



CHAPTER cc.

An Act to make better provision for the health local government and improvement of the Borough of Wigan and to provide for the creation and issue of Corporation Stock and for other purposes. [26th August 1889.]

A.D. 1889.

WHEREAS the borough of Wigan in the county palatine of Lancaster is a municipal borough under the government of the mayor aldermen and burgesses thereof (in this Act called "the Corporation") acting by the council and the Corporation acting as aforesaid are the urban sanitary authority for the district of the borough with the powers and obligations of an urban sanitary authority and the borough is a county borough within the meaning of the Local Government Act 1888 :

And whereas the local Acts and orders described in the First Schedule to this Act are in force within the borough and it is expedient to amend the same as in this Act mentioned :

And whereas it is expedient to increase the funds applicable to defraying the expenses of the Wigan Public Library and Museum :

And whereas the Second Schedule to this Act contains a statement of the sums due from the Corporation on loans account :

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

And whereas it is expedient to authorise the construction of a new street from the market place to the public library and the street improvement in this Act described :

And whereas it is expedient to confer further powers on the Corporation with respect to private street works and street improvements and with respect to the control of overhead telegraph telephone and other wires and with respect to the cleansing of the river Douglas and other matters of health and local government :

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And whereas plans and sections showing the line and levels of the intended new street and street improvement and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken under the powers of this Act were duly deposited with the clerk of the peace for the county palatine of Lancaster and are herein-after referred to as "the deposited plans sections and book of reference":

And whereas estimates have been prepared by the Corporation showing that they require to borrow five thousand pounds for the purpose of providing additional market accommodation twenty thousand pounds for the purchase of insanitary houses and twenty thousand pounds for the execution of general street improvements the same being permanent works within the meaning of section 234 of the Public Health Act 1875:

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

And whereas an absolute majority of the whole number of the council at a meeting held on the fifth day of December one thousand eight hundred and eighty-eight after ten clear days notice by public advertisement of the meeting and of the purpose thereof in the Wigan Examiner 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 or rate:

And whereas that resolution was published twice in the said Wigan Examiner and has received the approval of the Local Government Board:

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

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and

Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :— A.D. 1889.

PART I.—PRELIMINARY.

1. This Act may be cited for all purposes as the Wigan Corporation Act 1889. Short title.

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

Part I.—Preliminary.

Part II.—Corporation Stock.

Part III.—Streets.

Part IV.—Overhead Wires.

Part V.—Police Regulations.

Part VI.—Miscellaneous Provisions and Borrowing Powers.

Division of
Act into
parts.

3. This Act shall come into operation on the thirty-first day of October one thousand eight hundred and eighty-nine which date is herein-after referred to as the commencement of this Act. Commence-
ment of
Act.

4. The Lands Clauses Consolidation Acts 1845 1860 and 1869 (in this Act referred to as "the Lands Clauses Acts") except the provisions with respect to the purchase and taking of lands otherwise than by agreement are so far as the same are applicable for the purposes of and are not varied by or inconsistent with this Act incorporated with and form part of this Act. Incorpora-
tion of
Lands
Clauses Acts.

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

"The borough" means the Municipal Borough of Wigan :

"The Corporation" means the mayor aldermen and burgesses of the borough :

"The council" means the council of the borough :

"The mayor" "the town clerk" "the treasurer" and "the surveyor" mean respectively the mayor the town clerk the treasurer and the surveyor of the borough :

"The borough fund" and "the borough rate" and "the district fund" and "the general district rate" mean respectively the borough fund borough rate and district fund and general district rate of the borough :

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

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

“Person” includes a corporation:

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

Words and expressions to which meanings are assigned by the Public Health Act 1875 have in this Act the same respective meanings:

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

Execution of Act.

6. Subject to the provisions of this Act this Act shall be carried into execution by the Corporation acting by the council with all the powers privileges duties and obligations of the Corporation as a municipal authority and as an urban sanitary authority respectively.

PART II.—CORPORATION STOCK.

Preliminary.

Interpretation.

7.—(1.) In this part of this Act—

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

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 purposes of this part of this Act a statutory borrowing power.

(3.) Any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture

stock Corporation stock annuity rentcharge rent or other security authorised by or under any Act of Parliament passed or to be passed of any municipal corporation in Great Britain except the Corporation or of any other local authority within section thirty-four of the Local Loans Act 1875 is for purposes of this part of this Act a statutory security.

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(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.

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

Creation of
Corporation
stock.

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

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

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

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(5.) Stock so created shall be designated by the Corporation as Wigan Corporation redeemable stock.

Borrowing power to be exerciseable for actual sum raiseable.

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

Charge of Corporation stock.

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

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

Loans Fund.

Establishment of consolidated loans fund.

11. 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 Wigan Corporation Consolidated Loans Fund (in this part of this Act referred to as the loans fund).

Contributions to loans fund for dividends.

12.—(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. A.D. 1889.

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

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

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

Contributions to loans fund for extinction of stock.

(2.) They shall provide the sum or sums last aforesaid by contributions from the several Corporation revenues if any specifically made liable to provide the same by or under any Act of Parliament or any order confirmed by Parliament or any order or sanction of any Government department or by any resolution of the Corporation having reference to those respective statutory borrowing powers and if as regards any statutory borrowing power there is no such specific liability then from the several Corporation revenues out of which any yearly or other sums would have been payable towards a sinking fund for discharge or towards payment off by instalments appropriations annual repayments or otherwise of money borrowed by the Corporation under that power if that money had been raised and remained secured otherwise than by Corporation

A.D. 1889. 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 funds in respect of those several contributions or of proper parts thereof and by like investment of the interest and annual proceeds arising from those securities make and maintain such accumulations as are in this section referred to.

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

Raising of
contribu-
tions to loans
fund.

14.--(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 on any Corporation revenue in respect of any required contribution the Corporation shall advance the amount of the deficiency out of the borough fund and borough rate or district fund and general district rate as the Corporation having regard to the provisions of this part of this Act and the objects for which the statutory borrowing power was exercised may consider equitable.

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

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

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

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

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

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

Application
of loans fund.

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

Extinction
of stock
redeemed or
purchased.

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

Account of
loans fund.

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

(b.) Each statutory borrowing power so exercised.

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- (2.) Those separate accounts shall distinguish and show—
- (c.) The portions of Corporation stock for the time being unextinguished and chargeable to each undertaking or purpose and respectively attributable to the exercise of the several statutory borrowing powers if more than one relating to that undertaking or purpose; and
- (d.) The amounts of those several portions of Corporation stock redeemed or purchased by means of the loans fund and cancelled and extinguished.

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

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

Application
of income in
reduction of
contribu-
tions.

19.—(1.) Where any money is standing on a separate account in the loans fund being money paid into the loans fund as rents and profits of the land and other property of the Corporation or being money paid into the loans fund as interest on cash balances received

by the Corporation or being other money paid into the loans fund but not being capital or in the nature of capital and not being required by this part of this Act to be applied to the making and maintenance of such accumulations as are prescribed by this part of this Act the Corporation may deal with the same as in this section provided.

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

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

(a.) In reductions 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.

20. 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.

Determina-
tion as to
charge of
stock.

Conversion of other Securities into Stock.

21.—(1.) Where any mortgage bond debenture debenture stock annuity rentcharge or other security granted or created before or

Payment off
or substitu-
tion for

A.D. 1889: after the passing of this Act by the Corporation under any statutory
existing securities. borrowing power is outstanding or payable and the Corporation have
power with the consent of the holder of that security or otherwise
to pay off the amount thereby secured or represented or to redeem
the same they may pay off or redeem the security accordingly with
money raised by Corporation stock or they may with the consent of
the holder thereof issue Corporation stock in substitution for the
security.

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

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

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

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

Extinction or suspension of power.

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

(b.) If the stock is issued for part only of that term then so much of the money raised by that stock as has not been paid off out of the loans fund may be reborrowed by the Corporation for the residue of that term or any part thereof and so from time to time.

Application of Money raised.

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

General application of money from Corporation stock.

24.—(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.

Temporary investment of money raised by stock.

(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.

25.—(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

Appointment of registrar.

A.D. 1889. 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.

26.—(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.

Certificates
of pro-
prietorship
of stock.

27.—(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.

Transfer.

Power for
stockholder
to transfer.

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

Transfer in
books.

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

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

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

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

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

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

30.—(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. Transfer by deed.

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

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

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

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

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

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Evidence on transfer.

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

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

Closing of transfer books.

32.—(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.

Stamp duty on transfers.

33. 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.

Transmission.

Transmission on death.

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

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

Transmission on bankruptcy &c.

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

(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. A.D. 1889.

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

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

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

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

Dividends.

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

37. 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. Dividends to executors &c.

38. 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. Evidence of title.

39.—(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. Dividends to joint holders.

(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

A.D. 1889. — 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.

40.—(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.

Stock Certificates with Coupons to Bearer.

Provisions respecting stock certificates with coupons to bearer.

41.—(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.

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

(3.) No trustee shall apply for purchase take or hold a Corporation stock certificate to bearer unless he is in express words authorised to do so by the instrument creating his trust and any contravention of this provision by a trustee shall be deemed a breach of trust but this provision shall not impose on the Corporation or the registrar an obligation to inquire or to take notice whether a person applying for or holding a stock certificate to bearer is or is not a trustee or

subject the Corporation or the registrar to any liability in case of their or his with or without notice issuing to a trustee a stock certificate to bearer or invalidate any stock certificate to bearer issued. A.D. 1889.

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

(5.) The bearer of a Corporation stock certificate to bearer may on delivery up to the Corporation or the registrar of the certificate and of all unpaid coupons belonging thereto require to be entered in the Corporation stock register as the holder of the stock described in the certificate under which he derives title and thereupon the stock shall be re-entered in the register as transferable and shall become and again be transferable in the Corporation stock transfer books or by deed as the case may require and shall as regards the mode of payment of the dividends thereon be in the like condition as if no stock certificate to bearer had been issued in respect thereof.

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

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

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

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

A.D. 1889. 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.

Nature of Corporation stock notice of trusts.

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

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

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

Receiver.

43.—(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 for a receiver and the court may if it thinks fit appoint a receiver on such terms as it thinks fit.

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

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

44. 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 and regular or to see to the application of any money raised by Corporation stock or be answerable for any loss or misapplication thereof.

Protection of
holders of
Corporation
stock.

45.—(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.

Annual
return to
Local
Government
Board.

(2.) In case of wilful default therein by the Corporation the Corporation shall on each occasion be liable to a fine not exceeding two hundred pounds and in case of wilful default therein by the 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.

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

Unclaimed
dividends.

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

(3.) At the end of every successive period of five years from the day when the first dividend becomes payable on Corporation stock

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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.

Saving for
power to
borrow
otherwise.

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

Saving for
power of
revocation.

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

Saving for
other obliga-
tions.

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

Saving for
power to sell
lands &c.

50.—(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.

(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.

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51. Nothing in or done under this part of this Act shall affect any security or charge created or granted or payable by the Corporation before the date of the first creation of any Corporation stock and the Corporation shall whenever required by the holder of any security or charge aforesaid apply all such money do all such acts exercise all such powers collect all such money and make and levy all such rates as they would or ought to have applied done exercised collected made and levied for his benefit and security if this part of this Act had not been enacted.

Saving for existing securities.

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

Forgery.

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

53. 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.

Orders of Local Government Board.

54. 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

Regulations by Bank of England.

A.D. 1889. — 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.

Forms.

55. The forms given in the Third 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.

Fees.

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

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

Expenses.

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

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

Power to
create
Debenture
Stock under
Acts of 1874

58. The Corporation shall not create or issue any further Wigan Corporation debenture stock under the Acts of 1874 and 1880 and so soon as the Corporation shall have paid off cancelled or converted the existing Wigan Corporation debenture stock all powers of the

Corporation in relation to the creation and issue of Wigan Corporation debenture stock under those Acts shall cease.

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and 1880
ultimately to
cease.

PART III.—STREETS.

(i.) *New Street.*

59. Subject to the provisions of this Act the Corporation may make and maintain in the lines and on the lands shown and described on the deposited plans and book of reference and according to the levels shown on the deposited sections the new street and street improvement following (that is to say) :—

Power to
Corporation
to make new
street.

(1) A new street commencing at the south-east side of Market Place at a point twenty-five yards south-west of the Wiend and terminating in Rodney Street on the north-east side of the Wigan Free Library :

(2) A widening and improvement of Warrington Lane between Scholes Street and Hardy Butts :

With all approaches drains works and conveniences necessary or proper in connexion therewith And the Corporation may but by agreement only enter on take and use such of the lands shown on the deposited plans and described in the deposited book of reference as may be required for the purposes of such new street improvement and works or for the erection of buildings abutting upon or near to such new street or improvement.

60. Subject to the provisions of this Act the Corporation in the construction and execution of the said new street and street improvement may deviate laterally from the lines thereof as shown on the deposited plans to the extent of the limits of lateral deviation indicated thereon and they may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet.

Limits of
lateral and
vertical
deviation.

61. Subject to the provisions of this Act and within the limits defined on the deposited plans the Corporation for the purposes of the said new street may make junctions and communications with any existing street and may alter any existing street for the purpose of connecting the same with the said new street and may raise lower or alter any vault arch cellar or area under or adjoining any existing street Provided that the Corporation shall make to the owners and occupiers of and all other parties interested in any lands or houses injuriously affected by the exercise of the powers of this section full compensation for all damage so sustained by them respectively.

Power to
make sub-
sidiary
works.

Temporary
stoppage of
streets.

62. The Corporation may during and for the purpose of the construction and execution of the said new street and street improvement from time to time stop up any street.

Period for
completion of
new street.

63. If the said new street shall not be completed by the Corporation within five years from the commencement of this Act the powers by this Act conferred for the construction thereof shall cease except as to so much as shall be then completed.

Power to
retain sell
&c. lands.

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

Application
of purchase
money of
land.

65. Any purchase money received on any sale of land acquired under this Act and any money received as a fine on the granting of any lease of any such land by the Corporation shall be distinguished as capital in the accounts of the Corporation and applied in discharge of any moneys borrowed under this Act but shall not be applicable to the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board Provided that any moneys applied in the discharge of borrowed moneys shall not be re-borrowed.

Restrictions
on displacing
persons of
labouring
class.

66.—(1.) The Corporation shall not under the powers by this Act granted purchase or acquire 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 unless and until—

(a.) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place

of employment of such persons and to all the circumstances of the case; and A.D. 1889.

(b.) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modification in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4.) Any conditions subject to which the Local Government Board may have approved of any scheme under this section or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court of Justice.

(5.) If the Corporation acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court of Justice and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section the Corporation may appropriate any lands for the time being belonging to them or which they have power to acquire :

Provided that nothing in this section shall relieve the Corporation from the necessity of obtaining the approval of the Local Government Board for such appropriation or use of their corporate land as would require such approval under the Municipal Corporations Act 1882 (as amended by section 72 of the Local Government Act 1888) or any other general Act.

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(7.) Subject to the provisions of this section the Corporation and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them under the Public Health Acts in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act :

Provided that all lands on which any buildings have been erected or provided by the Corporation in pursuance of any scheme under this section shall for a period of twenty-five years from the passing of this Act be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may see fit.

(8.) The Corporation shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including 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.

(9.) For the purposes of this section the expression "labouring class" includes mechanics artizans 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 such persons who may be residing with them.

(ii.) *Private Street Works.*

Definition of street.

67. "Street" for the purpose of the provisions of this Act relating to private street works means unless the context otherwise requires a street (as defined by the Public Health Act) not being a highway repairable by the inhabitants at large.

Definition of paving metalling and flagging.

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

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

Private
street works.

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

- (a.) A specification of the private street works referred to in the resolution with plans and sections (if applicable);
- (b.) An estimate of the probable expenses of the works;
- (c.) A provisional apportionment of the estimated expenses among the premises liable to be charged therewith under this Act.

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

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

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

Objections to
proposed
works.

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

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- (b.) That a street or part of a street is (in whole or in part) a highway repairable by the inhabitants at large ;
- (c.) That there has been some material informality defect or error in or in respect of the resolution notice plans sections or estimate ;
- (d.) That the proposed works are insufficient or unreasonable or that the estimated expenses are excessive ;
- (e.) That any premises ought to be excluded from or inserted in the provisional apportionment ;
- (f.) That the provisional apportionment is incorrect in respect of some matter of fact to be specified in the objection or (where the provisional apportionment is made with regard to other considerations than frontage as herein-after provided) in respect of the degree of benefit to be derived by any persons or the amount or value of any work already done by the owner or occupier of any premises.

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

Hearing and
determina-
tion of
objections.

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

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

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

by the Corporation and charged as part of the expenses of the works on the premises of the objector or objectors in such proportions as may appear just. A.D. 1889

72.—(1.) The Corporation may include in any works to be done under this Act with respect to any street or part of a street any works which they think necessary for bringing the street or part of a street as regards sewerage drainage level or other matters into conformity with any other streets (whether repairable or not by the inhabitants at large) including the provision of separate sewers for the reception of sewage and of surface water respectively. Incidental works.

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

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

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

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

They may also if they think just include any premises which do not front adjoin or abut on the street or part of a street but which in their opinion will be benefited by the works and may fix the sum or proportion to be charged against any such premises accordingly but no such premises shall be included unless there is an access thereto from the street in respect of which the expenses are to be incurred or from another street immediately adjoining.

74. The Corporation may from time to time amend the specifications plans and sections (if any) estimates and provisional apportionments for any private street works but if the total amount of the estimate in respect of any street or part of a street is increased such estimate and the provisional apportionment shall be published in the manner prescribed in Part II. of the Fourth Schedule to this Act and shall be open to inspection at the Corporation offices at all reasonable times and copies thereof shall be served on the owners of Amendment of plans &c.

A.D. 1889. the premises affected thereby and objections may be made to the increase and apportionment and if made shall be dealt with and determined in like manner as objections to the original estimate and apportionment.

Final apportionment and recovery of expense.

75.—(1.) When any private street works have been completed and the expenses thereof ascertained the surveyor shall make a final apportionment by dividing the expenses in the same proportions in which the estimated expenses were divided in the original or amended provisional apportionment as the case may be and such final apportionment shall be conclusive for all purposes and notice of such final apportionment shall be served on the owners of the premises affected thereby and the sums apportioned thereby shall be recoverable in manner provided by this Act or in the same manner as private improvement expenses are recoverable under the Public Health Act 1875 including the power to declare any such expenses to be payable by instalments.

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

- (a) That the actual expenses have without sufficient reason exceeded the estimated expenses by more than fifteen per cent. ;
- (b) That the final apportionment has not been made in accordance with this section ;
- (c) That there has been an unreasonable departure from the specification plans and sections ;
- (d) That the interest has been increased by unreasonable delay in ascertaining the expenses or making the apportionment.

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

Charge on premises.

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

(2.) The Corporation shall keep a register of charges under this part of this Act and of the payments made in satisfaction thereof and the register shall be open to inspection to all persons at all reasonable times on payment of not exceeding one shilling in respect of each name or property searched for and the Corporation shall furnish copies of any part of such register to any person applying for the same on payment of such reasonable sum as may be fixed by the Corporation. A.D. 1889.

77. The Corporation if they think fit from time to time (in addition and without prejudice to any other remedy) may recover summarily in a court of summary jurisdiction or as a simple contract debt by action in any court of competent jurisdiction from the owner for the time being of any premises in respect of which any sum is due for expenses of private street works the whole or any portion of such sum together with interest at a rate not exceeding five pounds per centum per annum from the date of the final apportionment till payment thereof Provided that any proceeding in a court of summary jurisdiction or county court under this section may be commenced at any time within twelve months and not afterwards of the time when the matter of such proceedings arose. Recovery of expenses summarily or by action.

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

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

80. All owners of buildings or lands being persons who under the Lands Clauses Consolidation Act 1845 are empowered to sell and convey or release lands may charge such buildings or lands with such sum as may be necessary to defray the whole or any part of any expenses which the owners of or any persons in respect of such buildings or lands for the time being are liable to pay under this Power for limited owners to borrow for expenses.

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part of this Act and the expenses of making such charge and for securing the repayment of such sum with interest may mortgage such buildings or lands to any person advancing such sum but so that the principal due on any such mortgage shall be repaid by equal yearly or half-yearly payments within twenty years.

Power of Corporation to borrow for private street works.

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

Adoption of private streets.

82. Whenever all or any of the private street works in this Act mentioned have been executed in a street or part of a street by the Corporation and the Corporation are of opinion that such street or part of a street ought to become a highway repairable by the inhabitants at large they may by notice to be fixed up in such street or part of a street declare the whole of such street or part of a street to be a highway repairable by the inhabitants at large and thereupon such street or part of a street as defined in the notice shall become a highway repairable by the inhabitants at large Provided that no such street shall become a highway so repairable if within one month after such notice has been put up the owner or the majority in number or value of owners of such street by notice in writing to the Corporation object thereto and in ascertaining such majority joint owners shall be reckoned as one owner.

On street being paved, &c. Corporation to declare same public highway.

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

Separate accounts of expenses of works.

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

85. No railway company or canal company shall be deemed to be an owner or occupier for the purposes of this part of this Act in respect of any land of such company upon which any such street as is in this part of this Act mentioned shall wholly or partially front or abut and which shall be used by such company solely as a part of their line of railway or canal or railway or canal sidings and shall have no direct communication with such street and the expenses incurred by the Corporation under the powers of this part of this Act which but for this provision such company would be liable to pay shall be repaid to the Corporation by the other owners having frontages abutting on such street and in such proportion as shall be settled by the surveyor. And in the event of such company subsequently making a communication with such street they shall notwithstanding such repayment as last aforesaid pay to the Corporation the expenses which but for the foregoing provision such company would in the first instance have been liable to pay and the Corporation shall divide among the other owners for the time being having frontages abutting on such street the amount so paid by such company to the Corporation less the costs and expenses attendant upon such division in such proportion as shall be settled by the surveyor whose decision shall be final and conclusive. But this section shall not apply to any street existing at the date of the passing of this Act.

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 Railways
 abutting but
 not com-
 municating
 with streets
 not to be
 chargeable
 with ex-
 penses under
 this Act.

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

Exemptions
 in respect
 of Her
 Majesty's
 buildings.

PART IV.—OVERHEAD WIRES.

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

Byelaws for
 prevention of
 danger from
 telegraph
 wires &c.

(2.) By such byelaws provision may be made for the inspection and examination by the Corporation of any such posts wires tubes or other appliances or apparatus and for the prohibition of any such

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posts wires tubes or other appliances or apparatus being or continuing to be stretched or placed as aforesaid in such manner as to be dangerous or to cause obstruction to the public.

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

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

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

(6.) The foregoing provisions of this section shall not apply to or include any apparatus which shall belong to any railway or canal company or which shall be used by them in connexion with their business and which now is or hereafter shall be fixed upon posts or

supports upon any railway or the towing-path of any canal provided such apparatus do not project or be not stretched or placed beyond such railway or towing-path over any public street or be not stretched or placed over any public street crossing over such railway other than public streets which cross any railway on the level.

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88. If during the said period of five years any of the existing works to which the last section is applicable is in the opinion of the surveyor in such a state or position that immediate danger to any person is to be apprehended he may give information to any justice who may thereupon summon the owner or lessee thereof or other person interested therein forthwith to appear before a court of summary jurisdiction and the court may make an order requiring such owner lessee or other person or all or any of them to remove the source of danger or authorising the surveyor to do so at the expense of such owner lessee or other person or of all or any of them or such other order as may appear to the court under all the circumstances of the case to be necessary and proper.

As to existing telegraph wires &c.

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

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

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

Saving for works of electric lighting undertakings.

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

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

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

Saving as to rights of mine owners.

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PART V.—POLICE REGULATIONS.

Prohibition of persons assembled in streets for purpose of betting.

Penalty on persons obstructing footway.

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

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

PART VI.—MISCELLANEOUS PROVISIONS AND BORROWING POWERS.

Power to cleanse river Douglas and other streams.

95. The Corporation may from time to time as they may deem fit cleanse the river Douglas and any brook rivulet or stream of water within the borough and remove any obstructions therein making compensation for all damage occasioned thereby and the Corporation their officers and servants may after twenty-four hours notice served on the occupier enter on any premises in the daytime to do all necessary acts for the purposes aforesaid :

Provided always that in cleansing or scouring the waterway or bed and course of the river Douglas or any brook rivulet or stream of water under the powers hereby granted where the same may be under or adjoining any railway or works now or hereafter belonging to any railway company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of such railway company and the work shall be constructed or executed so as not to cause any injury to such railway or works or any interruption to the passage of traffic over such railway.

Power to acquire additional water by agreement.

96. The Corporation for the purpose of providing an additional supply of water for domestic and trade purposes may from time to time by agreement purchase or otherwise acquire any water or right to take or convey water.

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

97. Every building which shall after the passing of this Act be used as a place of public resort shall to the satisfaction of the Corporation be substantially constructed and supplied with ample safe and convenient means of ingress and egress for the use of the public regard being had to the purposes for which such building is intended to be used and to the number of persons likely to be assembled at any one time therein and no such building shall at any time be used

as a place of public resort unless the provisions of this section shall have been complied with and the means of ingress and egress to and from such building shall be during the whole time that such building shall be so used as available and unobstructed as the Corporation shall require and whenever any building shall be used as a place of public resort contrary to the provisions of this section the occupier or person in charge thereof and where such place is let for any period less than one year the owner thereof as well shall be deemed to have committed an offence against the provisions of this section Every person who shall offend against the provisions of this section shall for every such offence be liable to a penalty not exceeding twenty pounds :

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

Provided that any court before which a penalty is sought to be recovered under this section may refuse to inflict such penalty where the Court is satisfied that a reasonable time has not elapsed to admit of the necessary alterations being made and that the necessary alterations are in progress.

98. The Corporation if they think fit may purchase or otherwise acquire by agreement any building (including the site and appurtenances thereof) which or a part of which shall have been declared by them unfit for human habitation or may give to the owner and lessee or either of them any sum or sums by way of compensation for such building or part of a building being so declared.

Power to purchase buildings unfit for human habitation.

99. The back yards of all houses which shall be built after the passing of this Act shall be formed with such fall and shall for the space of at least one hundred and fifty square feet be flagged or asphalted or paved with such materials as shall be satisfactory to the Corporation for the purpose of carrying off the surface water to the drains of such houses and if the back yard of any house erected before or after the passing of this Act shall not be so formed flagged asphalted or paved so as to allow of the surface water being carried off as aforesaid the Corporation may give to the owner or occupier

Back yards to be paved &c.

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of such house notice in writing requiring him within seven days after such notice shall have been so given to proceed to form and to flag asphalt or pave such back yard so as to allow of the surface water being carried off to the drain of such house and within twenty-one days after such notice shall have been so given to complete such several works to the satisfaction of the Corporation and if such owner or occupier shall make default in complying with any of such requirements to the satisfaction of the Corporation within the respective times aforesaid the Corporation may if they think fit execute the works necessary for carrying out such requirements and the expenses incurred by them in so doing shall be paid to the Corporation by such owner or occupier and shall be recoverable as a penalty under this Act is recoverable or shall be deemed private improvement expenses and be recoverable accordingly.

Borrowing
powers.

100. The Corporation may from time to time independently of any other borrowing power borrow at interest any sum or sums of money for the purposes herein-after mentioned not exceeding the respective amounts (if any specified) following (that is to say):—

- (1.) For the completion of the market works authorised by the Wigan Improvement Act 1874 five thousand pounds.
- (2.) For the purchase of insanitary houses twenty thousand pounds.
- (3.) For the purpose of the execution of the powers of the Corporation under section 154 of the Public Health Act 1875 (that is to say) for the purpose of the widening opening enlarging or otherwise improving of any street or for the purpose of making any new street (as therein provided) or for defraying expenses incurred for those purposes sums not exceeding in the whole twenty thousand pounds.
- (4.) The amount of the costs of this Act as herein-after defined.

In order to secure the repayment of moneys borrowed under this section and the payment of the interest thereon the Corporation may as regards the purposes (1) (2) and (3) mortgage or charge the district fund and general district rate and as regards the purpose (4) the borough fund and borough rate.

Form &c. of
mortgages.

101.—(1.) All mortgages granted by the Corporation under this Act shall rank together without any priority on account of the date of the deed or on any other account.

(2.) The provisions contained in sections 236 to 239 both inclusive of the Public Health Act 1875 with respect to the mortgages to be executed by a local authority shall apply in the case of all mortgages granted under this Act except where any such provisions are expressly altered or varied by this Act and for the purposes of such

application the term local authority in the said provisions shall be construed to mean the Corporation. A.D. 1889.

102. The Corporation shall pay off all moneys borrowed by them under the section of this Act with the marginal note "Borrowing powers" within the respective periods (in this Act referred to as the prescribed periods) following (that is to say):— Payment off of money borrowed.

As to moneys borrowed for the purposes (1) (2) and (3) in the said section within thirty years from the date or dates of the borrowing of the same:

As to moneys borrowed for the purpose (4) in the said section mentioned within ten years from the date or dates of the borrowing of the same.

103. The Corporation shall pay off all moneys borrowed by them on mortgage under the powers of this Act by any one or more of the methods mentioned in the Local Loans Act 1875 and sections 13 14 and 15 of that Act are hereby incorporated with this Act and shall apply accordingly Provided that no moneys for the time being standing to the credit of any sinking fund created in pursuance of this section shall be invested upon any securities of the Corporation. Mode of payment off of money borrowed.

104. If the Corporation pay off any moneys borrowed by them under this Act otherwise than by instalments appropriations or annual repayments or by means of a sinking fund or out of the proceeds of the sale of land or other property or out of fines or premiums on leases they may from time to time re-borrow the same but all moneys so re-borrowed shall be repaid within the prescribed period and shall be deemed to form the same loan as the moneys originally borrowed and the obligations of the Corporation with respect to the repayment of the loan and to the provision to be made for such repayment shall not be diminished by reason of such re-borrowing. Power to re-borrow.

105. A person lending money to the Corporation under this Act shall not be bound to inquire as to the observance by them of any provisions of this Act or be bound to see to the application or be answerable for any loss or non-application of the money lent or of any part thereof. Protection of lender from inquiry.

106. Moneys borrowed or raised by the Corporation under this Act shall be applied only to the several purposes in respect of which they were respectively borrowed or raised and to which capital is properly applicable. Application of money borrowed.

107. The treasurer shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid under this Act transmit to the Local Government Board a return in such form Annual return to Local Government Board with

A.D. 1889. as may be prescribed by that board and verified by statutory
 respect to declaration if so required by them showing the amount which has
 sinking fund. been paid as an instalment or 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 has been
 invested and also showing the purposes to which any portion of the
 moneys invested for the sinking fund and the interest thereof have
 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 which shall be paid to the Local
 Government Board and shall be recoverable by that Board in the same
 manner as penalties recoverable under the Public Health Act in a
 summary manner may be recovered by parties aggrieved within the
 meaning of that Act If it appear to the Local Government Board by
 such return or otherwise that the Corporation have failed to pay any
 instalment or to set apart the sum required by this Act for the
 sinking fund or have applied any portion of the moneys set apart for
 that fund or any interest thereof to any purposes other than those
 authorised by this Act the Local Government Board may by order
 direct that a sum not exceeding double the amount in respect of which
 such default shall have been made shall be set apart and invested as
 part of the sinking fund and such order shall be enforceable by writ
 of mandamus to be obtained by the Local Government Board out of
 the High Court of Justice and the provisions of this section shall
 apply mutatis mutandis to appropriations and annual repayments.

Saving for
 existing
 charges.

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

Limit of
 library rate
 extended.

109. For the better and more effectually carrying into execution the powers and duties of the Corporation under the Public Libraries (England) Acts 1855 to 1887 those Acts shall be read and have effect as if the limit thereby imposed on the amount authorised to be paid out of or levied by a rate were extended so as not to exceed the sum of twopence in the pound.

110. The Corporation may appoint a competent person to audit the accounts of the Corporation and the auditor so appointed shall act with and have the powers and duties of the borough auditors under the Municipal Corporations Act 1882 and shall receive such remuneration out of the borough fund as the Corporation may from time to time determine.

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Corporation
to appoint
paid auditor.

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

Expenses of
execution of
Act.

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

As to appeal.

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

Costs of
Local
Government
Board to be
paid by
Corporation.

114. The annual returns to the Local Government Board which by any Act of Parliament or order confirmed by Act of Parliament in force at the passing of this Act are required to be made by the town clerk shall after the commencement of this Act be made by the treasurer instead of the town clerk and in case of default the treasurer shall be liable to the same penalties as the town clerk would if this Act had not been passed have been liable if he had made default.

Treasurer to
make annual
returns to
Local
Government
Board.

115. Nothing in this Act contained shall be construed to extinguish abridge interrupt affect prejudice or alter in any manner whatsoever any rights claims powers privileges or authorities which before the passing of this Act the company of proprietors of the canal navigation from Leeds to Liverpool had possessed or enjoyed or might lawfully have possess or enjoy and especially any rights claims powers privileges or authorities to obstruct divert or use the waters of the said river Douglas or of any brook rivulet or stream of water within the borough for the purposes of the said navigation.

Rights of
Leeds and
Liverpool
Canal
Company
not to be
prejudiced.

A.D. 1889.

Costs of
Act.

116. The costs charges and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the borough fund and borough rate or out of moneys borrowed on the security thereof.

THE FIRST SCHEDULE.

A.D. 1889.

DESCRIPTION OF LOCAL ACTS AND ORDERS CONFIRMED BY PARLIAMENT.

Session and Chapter.	Title or Short Title.
PART I.—WIGAN IMPROVEMENT ACTS AND ORDERS.	
34 & 35 Vict. c. 7.	- The Wigan Rectory Glebe Act 1871.
36 Vict. c. i.	- The Local Government Board's Provisional Orders Confirmation Act 1873.
37 & 38 Vict. c. cxxiv.	- The Wigan Improvement Act 1874.
41 & 42 Vict. c. clxv.	- The Local Government Board's Provisional Orders Confirmation (Dawlish &c.) Act 1878.
43 & 44 Vict. c. cxxvii.	- The Wigan Improvement Act 1880.
46 Vict. c. xxxv.	- The Wigan District (Mines and Sewers) Act 1883.
48 & 49 Vict. c. clxii.	- Local Government Board's Provisional Orders Confirmation (No. 5) Act 1885.
50 Vict. c. xvi.	- Local Government Board's Provisional Orders Confirmation (No. 10) Act 1886.
51 & 52 Vict. c. cxxi.	- Local Government Board's Provisional Orders Confirmation (No. 7) Act 1888.

PART II.—GAS AND WATER ACTS.

16 & 17 Vict. c. lxxvii.	- The Wigan Waterworks Act 1853.
22 & 23 Vict. c. xi.	- The Local Government Supplemental Act 1859 (No. 2.)
23 & 24 Vict. c. clxxxvi.	- The Wigan Waterworks Act 1860.
24 & 25 Vict. c. clxx.	- The Wigan Gas Act 1861.

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THE SECOND SCHEDULE.

LOANS ACCOUNT OF THE CORPORATION ON MARCH 5th, 1889.

Authority for Borrowing.	Period allowed for Repayment.	Purpose.	Amount Authorised.	Amount Borrowed.	Amount Repaid or Cancelled under Order of 1886.	Amount now Owing.	Sinking Funds in Bank.	
	Years.		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Wigan Improvement Act, 1880	80	Baths -	10000 0 0	8475 13 11	100 0 0	8375 13 11	113 5 5	
"	"	"		524 6 1		524 6 1	3 17 8	
"	"	"		100 0 0		100 0 0		
Prisons Act, 1842		Gaol -	5000 0 0	5000 0 0	5000 0 0			
"		"	5000 0 0	5000 0 0	5000 0 0			
"		"	6000 0 0	6000 0 0	6000 0 0			
Prisons Act, 1877	35	Prisons	7140 0 0	7140 0 0	1734 0 0	5406 0 0		
Local Government Provisional Order, 1879	80	Farm -	14400 0 0	14400 0 0	150 0 0	14250 0 0	192 16 8	
Wigan Improvement Acts, 1874 and 1880	60	Gas -	190000 0 0	190000 0 0	19836 13 4	187663 6 8	296 14 6	
"	"	"	30000 0 0	17500 0 0		12500 0 0	197 11 1	
"	"	"		12500 0 0				
Wigan Improvement Acts, 1874 and 1880, and Confirming Act of 1885	30	"	30000 0 0	30002 2 8		30002 2 8	1493 19 7	
Wigan Improvement Act, 1874	80	Market	50000 0 0	43530 0 0	1020 0 0	42510 0 0	249 11 1	
"	"	"		3400 0 0		3400 0 0	25 3 3	
"	"	"		2000 0 0		2000 0 0		
"	"	"		100 0 0		100 0 0		
Wigan Improvement Act, 1874	"	Park -	18000 0 0	15680 0 0	150 0 0	15530 0 0	210 2 4	
"	"	"		1500 0 0		1500 0 0	11 3 8	
Wigan Improvement Act, 1880	"	Private Improvements.	20000 0 0	10000 0 0		10000 0 0	116 10 11	
Public Health Act, 1848; Local Government Supplemental Act (No. 2), 1859; Wigan Improvement Act, 1874; and Local Government Provisional Order, 1879	"	Sewerage.	94502 0 0	88573 10 6	10169 0 0	78404 10 6	1060 13 10	
"	"	"		500 0 0		500 0 0		
Wigan and District Mines and Sewers Act, 1883	50	"	5000 0 0	5000 0 0		5000 0 0	108 17 11	
"	"	"	3994 0 0	3990 0 0		3990 0 0	78 5 6	
Wigan Improvement Acts, 1874 and 1880	80	Streets	52196 0 0	45928 16 0	1090 0 0	44838 16 0	606 19 0	
"	"	"		300 0 0		300 0 0	2 6 7	
"	"	"		50 0 0		50 0 0		
"	"	"		5000 0 0		5000 0 0		
Public Works (Manufacturing Districts) Act, 1863	30	"	4000 0 0	4000 0 0	3333 6 8	666 13 4		
"	"	"	4000 0 0	4000 0 0	3200 0 0	800 0 0		
"	"	"	4000 0 0	4000 0 0	3200 0 0	800 0 0		
"	"	"	5800 0 0	5800 0 0	4060 0 0	1740 0 0		
Local Government Order sanctioned August, 1886	40	"	1600 0 0	1600 0 0		1600 0 0	48 16 10	
Do., do., July 1887	20	"	8370 0 0	8360 0 0		8360 0 0	759 17 5	
Public Health Act, 1848, and Local Acts of 1853, 1858, and 1860	80	Water	167730 0 0	163558 0 0	23843 14 3	134714 5 9	751 11 6	
"	"	"		37 0 0			37 0 0	
"	"	"		90 0 0			90 0 0	
"	"	"		70 0 0			70 0 0	
"	"	"		860 0 0		860 0 0		
Public Works (Manufacturing Districts) Act, 1863	30	"	10000 0 0	10000 0 0	8333 6 8	1666 13 4		
"	"	"	10000 0 0	10000 0 0	8000 0 0	2000 0 0		
"	"	"	10270 0 0	10270 0 0	7873 13 4	2396 6 8		
Public Health Act, 1875, and Local Government Order, September 11, 1888		Sanatorium.	300 0 0					
"		"	1200 0 0					
"		"	5500 0 0					
			804002 0 0	744839 9 2	117093 14 3	627745 14 11	6328 4 9	

THE THIRD SCHEDULE.

A.D. 1889.

FORMS.

(A.)

RESOLUTIONS OF COUNCIL ON CREATION OF STOCK.

Resolved first—

That under the authority and subject to the provisions of the Wigan Corporation Act 1889 the Corporation acting by the council do hereby in exercise of their several statutory powers create stock to be called Wigan Corporation redeemable 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 costs of reconstruction of portions thereof;

(2.) The sum of _____ pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the _____ Acts for the cost of construction of _____ ;

(3.) The sum of _____ pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the _____ Acts for the construction of _____ ;

(4.) The sum of _____ pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the _____ Acts for the purposes of _____

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

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

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

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being a portion of their debt secured on outstanding securities granted by the Corporation for raising money for the purposes of the following Acts (that is to say):—

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

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

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

Resolved secondly—

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

A. The minimum price of issue to be £ _____ per cent. the first dividend to be payable on the [1st January 18 ____].

B. Tenders for stock to be made to [the Bank of England]. A deposit of 5 per cent. on the amount of stock tendered for to be paid at [the Bank of England] at the time of the delivery of the tender.

C. The dates for the further payments on account of the said tenders when accepted to be as follows:—On [Wednesday the 20th day of October 18 ____ so much of the amount tendered and accepted as when added to the deposit will leave £75 (sterling) to be paid for each £100 of stock. On Friday the 26th day of November 18 ____ 25 per cent. On Tuesday the 11th day of January 18 ____ 25 per cent. On Tuesday the 1st day of March 18 ____ 25 per cent.] In case of default in the payment of any instalment at its proper date the deposit and instalments previously paid will be liable to forfeiture.

D. Dividends at £ _____ per cent. per annum payable [quarterly].

E. Dividends on the total amount of stock (calculated from the [1st October 18 ____]) to be payable on the [1st January 18 ____].

F. Scrip certificates to bearer with coupons attached for the dividends payable [1st January 18 ____] and [1st April 18 ____] to be issued in exchange for the provisional receipts.

G. In the event of the receipt of tenders for a larger amount of stock than that proposed to be issued at or above the minimum price the tenders at the lowest price accepted to be subject to proportionate diminution.

H. Stock to be issued in sums of not less than £10.

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

Resolved thirdly—

That such stock shall be redeemable as follows: [state terms].

Resolved fourthly—

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

(B.)

A.D. 1889.

STOCK RECEIPT.

WIGAN CORPORATION REDEEMABLE STOCK (£ PER CENT.)
Redeemable 19 .

<p><i>Transfer days :</i></p> <p>Monday.</p> <p>Tuesday.</p> <p>Wednesday.</p> <p>Thursday.</p> <p>Friday.</p> <p><i>Holidays excepted.</i></p>	<p>RECEIVED this day of 18 of</p> <p>herein-after called the said transferee</p> <p>the sum of</p> <p>being the consideration for</p> <p>interest or share in the WIGAN CORPORATION REDEEMABLE STOCK (£ per cent.), transferable at [the BANK OF ENGLAND], and all my property and interest in and right to the same and the dividends thereon by this day transferred unto the said transferee</p> <p style="text-align: right;">Witness hand</p> <p>Witness</p>	<p>The Proprietors to protect themselves from FRAUD are recommended to ACCEPT by themselves or their attorneys all TRANSFERS made to them.</p> <p style="text-align: right;">£ s. d.</p>
---	---	--

[Indorsement.]

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

Payment of Dividends.

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

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

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

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

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

1. Any stockholder residing within the United Kingdom 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 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.

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3. Post dividend warrants will be crossed & Co. and will be only payable through a banker. They will be drawn to the order of the stockholder and must be endorsed.

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

Stock Certificates to Bearer.

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

(C.)

WIGAN CORPORATION REDEEMABLE STOCK CERTIFICATE.

Redeemable 19 .

BOROUGH OF WIGAN.

Number

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

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

(D.)

TRANSFER IN BOOKS.

WIGAN CORPORATION REDEEMABLE STOCK (£

PER CENT.)

Redeemable 19 .

No.

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

Witness to the identity of

interest or share in the WIGAN CORPORATION REDEEMABLE STOCK (£ PER CENT.) transferable at [the Bank of England] and all my property and interest in and right to the same and the dividends thereon unto

Executors administrators or assigns. Witness

hand

Witness

do freely and voluntarily accept the above stock transferred to

Witness

(E.)

A.D. 1889.

APPLICATION FOR ISSUE OF POWER OF ATTORNEY.

[BANK OF ENGLAND] the _____ day of _____ 18 .

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

£ _____ WIGAN CORPORATION REDEEMABLE STOCK (£ _____ per cent.)

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

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

(F.)

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

Corporate }
Account. }

WIGAN CORPORATION REDEEMABLE STOCK.

ACCEPTANCE, SALE OF £ _____ AND DIVIDENDS.

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

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

WIGAN CORPORATION REDEEMABLE STOCK :

A.D. 1889. Secondly—to SELL and TRANSFER all or any part of the sum of

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

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

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

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

Sealed with the corporate seal and delivered in the presence of

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

[*Indorsement.*]

INSTRUCTIONS FOR EXECUTING THE WITHIN LETTER OF ATTORNEY.

Corporate }
Account. }

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

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

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

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

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

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

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

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

(G.)

A.D. 1889.

DEED OF TRANSFER.

BOROUGH OF WIGAN.

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

WIGAN CORPORATION REDEEMABLE STOCK.

(£ _____ per Cent.)

To the CASHIERS of the BANK OF ENGLAND.

Pay to bearer the sum of _____

for [one quarter] of a year's dividend on the sum of £ _____ WIGAN CORPORATION REDEEMABLE STOCK (£ _____ per cent.) due _____ 18 . 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 _____, 18

A.D. 1889.

(I.)

DIVIDEND WARRANT BY POST.

(1.)

WIGAN CORPORATION REDEEMABLE STOCK (£ PER CENT.)
REQUEST FOR TRANSMISSION OF DIVIDEND WARRANTS BY POST.

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

Amount.
"my" or
"our."

A sum of £ WIGAN CORPORATION REDEEMABLE
STOCK (£ per cent.) is now standing in name as follows :

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

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

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

"my" or
"our."

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

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

If the account
is a sole one
insert here the
name and
address of the
stock-holder :
If the account
is a joint one
insert here the
name and
address of
one of the
stockholders as
nominee.

Name _____

Present address _____

SIGN HERE.

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

Date _____ 18 .

[On second half-sheet of same Form.]

A.D. 1889

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

NOTICE TO HOLDERS OF WIGAN CORPORATION REDEEMABLE STOCK.
(£ per Cent.)

Transmission of Dividend Warrants by Post.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A.D. 1889.

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

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

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

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

(2.)

POST DIVIDEND WARRANT.

WIGAN CORPORATION REDEEMABLE STOCK.

(£ per Cent.)

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

Pay to me or my order on demand the sum of being [one quarter] of a year's dividend at £ per cent. per annum due on the [1st] day of 18 on the sum of £

{ Wigan Corporation Redeemable Stock (£ per Cent.)

Less property tax at per £

--	--	--	--	--

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

Per pro
[F. May]
Chief Cashier.

Accountant-General.

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

(K.)

STOCK CERTIFICATE WITH COUPONS TO BEARER.

WIGAN CORPORATION REDEEMABLE STOCK CERTIFICATE TO BEARER.

Dividend at £ per cent per annum.

£50

A00000.

This is to certify that the bearer of this certificate is entitled to FIFTY POUNDS Wigan Corporation Redeemable Stock with dividend thereon at the

rate of £ per cent. per annum transferable at [the Bank of England] A.D. 1889.
pursuant to the Wigan Corporation Act 1889.

Dated 18 .

For [the Governor and the Company
of the Bank of England]

[F. MAY]

Countersigned

[S. O. GRAY

Chief Accountant

Bank of England].

A00000

£50

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

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

Coupons.

<p>5 Div. WIGAN CORPORATION REDEEMABLE STOCK. Coupon for Shillings and Pence (less Income Tax) being [Three] Months' Dividend at £ per Cent. per Annum. A00000 Due [1st January 18] on Certificate for FIFTY POUNDS WIGAN CORPORATION REDEEMABLE STOCK. £0 0 0. Payable at [the Bank of England].</p>	<p>5 Div. WIGAN CORPORATION REDEEMABLE STOCK. Due [1st Jan. 18 .] A00000 £0 0 0</p>	<p>4 Div. WIGAN CORPORATION REDEEMABLE STOCK. Coupon for Shillings and Pence (less Income Tax) being [Three] Months' Dividend at £ per Cent. per Annum. A00000 Due [1st October 18] on Certificate for FIFTY POUNDS WIGAN CORPORATION REDEEMABLE STOCK. £0 0 0. Payable at [the Bank of England].</p>	<p>4 Div. WIGAN CORPORATION REDEEMABLE STOCK. Due [1st Oct. 18 .] A00000 £0 0 0</p>
<p>3 Div. WIGAN CORPORATION REDEEMABLE STOCK. Coupon for Shillings and Pence (less Income Tax) being [Three] Months' Dividend at £ per Cent. per Annum. A00000 Due [1st July 18] on Certificate for FIFTY POUNDS WIGAN CORPORATION REDEEMABLE STOCK. £0 0 0. Payable at [the Bank of England].</p>	<p>3 Div. WIGAN CORPORATION REDEEMABLE STOCK. Due [1st July 18 .] A00000 £0 0 0</p>	<p>2 Div. WIGAN CORPORATION REDEEMABLE STOCK. Coupon for Shillings and Pence (less Income Tax) being [Three] Months' Dividend at £ per Cent. per Annum. A00000 Due [1st April 18] on Certificate for FIFTY POUNDS WIGAN CORPORATION REDEEMABLE STOCK. £0 0 0. Payable at [the Bank of England].</p>	<p>2 Div. WIGAN CORPORATION REDEEMABLE STOCK. Due [1st April 18 .] A00000 £0 0 0</p>

FEEES.

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

A.D. 1889.

THE FOURTH SCHEDULE.

PRIVATE STREET WORKS.

PART I.

PARTICULARS TO BE STATED IN SPECIFICATIONS PLANS AND SECTIONS
ESTIMATES AND PROVISIONAL APPORTIONMENTS.

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

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

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

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

PART II.

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

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY PIGOTT, Esq., the Queen's Printer of Acts of Parliament.

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