV.  
*Borrowing*  
 &c.  
 Application  
 of portions of  
 sums bor-  
 rowed.

**125.** All moneys raised under the provisions of this Act shall be applied only to the purposes for which they are by this Act authorised to be borrowed and to which capital is properly applicable.

Application  
 of borrowed  
 moneys.

**126.** If the Corporation pay off any moneys borrowed by them under this Act otherwise than by instalments or appropriations or by annual repayments or by means of a sinking fund or out of the proceeds of the sale of lands or other moneys received on capital account 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 repayment of such moneys shall not be in any way affected by reason of such re-borrowing.

Power to re-  
 borrow.

**127.** The treasurer shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or to be paid by way of instalment under this Act transmit to the Local Government Board a return in such form as may be prescribed by that board and verified by statutory declaration if so required by them showing the amount which has been paid off by way of instalment and the amount which has been

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

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PART XIV.  
*Borrowing  
&c.*

invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same and the interest thereof have been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund has been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return the treasurer shall be liable to a penalty of not exceeding twenty pounds recoverable by that board in a summary manner. If it appears to the Local Government Board by such return or otherwise that the Corporation have failed to pay by way of instalment or to set apart for the sinking fund the sum required by this Act or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which the default is made be set apart and invested as part of the sinking fund and their order shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of a court of competent jurisdiction and the provisions of this section shall mutatis mutandis apply to appropriations and annual repayments.

Saving for existing charges.

**128.** Nothing in this Act shall prejudicially affect any charge on the revenues and rates or the estates and property of the Corporation subsisting at the passing of this Act and every annuitant 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 any revenue rate or 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.

Repeal of sections of former Acts as to sinking funds.

**129.** From and after the date of the passing of this Act all provisions contained in the Bury Gas Act 1857 the Bury Gas Act 1866 and the Bury Improvement Act 1872 respectively for the creation of sinking funds for the repayment of moneys borrowed under those Acts or any of them shall be and the same are hereby repealed save as to any act done under the provisions thereof prior to the passing of this Act.

As to payment of moneys borrowed under existing Acts.

**130.** The Corporation shall apply the several sums accumulated by them by means of sinking funds towards extinguishing the several debts of the Corporation in respect of which those sinking funds have been accumulated and in order to discharge so much of



the principal moneys borrowed under the Bury Gas Act 1857 the Bury Gas Act 1866 and the Bury Improvement Act 1872 respectively as now remain undischarged or to be borrowed under those Acts the Corporation shall notwithstanding anything in any of those Acts contained pay off the balance of moneys borrowed under those Acts with respect to the moneys borrowed under the Bury Gas Act 1857 and the Bury Gas Act 1866 and owing as appears by the Second Schedule to this Act within twenty-three years from the twenty-fifth day of March one thousand eight hundred and eighty-four with respect to the moneys borrowed and owing as appears by the same schedule under the Bury Improvement Act 1872 for general rate and markets sewers district rate and cemetery within thirty-five years from the passing of this Act and with respect to the moneys borrowed for waterworks under the same Act and owing as appears by the same schedule within forty-three years from the twenty-fifth day of March one thousand eight hundred and eighty-four 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.

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PART XIV.

*Borrowing  
&c.*

**131.** The Corporation shall out of their water rents and water rate and so far as they may be insufficient out of the Bury general rate set apart such equal annual sums as will make up the existing deficiency in the contributions to the sinking fund on the waterworks undertaking within ten years from the passing of this Act and the Corporation in addition to making up the deficiency in the contributions to the sinking fund on their waterworks undertaking as hereinbefore provided shall during each year set apart out of the water rents and water rate and so far as they may be insufficient out of the Bury general rate a sum of four thousand three hundred and forty-two pounds ten shillings as a sinking fund to provide for the redemption of the water annuities created by the Bury Improvement Act 1872 until such fund is sufficient to redeem such annuities Provided always that the Corporation may use any of the money to be accumulated under this Act in the purchase of annuities or in the repayment of loans but such annuities when purchased shall be forthwith cancelled by the Corporation and the Corporation shall not re-borrow any portion of the loans repaid by them out of the said fund.

Provisions  
for redemp-  
tion of water  
annuities.

**132.** A person lending money to the Corporation shall not be bound to inquire as to the observance by them of any provision of this Act or be bound to see to the application or be answerable for any loss or non-application of such money or of any part thereof.

Protection of  
lenders from  
inquiry.

**133.** The proviso to section 93 of the Bury Improvement Act 1872 which is as follows: "Provided always that the commissioners

Repeal of  
part of sec-  
tion 93 of  
Act of 1872.

PART XIV.  
*Borrowing*  
&c.

Provision as  
to general  
rate.

“ shall not redeem any annuity at a higher rate than that of twenty-  
“ five years purchase ” is hereby repealed.

**134.** Subject to the provisions restrictions and limitations in the Bury Improvement Act 1872 contained as to the amount assessment and appropriation of the general rate burial rate and district rate respectively it shall be lawful for the Corporation after the passing of this Act if they think fit so to do in lieu of levying several rates as in the said Act provided to levy and collect such rates in one gross rate under the name of general rate.

PART XV.—CORPORATION STOCK.

Interpreta-  
tion.

**135.**—(1.) In this part of this Act—

The Bank of England means the Governor and Company of the Bank of England.

Statutory declaration means declaration under the Statutory Declarations Act 1835.

(2.) Any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under this Act or under any Act of Parliament public or local passed or to be passed or under any provisional order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed is for the purposes of this part of this Act a statutory borrowing power.

(3.) Any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock Corporation stock annuity rentcharge rent or other security authorised by or under any Act of Parliament passed or to be passed of any municipal corporation in Great Britain including the Corporation or of any other local authority within section 34 of the Local Loans Act 1875 is for the purposes of this part of this Act a statutory security.

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

CREATION AND CHARGE OF STOCK.

Creation of  
Corporation  
stock.

**136.**—(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 the 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.

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 PART XV.  
*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 date of the first creation of any Corporation stock granted by the Corporation in pursuance of any statutory borrowing power.

(3.) The resolution for the first creation of 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 Bury Corporation Redeemable Stock or as Bury 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.

**137.** 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

Borrowing power to be exercisable for actual sum raiseable.

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Corporation  
Stock.

Corporation under that power or some portion of that actual amount or (as the case may be) the actual amount of money properly payable by the Corporation as consideration on payment off or redemption by the Corporation of any mortgage bond debenture debenture stock annuity rentcharge rent or other security granted or created by the Corporation.

Charge of  
Corporation  
stock.

**138.**—(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 as a municipal body for municipal purposes or as a sanitary authority for sanitary purposes.

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

## LOANS FUND.

Establish-  
ment of con-  
solidated  
loans fund.

**139.** 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 Bury Corporation Consolidated Loans Fund (in this part of this Act referred to as the loans fund).

Contribu-  
tions to loans  
fund for  
dividends.

**140.**—(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.

(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.

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*Corporation  
Stock.*

(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.

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

Contribu-  
tions to loans  
fund for ex-  
tinction of  
stock.

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

(3.) The amounts of those several contributions (subject to any payment in reduction thereof authorised by this part of this Act) shall be the same amounts as would in the same respective cases have been payable towards a sinking fund or towards payment off as aforesaid those contributions to be subject to accumulation if and as in the same respective cases accumulation was prescribed.

(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

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*Corporation  
Stock.*

investment of the interest and annual proceeds arising from those securities make and maintain such accumulations as are in this section referred to.

(5.) But if the extinction of any portion of Corporation stock or any part thereof is accelerated by the application to such extinction of any part of the loans fund required by this part of this Act to be applied to the making and maintenance of those accumulations then a sum or sums equal to the dividends on the stock so extinguished shall thenceforth in every year during the residue of the period expressly or by implication limited for the continuance of any loan by or under the statutory borrowing power in exercise whereof that portion of stock is issued be paid into the loans fund out of the Corporation revenues chargeable with payment of the dividends on that portion of stock.

Raising of  
contribu-  
tions to loans  
fund.

**142.**—(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.

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

(3.) The amount so advanced shall be a debt due from the Corporation revenue in which the deficiency existed to the fund or rate out of which the advance is made and interest shall be payable thereon at a rate to be determined from time to time by the Local Government Board 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.

Payment of  
sale money  
rents &c. to  
loans fund.

**143.**—(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.

(2.) The Corporation shall pay into the loans fund and shall carry to the proper separate account forming part of the general account of the loans fund the rents and profits of any land and other property of the Corporation acquired by them for the purposes of any undertaking or purpose for or in respect of which any statutory borrowing power is exercised by them by the issue of stock and not otherwise wholly or in part appropriated or made applicable by law or by valid contract.

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

**144.** 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.

**145.—(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 or by the provisions of this part of this Act 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.

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*Corporation  
Stock.*

Application  
of loans fund.

Purchase of  
irredeemable  
stock.



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*Corporation  
Stock.*

(4.) In case at any time during the period limited as aforesaid 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 that stock within that period is insufficient the Local Government Board 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 Corporation 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 that period.

(5.) 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.

Extinction of  
stock re-  
deemed or  
purchased.

**146.** 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.

Account of  
loans fund.

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

- (a.) Each undertaking or purpose for or in respect of which any statutory borrowing power is exercised by them by the issue of stock and
- (b.) Each statutory borrowing power so exercised.
- (2.) Those separate accounts shall distinguish and show—
- (c.) The portions of Corporation stock for the time being unextinguished and chargeable to each undertaking or purpose and respectively attributable to the exercise of the several statutory borrowing powers if more than one relating to that undertaking or purpose and
- (d.) The amounts of those several portions of Corporation stock redeemed or purchased by means of the loans fund and cancelled and extinguished.

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



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

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Corporation  
Stock.

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

Application  
of income in  
reduction of  
contribu-  
tions.

(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.

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

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

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

Determina-  
tion as to  
charge of  
stock.

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

#### EXISTING SECURITIES.

Payment off  
or substitu-  
tion for  
existing  
securities.

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

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



payment may be either in money or Corporation stock or partly in one and partly in the other.

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

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

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

(6.) Money received by the holder of any security as authorised by this section and Corporation stock issued to him in substitution for any security shall be subject to the same trusts powers testamentary and other dispositions provisions and incumbrances as the money secured or represented by the 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.

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

Extinction or suspension of power.

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

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(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 from Corporation stock.

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

Temporary investment of money raised by stock.

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

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

#### REGISTRATION AND CERTIFICATES.

Appointment of registrar.

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

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

Corporation stock register.

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

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



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

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

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

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

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

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of proprietor-  
ship of  
stock.

## TRANSFER.

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

Power for  
stockholder  
to transfer.

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

Transfer in  
books.

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

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

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

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



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(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.

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

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

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

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

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

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

Evidence on  
transfer.

**160.**—(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 the right to make the transfer.

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

Closing of  
transfer  
books.

**161.**—(1.) The Corporation or the registrar with the approval of the Corporation may as regards any portion of Corporation stock close the Corporation stock transfer books or the register of transfers of Corporation stock (as the case may be) on any day in the month next before that in which dividends on that portion of Corporation stock are payable but so that the books be not at any time kept closed for more than fifteen days.



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

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

Stamp duty  
on transfers.

#### TRANSMISSION.

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

Transmission  
on death.

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

**164.**—(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 by the death of a stockholder that transmission shall be authenticated by a statutory declaration of one or more competent persons or in such other manner as the Corporation or the registrar require.

Transmission  
on marriage  
&c.

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

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

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

(5.) Until the transmission has been so authenticated the Corporation or the registrar shall not be affected thereby and no person claiming by virtue thereof shall be entitled to receive any dividend on the stock.

(6.) In this section the term "transmission" includes any case of apparent transmission in consequence of the change of the name of



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DIVIDENDS.

Payment of dividends. **165.** The Corporation may pay by the registrar the dividends on Corporation stock.

Dividends to executors &c. **166.** The Corporation or the registrar shall not be required to allow any executors or administrators to receive any dividend on Corporation stock held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the Corporation or the registrar for registration.

Evidence of title. **167.** The Corporation or the registrar before allowing the receipt of any dividend on any Corporation stock may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming a right to receive the dividend and that evidence shall be a statutory declaration of competent persons or of such other nature as the Corporation or the registrar may require.

Dividends to joint holders. **168.—(1.)** Where more persons than one are registered as joint holders of any Corporation stock any one of them may give an effectual receipt for any dividend thereon unless notice to the contrary has been given to the Corporation or the registrar by any other of them.

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

Dividend warrants by post. **169.—(1.)** Where a Corporation stockholder desires to have his dividends sent to him by post he may make a request for that purpose to the Corporation or the registrar in writing signed by him in a form approved by the Corporation and shall give to the Corporation or the registrar an address in the United Kingdom or in the Channel Islands or the Isle of Man to which the letters containing the warrants are from time to time to be sent.

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



of the Corporation and of the registrar be equivalent to the delivery of the warrant to the stockholder himself.

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

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STOCK CERTIFICATES WITH COUPONS TO BEARER.

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

Provisions  
respecting  
stock certifi-  
cates with  
coupons to  
bearer.

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

(3.) Notwithstanding anything in this Act a trustee shall not apply for purchase take or hold a Corporation stock certificate to bearer unless he is in express words authorised to do so by the instrument creating his trust and any contravention of this provision by a trustee shall be deemed a breach of trust but this provision shall not impose on the Corporation or the registrar an obligation to inquire or to take notice whether a person applying for or holding a stock certificate to bearer is or is not a trustee or subject the Corporation or the registrar to any liability in case of their or his with or without notice issuing to a trustee a stock certificate to bearer or invalidate any stock certificate to bearer issued.

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

(5.) The bearer of a Corporation stock certificate to bearer may on delivery up to the Corporation or the registrar of the certificate and of all unpaid coupons belonging thereto require to be entered in the Corporation stock register as the holder of the stock described in the certificate under which he derives title and thereupon the stock shall be re-entered in the register as transferable and shall become and again be transferable in the Corporation stock transfer books or by deed as the case may require and shall as regards the 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.



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

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

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

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

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

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

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

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

GENERAL.

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

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

Nature of  
 Corporation  
 stock notice  
 of trusts.



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

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**172.**—(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.

Receiver.

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

**173.**—(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.

Holding of  
Corporation  
stock by  
trustees.

(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.

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

Protection  
holders of  
Corporation  
stock.



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Annual  
return to  
Local Go-  
vernment  
Board.

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

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

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

Unclaimed  
dividends.

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

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

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

(4.) At the end of every successive period of ten years from the day when the first dividend becomes payable on Corporation stock first issued after the passing of this Act the Corporation unless it



has been otherwise agreed between them and the registrar may require the registrar to repay to them all dividends unclaimed during that period and then in his hands and the Corporation shall pay the same into the loans fund and may deal therewith as they are by this part of this Act empowered to deal with money paid into the loans fund as interest on cash balances received by them without prejudice nevertheless to the rights of any person to those dividends.

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

Saving for power to borrow otherwise.

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

Saving for power of revocation.

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

Saving for other obligations.

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

Saving for power to sell lands &c.

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

**181.** Nothing in or done under this part of this Act shall affect any security or charge created or granted or payable by the

Saving for existing securities.



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Corporation before and subsisting at the date of the first creation of any Corporation stock and the Corporation shall whenever required by the holder of any security or charge aforesaid apply all such money do all such acts exercise all such powers collect all such money and make and levy all such rates as they would or ought to have applied done exercised collected made and levied for his benefit and security if this part of this Act had not been enacted.

Forgery.

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

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

Orders of  
Local Government  
Board.

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

Regulations  
by Bank of  
England.

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

(a.) The period for which coupons are to be given :

(b.) The mode in which the bank are to act in issuing stock certificates to bearer or entering in the transfer books the bearers of stock certificates to bearer :

(c.) The mode of proving the title of or identifying any person applying for a stock receipt or stock certificate or stock certificate to bearer :



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

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**185.** The forms given in the Sixth 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.

**186.**—(1.) Fees not exceeding those specified in the Sixth Schedule to this Act 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 Corporation having regard to the cases in which the fees are paid determine.

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

Expenses.

(2.) Expenses of 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 or as a sanitary authority are or may be defrayed.

**188.** All the preliminary and other costs charges and expenses of and incident to the preparing for obtaining and passing this Act (including the costs incurred by the Corporation in complying with the provisions of the Act thirty-five and thirty-six Victoria chapter ninety-one with respect to the Bill for this Act as taxed and ascertained by the taxing officer of the House of Lords or House of Commons) shall at the option of the Corporation be paid by the Corporation out of the borough fund and borough rate or moneys borrowed on the security of the said fund and rate and the Corporation are hereby authorised to borrow such moneys as they may require for that purpose and to raise the same by the creation and issue of Bury Corporation stock under the powers conferred by this Act or by mortgage of such fund or rate or either of them and to exercise the powers of this section at any time after the passing of this Act and all moneys borrowed under this section shall be repaid within twenty years from the time or respective times of borrowing the same.

Costs of  
Act.

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**SCHEDULES** referred to in the foregoing Act.

Schedule I.

**THE FIRST SCHEDULE.**

SETTING forth the several ACTS ORDERS and SANCTIONS of PUBLIC DEPARTMENTS in the foregoing ACT referred to collectively as "THE CORPORATION ACTS."

The Municipal Corporations Acts as defined by the foregoing Act so far as the same relate to the borough.

The Bury Improvement Act 1846.

The Bury Gas Act 1857.

The Bury Gas Act 1866.

The Bury Waterworks Act 1846.

The Bury and Radcliffe Waterworks Act 1853.

The Bury and Radcliffe Waterworks Act 1858.

The Haslingden and Rawtenstall Waterworks Act 1853.

The Haslingden and Rawtenstall Waterworks Act 1856.

The Haslingden and Rawtenstall Waterworks Act 1858.

The Haslingden and Rawtenstall Waterworks Act 1864.

The Bury Improvement Act 1872.

An Act for providing a market place and for regulating the markets and fairs in the town and borough of Bury in the county palatine of Lancaster (2 Victoria chapter 8).

The sanction of the Local Government Board dated 3rd day of March 1880 to borrow £15,700 for works of sewerage.

The sanction of the Local Government Board dated 12th day of July 1880 to borrow £11,000 for the purchase of land required for the disposal of the sewage of the borough.

The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1882.

The Public Works (Manufacturing Districts) Act 1863 so far as the same relates to the borough.

The Acts 9 and 10 Victoria chapter 74 and 10 and 11 Victoria chapter 61 and the Baths and Washhouses Act 1878 so far as the same relate to the borough.

The Burial Acts 1852 to 1871 and the Acts altering amending or affecting the same for the time being in force so far as the same relate to the borough.

The Public Libraries Act 1855 and the Acts altering amending or affecting the same for the time being in force so far as the same relate to the borough.



The Tramways Act 1870 and the Acts altering amending or affecting the same for the time being in force so far as the same relate to the borough.

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—  
Schedule I.

The Artizans and Labourers Dwellings Improvement Act 1875 and the Acts altering amending or affecting the same for the time being in force so far as the same relate to the borough.

The Public Health Act 1875 and the Acts altering amending or affecting the same for the time being in force so far as the same relate to the borough ;  
and

All Public Acts passed before the passing of the foregoing Act so far as the same relate to the borough and authorise the borrowing of money by the Corporation and any Acts altering amending or affecting the same for the time being in force.

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Schedule II.

THE SECOND SCHEDULE.

Authorities.	Amount authorised to be raised.	On what Accounts.	Amount Borrowed.	Amount of Debt extinguished by means of Sinking Funds.	Amount of Debt 25th March 1884.	Amount in Bank on Sinking Fund Account for extinction of Debt, 25th March 1884.	Periods within which the Sinking Funds will extinguish the Debt under present Acts and Orders as amended by this Act.
Bury Gas Act, 1857	£ 63,200 0 0	Gasworks	£ 63,200 0 0	21,155 9 1	£ 92,044 10 11	18,884 0 3	23
" 1866	50,000 0 0	Ditto	50,000 0 0	} 20,300 0 0	83,804 6 11	1,757 1 0	35
Bury Improvement Act, 1872	100,000 0 0	General rate and markets.	104,104 6 11				
"	23,866 0 0	Sewers	23,866 0 0	6,400 0 0	17,466 0 0	256 0 0	35
"	85,106 19 0	District rate	58,954 12 7	5,420 0 0	53,534 12 7	433 11 6	35
"	26,052 1 9	Cemetery	25,225 15 3	2,887 7 3	22,338 8 0	1,471 16 6	35
"	189,955 0 0	Waterworks	181,494 6 3	-	181,494 6 3	879 14 0	43
Bury Improvement Act 1872— Annuities amounting in the aggregate to £17,370 2s. 5d. on purchase of waterworks	-	-	-	-	-	1,647 18 6	43
Sanctions of Local Government Board dated 3 March 1880	15,700 0 0	Sewers	15,657 14 7	-	15,657 14 7	212 16 6	27
Government Board dated 12 July 1880	11,000 0 0	General rate (sewage scheme).	11,000 0 0	-	11,000 0 0	130 14 2	47
	£ 564,880 0 9	-	533,502 15 7	56,162 16 4	477,339 19 3	25,673 12 5	

Due on mortgage of rates to the Public Works Loans Commissioners under or expressed to be under Public Works (Manufacturing Districts) Act 1863 :

On general rate	£	s.	d.
On sewer rate	-	-	10,187 10 8
On cemetery rate	-	-	3,833 6 8
	-	-	5,666 13 4
	£	-	19,687 10 8



THE THIRD SCHEDULE.

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Schedule  
III.

MUNICIPAL LIMITS of BOROUGH, as extended.

The existing Municipal Borough.

*On the Westerly Side of the existing Borough.*

So much of the township of Elton in the parish of Bury and county of Lancaster as is comprised in the following limits viz. :—Commencing at the present westerly extremity of the existing borough at Bolholt Print Works and proceeding along the southerly boundary of the township of Tottington Lower End to the westerly side of Four Lane Ends thence in a southerly direction along and including the road to Height Barn thence along the easterly side of an occupation road from Height Barn to the road leading from Walshaw to Harwood and crossing this road at a point about midway between Bentley Hall and Old Holts thence continuing in a southerly direction along the line of existing fences to a junction with the township boundary between Elton and Ainsworth thence continuing along the boundary of the township of Elton to a junction with the present westerly boundary of the existing borough near the northerly inlet of the Manchester Bolton and Bury Canal Reservoir thence along the present boundary of the existing borough to the said Bolholt Print Works.

So much of the township of Tottington Lower End in the parish of Bury and county of Lancaster as is comprised in the following limits viz. :—Commencing at the present westerly extremity of the existing borough at Bolholt Print Works and proceeding along the southerly boundary of the township of Tottington Lower End in a westerly direction to the point at which the said township boundary first touches the bank of the large reservoir of the Bo holt Print Works thence in a straight line in a northerly direction to within about four and a half chains of the south-east corner of the row of cottages called Brickfields and thence in a northerly direction and on the north-west side of the Lamb Inn across the high road from Tottington to Bury and along a footpath at the south-easterly side of Beechwood and continuing in a straight line to a junction with the said township boundary at Kirklees Brook at a point being the present north-westerly extremity of the existing borough.

*On the North-westerly Side of the existing Borough.*

So much of the township of Elton in the parish of Bury and county of Lancaster as is comprised in the following limits that is to say :—Commencing at the aforesaid north-westerly extremity of the existing borough at Kirklees Brook and proceeding in a northerly direction at the east side of a farm known as Hopkinson's to a line parallel with Brandlesholme Road at a distance of

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Schedule  
III.

about four chains to the west therefrom and along the said line to the east side of Brandlesholme Hall to a point three chains to the north of Woodroad Lane thence crossing Brandlesholme Road and continuing parallel to the said lane at a distance of three chains to the north therefrom to a footpath leading from Longsight to Woodroad Lane thence in a straight line and along an existing fence to the road leading to Daub Hole and continuing in a northerly direction along and including the said road to the north of a farm known as Daub Hole and along the southern boundary of the Ramsbottom Local Board district to the easterly boundary of the said township of Elton in the centre of the bed of the River Irwell and thence in a southerly direction along the said township boundary to its junction with the existing borough boundary at the Canal Feeder Aqueduct near Burr's Mill thence along the existing borough boundary to the aforesaid north-westerly extremity at Kirklees Brook.

*On the Northerly Side of the existing Borough.*

So much of the township of Walmersley-cum-Shuttleworth in the parish of Bury and county of Lancaster as lies south of the district of the Ramsbottom Local Board and north of the existing borough and as is bounded on the east side thereof by a line as follows viz. :—Commencing at the south-east extremity of the Ramsbottom Local Board district at Oldfield and proceeding in a southerly direction along the east side of Walmersley Old Road to a footpath about two chains to the south of Snape Hole Slack thence along the said footpath to the east of Mount Pleasant and to the west of White Wall and continuing in a straight line to the west of Wood to a junction with the westerly boundary of a detached portion of the township of Birtle-cum-Bamford thence continuing in a southerly direction along the said township boundary to its junction with the northerly extremity of the township of Bury.

*On the South-easterly Side of the existing Borough.*

So much of the hamlet of Unsworth in the township of Pilkington in the parish of Prestwich-cum-Oldham and county of Lancaster as lies on the right bank of the River Roch and including the bed of such river to the centre thereof co-extensive with the said portion of such hamlet.



## THE FOURTH SCHEDULE.

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Schedule IV.

DISTRICTS into which the added part of the BOROUGH is divided for RATING PURPOSES.

Name of District.	Description of District.
1. Elton District -	The portions of the township of Elton added to the borough under the powers of this Act.
2. Tottington District -	The portion of the township of Tottington Lower End added to the borough under the powers of this Act.
3. Walmersley District -	The portion of the township of Walmersley-cum-Shuttleworth added to the borough under the powers of this Act.
4. Pilkington District -	The portion of the township of Pilkington added to the borough under the powers of this Act.

## THE FIFTH SCHEDULE.

Schedule V.

NAMES and DESCRIPTION of WARDS.

CHURCH WARD.

*Description and Boundaries of Church Ward.*

All those parts of the townships of Bury and Elton comprised within the following limits that is to say within a line commencing at the centre of Bury Bridge and proceeding in a northerly direction along the centre of the bed of the River Irwell as far as the easterly boundary of the township of Elton thence in a south-easterly direction along the said township boundary and prolonged into the centre of Paradise Street thence along the centre of Paradise Street in a south-westerly direction to the centre of Eden Street thence in a south-easterly direction along the centre of Eden Street Clough Street and Rochdale Road as far as the centre of Lord Street thence along the centre of Lord Street in a southerly direction to the centre of Spring Street thence in a south-easterly direction along the centre of Spring Street to the centre of Heywood Street thence in a southerly direction along the centre of Heywood

A.D. 1885. Street to the south side of the Lancashire and Yorkshire Railway and proceeding along the south side of the Lancashire and Yorkshire Railway in a westerly direction as far as the centre of Manchester Road thence in a northerly direction along the centre of Manchester Road and Silver Street to the centre of Bolton Street thence in a westerly direction along the centre of Bolton Street and terminating at the centre of Bury Bridge.

Schedule V.

#### REDVALES WARD.

##### *Description and Boundaries of Redvales Ward.*

All those parts of the townships of Bury Elton Heap Pilsworth and Pilkington included within the borough and lying south of a line commencing at the centre of Bury Bridge and passing in an easterly direction along the centre of Bolton Street to Silver Street thence in a southerly direction along the centre of Silver Street and Manchester Road as far as the south side of the Lancashire and Yorkshire Railway thence in an easterly direction along the south side of the said Lancashire and Yorkshire Railway to Heywood Street thence northerly along the centre of Heywood Street to Spring Street thence in a north-westerly direction along the centre of Spring Street to Lord Street thence in a northerly direction along the centre of Lord Street to Rochdale Road and thence in an easterly direction passing along the centre of Rochdale Road to the centre of Heap Bridge.

#### EAST WARD.

##### *Description and Boundaries of East Ward.*

All those parts of the townships of Bury Heap and Birtle-cum-Bamford included within the following limits that is to say within a line commencing at the centre of Heap Bridge and passing in a westerly direction along the centre of Rochdale Road Clough Street and Eden Street to Paradise Street thence in a north-easterly direction along the centres of Paradise Street Moor-gate Taylor Street Kenyon Street Bridge Street and High Street and continuing in a prolongation of the centre line of High Street to the easterly boundary of the borough thence along the said easterly boundary to the centre of Heap Bridge.

#### MOORSIDE WARD.

##### *Description and Boundaries of Moorside Ward.*

All those parts of the townships of Bury Birtle-cum-Bamford and Walmersley-cum-Shuttleworth included within the limits of the borough lying north of Church Ward and East Ward and east of the centre of the bed of the River Irwell.

#### ELTON WARD.

##### *Description and Boundaries of Elton Ward.*

All those parts of the townships of Elton Tottington Lower End and Walmersley-cum-Shuttleworth included within the limits of the borough lying west of the centre of the bed of the River Irwell.



## THE SIXTH SCHEDULE.

A.D. 1885.

Schedule VI.

## FORMS.

(A.)

## RESOLUTIONS ON CREATION OF STOCK.

Borough of Bury.

[29th September 188 .]

At a meeting of the council of the borough of Bury holden on [ the day of 188 ] at [ o'clock in the noon ] 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 Bury Improvement Act 1885 the Corporation acting by the council do hereby in exercise of their several statutory powers create stock to be called Bury Corporation Redeemable (or Irredeemable) Stock and to be issued to an amount which shall be sufficient for the following purposes but not exceeding pounds (£ ):—

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

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

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Schedule VI.

B. For raising instead of re-borrowing the sum of \_\_\_\_\_ pounds required by the Corporation for the purpose of paying off when due sums amounting to \_\_\_\_\_ pounds which will fall due before the [1st January 188 ] being a portion of their debts now subsisting on the security of outstanding securities granted by the Corporation for raising money for the purposes of the following Acts (that is to say) :

and which sums the Corporation are under those Acts authorised to re-borrow.

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

and which sums the Corporation are under those Acts 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 [£ ] 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.



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Schedule VI.

- D. Dividends at £            per cent. per annum, payable [quarterly].
- E. Dividends on the total amount of stock (calculated from the 1st of October, 188   ), to be payable on the 1st January 188   .
- F. Scrip certificates to bearer with coupons attached for the dividends payable 1st January 188   , and 1st April 188   , to be issued in exchange for the provisional receipts.
- G. In the event of the receipt of tenders for a larger amount of stock than that proposed to be issued at or above the minimum price the tenders at the lowest price accepted to be subject to proportionate diminution.
- H. Stock to be issued in sums of not less than £50 or a multiple of £50.
- 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 RECEIPT.

BURY CORPORATION STOCK (            PER CENT.)

<i>Transfer</i>	RECEIVED this                      day of	<p>☞ The proprietors to protect themselves from FRAUD are recommended to ACCEPT, by themselves, or their attorneys, all TRANSFERS made to them.</p> <p>£    s.    d.</p>
	188    of	
<i>days :</i>	herein-after called the said transferee	
Monday,	the sum of	
Tuesday,	being the consideration for	
Wednesday,	Interest or share in the BURY CORPORATION	
Thursday,	STOCK (£            per cent.), transferable at the	
Friday.	BANK OF ENGLAND, and all my property and	
<i>Holidays</i>	interest in, and right to, the same, and the	
<i>excepted.</i>	dividends thereon, by	
	this day transferred unto the said transferee	
	Witness                      hand	
	Witness	

A.D. 1885.

Schedule VI

[Indorsement.]

NOTICE TO HOLDERS OF BURY CORPORATION STOCK.  
(£ PER CENT.)

PAYMENT OF DIVIDENDS.

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

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

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

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

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

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

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

STOCK CERTIFICATES TO BEARER.

Stock certificates to bearer, of the denominations of [£50, or a multiple of £50], with coupons for the quarterly dividends attached, may be obtained in exchange for inscribed stock.



(C.)

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Schedule VI.

CORPORATION STOCK CERTIFICATE.

Borough of Bury.

Number

This is to certify that A.B. of [ ] is the proprietor of [ ] pounds of Bury 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 Bury this [ ] day of [ ] 18[ ].

(D.)

TRANSFER IN BOOKS.

BURY CORPORATION STOCK ( PER CENT.).

No.

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

£	s.	d.

Witness to the identity of interest or share in the BURY CORPORATION STOCK (£ PER CENT.), transferable at the Bank of England, and all my property and interest in, and right to, the same, and the dividends thereon, unto

Executors, administrators, or assigns. Witness hand

Witness

do freely and voluntarily accept the above stock transferred to

Witness

A.D. 1885.  
Schedule VI.

(E.)

APPLICATION FOR ISSUE OF POWER OF ATTORNEY.

BANK OF ENGLAND, the \_\_\_\_\_ day of \_\_\_\_\_ 188  
from A.B. and C.D. [*the registered stockholders in the bank books*]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

£ \_\_\_\_\_ BURY CORPORATION STOCK (£ \_\_\_\_\_ per Cent.)

To G.H. [*the intended attorney*]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

(F.)

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

*Corporate  
Accounts.* }

BURY CORPORATION STOCK.

ACCEPTANCE, SALE OF £ \_\_\_\_\_ AND DIVIDENDS.

We  
our attorneys and attorney  
for us and in our name and on our behalf—  
First—to ACCEPT all transfers made or to be made to us of any sum of

BURY CORPORATION STOCK.



Secondly—to SELL and TRANSFER all, or any part, of the sum of

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

Schedule VI.

Thirdly—to RECEIVE and GIVE RECEIPTS for all DIVIDENDS or PAYMENTS due, or to become due, on any sum of the said stock from time to time standing in our name in the books of the Governor and Company of the Bank of England;

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

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

*Sealed with the corporate seal and delivered in the presence of*

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

*For further instructions see other side.*

---

[Indorsement.]

INSTRUCTIONS FOR EXECUTING THE WITHIN LETTER OF ATTORNEY.

*Corporate* }  
*Account.* }

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

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

A *witness resident in a town* must give the No. of the house as well as the name of the street.

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

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

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

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

I demand to act by this letter of attorney, this \_\_\_\_\_ day of \_\_\_\_\_ 18  
Witness \_\_\_\_\_

A.D. 1885.  
Schedule VI.

(G.)

DEED OF TRANSFER

Borough of Bury.

I A.B. of [ ] in consideration of the sum of [ ] pounds paid to me by C.D. of [ ] (herein-after called the said transferee) do hereby transfer to the said transferee the sum of [ ] pounds Bury 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 Bury to hold unto the said transferee his executors administrators and assigns [or successors and assigns] subject to the several conditions on which I hold the same at the time of the execution hereof and I the said transferee do hereby agree to take the said stock subject to the same conditions.

As witness our hands and seals the [ ] day of [ ]

(H.)

DIVIDEND WARRANT.

BURY CORPORATION STOCK.

(£ PER CENT.)

To the CASHIERS of the BANK of ENGLAND.

Pay to bearer the sum of \_\_\_\_\_

for one quarter of a year's dividend }  
on the sum of £ }  
BURY CORPORATION STOCK ( }  
per cent.) due 188 . }  
Less property tax at d. per £. }

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

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

Witness, Witness my hand this \_\_\_\_\_, 188 .



(I.)

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DIVIDEND WARRANT BY POST.

Schedule VI.

(1.)

BURY CORPORATION STOCK (£ PER CENT.)

REQUEST FOR TRANSMISSION OF DIVIDEND WARRANTS BY POST.

To the GOVERNOR and COMPANY of the BANK OF ENGLAND.

A sum of £		Bury Corporation	Amount.
Stock (	per Cent.) is now standing in	name	as follows:—
			“ my ” or
			“ our.”

Names, addresses, and descriptions as recorded in the bank books.

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

“ I ” or “ we.”  
“ myself ” or  
“ our nominee.”  
“ my ” or  
“ our.”

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

“ I ” or “ we.”  
“ my ” or  
“ our.”

Name . . . . .

Present address . . . . .

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.

SIGN HERE.

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date \_\_\_\_\_ 188 \_\_\_\_\_

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

Schedule VI.

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

NOTICE TO HOLDERS OF BURY CORPORATION STOCK.  
( PER CENT.)

TRANSMISSION OF DIVIDEND WARRANTS BY POST.

Dividends upon the above-named stock may be transmitted through the post to the *stockholder* in sole accounts, and to *any one of the stockholders* in joint accounts, *at their risk*, upon a form of request being duly filled up and forwarded to the ACCOUNTANT-GENERAL, BANK OF ENGLAND. (Forms are obtainable at the BANK OF ENGLAND, and at any of its branches.)

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

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

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

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

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

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

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

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

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

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

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

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

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



In the absence of any notification to the contrary, it will be taken for granted that dividend warrants have duly reached their destinations. When they are not received on the correct day, notice should be given to the Accountant-General without delay.

A.D. 1885.  
Schedule VI.

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 letters of attorney *for sale only*.

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

(2.)

POST DIVIDEND WARRANT.

BURY CORPORATION STOCK  
( PER CENT.)

To the GOVERNOR and COMPANY of the BANK OF ENGLAND, LONDON.

Pay to me or my order on demand the sum of

being one quarter of a year's dividend at per cent. per annum, due on the 1st day of 188 , on the sum of £ { Bury Corporation Stock ( per cent.) } Less property tax at per £

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*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. 1885.

(K.)

Schedule VI.

STOCK CERTIFICATE WITH COUPONS TO BEARER.

BURY CORPORATION STOCK CERTIFICATE TO BEARER.

DIVIDEND AT PER CENT. PER ANNUM.

£ . A00000

This is to certify that the bearer of this certificate is entitled to pounds Bury Corporation [Redeemable] Stock with dividend thereon at the rate of £ per cent. per annum transferable at the Bank of England pursuant to the Bury Improvement Act, 1885.

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

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

A00000 £ .

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>Div. BURY CORPORATION STOCK.</p> <p>Coupon for Shillings and Pence, (Less Income Tax) being Three Months Dividend at £ Per Cent. per Annum.</p> <p>A00000 Due [1st January 1886]</p> <p>on Certificate for POUNDS BURY CORPORATION STOCK.</p> <p>£ . Payable at the Bank of England.</p>	<p>5 Div.</p> <p>BURY CORPORATION STOCK.</p> <p>Due [1st Jan. 1886].</p> <p>A00000</p> <p>£</p>	<p>4 Div. BURY CORPORATION STOCK.</p> <p>Coupon for Shillings and Pence, (Less Income Tax) being Three Months Dividend at £ Per Cent. per Annum.</p> <p>A00000 Due [1st October 1885]</p> <p>on Certificate for POUNDS BURY CORPORATION STOCK.</p> <p>£ . Payable at the Bank of England.</p>	<p>4 Div.</p> <p>BURY CORPORATION STOCK.</p> <p>Due [1st Oct. 1885].</p> <p>A00000</p> <p>£</p>
<p>3 Div. BURY CORPORATION STOCK.</p> <p>Coupon for Shillings and Pence, (Less Income Tax) being Three Months Dividend at £ Per Cent. per Annum.</p> <p>A00000 Due [1st July 1885]</p> <p>on Certificate for POUNDS BURY CORPORATION STOCK.</p> <p>£ . Payable at the Bank of England.</p>	<p>3 Div.</p> <p>BURY CORPORATION STOCK.</p> <p>Due [1st July 1885].</p> <p>A00000</p> <p>£</p>	<p>2 Div. BURY CORPORATION STOCK.</p> <p>Coupon for Shillings and Pence, (Less Income Tax) being Three Months Dividend at £ Per Cent. per Annum.</p> <p>A00000 Due [1st April 1885]</p> <p>on Certificate for POUNDS BURY CORPORATION STOCK.</p> <p>£ . Payable at the Bank of England.</p>	<p>2 Div.</p> <p>BURY CORPORATION STOCK.</p> <p>Due [1st Apr. 1885]</p> <p>A00000</p> <p>£</p>



FEES.						A.D. 1885.			
						£	s.	d.	Schedule VI.
On original issue of stock receipt or stock certificate	-	-	-	-	-	0	2	6	
On any new stock certificate	-	-	-	-	-	0	2	6	
On transfer including certificate	-	-	-	-	-	0	5	0	
On any issue of stock certificate to bearer in respect of every ten pounds of stock specified therein	-	-	-	-	-	0	0	6	
On re-entry in Corporation stock register of stock specified in stock certificate to bearer	-	-	-	-	-	0	5	0	

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