



CHAPTER xc.

An Act to alter the boundaries of the borough of Wolverhampton to confer further powers upon the mayor aldermen and burgesses of that borough with regard to the provision and working of trolley vehicles to authorise them to construct street works and to acquire lands for those and other purposes to extend the area for the supply of water by the Corporation and to make further provision with regard to their water and electricity undertakings and the health local government and improvement of the borough and for other purposes. A.D. 1932.

[12th July 1932.]

WHEREAS the borough of Wolverhampton in the county of Stafford (hereinafter called "the borough") is a county borough under the government of the mayor aldermen and burgesses of the borough (hereinafter called "the Corporation"):

And whereas the unrepealed provisions of the local Acts specified in Part I of the First Schedule to this Act and of the Orders specified in Part II of that schedule are in force in the existing borough:

And whereas the urban district of Wednesfield and the parishes or townships of Upper Penn and Bushbury are respectively situated in the administrative

A.D. 1932. county of Stafford and immediately adjoin the existing borough :

And whereas it is expedient to alter or extend the boundaries of the existing borough so as to include within the borough part of the said urban district of Wednesfield and parts of the said parishes or townships of Upper Penn and Bushbury :

And whereas the Corporation are the owners of the undertaking whereby the existing borough and certain areas in the neighbourhood thereof are supplied with electricity and it is expedient to make provision for enabling the Corporation to acquire by agreement those parts of the undertaking of the Midland Electric Corporation for Power Distribution (Limited) which are situate in the areas proposed to be included in the borough :

And whereas the Corporation are the owners of and are working systems of trolley vehicles and omnibuses within their borough and in the neighbourhood thereof and it is expedient to empower the Corporation subject to the provisions of this Act to use and run trolley vehicles along the routes referred to in this Act :

And whereas it is expedient to authorise the Corporation to construct the street works referred to in this Act and to acquire lands for and in connection with the construction of such street works and for the other purposes referred to in this Act :

And whereas by the *Wolverhampton Corporation Act 1925* and the *Wolverhampton Corporation Act 1928* the Corporation were empowered to construct certain street works referred to therein respectively and to acquire lands for and in connection therewith but in certain cases such lands have not yet been acquired and it is expedient to revive the power to acquire such lands where the same has expired and in other cases to extend the time within which such acquisition may take place :

And whereas the Corporation are the owners of the undertaking whereby the existing borough and certain areas in the neighbourhood thereof are supplied with water and it is expedient to extend the limits within which the Corporation may supply water so as to include therein the parish of Pattingham (or

Pattenham) in the rural district of Seisdon and to confer further powers upon them in connection with their water undertaking :

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And whereas it is expedient to make further and better provision with regard to the health local government and improvement of the borough and that the powers of the Corporation in regard thereto should be enlarged as is provided by this Act :

And whereas it is expedient to make further provision with regard to the finances of the Corporation and the application of the revenues of their several undertakings :

And whereas it is expedient that the other provisions contained in this Act be enacted :

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

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned and such estimates are as follows :—

The construction of the street works authorised by this Act	£ 5,150
The provision of trolley vehicles	22,000
The provision of electrical equipment and the construction of other works necessary for working the trolley vehicle routes authorised by this Act	21,500
The reconstruction and replacing of the weir intake works engines boilers filtration plant and other works at the Cosford waterworks of the Corporation	70,000
The extension of mains and other purposes of the waterworks of the Corporation	50,000

And whereas the works included in such estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

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And whereas plans and sections showing the lines and levels of the works authorised by this Act and also 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 for the purposes or under the powers of this Act were duly deposited with the town clerk of the borough and with the clerk of the county council of the administrative county of Stafford and are hereinafter respectively referred to as the deposited plans sections and book of reference :

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

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Wolverhampton Corporation Act 1932.

Division of
Act into
Parts.

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

- Part I.—Preliminary.
- Part II.—Extension of borough.
- Part III.—Lands and street works.
- Part IV.—Transport.
- Part V.—Water supply.
- Part VI.—Improvement provisions.
- Part VII.—Financial provisions.
- Part VIII.—Miscellaneous provisions.

Incorporation of Acts.

3. The Lands Clauses Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act with the following exceptions and modification (namely) :—

- (a) Sections 127 to 132 of the Lands Clauses Consolidation Act 1845 are not incorporated with this Act;

(b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be sufficient without the addition of the sureties mentioned in that section. A.D. 1932.
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4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts shall have the same respective meanings unless there be something in the subject or context repugnant to such construction. Interpretation.

(2) In this Act unless the subject or context otherwise requires—

“ Existing ” in relation to any area altered by this Act means existing immediately before the appointed day ;

“ The borough ” means until the appointed day the existing borough of Wolverhampton and thereafter the existing borough of Wolverhampton as extended by this Act ;

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

“ The council ” means the council of the borough ;

“ The mayor ” “ the town clerk ” and “ the treasurer ” mean respectively the mayor the town clerk and the treasurer of the borough and include respectively any person duly authorised to discharge temporarily the duties of those offices respectively ;

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

“ The local Acts ” means the local Acts specified in Part I of the First Schedule to this Act the Orders specified in Part II of that schedule and so much of the confirmation Acts specified in that Part as relates to those Orders and each of the Acts and Orders specified in the said schedule is referred to as the Act or Order of the year in which it was passed or confirmed ;

“ The appointed day ” means the first day of April nineteen hundred and thirty-three ;

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“The borough map” means the map marked “Map of the borough of Wolverhampton as extended by the Wolverhampton Corporation Act 1932” and signed in triplicate by the Right Honourable the Earl of Onslow the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred one copy of which has been deposited in the Parliament Office in the House of Lords one in the Committee and Private Bill Office of the House of Commons and one with the town clerk at his office;

“The ward map” means the map marked “Map of the wards of the borough of Wolverhampton as extended by the Wolverhampton Corporation Act 1932” and signed in triplicate by the Right Honourable the Earl of Onslow the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred one copy of which has been deposited in the Parliament Office in the House of Lords one in the Committee and Private Bill Office of the House of Commons and one with the town clerk at his office;

“The county” and “the county council” mean respectively the administrative county of Stafford and the county council of that county;

“The Wednesfield district” “the Seisdon district” and “the Cannock district” mean respectively the Wednesfield urban district the Seisdon rural district and the Cannock rural district;

“The Wednesfield Council” “the Seisdon Council” and “the Cannock Council” mean respectively the Wednesfield Urban District Council the Seisdon Rural District Council and the Cannock Rural District Council;

“The district councils” means the Wednesfield Seisdon and Cannock Councils;

“The added part of Wednesfield” “the added part of Upper Penn” and “the added part of Bushbury” mean respectively the part of the existing urban district of Wednesfield and the

- parts of the existing parishes or townships of Upper Penn and Bushbury which are respectively coloured blue yellow and green on the borough map and "the excluded part of Wednesfield" "the excluded part of Upper Penn" and "the excluded part of Bushbury" mean the remaining parts of that urban district and those parishes or townships respectively;
- "The added areas" means the added parts of Wednesfield Upper Penn and Bushbury;
- "The Midland Corporation" means the Midland Electric Corporation for Power Distribution (Limited);
- "The Act of 1888" "the Act of 1894" and "the Act of 1929" mean respectively the Local Government Act 1888 the Local Government Act 1894 and the Local Government Act 1929;
- "The Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same;
- "The Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the Borough Councillors (Alteration of Number) Act 1925;
- "The Rating Act 1925" means the Rating and Valuation Act 1925;
- "Provisional Order" includes a Special Order;
- "The Minister" means the Minister of Health;
- "The electricity undertaking" and "the water undertaking" mean respectively the electricity undertaking and the water undertaking of the Corporation;
- "Trolley vehicle" has the meaning assigned to it by section 4 (Interpretation) of the Act of 1928;
- "Road authority" means with reference to any road or part of any road over which any proposed trolley vehicle service will pass the authority company or person charged with or liable to

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contribute to the maintenance of such road or part of a road;

“Telegraphic line” has the same meaning as in the Telegraph Act 1878;

“The Lands Clauses Acts” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 and this Act;

“Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 is for the time being applicable within the borough;

“Daily penalty” means a penalty for each day on which an offence is continued by a person after conviction;

“Statutory security” has the meaning assigned to it by section 3 (Interpretation) of the Act of 1899;

“Statutory borrowing power” and “revenues of the Corporation” have the meanings assigned to them respectively by section 4 (Interpretation) of the Act of 1925.

PART II.

EXTENSION OF BOROUGH.

Alteration of Boundaries.

Commence-
ment of
Part II of
Act.

5. Save as otherwise expressly provided this Part of this Act shall come into operation on the appointed day:

Provided that for the purposes of—

- (a) the compilation alteration or re-arrangement of any register of electors made under the Representation of the People Acts;
- (b) the qualification of candidates for election to the office of councillor of the borough;
- (c) any election to be held in the year nineteen hundred and thirty-three for any area affected by this Part of this Act and all proceedings preliminary or relating thereto;

(d) the preparation of any precept or contribution order to be issued or made on or after the appointed day; and

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(e) subsection (2) of the section of this Act of which the marginal note is "Saving for certain general enactments";

this Part of this Act shall operate from the date of its passing.

6.—(1) The boundary of the existing borough the area whereof is coloured pink on the borough map shall be altered so as to include in addition to that area the added part of Wednesfield the added part of Bushbury and the added part of Upper Penn.

Extension of
borough.

(2) The boundary of the borough shall be that shown by the inner edge of the red line on the borough map and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the borough and shall be the county borough of Wolverhampton for the purposes of the Act of 1888 and for all other purposes.

7.—(1) Copies of the borough map deposited with the town clerk and certified by him to be true shall be sent by him as soon as may be after the passing of this Act to the clerk to the county council to the respective clerks to the district councils to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Board of Trade to the Minister to the Minister of Transport to the Minister of Agriculture and Fisheries to the Postmaster-General and to the Electricity Commissioners and copies of the ward map so deposited and certified in like manner shall be sent by the town clerk as soon as may be after the passing of this Act to the Minister to the Secretary of State to the Registrar-General and to the Minister of Agriculture and Fisheries.

Borough
and ward
maps.

(2) Copies of or extracts from the borough map deposited with the town clerk and certified by him to be true shall be received in all courts of justice and elsewhere as prima facie evidence of the contents of the map so far as it relates to the boundary of any area altered by this Part of this Act.

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(3) The borough map deposited with the town clerk shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

(4) All fees so received shall be carried to the general rate fund.

Alteration
of parishes
and town-
ships.

8.—(1) The added areas shall be added to and form part of the township of Wolverhampton.

(2) Subject to the provisions of this Part of this Act and of any order of the Minister under section 46 of the Act of 1929 the excluded part of Wednesfield the excluded part of Upper Penn and the excluded part of Bushbury shall respectively form the parishes or townships of Wednesfield Upper Penn and Bushbury.

Municipal
wards and
council.

9. Subject to the provisions of the Municipal Corporations Acts the following provisions shall have effect (namely):—

(1) The persons who hold office immediately before the appointed day as mayor and aldermen of the existing borough shall on the appointed day become the mayor and aldermen of the borough but shall respectively retire from office on the day on which they would have retired from office if this Part of this Act had not been passed:

(2) The number of councillors of the borough shall be increased from thirty-nine to forty-five and the number of aldermen shall be increased from thirteen to fifteen:

(3) For the purposes of the election of councillors the borough shall be divided into fifteen wards:

(4) Except as in this section provided the existing wards of the borough shall remain unaltered and the councillors representing those wards at the appointed day shall continue to represent the same until they would go out of office in the ordinary course:

(5) The added part of Wednesfield shall be included in the Heath Town Ward of the borough and

the councillors representing that ward immediately before the appointed day shall be deemed on and after that day to represent the said ward as altered by this section and shall continue in office until they would go out of office in the ordinary course :

(6) The councillor representing the Bushbury Ward of the existing borough who would go out of office in the year nineteen hundred and thirty-two shall continue in office until the appointed day and all the councillors representing that ward shall go out of office on that date :

(7) (i) The added part of Upper Penn ;

(ii) So much of the Bushbury Ward of the existing borough together with so much of the added part of Bushbury as are respectively coloured grey on the ward map ; and

(iii) So much of the Bushbury Ward of the existing borough together with so much of the added part of Bushbury as are respectively coloured red on the ward map ;

shall respectively be constituted new wards of the borough to be called the Penn Ward the Bushbury Ward and the Low Hill Ward :

(8) The existing Upper Penn Ward of the borough shall be known as the St. Philip's Ward.

10.—(1) The first election of councillors for the Penn Bushbury and Low Hill Wards shall be held in the month of March nineteen hundred and thirty-three and the councillors then elected shall come into office on the appointed day.

Election of
aldermen
and coun-
cillors.

(2) The first election of additional aldermen of the borough shall be held at the first meeting of the council after the appointed day.

(3) The mayor and the town clerk or such other persons as the Secretary of State shall appoint shall perform the duties devolving upon a mayor and town clerk respectively under the Municipal Corporations Acts and at every election for the said wards until the first day of November nineteen hundred and thirty-three the mayor shall be the returning officer but he may appoint some other person to act as returning officer.

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Retirement
of coun-
cillors and
aldermen
elected in
March 1933.

11.—(1) The councillors for the Penn Bushbury and Low Hill Wards elected in the year nineteen hundred and thirty-three in pursuance of this Part of this Act shall retire as follows :—

- (a) The councillor for each ward who is elected by the smallest number of votes on the first day of November nineteen hundred and thirty-three;
- (b) The councillor for each ward who is elected by the largest number of votes on the second day of November nineteen hundred and thirty-five;
- (c) The other councillor on the first day of November nineteen hundred and thirty-four.

(2) The additional aldermen elected in the year nineteen hundred and thirty-three in pursuance of this Part of this Act shall retire as follows :—

- (a) The alderman elected by the greatest number of votes on the ninth day of November nineteen hundred and thirty-nine;
- (b) The other alderman on the ninth day of November nineteen hundred and thirty-six.

(3) If for any reason it is doubtful which of the councillors or aldermen ought to retire on a date mentioned in this section the question shall be determined at the first or second meeting of the council held after the appointed day by lot conducted under the direction of the person presiding at that meeting.

County and
Borough
Councils
(Qualifica-
tion) Act
1914.

12. For the purposes of the application to the borough of the provisions of the County and Borough Councils (Qualification) Act 1914 the added areas shall be deemed to have always formed part of the borough.

Provisions consequent on Alteration.

County
electoral
divisions.

13. Subject to the provisions of section 54 of the Act of 1888 section 50 of the Act of 1929 and section 2 of the Representation of the People Act 1922 the added areas shall be separated from the existing electoral divisions of the county of which they respectively form part and the persons who immediately before the appointed day are the county councillors representing those electoral divisions shall be deemed to have been elected to represent the same as altered by this Part of this

Act and shall retire on the dates on which they would have retired respectively if this Act had not been passed. A.D. 1932.

14.—(1) The powers and duties of the quarter sessions recorder clerk of the peace and justices of the peace for the existing borough and of the clerk to those justices and of the police constables and other peace officers of the existing borough shall extend to and apply throughout the borough :
Jurisdiction of borough justices &c. extended.

Provided that—

(a) every person committing an offence in any part of the added areas prior to the appointed day shall be tried and dealt with as if this Act had not been passed ;

(b) every proceeding which prior to the appointed day has been begun by or before any justice in relation to any matter arising in or concerning any part of the added areas may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.

(2) The added areas shall cease to form part of any petty sessional division of the county.

15. The South Staffordshire Stipendiary Justice Act 1899 (in this section referred to as "the Stipendiary Act") shall be altered so that the following provision shall take effect (that is to say) :—
Amendment of South Staffordshire Stipendiary Justice Act 1899.

The area within which the powers authorities and jurisdiction of the commissioners and the magistrate may be exercised as defined in section 6 (Limits of Act) of the Stipendiary Act and modified by an Order in Council dated the thirtieth day of May nineteen hundred and twenty-four and by any Act or Acts passed since the date of that order shall be extended so as to include so much of the borough as is not already included therein and that section shall have effect as if the municipal borough of Wolverhampton as extended by this Act were mentioned in paragraph (A) thereof.

16.—(1) Subject as hereinafter mentioned the powers and duties of the coroner of the existing borough shall extend to and apply throughout the borough. Jurisdiction of coroner.

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(2) Until the death resignation or removal from office of Joseph Thomas Higgs the present coroner for the south-west division of the county (in this section called "the county coroner") nothing in this Act shall restrict or affect the powers duties jurisdiction or emoluments of the county coroner and the added areas shall continue to be within that district as if the same had remained part of the county.

(3) After the appointed day the salary of the county coroner in respect of his services in the added areas shall be such amount as may be determined by agreement between the county council and the Corporation (or failing such agreement by the Secretary of State) to be fairly proportionate to the services required in those areas.

(4) The said salary shall be paid to the county coroner by the Corporation and the amount thereof shall from time to time be deducted from the salary which would otherwise have been payable to him by the county council in respect of the whole area within his jurisdiction.

(5) All fees allowances and disbursements lawfully paid or made by the county coroner in respect of matters arising in the added areas shall be repaid to him by the Corporation.

Auditors.

17. The appointed auditors of the existing borough who are in office on the appointed day shall continue in office and shall be the appointed auditors until the next ordinary day for the appointment of auditors.

Corporation
property
liabilities
&c.

18. Subject to the provisions of this Part of this Act all property immediately before the appointed day vested in the Corporation for the benefit of the existing borough (not being property held on any charitable trust) shall by virtue of this Part of this Act be held by the Corporation for the benefit of the borough and the Corporation shall hold enjoy and exercise for the benefit of the borough all the powers which immediately before that day are exerciseable by or vested in the Corporation for the benefit of the existing borough and all liabilities which immediately before the appointed day attach to the Corporation in respect of the existing borough shall on and after that day attach to them in respect of the borough.

19.—(1) So much of any sums borrowed by the Corporation as immediately before the appointed day are owing and charged upon a fund or rate of the existing borough or the revenues of the existing borough shall be charged upon the corresponding fund or rate of the borough or the revenues of the borough.

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Mortgage
debts of
Corporation.

(2) All borrowed moneys to which this section applies with the interest thereon shall be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

20. Subject to the provisions of this Part of this Act the powers rights privileges authorities and duties of the county council and the standing joint committee of the county respectively shall as from the appointed day cease to be exercisable by or attach to that council and committee so far as regards the added areas.

Jurisdiction
of county
authorities
to cease.

21.—(1) Subject to the provisions of this Part of this Act the unrepealed provisions of the local Acts and of any other local Act or Provisional Order duly confirmed by Parliament and affecting the existing borough or the Corporation as the same respectively are in force within the existing borough at the appointed day shall extend and apply to the borough and any reference therein to the existing borough and the Corporation shall be deemed to refer to the borough and the Corporation thereof.

Local Acts.

(2) The provisions of any protective section for the benefit of the county council or any of the district councils (or the predecessors of any such council) contained in any local Act confirmation Act or Provisional Order (by whomsoever obtained) shall in respect of all matters relating to or affecting any part of the added areas enure to the benefit of the Corporation to the same extent and in respect of the same subject-matter and shall be construed as if a reference to the Corporation were substituted for any reference to such council or their predecessors as the case may be.

22.—(1) Subject to the provisions of the section of this Act of which the marginal note is "As to purchase of undertaking of Midland Corporation in added areas"

Savings for
electricity
and gas
companies.

A.D. 1932. nothing in this Act shall alter the area for the supply of electricity by the Corporation or shall prejudice or affect the existing rights and powers of the Midland Corporation.

(2) Nothing in this Act shall prejudice or affect the existing rights and powers of the Wolverhampton Gas Company or of the South Staffordshire Mond Gas Company.

As to purchase of undertaking of Midland Corporation in added areas.

23.—(1) The powers conferred by section 2 of the Electric Lighting Act 1888 as amended by section 10 (As to purchase by local authority) of the Midland Electric Power Distribution and Lighting (Extension) Order 1900 upon any local authority within whose jurisdiction any part of the added areas is situate may from and after the appointed day be exercised and carried into effect in relation to that part of the added areas by the Corporation.

(2) As from the date of this Act the provisions of section 43 (As to purchase of part of undertaking of Midland Corporation) of the Act of 1928 shall extend and apply to and in relation to so much of the added areas as is included within the limits for the supply of electricity of the Midland Corporation as if—

- (a) The added areas were included within the added areas as defined by section 37 of the Act of 1928;
- (b) The expression “the undertaking” included so much of the undertaking of the Midland Corporation as is within the added areas together with the existing sub-station of the Midland Corporation which is situate in Coton Road in the urban district of Sedgley and the equipment and plant therein contained but excluding the two existing seven thousand volt cables belonging to the Midland Corporation and extending from the said sub-station to the junction of Penhouse Avenue and the Stourbridge Road; and
- (c) The expression “the date of transfer” meant (instead of the twenty-fifth day of March nineteen hundred and twenty-nine) such date or dates as may be agreed between the Corporation and the Midland Corporation.

24.—(1) The provisions of—

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- (a) the Infectious Disease (Prevention) Act 1890;
- (b) the Public Health Acts Amendment Act 1890;
- (c) the Public Libraries Acts 1892 to 1919;
- (d) the Local Government and other Officers' Superannuation Act 1922; and
- (e) sections 14 17 22 24 26 28 29 30 32 36 37 39 to 43 45 47 49 50 53 54 and 55 of the Public Health Act 1925;

Adoptive Acts.

shall be in force within and apply to the borough.

(2) The provisions of any adoptive Act in force in any part of the added areas immediately before the appointed day shall subject to the provisions of this section cease to be in force within and apply to such part of the added areas.

(3) Any order under the Public Health Acts the Infectious Disease (Notification) Act 1889 or under any adoptive Act mentioned in subsection (1) of this section which is in force immediately before the appointed day throughout the existing borough shall extend and apply to the added areas and any such order in force immediately before that day within the added areas or any part thereof shall save as hereinbefore provided cease to be in force in the added areas or such part thereof.

25. Any order made under the Shop Hours Act 1904 or under the Shops Acts 1912 to 1928 and in force immediately before the appointed day in any area affected by this Part of this Act shall subject to the provisions of such Acts remain in force and apply to the area to which it applies immediately before the appointed day.

Orders under Shop Hours Act 1904 or Shops Acts 1912 to 1928.

26. Any order under the Wild Birds Protection Acts 1880 to 1908 which is in force at the appointed day in the existing borough shall extend to the added areas and any order under those Acts which is then in force in the county shall cease to extend to the added areas.

Orders under Wild Birds Protection Acts.

27.—(1) The powers duties and liabilities of overseers and of the vestry transferred to the Corporation by orders of the Local Government Board under section 33 (Power to apply certain provisions of Act

Orders under sections 33 and 34 of Act of 1894.

A.D. 1932. — to urban districts and London) of the Act of 1894 dated the sixteenth day of January and the seventeenth day of August nineteen hundred and twelve shall be deemed to have been transferred to the Corporation in respect of the borough and of the township of Wolverhampton.

(2) The powers duties and liabilities of a parish council under section 14 (Public property and charities) of the Act of 1894 conferred upon the Corporation by order of the Local Government Board dated the seventeenth day of August nineteen hundred and twelve shall be deemed to have been conferred upon the Corporation in respect of the area comprising the existing township of Wolverhampton.

(3) The orders of the Local Government Board referred to in the foregoing subsections of this section shall be read as amended so as to give effect to the provisions of this section and any other order under section 33 (Power to apply certain provisions of Act to urban districts and London) of the Act of 1894 shall cease to have effect in the borough or any part thereof.

(4) An order may be made by the Minister under section 33 of the Act of 1894 with respect to any charity held wholly or partly for the benefit of the inhabitants of any existing township or parish or part of an existing township or parish included in the township of Wolverhampton as if this Act had not been passed.

Orders
under Public
Health Acts
Amendment
Act 1907 or
Public
Health Act
1925.

28. Subject to any order which the Minister or the Secretary of State may make on or after the appointed day the following provisions shall have effect as regards orders under the Public Health Acts Amendment Act 1907 or the Public Health Act 1925 :—

(1) The provisions of any order or enactment made or enacted before the appointed day and declaring to be in force throughout the existing borough any parts or sections of either of those Acts shall have effect as if any reference in that order or enactment to the existing borough extended and applied to the borough and as if such parts or sections

were accordingly declared to be in force within the borough : A.D. 1932.

- (2) Any other order under either of those Acts which is in force immediately before the appointed day throughout the existing borough shall extend and apply to the added areas :
- (3) The provisions of any order or enactment made or enacted before the appointed day and declaring to be in force within any part of the added areas any parts or sections of either of those Acts shall cease to apply to such part of the added areas and the parts or sections declared by any such order to be in force shall save as hereinbefore provided cease to be in force within such part of the added areas but this provision shall not prejudice or affect any proceedings which are pending on the appointed day.

29.—(1) All byelaws made under the Public Health Acts and in force within the existing borough or within any part of the added areas immediately before the appointed day shall continue to apply to the existing borough or to such part of the added areas as the case may be until repealed or altered by the Corporation. Byelaws.

(2) Any such byelaws in force in the existing borough may by a byelaw made in accordance with sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority be extended with or without modification to the added areas.

(3) All other byelaws made by the Corporation or by the watch committee of the Corporation and in force within the existing borough immediately before the appointed day shall apply to the borough until repealed or altered and all byelaws made by the county council or the standing joint committee of the county or otherwise than under the Public Health Acts by any of the district councils (or their predecessors) and in force immediately before the appointed day in any part of the added areas shall on that day cease to be in force therein.

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(4) Any byelaws made by the county council under the Advertisements Regulation Acts 1907 and 1925 which immediately before the appointed day are in force within the added areas shall continue to apply to the added areas for a period of three years after the appointed day unless they are previously repealed or altered by byelaws made by the Corporation but shall on the expiration of that period of three years cease to be in force within the added areas.

(5) In their application to the added areas any byelaws continued in force by this section shall have effect as if they had been made by the Corporation and as if the added areas or the part thereof to which such byelaws apply were referred to therein instead of the area to which they applied immediately before the appointed day.

(6) Any proceedings which if this Part of this Act had not been passed might have been taken for any offence against any byelaw committed before the appointed day within the added areas may be taken by the Corporation.

(7) In this section "byelaws" includes any regulation scale of charges list of tolls or table of fees or payments and the phrase "byelaws made under the Public Health Acts" means byelaws which under the Ministry of Health Act 1919 are subject to confirmation by the Minister whether made before or after the passing of that Act.

County
police.

30.—(1) At the appointed day such members of the police force of the county as shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committee of the county and the watch committee of the Corporation or in default of agreement by the Secretary of State shall be transferred to and become members of the police force of the borough :

Provided that no member of the police force of the county shall be so transferred without his consent.

(2) Every member of the county police force so transferred shall hold office in the police force of the borough upon the same tenure and subject to the same terms and conditions as the other serving members of the borough police force of the same rank as such member

and any period of service which he was entitled to reckon before such transfer for purposes of pay promotion or pension in the county police force shall be reckoned for the same purpose in the borough police force : A.D. 1932.

Provided that where the scale of ordinary pensions applicable to a member of the county police force who is so transferred is by virtue of section 29 (1) (a) of the Police Pensions Act 1921 a scale other than that prescribed in Part I of the First Schedule to that Act such scale shall continue to apply to him as if he had not been so transferred.

(3) The provisions of subsection (2) of section 8 (Continuous service in two or more forces) of the Police Pensions Act 1921 shall extend and apply to and in relation to any member of a police force transferred under this section as if that member had removed with the written sanction of the chief constable of the county and notwithstanding that at the date of the transfer such member may not have completed one year's approved service in the county police force.

31. Any county police station situate in any part of the added areas with any residence for constables or cell connected therewith and the fittings and furniture thereof shall by virtue of this Act be transferred to and vest in the Corporation as from the appointed day for all the estate and interest therein of the county council and section 68 (Adjustment of property and liabilities) of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this section. County police stations.

32.—(1) Subject to the provisions of this section where in consequence of any alteration of areas or authorities made by this Part of this Act any adjustment of any property income debts liabilities or expenses so far as they are affected by the alteration is required an adjustment shall be made between the councils or other authorities affected under and in accordance with section 62 of the Act of 1888 and that section shall apply to any such adjustment subject to the following modifications :— Provision for adjustments.

(a) As if in subsections (5) (6) and (7) of that section the expression " council " included any authority

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affected by this Part of this Act or by anything done in pursuance of this Part of this Act;

- (b) As if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in subsection (6) of the section that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all moneys so borrowed shall be repaid within such period as the Minister may sanction;
- (c) As if the fund or rate specified in any agreement or award of adjustment were substituted for any fund mentioned in the section; and
- (d) As if the following subsection were added to the section:—

“(8) If it is necessary for the purpose of giving effect to any agreement or award for an adjustment that a separate rate shall be levied in part only of a rating area the agreement or award may authorise such rate to be levied in that part as an additional item of the general rate.”

(2) Section 62 of the Act of 1888 as modified by subsection (1) of this section shall extend to any question which may arise in consequence of the alteration by this Act of the boundaries of the existing borough—

- (a) as to any financial relations (including the distribution of any moneys) between the Corporation and the county council;
- (b) as to any financial relations (including the distribution of moneys) between—
- (i) either the Corporation or the county council and the Corporation on the one hand; and
- (ii) the council of any other county borough within the county on the other hand.

(3) Subsection (6) of section 32 of the Act of 1888 (which relates to the revision of financial adjustments) shall extend to any financial adjustment made under subsection (2) of this section. A.D. 1932.

(4) This section shall not extend to any matter for the adjustment of which provision is made in any other Act or in any of the sections of this Act whereof the marginal notes are respectively "County police stations" "Adjustment for purposes of licensing" and "Transfer of public elementary schools &c. to Corporation."

33. In any adjustment between the Corporation and any council or other authority which may be made in consequence of this Part of this Act regard shall be had to the interest or share (if any) of the added areas or any part thereof respectively or of any council or authority in any property— Adjustment as to properties.

(a) which is retained by or transferred to such council or other authority after or as from the appointed day who will thereby be relieved from providing accommodation; or

(b) which was prior to the appointed day subject to beneficial user by the inhabitants of the added areas or any part thereof respectively; or

(c) which or some part of which is realisable;

and due credit shall be given in such adjustment to the Corporation or any other council or authority in respect of such interest or share (if any) except to the extent to which the property will remain or become a burden on the council or other authority by whom it is retained or to whom it is transferred.

34.—(1) An equitable adjustment shall be made between the county and the borough respecting the interest of the added areas in any compensation fund constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act. Adjustment for purposes of licensing.

(2) Such adjustment shall be made by agreement between the compensation authority (as defined by the Licensing (Consolidation) Act 1910) for the county and for the borough within twelve months from the appointed day or such extended period as may be allowed by the

A.D. 1932. Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.

(3) For the purpose of such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of that Act shall apply accordingly.

Transfer of
public ele-
mentary
schools &c.
to Corpora-
tion.

35.—(1) For the purposes and subject to the provisions of the Education Act 1921—

- (a) all public elementary schools provided by any local education authority and situate in the added areas and the furniture fittings books and apparatus belonging to such authority of any public elementary school in the added areas shall by virtue of this Act be transferred to and vested in the Corporation as the local education authority for all the estate and interest therein of such local education authority;
- (b) all contracts debts and liabilities which at the appointed day are existing or are owing by or attach to any such local education authority in respect exclusively of any public elementary school in the added areas or of the furniture fittings books or apparatus or with respect to the officers and teachers of any public elementary school in the added areas and to school attendance officers school nurses and other persons employed whole time in connection with education services exclusively in the added areas shall by virtue of this Act enure to and be carried into effect by and be discharged and satisfied by the Corporation as the local education authority;
- (c) section 68 (Adjustment of property and liabilities) of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this section;
- (d) subject to any adjustment which may hereafter be made the liability for the repayment of so much of any loan raised exclusively in respect of any public elementary school or in respect of the furniture fittings or apparatus transferred to and vested in the Corporation by virtue of

this Act as is owing at the appointed day and the liability for the payment of interest on that part of the said loan shall by virtue of this Act be transferred and attach to the Corporation as the local education authority and so much of any such loan as is owing at the appointed day shall be charged on the general rate fund and the general rate and shall be repaid by the Corporation within the period for which that part of the loan was originally sanctioned or within which the said part of the loan is otherwise required to be repaid or is made repayable.

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(2) In this section "public elementary school" includes the site and school house and also any land acquired and held by a local education authority for purposes of elementary education.

36.—(1) Any byelaws under the Education Act 1921 or any enactment repealed by that Act which may be in force in the existing borough immediately before the appointed day shall apply to the borough until revoked or altered by the Corporation in substitution for any such byelaws which may be in force in the added areas.

Education
byelaws and
managers.

(2) Every manager of any elementary school in the added areas who was appointed by the county council or by any of the district councils or by any parish council shall vacate office at the appointed day.

37.—(1) The clerk of the county council shall before the appointed day send to the town clerk a copy of every entry in the register of the county council under the Nursing Homes Registration Act 1927 which relates to any nursing home situate within the added areas and the town clerk shall include in the register of the Corporation under that Act the particulars furnished by the clerk of the county council.

Register of
nursing
homes.

(2) Any exemption in force immediately before the appointed day from the operation of the Nursing Homes Registration Act 1927 which may have been granted by the county council in respect of premises within the borough shall continue in force until the exemption shall expire.

38.—(1) The Minister may by order at any time after the passing of this Part of this Act make such

Insurance
committees.

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provisions as appear to him to be necessary for transferring to the insurance committee for the borough such of the property rights and liabilities of the insurance committee for the county as relate to persons resident in the added areas.

(2) An order made under this section may authorise the insurance committee for the county to continue to act as insurance committee for the added areas until such date not being later than the thirty-first day of December nineteen hundred and thirty-three as may be specified in the order and may for that purpose postpone the operation of this Part of this Act so far as it relates to the rights and duties of the respective insurance committees for the county and borough until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient.

(3) An order under this section may be revoked revised or amended by an order made in like manner as the original order.

(4) Subject to any order under this section the persons who immediately before the appointed day are members of the respective insurance committees for the county and the existing borough shall be deemed to have been appointed or elected as and shall be the members of the respective insurance committees for the county as altered by this Part of this Act and the borough.

County
valuation
committee.

39. The representatives of (a) the Wolverhampton and Staffordshire assessment area (b) the Cannock and Brownhills assessment area and (c) the Dudley and Staffordshire assessment area on the county valuation committee of the county council shall represent those assessment areas as altered by this Part of this Act.

Joint com-
mittee for
tubercu-
losis.

40. The Staffordshire Wolverhampton and Dudley Joint Committee for Tuberculosis Order 1913 as amended by the Staffordshire Wolverhampton and Dudley Joint Committee for Tuberculosis Order 1924 and by the Act of 1926 shall be altered so that the borough shall be a constituent area and the Corporation shall be a constituent authority within the meaning of the first named order.

41. The South Staffordshire Joint Small-pox Hospital Orders 1903 to 1931 and the Acts confirming those orders as amended by the Act of 1926 shall be altered so that the following provisions shall have effect (that is to say) :—

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—
South
Stafford-
shire Joint
Small-pox
Hospital
District.

- (1) The borough and the Wednesfield District as altered by this Act shall respectively be constituent districts of the South Staffordshire Joint Small-pox Hospital District :
- (2) Until the population of the borough is shown in the returns of the last census for the time being the number of inhabitants of the borough according to the returns of the last census prior to the issue of precepts of the joint hospital board for contributions to their common fund shall be estimated by the clerk to the joint hospital board from the returns of such last census :
- (3) The persons who immediately before the appointed day are the elective members representing the borough the Wednesfield district and the Cannock district shall continue to represent the borough and those districts respectively as altered by this Act until the date or dates on which they would have retired if this Act had not been passed.

Officers.

42. In the sections of this Part of this Act relating to officers unless the context otherwise requires—

Meaning of
“ local
authority ”
and “ offi-
cer ” in
certain sec-
tions of this
Part of this
Act.

“ local authority ” means a local authority as defined in section 3 of the Local Government and other Officers’ Superannuation Act 1922 and includes the standing joint committee of a county ;

“ officer ” includes a servant and any person whose salary or wages is or are paid by a local authority.

43. The town clerk and all other officers of the Corporation of the existing borough who hold office immediately before the appointed day shall continue to be the town clerk and officers of the Corporation of the borough and shall hold their offices by the same tenure as before that day.

Officers of
Corporation
continued.

A.D. 1932.

Existing
officers in
added areas.

44.—(1) All persons who at the passing of this Act are officers employed whole time by the county council (otherwise than in connection with education services) or by any of the district councils exclusively in the added areas shall be transferred to and become officers of the Corporation.

(2) Every officer so transferred shall hold his office or employment by the same tenure and upon the same terms and conditions as if this Act had not been passed and while performing similar duties to those which he was required to perform immediately before the appointed day shall receive not less salary wages or emoluments and shall be entitled to not less pension (if any) than the salary wages emoluments or pension to which he would have been entitled if this Act had not been passed.

(3) Every officer so transferred who on the appointed day holds a post duly designated as established for the purpose of the Local Government and other Officers' Superannuation Act 1922 shall be deemed to have been transferred to a designated post in the service of the Corporation within the meaning of that Act and the provisions of that Act shall apply as if he had been transferred to the service of the Corporation with the consent of the council in whose service he was prior to the appointed day.

(4) The Corporation may distribute their business among the transferred officers and other officers of the Corporation in such manner as they may think proper and every officer shall perform such duties in relation to that business as may be directed by the Corporation and the Corporation may abolish the office or determine the appointment of any officer subject nevertheless to the consent of the Minister if the officer is removable only with the Minister's consent or by the Minister.

(5) If at any time within five years after the appointed day any transferred officer is required by the Corporation to perform duties which are not analogous to or which are an unreasonable addition to those which that officer was required to perform before the appointed day the officer may relinquish his office.

Compensa-
tion to
existing
officers.

45.—(1) Every officer in office at the date of the passing of this Act who by virtue of this Part of this Act or of anything done in pursuance or in consequence

thereof suffers any direct pecuniary loss by abolition of office by determination of his appointment or by diminution or loss of fees salary or emoluments (and for whose compensation for that loss no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation.

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(2) Any transferred officer who relinquishes his office under subsection (5) of the section of this Act of which the marginal note is "Existing officers in added areas" or any officer whose services are dispensed with or whose fees salary or emoluments are reduced within three years after the appointed day because his services are not required or his duties are diminished and not on the ground of misconduct shall be deemed, unless the contrary is shown to have suffered a direct pecuniary loss in consequence of this Part of this Act.

(3) The provisions set out in the Eighth Schedule to the Act of 1929 except paragraph 11 shall apply to the determination of compensation to officers under this Part of this Act as if such provisions were re-enacted in and formed part of this Act and as if references therein to "the council" and "a council" and to the Act of 1929 were references to the Corporation and to this Act respectively.

(4) The expression "registration officer" in such provisions shall mean for the purposes of this Part of this Act any superintendent registrar and registrar of births and deaths.

(5) All fees or remuneration received and retained by an officer in connection with the preparation of the jurors' book or the register of electors under the Representation of the People Acts shall subject to a reasonable deduction for any expenses incurred by the officer be regarded as part of the emoluments of the officer for the purposes of compensation.

46. No officer shall be entitled to receive compensation under this Part of this Act for pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

Compensa-
tion and
superannua-
tion.

A.D. 1932.

As to
teachers in
public ele-
mentary
schools.

47. The provisions of this Part of this Act shall apply to a teacher employed in a public elementary school maintained by the local education authority at the passing of this Act as if he were an officer employed by the authority :

Provided that in the case of a teacher employed in a public elementary school maintained but not provided by the authority the provisions with respect to an officer whose services are dispensed with shall only apply if such teacher be discharged by the authority or by the direction or with the consent of the authority (otherwise than for misconduct).

Supplementary Provisions.

As to
Wednesfield
Urban
District
Council.

48.—(1) The Wednesfield Council shall be deemed to have been elected as and shall be the urban district council of the Wednesfield district as altered by this Act.

(2) All property or liabilities which immediately before the appointed day are vested in or attach to the said council (other than property or liabilities vested in or attaching to them in relation exclusively to the added part of Wednesfield) shall by virtue of this Act and subject to the provisions thereof and to any necessary adjustment be transferred to vest in or attach to the said council as urban district council for the said district as so altered.

As to rural
district
councils.

49. Subject to any order of the Minister under section 46 of the Act of 1929—

(1) The persons who immediately before the appointed day are rural district councillors for the existing township or parish of Upper Penn shall continue to represent the township or parish of Upper Penn as altered by this Act on the Seisdon Council until the date or dates on which they would have retired respectively if this Act had not been passed :

(2) The persons who immediately before the appointed day are the rural district councillors for the existing parish of Bushbury shall continue to represent the parish of Bushbury as altered by this Act on the Cannock Council until the date or dates on which they would have retired respectively if this Act had not been passed.

50. Subject to the provisions of this Part of this Act and of any order of the Minister under section 46 of the Act of 1929 the parish councils of the existing parishes or townships of Upper Penn and Bushbury shall be deemed to have been elected as and shall be the parish councils of those parishes or townships respectively as altered by this Act.

A.D. 1932.
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As to parish
councils.

51.—(1) The district councils shall cease to exercise any powers or discharge any duties within any part of the added areas.

Powers pro-
perty &c. of
district and
parish
councils.

(2) Subject to the provisions of this Part of this Act and to any necessary adjustments—

(a) any property or liabilities which immediately before the appointed day are vested in or attach to any of the district councils or parish councils referred to in the last preceding section of this Act in relation exclusively to any portion of their district parish or township included in the added areas shall by virtue of this Part of this Act be transferred to and vest in or attach to the Corporation as the urban authority for the execution of the Public Health Acts;

(b) any property or liabilities which immediately before the appointed day are vested in or attach to the said councils in relation to any portion of the added areas conjointly with any other area shall be a matter for adjustment under this Act;

(c) any powers and duties vested in or imposed on either of the said parish councils in relation exclusively to any portion of their parish or township included in the added areas shall be vested in or imposed on the Corporation.

52. All the powers rights duties capacities liabilities and obligations of an urban district council and the powers in relation to the chargeability of expenses with which any of the district councils are invested in pursuance of any order issued by the Local Government Board or the Minister under the Public Health Acts in respect of any contributory place which is altered by this Act shall be deemed to vest in and attach to the said councils respectively in respect of the said contributory place as so altered.

Urban
powers &c.
in excluded
parts of
parishes.

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Liquidation
of current
debts and
liabilities.

53.—(1) The Upper Penn and Bushbury Parish Councils shall liquidate so far as practicable before the appointed day all current debts and liabilities incurred by them.

(2) If default is made by either of the said councils in complying with the requirements of subsection (1) of this section—

(a) the Corporation may in accordance with subsection (5) of section 2 of the Rating Act 1925 make and levy over the area of such portion of the borough as is co-terminous with the added part of Upper Penn or the added part of Bushbury as the case may be as an additional item of the general rate such amount in the pound as will be sufficient to defray the liability of that area in respect of the current debts and liabilities of the council in default;

(b) any such additional item of the general rate may be made retrospectively to raise money for the payment of charges and expenses incurred at any time within one year before the appointed day by the council in default;

(c) any such additional item shall be in addition to any rate which is levied in accordance with the provisions contained in the section of this Act whereof the marginal note is "Differential rating."

Audit of
accounts of
parish
councils.

54.—(1) The accounts of the Upper Penn and Bushbury Parish Councils shall be made up to the appointed day and shall be audited by the district auditor in like manner and subject to the like incidents and consequences as if this Act had not been passed.

(2) Any sum certified by the district auditor to be due from any person at any such audit shall be paid to the treasurer and shall if necessary be a matter for adjustment.

(3) This section shall apply to the accounts of any committee or officer of the Upper Penn and Bushbury Parish Councils as it applies to the accounts of those authorities.

Local land
charges
registers.

55.—(1) The local registrars under the Land Charges Act 1925 and the rules made thereunder for the county and for the urban and rural districts any part of which

is included in the added areas shall within one month after the appointed day supply to the local registrar for the borough an office copy of every entry in the local land charges register relating to any premises situate within the added areas and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules. A.D. 1932.
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(2) The local registrar for the borough shall within one month after the receipt of the office copy mentioned in subsection (1) of this section enter the same with any necessary modifications in the appropriate part of the local land charges register of the borough.

(3) Until the entries are made as aforesaid or until the expiration of two months from the appointed day whichever be the earlier day the following provisions shall have effect in respect of all land within the added areas :—

- (a) The local registrar for the borough shall give notice to any person desiring to make a personal search that an additional search should be made in the registers of the district in which the premises are situate and of the county;
- (b) Where application is made for an official search the local registrar for the borough shall issue free of charge a certificate of official search in the register of the borough and shall forward to the local registrar for the district concerned the application received by him together with the fees paid in respect thereof and shall also forward to the local registrar for the county a copy of any such application;
- (c) The local registrar for the district concerned and the local registrar for the county shall permit and make such searches and furnish such office copies and certificates as they would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Part of this Act had not been passed;
- (d) The fees in respect of searches permitted or made and in respect of certificates furnished by the local registrar for the county in pursuance of the provisions of paragraph (c) of this subsection shall be paid by the Corporation;

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—

- (e) Where an entry of a local land charge which has been duly made in the local land charges register of the county or of one of the districts of the district councils is required by this section to be transferred from the register of the county or such district to the register of the borough such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the register of the borough.

Settlement
and irre-
movability
and transfer
of liability
for main-
tenance of
poor.

56.—(1) Every person resident in the added areas immediately before the appointed day who has acquired or is in the course of acquiring—

- (a) a settlement in the county by reason of residence birth or other qualification therein; or
(b) a status of irremovability from the county by reason of residence therein;

shall be deemed to have acquired or to be in the course of acquiring thereby as the case may require a settlement in or status of irremovability from the borough.

(2) For the purposes of this section consecutive periods of residence in any portions of the county shall (if and so far as those periods would immediately before the appointed day be reckoned for the purposes of determining questions of settlement in or irremovability from the county) be aggregated and shall be reckoned as continuous residence in that part of the county in which the person was residing immediately before the appointed day.

(3) Where immediately before the appointed day a person is in receipt of poor relief from the county council as an inmate of an institution or of rate aid from the county council as an inmate of an institution for persons of unsound mind and was resident in the added areas immediately before he last commenced to receive poor relief or rate aid he shall for the purposes of the foregoing provisions of this section be deemed to be resident in the added areas immediately before the appointed day.

(4) The liability for the cost accruing on and after the appointed day of the maintenance in any institution of any inmate of that institution to whom subsection (3)

of this section applies shall by virtue of this Act be transferred to and attach to the Corporation but this subsection shall not prevent the Corporation from obtaining an order of removal or an adjudication of the chargeability of any person who notwithstanding the provisions of this section is liable to be removed or made chargeable to any other county or county borough. A.D. 1932.

(5) Nothing in this section shall authorise the inclusion in any computation of a period of residence for the purposes of this section of such residence as is excluded by subsection (1) of section 93 of the Poor Law Act 1930 from a computation of residence for the purpose of the acquisition of a status of irremovability or shall prevent any residence so excluded from breaking the continuity of residence for the purpose of the acquisition by residence of a settlement.

57.—(1) As soon as practicable after the appointed day the county council and the district councils shall as regards any cash balances in their hands at the appointed day estimate the proportion thereof derived from contributions paid by any part of the added areas and subject to a deduction on account of undischarged liabilities in respect of such part of the added areas accruing up to the appointed day shall transfer such amount to the Corporation. Apportionment of balances and sums received under precepts.

(2) Any sum received after the appointed day by the county council or any of the district councils under a precept issued or rate made before that day in respect of any part of the added areas shall be dealt with in the manner prescribed by subsection (1) of this section.

(3) The apportionment under this section of any balance or sum received shall be subject to review on an adjustment under this Part of this Act.

58.—(1) Notwithstanding the alterations of areas effected by this Part of this Act all contribution orders and precepts made or issued before the appointed day shall be as valid in law as if this Part of this Act had not been passed. Contribution orders precepts and arrears of rates.

(2) All rates not collected immediately before the appointed day in respect of hereditaments within the added areas shall be collected and recovered by the Corporation.

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(3) Any rates or sums so collected and recovered shall be a matter for adjustment under this Act.

As to registration districts.

59. Any scheme made by the Corporation or the Registrar-General under the provisions of section 24 of the Act of 1929 shall make provision for dealing with the added areas but until the date on which a scheme affecting the added areas comes into operation nothing in this Part of this Act shall affect the area of any existing registration district or sub-district without prejudice however to the exercise of the powers contained in the Births and Deaths Registration Acts 1836 to 1929 as to the alteration thereof.

Town planning.

60. Any resolution passed or other proceeding taken by any of the district councils under the Town Planning Act 1925 or any enactment thereby repealed (including any agreement order approval consent or notice under that Act or repealed enactment) and any resolution passed or other proceeding taken by the county council under that Act as extended by the provisions of the Act of 1929 shall in so far as it relates to land within the added areas have effect as if it had been taken by the Corporation in respect of that land.

Parish books and documents.

61.—(1) All rate books books of account minutes of proceedings deeds papers and writings belonging to the existing parishes or townships of Upper Penn and Bushbury and all documents directed by law to be kept with the public books writings and papers of those councils parishes or townships except any book or document relating to ecclesiastical matters shall be deposited in such custody as the Corporation may direct.

(2) Any ratepayer of either of the existing parishes or townships aforesaid shall at all times have the same right of inspection and of making extracts from the books minutes deeds papers or writings referred to in this section which he would have had if this Act had not been passed.

Duplicate entries in electors' lists.

62.—(1) The registration officer of the parliamentary county of Stafford shall supply the registration officer of the parliamentary borough of Wolverhampton on publication with a sufficient number of copies of the

A.D. 1932.

electors' lists the lists of objections to the electors' lists the lists of claimants and the lists of objections to claimants for each registration unit comprising any part of the added areas which is within the parliamentary county of Stafford and shall forthwith notify the registration officer of the parliamentary borough of Wolverhampton of his decision on any objections or claims in respect of any such registration unit.

(2) It shall be the duty of the registration officer of the parliamentary borough of Wolverhampton to issue such notices and otherwise to take such steps as are required by rule 23 in the First Schedule to the Representation of the People Act 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the borough for the purpose of borough council elections.

(3) Where the registration officer of the said parliamentary borough considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for the purpose aforesaid should be made in the electors' lists of any registration unit comprising any part of the added areas which is within the parliamentary county of Stafford he shall forthwith notify the registration officer of the said parliamentary county and that officer shall make such correction accordingly.

(4) This section shall apply to the preparation of the register in the year nineteen hundred and thirty-three and of later registers.

63.—(1) For the purposes of the register of local government electors of the borough prepared for the year nineteen hundred and thirty-three and of all matters connected with incidental to or consequent upon those purposes the added areas shall be deemed to have formed part of the borough as from the first day of the qualifying period for the register for the year nineteen hundred and thirty-three.

Provisions
as to regis-
ters of
electors.

(2) If the register of local government electors for any local government electoral area affected by this Part of this Act is not so framed as to show the persons

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entitled to vote at an election or parish meeting to be held for a district parish or ward or other voting area—

- (a) the town clerk in the case of an election for any voting area within the parliamentary borough; and
- (b) the registration officer of the parliamentary county of Stafford in the case of an election or parish meeting for any voting area outside the parliamentary borough;

shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election or parish meeting.

(3) The additional expenses (if any) solely occasioned by any alteration or re-arrangement of the register authorised by subsection (2) of this section shall be borne by the Corporation.

(4) It shall be the duty of any officer designated under Article 3 of the Overseers Order 1927 by the Corporation or by the district councils for the performance of the duties of overseers in relation to the preparation of the register of electors to render such assistance as may be required by the town clerk or registration officer for the purpose of any alteration or re-arrangement authorised by subsection (2) of this section.

(5) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary or desirable to give effect to the provisions of this section and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

Jury
service.

64. For the purpose of summoning jurors and of jury service any parish affected by this Part of this Act shall be deemed to continue unaltered until a new jurors' book comes into force.

Differential
rating.

65.—(1) The Minister may if he thinks fit on the application of the local authority of any part of the added areas (such application to be made in writing before the expiration of a period of two months after the passing of this Act) order that for the period or periods stated in the order the total amount in the

pound of the general rate to be made and levied upon rateable hereditaments situate in the added areas or any part thereof shall be less than the total amount in the pound of the general rate to be made and levied upon hereditaments within the area of the existing borough by such sum or sums as may seem equitable to him after considering any representations that may be made to him by the Corporation. A.D. 1932.

(2) For the purposes of this section a "local authority" means any of the district councils and the parish council or (where there is no parish council) parish meeting of any of the existing parishes or townships any part of which is comprised within the added areas.

(3) (a) If in any case the allowance of relief from rates to the owners or occupiers of scheduled hereditaments under any order made by the Minister in pursuance of this section is equal to or less than the equivalent of the deduction made in respect of scheduled hereditaments in pursuance of the next succeeding section of this Act such order shall not apply to or in respect of the scheduled hereditaments; and

(b) If in any case the allowance of relief from rates to such owners or occupiers under any such order is greater than the equivalent of the deduction so made in respect of the scheduled hereditaments the said order shall apply to or in respect of the scheduled hereditaments only in regard to the amount by which the said allowance is greater than the equivalent of such deduction.

(4) In this section the expression "scheduled hereditaments" means such of the rateable hereditaments within any part of the added areas to which any order made by the Minister under subsection (1) of this section relates as are included in class (3) of the hereditaments specified in column (1) of Part II of the Second Schedule to the Rating Act 1925.

66. For the purposes of all valuation lists of the borough under the Rating Act 1925 the amount of the deduction to be made under paragraph (c) of subsection (1) of section 22 of that Act from the net annual value of such rateable hereditaments within the added areas as are included in class (3) of the hereditaments

Deduction in ascertaining rateable value of tithes railways &c.

A.D. 1932. — specified in column (1) of Part II of the Second Schedule to that Act shall notwithstanding the provisions of any Act be thirty per centum.

Application
of Rating
Act 1925.

67.—(1) As from the appointed day—

- (a) the added areas shall be deemed to form part of the rating area of the borough and (so far as the same are not already included in the Wolverhampton and Staffordshire assessment area) of that assessment area;
- (b) the valuation list of the existing borough and the portions of the valuation lists of the Wednesfield Seisdon and Cannock districts (modified where necessary in order to give effect to the provisions of the last preceding section of this Act) which relate to hereditaments within the added areas shall together form the valuation list of the borough;
- (c) the remaining portions of the valuation lists of the districts mentioned in paragraph (b) of this subsection shall be the valuation list of those districts respectively;
- (d) any scheme made under the Rating Act 1925 for the constitution of an assessment area which includes the added part of Bushbury shall be varied by excluding such part from such assessment area and any person who immediately before that day is the representative of the added part of Bushbury on any assessment committee shall cease to represent such part.

(2) Except as expressly provided by this Part of this Act nothing in this Act shall affect the provisions of the Rating Act 1925.

Saving for
certain
general
enactments.

68.—(1) Nothing in this Part of this Act contained shall be deemed to take away prejudice or affect the right of the county council to make any order or orders under the provisions of section 57 of the Act of 1888 as amended by section 48 of the Act of 1929 in relation to the part of any district or parish not included in the added areas or any portion thereof respectively and nothing contained in this Act shall be deemed to prejudice

or affect the operation of Part IV of the Act of 1929 in relation to those parts or portions thereof. A.D. 1932.
—

(2) (a) The county council may submit to the Minister such modifications of the proposals made by the county council under section 46 of the Act of 1929 for the review of county districts or parishes within the county and such further proposals under the said section as may be deemed expedient in regard to any of the urban and rural districts which are adjacent to the borough as constituted at the date of the passing of this Act or in regard to any of the parishes which form part of such rural districts or as may be necessary or desirable in consequence of the provisions of this Part of this Act.

(b) Any such modifications or further proposals which the county council shall have submitted to the Minister before the passing of this Act shall be deemed to have been so submitted under the authority of this subsection.

(3) If in relation to the excluded part of Upper Penn or the excluded part of Bushbury there shall be any inconsistency between the provisions of this Act and the provisions of any order made by the Minister under the said section 46 of the Act of 1929 the provisions of the said order shall prevail.

(4) If the clerks of the parish councils of the parishes or townships of Upper Penn and Bushbury or either of those clerks shall by virtue of any such order as aforesaid suffer any direct pecuniary loss by abolition of office by determination of their or his appointments or appointment or by diminution or loss of fees salary or emoluments such clerks or clerk shall be deemed to have suffered such direct pecuniary loss by virtue of this Part of this Act and shall not be entitled to compensation for that loss from the county council.

69. Any alderman or councillor who is to continue in office after the appointed day shall not during his present term of office be deemed to lose his qualification for being an alderman or councillor by reason of the alterations of area made by this Part of this Act. Saving for qualification of aldermen and councillors.

70.—(1) No alteration effected by this Part of this Act shall cause to abate or shall prejudicially affect or prevent the continuance of any action cause of action or Savings for actions contracts &c.

A.D. 1932. — proceeding which immediately before the appointed day is pending or existing by or against any local or other authority or any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by that authority or their predecessors :

Provided that—

- (a) any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against any such authority in relation exclusively to any part of the added areas may be continued prosecuted and enforced by or against the Corporation; and
- (b) all contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by any such authority (or their predecessors) in relation exclusively to any part of the added areas shall be continued and may be enforced as fully and effectually as if instead of that authority (or their predecessors) the Corporation had been a party thereto.

(2) All legal proceedings pending immediately before the appointed day may be amended in such manner as may be necessary or proper in consequence of this Part of this Act.

Other
savings.

71. Nothing in this Part of this Act shall—

- (1) restrict the power of the Secretary of State the Minister or the county council under the Act of 1888 the Act of 1894 the Act of 1929 or the Poor Law Act 1930;
- (2) affect the limits of the parliamentary borough of Wolverhampton or the parliamentary county of Stafford or any division thereof or the powers of the county council for the division of their parliamentary county into polling districts for parliamentary elections or for the division of the county into polling districts for the election of county councillors or any existing order or scheme for either of

those purposes or for naming the polling places at any election; A.D. 1932.

- (3) affect the ecclesiastical divisions of any parish or prejudice vary or affect any power right interest or jurisdiction in or over or in connection with any charitable endowment; or
- (4) affect land tax.

PART III.

LANDS AND STREET WORKS.

72.—(1) Subject to the provisions of this Act the Corporation may make and (so far as the same are in the borough) maintain in the lines and according to the levels shown on the deposited plans and sections the street works hereinafter described together with all necessary or proper works and conveniences connected therewith or incident thereto and may enter on take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the construction of such works or for the purpose of providing space for the erection of buildings adjoining or near to such works or for other the purposes of this Part of this Act. Power to construct street works.

(2) The street works hereinbefore referred to and authorised by this Act will (except where otherwise stated) be situate in the borough and are—

Street Work No. 1 A widening and improvement of Dudley Road on the westerly side thereof;

Street Work No. 2 A widening and improvement of Owen Road on the easterly side thereof and of Great Brickkiln Street on the southerly side thereof;

Street Work No. 3 A widening and improvement of Compton Road on the southerly side thereof;

Street Work No. 4 A widening and improvement of Victoria Street on the westerly side thereof;

Street Work No. 5 A widening of Cannock Road on the north-westerly side thereof;

Street Work No. 6 A widening of Dudley Street on the easterly side thereof and of Bilston Street on the northerly side thereof;

Street Work No. 7 (in the township of Upper Penn and rural district of Seisdon) A widening

A.D. 1932.
—

and improvement of Penn Road on the south-easterly side thereof and of Mount Road on the south-westerly side thereof;

Street Work No. 8 (in the township of Lower Penn and rural district of Seisdon) A widening of Bhylls Lane on the easterly side thereof and of Castlecroft Road on the southerly side thereof.

Power to take lands for playing fields.

73. Subject to the provisions of this Act the Corporation may enter on take and use such of the lands in the borough which are delineated on the deposited plans and described in the deposited book of reference relating to lands for playing fields and are numbered 50 on those plans and in that book of reference as they may require for the purposes referred to in section 69 of the Public Health Act 1925.

Period for compulsory purchase of lands.

74. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of five years from the first day of October nineteen hundred and thirty-two.

Revival and extension of time for compulsory purchase of lands.

75.—(1) The powers of the Corporation for the compulsory purchase of lands required for the purposes of Work No. 10 authorised by section 29 (Power to construct street improvements) of the Act of 1925 are hereby revived and the period limited by section 164 (Application of certain provisions of existing Acts) of the Act of 1925 as extended by section 36 (Extension of time for compulsory purchase of lands) of the Act of 1928 for the exercise of those powers is hereby further extended until the first day of October nineteen hundred and thirty-seven but on that date the powers for such compulsory purchase shall cease except so far as such powers shall have been exercised.

(2) The period limited by section 28 (Period for compulsory purchase of lands) of the Act of 1928 for the compulsory purchase of lands required for and in connection with Street Work No. 11 authorised by section 19 (Power to construct street works) of that Act is hereby extended until the first day of October nineteen hundred and thirty-six but on that date the powers for such compulsory purchase shall cease except so far as such powers shall have been exercised.

PART IV.

A.D. 1932.

TRANSPORT.

76. The Corporation may use trolley vehicles upon the following routes (namely) :—

Power to
use trolley
vehicles.

Route No. 1 (in the urban district of Tettenhall and the rural district of Seisdon) From the junction of Sandy Lane and Lower Street along Codsall Road and Wolverhampton Road to Codsall Square;

Route No. 2 (in the borough) From the junction of Oxbarrow Avenue and Trysull Road along Oxbarrow Avenue to its junction with Coalway Road;

Route No. 3 (in the borough the urban district of Tettenhall and the rural district of Seisdon) From the New Inns Finchfield along Castlecroft Road to its junction with Bhylls Lane;

Route No. 4 (in the borough) From the junction of Railway Street with Victoria Square along Railway Street to its junction with Broad Street;

Route No. 5 (in the borough) From the junction of Pipers Row with Queen Street along Queen Street to its junction with Dudley Street;

Route No. 6 (in the borough) From the junction of Dudley Street with Queen Square along Dudley Street to its junction with Snow Hill;

Route No. 7 (in the borough) From the junction of Fryer Street and Victoria Square along Fryer Street to its junction with Broad Street;

Route No. 8 (in the borough) From the junction of Waterloo Road and Staveley Road along Staveley Road Dunstall Road and Lowe Street to its junction with Coleman Street;

and with the consent of the Minister of Transport and of the local and road authorities along any other street or road which the Corporation think it necessary or convenient to use for the purpose of providing a turning point or of connecting trolley vehicle routes or of obtaining access thereto from any depot garage building or work of the Corporation :

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Provided that—

- (a) before equipping any trolley vehicle route to include a turning point or before arranging for a new turning point on any route the Corporation shall submit plans of the turning point to the Minister of Transport for approval;
- (b) no turning point shall be fixed on any road or street belonging to or maintained by a railway company without the consent in writing of such company which consent shall not be unreasonably withheld;
- (c) unless authorised in that behalf by Act passed in any future session of Parliament the Corporation shall not except with the consent of the Minister of Transport and of the road authority commence to run trolley vehicles upon the portion of Route No. 3 authorised by this Act which is situate outside the borough and is also situate upon any carriageway having a width of less than twenty feet until such carriageway has been widened to a width of not less than twenty feet.

Application
of certain
provisions of
Tramways
Act 1870 to
trolley
vehicles.

77.—(1) The following provisions of the Tramways Act 1870 (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act and shall apply to the trolley vehicles authorised by this Act and such provisions shall be read and have effect as if the works to be constructed in the streets or roads for moving the trolley vehicles by electrical power were tramways and as if the said trolley vehicles were carriages used on tramways:—

- Part II (Relating to the construction of tramways) except sections 25 28 and 29;
- Section 41 (Tramways to be removed in certain cases);
- Section 46 (Byelaws by local authority Promoters may make certain regulations);
- Section 47 (Penalties may be imposed in byelaws);
- Section 48 (Power to local authority to license drivers conductors &c.);

- Section 49 (Penalty for obstruction of promoters in laying out tramway); A.D. 1932. —
- Section 51 (Penalty on passengers practising frauds on the promoters);
- Section 53 (Penalty for bringing dangerous goods on the tramway);
- Section 55 (Promoters or lessees to be responsible for all damages);
- Section 56 (Recovery of tolls penalties &c.);
- Section 57 (Right of user only);
- Section 60 (Reserving powers of street authorities to widen &c. roads); and
- Section 61 (Power for local or police authorities to regulate traffic in roads).

(2) Nothing in this section shall be deemed to exclude a trolley vehicle from the provisions of section 78 of the Highway Act 1835 as to the side of the road on which any wagon cart or other carriage is to be kept.

78.—(1) Subject to the provisions of this Act the following provisions of the Act of 1899 the Order of 1902 the Act of 1904 the Act of 1908 the Act of 1920 and the Act of 1925 shall extend and apply to the trolley vehicles authorised by this Act as if those provisions were with all necessary modifications re-enacted in this Act (that is to say):—

Application of previous enactments to trolley vehicles.

The Act of 1899—

- Section 33 (Rates for passengers);
- Section 34 (Passengers' luggage);
- Section 35 (Rates for animals and goods);
- Section 36 (Corporation not bound to carry animals and goods);
- Section 37 (As to fares on Sundays or holidays);
- Section 39 (Periodical revision of rates and charges);
- Section 41 (Motive power);
- Section 43 (Special provisions as to use of electrical power);
- Section 46 (Byelaws);

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—

- Section 50 (Working agreements);
- Section 55 (Orders &c. of Board of Trade);
- Section 57 (Power to acquire patent rights);
- The Third Schedule.

The Order of 1902—

- Section 8 (For protection of Postmaster-General) as amended by section 9 of the Act of 1928;
- Section 9 (Cheap fares for labouring classes).

The Act of 1904—

- Section 19 (Attachment of brackets to buildings);
- Section 20 (Waiting rooms);
- Section 21 (Penalty for malicious damage).

The Act of 1908—

- Section 5 (Use of tramway posts by Postmaster-General).

The Act of 1920—

- Subsection (3) of section 9 (Power to provide and run omnibuses);
- Section 19 (Conveyance of mails);
- Section 23 (Cloak-rooms &c.);
- Section 24 (Power to reserve cars for special purposes);
- Section 26 (Stopping and starting places);
- Section 27 (Through cars and omnibuses);
- Section 28 (Attachment of signs indicating stopping places to lamp-posts &c.);
- Section 30 (Lost property);
- Section 31 (Payment of fares rates and charges);
- Section 32 (Power for Corporation to suspend traffic);
- Section 33 (Use of tramways for sanitary purposes);
- Section 35 (For protection of railway companies).

The Act of 1925—

- Subsection (4) of section 5 (Power to use trolley vehicles);

- Section 9 (As to electrical works);
- Section 10 (For protection of railway companies) except subsection (12) thereof;
- Section 11 (For protection of Birmingham Canal Navigations);
- Section 12 (Corporation to have exclusive right of using apparatus for working trolley vehicles);
- Subsection (2) of section 13 (Vehicles not to be deemed light locomotives or motor cars);
- Section 14 (Licence duties on trolley vehicles);
- Section 15 (Approval of vehicles by Minister of Transport);
- Section 16 (Inspection by Minister of Transport);
- Section 22 (Tramway regulations to apply to trolley vehicles);
- Section 24 (Trolley vehicles to form part of tramway undertaking);
- Section 28 (As to byelaws &c. under this Part of this Act).

(2) (a) In the application of the provisions referred to in subsection (1) of this section (other than the provisions of the Act of 1925) the same shall be read and have effect as if the working equipment for trolley vehicles were tramways within the meaning of the said provisions and as if trolley vehicles were carriages used on the Corporation's tramways or were omnibuses of the Corporation (as the case may be) and as if the trolley vehicle undertaking authorised by this Act formed part of the trolley vehicle undertaking authorised by the Act of 1925.

(b) In the application of the said section 50 of the Act of 1899 that section shall be read and have effect as though the words "local authority company body or person owning or working trolley vehicles or authorised to work such vehicles" were substituted therein for the words "owning authority" wherever those words occur.

(c) In the application of the said section 9 of the Order of 1902 that section shall be read and have effect as though the words "half-past seven" were substituted for the word "seven" and the words "half-past

A.D. 1932. five" were substituted for the word "six" in sub-
— section (1) thereof.

(3) Provided that the said trolley vehicles shall only be used for the purpose of conveying passengers and parcels not exceeding fifty-six pounds in weight and dogs in the care of passengers the charge for any such dog to be a sum not exceeding the fare payable by the passenger but they shall not be used for the carriage of any minerals or any other animals or goods.

Adaptation
of roads &c.

79.—(1) (a) Before the Corporation commence to use trolley vehicles over any road or part of a road outside the borough it shall be determined by agreement between the Corporation and the road authority or failing agreement by the Minister of Transport whether it is necessary (in order to provide for the running under the powers of this Act of a trolley vehicle service over any such road or part of a road) to adapt alter or reconstruct such road or part of a road or to strengthen any county bridge or district bridge and whether any and if so what sum of money per mile of road so to be adapted altered or reconstructed or what sum of money in respect of any such bridge shall be payable by the Corporation to the road authority by way of contribution towards the cost incurred in such adaptation alteration reconstruction or strengthening.

(b) Within six months after the date upon which all questions to be agreed or determined in pursuance of paragraph (a) of this subsection have been so agreed or determined the Corporation shall give notice in writing to the road authority as to whether they intend to use trolley vehicles over the road or part of a road or bridge in question.

(c) If the Corporation give notice in writing to the road authority that they intend to use trolley vehicles over the road or part of a road or bridge in question and if it shall have been agreed or determined that the Corporation are to make any payment to the road authority under the provisions of paragraph (a) of this subsection the Corporation shall on receipt of any certificate which may from time to time be issued by the engineer in charge of the work of adaptation alteration or reconstruction of such road or part of a road or of strengthening such bridge pay to the road

authority such proportion of the total amount of the contribution agreed or determined to be payable by the Corporation as the amount so certified to have been expended upon such work bears to the total amount estimated to be expended by the road authority on such work. Provided that the aggregate amount to be so paid by the Corporation shall not exceed the amount of the contribution agreed or determined to be payable by them as aforesaid.

(d) Notwithstanding anything in this subsection the Corporation shall not be required to pay any sum in respect of any work towards or in respect of the adaptation alteration or reconstruction of any such road or part of a road or the strengthening of any bridge which is not executed within three years from the date on which the Corporation shall commence to use trolley vehicles over the road or part of a road to be adapted altered or reconstructed or over the bridge to be strengthened.

(e) Not more than one payment or (in the case of a payment by instalments in accordance with paragraph (c) of this subsection) one series of payments shall be made in respect of any such road or part of a road so adapted altered or reconstructed or of any such bridge so strengthened.

(f) For the purposes of this subsection the expression "county bridge" shall include every bridge maintainable by a county council and in respect of such bridge the county council shall be deemed to be the road authority and the expression "district bridge" shall include every bridge maintainable by a district council and in respect of such bridge the district council shall be deemed to be the road authority.

(2) Any payment made to a road authority under this section in respect of any county road maintained and repaired by them under section 32 of the Act of 1929 shall be credited to the county council in ascertaining the amount payable by them under section 33 of the said Act and any such payment made to a road authority in respect of an unclassified road in respect of which an agreement exists under section 34 of the said Act shall be credited to the council of the urban district in ascertaining the amount payable by them to the county council under the said Act.

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(3) If any such adaptation alteration reconstruction or strengthening as aforesaid shall involve an alteration of any telegraphic line belonging to or used by the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to any such alteration and the road authority shall be deemed to be "undertakers" within the meaning of the said Act.

(4) The road authority shall not under section 54 of the Road Traffic Act 1930 or otherwise make any claim against the Corporation in respect of extraordinary traffic by reason of the user of any road by the trolley vehicles of the Corporation.

(5) An agreement under this section with respect to any county road maintained by a local authority at the expense of any county council shall not be made except with the concurrence of that county council.

(6) Nothing in this Act shall impose any obligation upon any railway or canal company to strengthen adapt alter or reconstruct any bridge maintainable by them.

Period for
commence-
ment of
trolley
vehicle
services.

80. If the Corporation shall not have commenced to run trolley vehicles along any of the routes authorised by this Act within five years from the passing of this Act or such extended time as the Minister of Transport may upon the application of the Corporation allow the powers conferred by this Act with reference to the running of trolley vehicles along the route or routes along which the Corporation have not commenced to run trolley vehicles shall cease to be exerciseable.

For protec-
tion of
Tettenhall
Urban
District
Council.

81. For the protection and benefit of the urban district council of Tettenhall (in this section called "the council") the following provisions shall unless otherwise agreed apply and have effect and shall be in addition to and not in derogation of any other provisions of this Act or of any public Act or Acts of Parliament which may exist for the protection or benefit of the council:—

- (1) The points at which the trolley vehicles shall turn in the road at the termination of Route No. 3 in the urban district of Tettenhall shall be reasonably approved by the council:
- (2) Subject to the provisions of this Act the size position and construction of all poles on Route

A.D. 1932.

No. 3 with their several attachments shall be such as the surveyor of the council and the Corporation may agree upon and as the Minister of Transport may approve and shall be in accordance with designs and plans to be previously submitted to and reasonably approved by the surveyor of the council:

- (3) The Corporation shall if so required by the council at any time after commencing to use trolley vehicles along so much of Route No. 3 as is situate in the district of the council in so far as they have power so to do under the provisions of this Act provide and thereafter maintain a shelter for passengers on such route in a situation to be reasonably approved by the council at or near to the termination of that route:
- (4) Any difference which arises between the Corporation and the council or any surveyor or other person under any of the provisions of this section except as by this section otherwise specially provided shall be deemed a matter in difference within section 33 of the Tramways Act 1870 and the provisions as to arbitration of the said section shall apply accordingly.

82. The provisions of section 5 (For protection of Staffordshire and Worcestershire Canal Navigations) of the Order of 1930 shall extend and apply for the protection of the company of proprietors of the Staffordshire and Worcestershire Canal Navigation with respect to the powers conferred on the Corporation by this Part of this Act as though that section were re-enacted in this Part of this Act with any necessary modification and as though the words "this Order" in that section meant "this Part of this Act" and the expression "the applied provisions" in that section meant the provisions of the Tramways Act 1870 and of the Act of 1899 the Act of 1904 the Act of 1920 and the Act of 1925 which by this Part of this Act are incorporated with this Act or applied to the trolley vehicles authorised by this Act.

For protection of Staffordshire and Worcestershire Canal Company.

83. As from the passing of this Act the tramway undertaking of the Corporation which includes their trolley vehicle and omnibus undertakings shall be known

Definition of transport undertaking.

A.D. 1932. — as the transport undertaking of the Corporation and that undertaking shall include any public service vehicle undertaking which the Corporation may establish at any time after the passing of this Act.

PART V.

WATER SUPPLY.

Extension
of limits of
supply.

84.—(1) From and after the passing of this Act the limits of the Corporation for the supply of water shall be extended so as to include therein the parish of Pattingham (or Pattenham) in the rural district of Seisdon in the county of Stafford.

(2) The Corporation shall have and may exercise within the said parish of Pattingham all and the like powers privileges and authorities and shall be subject to all and the like duties liabilities and obligations as they now have may exercise and are subject to within the existing limits of the Corporation for the supply of water and the provisions of the local Acts so far as they relate to the water undertaking of the Corporation and to the supply of water by them and of the enactments incorporated therewith and any byelaws or regulations made in pursuance thereof respectively so far as such provisions byelaws and regulations are not inconsistent with the provisions of this Act shall extend and apply to and within the said parish :

Provided that nothing contained in this section shall prevent any rescission revocation amendment or variation of the said byelaws or regulations.

Power to
local autho-
rity &c. to
supply
water in
case Cor-
poration
fails to
supply.

85.—(1) If after the expiration of seven years from the passing of this Act or such extended period as may be agreed between the Corporation and the Seisdon Council or other the local authority for the time being of the parish of Pattingham (or Pattenham) the Corporation are not furnishing a sufficient supply of water throughout the village of Pattingham (as hereinafter defined) the Seisdon Council may provide a supply in accordance with the provisions of the Public Health Act 1875 in any part of the said parish not sufficiently supplied by the Corporation or the Seisdon Council or any company body or person may apply for an Act of Parliament or Provisional Order

for the purpose of supplying water in any part of such parish not sufficiently supplied by the Corporation and for the repeal of the powers of the Corporation in that behalf. A.D. 1932.

(2) For the purpose of this section the village of Pattingham shall comprise or consist of the parts of streets mentioned in paragraph (b) of subsection (1) of section 40 of the Act of 1928.

(3) If any difference shall arise between the Corporation and the Seisdon Council or any such company body or person as to the sufficiency of the supply of water in any part of such parish such difference shall be settled by an arbitrator to be appointed on the application of either party by the Minister.

86.—(1) Where water supplied for domestic purposes is used for horses or for washing carriages or motor cars or for other purposes in stables garages or premises where horses carriages or motor cars are kept the Corporation may if a hosepipe or other similar apparatus is used charge (except where the water so used is taken by meter) such sum not exceeding twenty-five shillings per annum as they may prescribe and (where more motor cars than one are kept) a further sum not exceeding ten shillings per annum for each motor car beyond the first Any sums chargeable under this subsection shall be in addition to the rates for the time being authorised to be charged by the Corporation for the supply of water for domestic purposes and shall be paid and recoverable in all respects with and in the same manner as the said rates.

Charges for
hosepipes
and refrigerating
apparatus.

(2) Where water supplied by the Corporation to a person who takes a supply both for domestic purposes and by meter for trade or other purposes is used by him by means of a hosepipe or other similar apparatus for horses or for washing carriages or motor cars or for other purposes in stables garages or premises where horses carriages or motor cars are kept the Corporation may if they think fit require that all water so used by means of any such hosepipe or other apparatus shall be taken by meter and paid for at the rates for the time being in force for the supply of water by meter.

A.D. 1932.

(3) Where a person who takes a supply of water from the Corporation for any purpose desires to use for or in connection with a refrigerating apparatus any of the water so supplied the Corporation may if they think fit require that all water used for or in connection with the said apparatus shall—

- (i) be taken by meter on the conditions and at the rates for the time being in force for the supply of water by meter; or
- (ii) be paid for on such other terms as may be agreed between such person and the Corporation :

Provided that if the person is only taking a supply of water from the Corporation for domestic purposes the minimum sum per quarter which may be demanded by the Corporation for the water used for or in connection with the refrigerating apparatus if taken by meter shall not exceed ten shillings.

(4) Section 48 (Supply of water by hosepipe to stables &c.) of the Act of 1928 is hereby repealed.

Discounts
on water
rents &c.

87.—(1) The Corporation may from time to time if they think fit make an allowance by way of discount not exceeding five per centum on the amount due in respect of any water rent rate or charge or any instalment thereof from every person who pays the same within such time after demand of the rent rate or charge or any instalment thereof as the case may be as the Corporation may prescribe.

(2) Provided that—

- (a) the said allowance shall not be made where the person paying the rent rate or charge or instalment thereof is an owner who is entitled to any allowance for which provision is made by section 51 (Compounding of water rents) of the Act of 1928; and
- (b) the same rate of discount shall be allowed in similar circumstances to every person from whom such water rent rate or charge or any instalment thereof shall be demanded.

(3) If and so long as the Corporation allow such discount notice of the effect of this enactment shall be

endorsed on every demand note for water rents rates or charges. A.D. 1932.

88. Subsection (3) of section 51 (Compounding of water rents) of the Act of 1928 shall be read and have effect as if the words "or such later date or dates as may be specified in the resolution" were therein inserted at the end thereof. Amendment of section 51 of Act of 1928.

89.—(1) The Corporation may make byelaws for the purpose of preventing the waste undue consumption misuse or contamination of water and may by such byelaws— Byelaws for preventing waste &c. of water.

- (a) prescribe the size nature materials workmanship and strength and the mode of arrangement connection disconnection alteration and repair of pipes meters cocks ferrules valves soilpans waterclosets baths cisterns and other apparatus (in this section referred to as "water fittings") to be used;
- (b) forbid any arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination;
- (c) require the testing and stamping of water fittings by the Corporation and prescribe reasonable charges in respect of such testing and stamping; and
- (d) cancel revoke or annul all or any of the regulations made by the Corporation in pursuance of the provisions of section 163 of the Act of 1869.

(2) So soon as all regulations made by the Corporation in pursuance of the provisions of the said section 163 of the Act of 1869 shall have been cancelled revoked or annulled under this section the said section 163 and section 33 of the Act of 1915 shall be repealed.

(3) In case of failure of any person to observe such byelaws as are for the time being in force the Corporation may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such

A.D. 1932. — byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Corporation as the water rates in respect of the premises are recoverable.

(4) Any person who shall forge or counterfeit any stamp or mark used by the Corporation or by the authority of the Corporation for any of the purposes of this section or who shall use or supply anything marked with any such stamp or mark knowing the same to be forged or counterfeited shall for every such offence be liable to a penalty not exceeding twenty pounds.

(5) Nothing in this section or any byelaw made thereunder shall apply to any water fittings used on any premises (not being or being used as a hotel or dwelling-house) belonging to and forming part of the railway of a railway company.

PART VI.

IMPROVEMENT PROVISIONS.

Further power to make byelaws as to new buildings &c.

90.—(1) Section 157 of the Public Health Act 1875 is hereby extended so as to enable the Corporation to make byelaws providing in such manner as they may think necessary for the deposit by a person intending to construct—

- (a) a building within the borough; or
- (b) an addition to an existing building within the borough (including the reconstruction of an existing addition to any such building); or
- (c) a chimney in the borough exceeding forty-five feet from the ground in height;

of drawings of the elevations and particulars as to the materials of such building or addition or chimney (in this section called collectively "the elevations").

(2) Where elevations are required to be submitted to the Corporation by a byelaw made under the said section 157 as extended by this section the Corporation shall within one month after the submission to them of the elevations—

- (a) approve the elevations; or
- (b) if they shall consider that having regard to the general character of the buildings in the vicinity

or of the buildings proposed to be erected therein or of the building upon or to which the addition is to be constructed or reconstructed the building or addition or chimney to which the elevations relate would seriously disfigure the street whether by reason of the height of the building or addition or chimney or its design or the materials proposed to be used in its construction disapprove them. A.D. 1932.

(3) (a) Where by reason of any improvement made by the Corporation any land shall become land which adjoins or abuts on any street and the owner lessee or occupier of any such land shall construct—

- (i) any door or entrance communicating with that street; or
- (ii) any wall or fence by the side of that street;

he shall construct the door entrance wall or fence in such position and in accordance with such elevations (also in this section collectively referred to as "the elevations") as may be approved by the Corporation and the Corporation shall make compensation to the owner of any land for any loss or damage he may suffer by reason of the setting back or bringing forward of such wall or fence. If the Corporation shall not signify their approval or disapproval of the elevations within six weeks after they shall have been submitted to them they shall be deemed to have approved thereof.

(b) Any person deeming himself aggrieved by any disapproval by the Corporation under this subsection may appeal against their decision to a court of summary jurisdiction and the court shall have power to make such order as the court may think fit and to award costs.

(4) Where the elevations of a building or addition or chimney or door or entrance or wall or fence have been disapproved under this section it shall not be lawful to erect the building or addition or chimney or door or entrance or wall or fence until the elevations thereof have been approved by the Corporation and any person who offends against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a penalty not exceeding forty

A.D. 1932. shillings for each day on which the offence is continued after conviction.

(5) Where the elevations of a building or addition or chimney or door or entrance or wall or fence have been disapproved under this section it shall not be lawful to erect the building or addition or chimney or door or entrance or wall or fence until the elevations thereof have been approved by the Corporation and any person who offends against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(6) The provisions of paragraph (b) of subsection (1) of this section in its application to buildings existing at the passing of this Act shall not apply to a wooden hoarding which is used solely for the purposes of poster advertising.

(7) Section 76 (Elevation of buildings erected on front lands to require approval) of the Act of 1925 is hereby repealed.

Registration
of ice-cream
manufac-
turers and
premises.

91.—(1) (a) Any person being a manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity and (b) any premises within the borough used or proposed to be used for the manufacture or sale of ice-cream or other similar commodity shall be registered with the Corporation in the case of any such person by himself and in the case of any such premises by the owner or occupier thereof.

(2) Except as provided by subsection (5) of the next succeeding section of this Act no person shall within the borough carry on the business of a manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity unless he be so registered and no premises within the borough shall be used for the purposes aforesaid unless they be so registered.

(3) Any person offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(4) This section shall not apply to or affect any premises licensed for stage plays or for music and dancing or for cinematograph entertainments.

(5) This section shall not come into operation until the first day of January nineteen hundred and thirty-three but shall come into operation on that date. A.D. 1932.

(6) Public notice of the effect of the foregoing provisions of this section shall be given as soon as is reasonably practicable after the passing of this Act by advertisement in two newspapers published or circulating in the borough and copies of the newspapers containing the advertisement shall be sufficient evidence that the provisions of this subsection have been complied with.

(7) This section shall not apply to any premises used as a hotel or restaurant and owned or leased by a railway company.

92.—(1) The Corporation may if they are satisfied that the public health is or is likely to be endangered by any act or default of any person who is registered or who seeks to be registered as a manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity in relation to the quality storage or distribution of the ice-cream or other commodity serve upon him a notice to appear before them not less than seven days after the date of the notice to show cause why the Corporation should not for reasons to be specified in the notice remove him from the register or refuse to register him as the case may be either absolutely or in respect of any specified premises and if he fails to show cause to their satisfaction accordingly they may remove him from the register or refuse to register him as the case may be.

Power to refuse registration of or remove from register ice-cream manufacturers and premises.

(2) Any person aggrieved by any such decision of the Corporation as aforesaid may within twenty-one days give notice of appeal to a court of summary jurisdiction and that court may require the Corporation to register such person or not to remove him from the register.

(3) The Corporation or such person as aforesaid may appeal from the decision of the court of summary jurisdiction to the next practicable court of quarter sessions who may confirm or reverse the order of the court of summary jurisdiction.

(4) The decision of the Corporation to refuse registration or to remove any person from the register under this section shall not have effect until the expiration of the time for appeal to a court of summary jurisdiction

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nor where any such appeal is brought until the appeal is determined and where notice of appeal from a court of summary jurisdiction under this section is given within seven days from the date thereof such decision of the Corporation as aforesaid shall not take effect until the appeal to quarter sessions is finally determined.

(5) Where the appeal is from a refusal to register such person as aforesaid may until the appeal is finally determined carry on business as a manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity notwithstanding that he is not registered.

PART VII.

FINANCIAL PROVISIONS.

Power to borrow.

93.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment of the said sums and the payment of interest thereon they may mortgage or charge the revenues of the Corporation and they shall pay off all moneys so borrowed within the respective periods (which for the purposes of this Act shall respectively be “the prescribed period”) mentioned in the third column of the said table (namely):—

1	2	3
Purpose.	Amount.	Period for repayment.
(a) The purpose of making any payment to any authority under Part II of this Act or under any enactment the provisions of which are applied thereby (including the payment or purchase in the name of the Corporation of any annuity payable by them under any provision contained in or applicable to the provisions of Part II of this Act which annuity the Corporation are hereby empowered to purchase).	The sum requisite.	Forty-five years from the date or dates of borrowing.

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1	2	3
Purpose.	Amount.	Period for repayment.
(b) The payment of the price or consideration for the purchase of part of the undertaking of the Midland Corporation under the provisions of this Act.	The sum requisite.	Thirty-years from the date or dates of borrowing.
(c) The purpose of making any payment under the provisions of the section of this Act of which the marginal note is "Compensation to existing officers."	The sum requisite.	Twenty years from the date or dates of borrowing.
(d) The purchase of lands for the construction of the street works authorised by this Act and for other purposes thereof.	The sum requisite.	Sixty years from the date or dates of borrowing.
(e) The construction of the street works authorised by this Act.	£5,150	Thirty years from the date or dates of borrowing.
(f) The provision of trolley vehicles	£22,000	Ten years from the date or dates of borrowing.
(g) The provision of electrical equipment and the construction of other works necessary for working the trolley vehicle routes authorised by this Act.	£21,500	Twenty years from the date or dates of borrowing.
(h) The reconstruction and replacement of the weir intake works engines boilers filtration plant and other works at the Cosford waterworks of the Corporation.	£70,000	Twenty years from the date or dates of borrowing.
(i) The extension of mains and other purposes of the waterworks of the Corporation.	£50,000	Forty years from the date or dates of borrowing.
(j) The payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) (a) The Corporation may also with the consent of the Minister of Transport borrow such further money as may be necessary for any of the purposes of Part IV (Transport) of this Act and with the consent of the Minister such further money as may be necessary for any of the other purposes of this Act.

(b) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the

A.D. 1932. Minister with whose consent it is borrowed and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith or applied thereby.

(c) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation.

Application
of section 79
of Public
Health Act
1925.

94.—(1) The provisions of section 79 of the Public Health Act 1925 shall apply in relation to any sums set apart as a sinking fund or a redemption fund for the purpose of paying off moneys borrowed by the Corporation in the exercise of any statutory borrowing power as if all such moneys had been borrowed by the Corporation in exercise of their powers under the Public Health Act 1875.

(2) Section 150 (Investment of and payments into sinking fund) of the Act of 1925 is hereby repealed.

Capital
fund.

95.—(1) The Corporation may establish a fund to be called "the capital fund" to which they may pay any sums derived from the sale of corporate estate and any sums standing to the credit of any of the undertakings of the Corporation in any year (after allowing for the payment of all expenses properly chargeable to revenue and interest and sinking fund payments in that year in respect of each such undertaking) and the balance of the general rate fund in hand at the close of any year and such other sums (including interest earned on the capital fund and any income arising from the application of the fund to the purposes authorised) as the Corporation may by resolution direct not being moneys directed by law to be applied to any other purpose :

Provided that—

(a) no sum shall be applied to the capital fund from an undertaking of the Corporation from which revenue is derived except when the reserve fund of the undertaking shall have reached and is at the prescribed maximum if any and in any case the sums so applied shall be limited in any one year to an amount not exceeding one per centum of the capital expenditure of the undertaking as shown in

the accounts at the end of the preceding year together with the interest earned on the said reserve fund;

- (b) any sum directed by the Corporation to be paid to the capital fund from the general rate fund (exclusive of any moneys derived from any such undertaking and of interest earned on or other income accruing to the capital fund) shall not exceed in any year the equivalent of a rate of twopence in the pound calculated according to the rules made pursuant to section 9 of the Rating Act 1925; and
- (c) nothing contained in this section shall be deemed to authorise the Corporation to apply or dispose of the surplus revenue of the electricity undertaking otherwise than in accordance with the provisions of the section of this Act of which the marginal note is "Provision as to surplus electricity revenue" and any contribution from the electricity undertaking to the capital fund shall be reckoned as a contribution in aid of the local rate for the purpose of the application of those provisions as so amended;
- (d) nothing contained in this section shall be deemed to authorise the Corporation to apply or dispose of the surplus revenue of the water undertaking otherwise than in accordance with the provisions of the section of this Act of which the marginal note is "Application of revenue of undertakings" and any contribution from the water undertaking to the capital fund shall be reckoned as money applied by the Corporation to the purposes referred to in paragraph (c) of subsection (1) of that section or as part of the sum of one thousand pounds referred to in the proviso thereto.

(2) The Corporation may apply the moneys in the capital fund in the exercise of any statutory borrowing power possessed by them or in providing money for payments into sinking funds in respect of loans raised under any such borrowing power (but not in making the

A.D. 1932. annual payment required to be made thereto) or in the purchase or acquisition or taking on lease of any lands or buildings which they are authorised to purchase or acquire or take on lease under section 42 (Further powers for acquisition of land) of the Act of 1925.

(3) (a) Pending the application of the capital fund to the purposes authorised in the foregoing subsection the moneys in the fund shall be either invested in statutory securities or used in the manner provided by section 148 (Use of moneys forming part of sinking and other funds) of the Act of 1925.

(b) Any income arising from the investment or use of the moneys in the capital fund in the manner provided by the foregoing paragraph of this subsection and any income arising from the application of the fund to the purposes authorised shall be carried to and form part of the general rate fund.

(4) All moneys derived from the sale of corporate estate which are applied from the capital fund under the provisions of this section shall be repaid from the account to which such moneys were advanced by such annual instalments with or without interest and within such period as may be determined by the Corporation Provided that where the advance is in the exercise of a statutory borrowing power such period shall not exceed the period prescribed for the repayment of moneys borrowed under that power.

Power to
borrow by
issue of
bonds.

96.—(1) In addition to any other form of borrowing the Corporation may borrow any sums which they have power to borrow under this Act or any other Act or Order by the issue of bonds to be called "Corporation bonds" (and in this Act referred to as "bonds") in accordance with the provisions of this Act.

(2) The provisions set out in the Second Schedule to this Act shall have effect with regard to bonds.

(3) All bonds issued under this section 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 issue of the bonds or on any other ground whatsoever and shall also rank equally with and have the same status as all other securities issued by the Corporation.

(4) Bonds shall be deemed to be loan capital or funded debt within the meaning of section 8 of the Finance Act 1899 as amended by section 10 of the Finance Act 1907. A.D. 1932.

(5) The provisions of section 115 of the Stamp Act 1891 (which relates to the composition for stamp duty) shall with the necessary adaptations apply in the case of bonds as if those bonds were stock or funded debt within the meaning of that section.

97.—(1) Notwithstanding anything contained in any previous enactment all money received by the Corporation as from the first day of April nineteen hundred and thirty-two whether on capital or revenue account (including all money received by the Corporation on account of the revenue of any undertaking of the Corporation as from time to time existing from which revenue is derived and interest and other annual proceeds from time to time received by the Corporation on the investments or balances forming part of any reserve or of any fund accumulated for the redemption of debt or as a renewals depreciation contingent accident insurance consolidated loans capital or other similar fund) shall be carried to and form part of the general rate fund and all payments and expenses made and incurred by the Corporation in respect of any such undertaking or in carrying into execution the powers and provisions of this or any other Act (including the placing to the credit of the appropriate reserve or fund in the accounts of the Corporation of an amount equivalent to such interest and other annual proceeds as aforesaid subject to any prescribed limit on the amount of such reserve or fund) and not otherwise provided for shall be paid out of the general rate fund or the general rate. Receipts and expenses.

(2) Nothing in this section shall authorise the Corporation to apply capital money to any purpose other than a purpose to which capital money is properly applicable.

98.—(1) As from the first day of April nineteen hundred and thirty-two the Corporation shall notwithstanding the provisions of any Act or Order to the contrary keep their accounts so as to distinguish capital from revenue and as to revenue so as to show under a separate Accounts.

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— heading or division in respect of each of the undertakings of the Corporation as from time to time existing from which revenue is derived (each of which is in this section separately referred to as "the undertaking") on the one side all receipts in respect of the undertaking including the income from any reserve authorised in connection with the undertaking and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts representing—

- (a) the working and establishment expenses and cost of maintenance of the undertaking;
- (b) (in the case of the water undertaking) the annuities or rents payable to the Wolverhampton New Waterworks Company under the Wolverhampton Waterworks Transfer Act 1867;
- (c) the interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking;
- (d) the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking (including in the case of the water undertaking moneys for the redemption of the said annuities or rents);
- (e) all other expenses (if any) of the undertaking properly chargeable to revenue;
- (f) any money expended on any of the purposes mentioned in subsection (1) of the next succeeding section of this Act.

(2) The Corporation shall show in their accounts relating to any undertaking or purpose all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

(3) In all cases in which the Corporation keep separate accounts for separate purposes they shall so far as reasonably practicable apportion between those accounts or carry to any of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

99.—(1) If in any year moneys received by the Corporation on account of the revenue of any undertaking of the Corporation as from time to time existing from which revenue is derived exceed the moneys expended by the Corporation in respect of that undertaking in respect of the expenses mentioned in paragraphs (a) (b) (c) (d) and (e) of subsection (1) of the last preceding section of this Act the Corporation may in that year (if they think fit) apply out of the general rate fund a sum equal to the amount of such excess in any of the following ways:—

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—
Application
of revenue
of under-
takings.

- (a) In reduction of capital moneys borrowed for the purposes of the undertaking;
- (b) Subject in the case of the electricity undertaking to the consent of the Electricity Commissioners in the construction renewal extension and improvement of the works and conveniences for the purposes of the undertaking;
- (c) In the case of the water undertaking in making good any deficiency in the revenue of that undertaking incurred in any financial year ending after the thirty-first day of March nineteen hundred and nineteen and in repaying to the general rate fund any sum of money provided from that fund or from the improvement fund of the borough (which fund has now ceased to exist) for the purpose of meeting any such deficiency;
- (d) In providing a reserve in respect of each of the undertakings (such reserve to be included within and to form part of the general rate fund) by setting aside such an amount as they may from time to time think reasonable and (unless the amounts so set aside are applied under the provisions of section 148 (Use of moneys forming part of sinking and other funds) of the Act of 1925) investing the same in statutory securities until the reserve so provided amounts in the case of the electricity undertaking to a sum equal to one-tenth of the aggregate capital expenditure of the Corporation on that undertaking and in the case of other undertakings to the maximum reserve for the

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time being prescribed by the Corporation but not exceeding in the case of the water undertaking a sum equal to one-tenth of the aggregate capital expenditure of the Corporation upon that undertaking and in the case of the transport undertaking two-fifths of such aggregate capital expenditure :

Provided that (i) paragraphs (a) and (b) of this subsection shall not apply in respect of the water undertaking (ii) if in any year the moneys received by the Corporation on account of the revenue of that undertaking exceed the moneys expended by the Corporation in respect of that undertaking in respect of the expenses mentioned in paragraphs (a) (b) (c) (d) and (e) of subsection (1) of the last preceding section of this Act and in pursuance of this subsection by more than one thousand pounds then the price of water to consumers shall be reduced by the Corporation in such manner as the Corporation may think fit to an extent as nearly as may be equivalent to the amount of such excess over one thousand pounds.

(2) Any reserve or renewals or contingency or depreciation fund which has been formed for the purposes of any undertaking of the Corporation from which revenue is derived and which is in existence at the commencement of this Act shall be carried to and form part of the general rate fund and shall be deemed to be part of a reserve provided under paragraph (d) of subsection (1) of this section.

(3) The Corporation shall in every year so long as any reserve provided under this section is less than the maximum prescribed by or under this section carry to the credit of that reserve in the accounts of the general rate fund an amount equal to the interest and other annual proceeds received by the Corporation in respect of or on investments forming part of the reserve and carried to the general rate fund.

(4) Any reserve provided under this section shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the undertaking in respect of which it is formed or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking or (except in the case of the electricity undertaking) for

payment of the cost of renewing improving or extending any part of the works forming part thereof or (except in the case of the electricity undertaking) otherwise for the benefit of that undertaking and so that if that reserve be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

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(5) Resort may be had to a reserve provided under the foregoing provisions of this section although such reserve may not at the time have reached or may have been reduced below the prescribed maximum.

100.—(1) In lieu of the provisions of subsection (1) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899 and of the amendments to that subsection set out in the Fifth Schedule to the Electricity (Supply) Act 1926 the following provisions shall apply with respect to the electricity undertaking (in addition to the provisions of the section of this Act of which the marginal note is “Application of revenue of undertakings”) (namely):—

Provision as to surplus electricity revenue.

If in any year the accounts of the electricity undertaking kept under the section of this Act of which the marginal note is “Accounts” shall show that the revenue of the electricity undertaking in respect of that year (including if and so long as any reserve provided in connection with the electricity undertaking amounts to a sum equal to one tenth part of the aggregate capital expended for the time being upon that undertaking the interest and other annual proceeds received by the Corporation in respect of that year on the investments forming part of that reserve) has exceeded the total amount of the payments and expenses in respect of the year for the several purposes in relation to the electricity undertaking which are mentioned in paragraphs (a) and (c) to (f) of subsection (1) of the last-mentioned section then—

(a) if the reserve in respect of the electricity undertaking does not amount to more than one-twentieth of the said aggregate capital an amount equal to such excess shall be

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deemed for the purpose of the section of this Act of which the marginal note is "Accounts" to be revenue of the electricity undertaking in respect of the next following year and a reduction shall be made in the charges for electricity supplied by the Corporation of such respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the said excess;

(b) if the said reserve amounts to more than one-twentieth of the said aggregate capital such amount as the Corporation may think fit (not being less in cases where the said excess is more than a sum equal to one and a half per centum of the outstanding debt of the electricity undertaking than the difference between the said excess and that sum) shall be deemed for the purposes of the said section of this Act of which the marginal note is "Accounts" to be revenue of the electricity undertaking in respect of the next following year and a reduction shall be made in the charges for electricity supplied by the Corporation of such respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the amount so deemed to be revenue.

(2) Subsection (1) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be deemed to have ceased to be incorporated with any of the local Acts.

Amendment
of section 37
of Act of
1920.

101. Subsection (7) of section 37 (Power to Minister of Health to fix rent for supply of water for domestic use) of the Act of 1920 shall be read and have effect as if for references to the reserve fund authorised by paragraph (8) of article XIII of the Order of 1888 there were substituted therein references to the reserve fund in respect of the water undertaking authorised by paragraph (d) of subsection (1) of the section of this Act of which the marginal note is "Application of revenue of undertakings."

102. The provisions of section 145 (Consolidated loans fund) of the Act of 1925 shall be read and have effect as if—

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—
Amendment
of section
145 of Act
of 1925.

- (i) the words “including the interest arising from the investments thereof” were omitted from subsection (2) of that section;
- (ii) the following subsections were inserted therein (namely):—

(6) There shall also be transferred to the consolidated loans fund such sums as are necessary to meet the interest charged and the financing and other revenue expenses connected with the management of that fund and separate account shall be kept of these sums and their application.

(7) The Corporation may pay into the consolidated loans fund any moneys forming part of any reserve renewals depreciation contingent insurance superannuation capital or other similar fund (hereinafter referred to as “the lending fund”) and not for the time being required and such moneys shall be deemed to be moneys borrowed by the Corporation within the meaning of subsection (1) of this section and shall be used accordingly subject to the following conditions:—

(a) The moneys so used shall be repaid to the lending fund as and when required for meeting the obligations for which the said fund was established; and

(b) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the average rate of interest payable by the Corporation on their current borrowings.

103. Subsection (7) of section 61 (Insurance fund) of the Act of 1928 is hereby repealed and the said section 61 shall be read and have effect as if the

Amendment
of section 61
of Act of
1928.

A.D. 1932. following subsection were inserted therein in lieu of the said subsection (7) (namely) :—

(7) For the purposes of this section the Corporation may if they deem it expedient include in the risks provided for under paragraph (iv) of subsection (1) of this section risks of accident to any teacher employed in any public elementary school maintained by the Corporation notwithstanding that such school has not been provided by the Corporation as the local education authority.

Repeal of certain existing financial provisions.

104. The following enactments are hereby repealed :—

The Order of 1888	Article XIII.
The Act of 1899	Section 81.
The Order of 1903	Article V.
The Act of 1920	Section 37 (6).
The Act of 1925	Section 156.

PART VIII.

MISCELLANEOUS PROVISIONS.

Inspection and certification of taximeters.

105.—(1) The Corporation may require any taximeter or other similar apparatus used or intended to be used on any hackney carriage regularly plying for hire within the borough to be tested and inspected and they may also require any taximeter or other similar apparatus to be re-tested and re-inspected at such reasonable intervals of time as the Corporation may prescribe and no such taximeter or other similar apparatus shall be used or be continued in use unless the same be certified to register correctly and the expenses of such testing and certificate not exceeding five shillings in any one year shall be borne by the owner of the hackney carriage.

(2) The Corporation shall issue a certificate in respect of any taximeter found by them to register correctly and such certificate shall be dated with the date upon which such taximeter was last tested and inspected.

(3) Any person using a taximeter or other similar apparatus which is not so certified or failing to submit

the same for testing and inspection at such reasonable intervals of time as aforesaid shall be liable to a penalty not exceeding forty shillings. A.D. 1932.
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106. When any sum in respect of salary wages pension annuity or superannuation allowance is payable by the Corporation to any person being or having been an employee or pensioner of the Corporation or to any widow or child of the deceased employee or pensioner and the person to whom such sum is payable is proved to the satisfaction of the Corporation to be unable by reason of mental disability to manage his or her affairs then the Corporation may pay the whole or any part of the said sum to any person whom they shall judge proper to receive the same (being a person or institution having the care or being the wife husband or relative of the person to whom such sum is payable) and the receipt of such person shall be a good discharge to the Corporation for the sum so paid. As to payment by Corporation of salary &c. to mentally disabled persons.

107. Notwithstanding anything contained in the Second Schedule to the Municipal Corporations Act 1882 the summons to members of the council may be delivered at the usual place of abode or business of every member of the council by post by prepaid letter at the ordinary rate of postage and shall be deemed to be duly sent transmitted or served if sent by post as aforesaid addressed to such member at his last or usual place of abode or business. Service of summons on members of council.

108.—(1) The following provisions of the Act of 1899 the Act of 1904 the Order of 1911 the Act of 1915 the Act of 1920 the Act of 1925 and the Act of 1928 shall extend and apply to and for the purposes of this Act as if those provisions were with all necessary modifications re-enacted in this Act (namely) :— Application of certain provisions of existing enactments.

The Act of 1899—

- Section 6 (Correction of errors &c. in deposited plans and book of reference);
- Section 8 (Owners may be required to sell parts only of certain lands and buildings);
- Section 9 (Persons under disability may grant easements &c.);

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- Section 12 (Power to retain sell &c. lands);
 Section 13 (Proceeds of sale of surplus lands);
 Section 71 (Mode of raising money);
 Section 72 (Provisions of Public Health Act as to mortgages to apply);
 Section 76 (Protection of lender from inquiry);
 Section 77 (Corporation not to regard trusts);
 Section 78 (Appointment of receiver);
 Section 82 (Application of money borrowed);
 Section 83 (Expenses of execution of Act);
 Section 96 (Inquiries by Local Government Board).

The Act of 1904—

- Section 11 (Temporary stoppage of streets);
 Section 87 (Audit of accounts);
 Section 91 (General provisions as to bye-laws);
 Section 94 (As to appeal);
 Section 95 (Compensation how to be determined);
 Section 96 (Recovery of penalties);
 Section 97 (Informations &c. by whom to be laid);
 Section 98 (Penalties to be paid over to treasurer);
 Section 100 (Crown rights).

The Order of 1911—

- Article VI (Power to re-borrow).

The Act of 1915—

- Section 49 (Mode of payment off of money borrowed) except subsection (2) thereof.

The Act of 1920—

- Section 6 (Subsidiary works);
 Section 7 (Limits of deviation);
 Section 8 (Extinction of private rights of way).

The Act of 1925—

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- Section 165 (Power to enter premises);
- Section 166 (Penalty on occupier refusing execution of Act);
- Section 172 (Recovery of demands);
- Section 173 (Saving for indictments &c.);
- Section 175 (Application of section 265 of Public Health Act 1875);
- Section 176 (Inquiries by Minister of Transport);
- Section 177 (Powers of Act cumulative).

The Act of 1928—

- Section 24 (Lands laid into streets to form part thereof);
- Section 30 (Compensation in case of recently created interest);
- Section 31 (Power to enter upon property for survey and valuation);
- Section 32 (Benefits to be set off against compensation);
- Section 34 (Power to develop lands &c.);
- Section 35 (Power to Corporation to advance money for erection of buildings).

(2) Provided that—

- (a) the said section 8 of the Act of 1899 shall for the purposes of such application apply in respect of the premises which are numbered 3 4 5 and 5A on the deposited plans relating to the borough and those premises shall be the scheduled properties within the meaning of that section;
- (b) nothing contained in the said section 12 of the Act of 1899 as extended and applied by this section to and for the purposes of this Act shall release the Corporation or any person purchasing or acquiring any lands from them under that section as so extended and applied from any rents covenants restrictions reservations terms or conditions made payable by or contained in any

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conveyance lease or other deed or instrument by which any such lands were or may hereafter be conveyed or leased to or otherwise acquired by the Corporation or any person from or through whom the Corporation may have derived or may hereafter derive title to the same but all such rents covenants restrictions reservations terms and conditions shall remain and be of as full force and effect and may be recovered exercised enjoyed and enforced in like manner and to the same extent as if this Act had not been passed;

- (c) in the exercise of the powers of the said section 12 as so extended and applied the Corporation shall not without the consent of the Minister sell lease or otherwise dispose of any lands or interests therein at a price or rent or for a consideration or value less than the current market value of such lands or interests but a purchaser or lessee shall not be concerned to inquire whether the consent of the Minister is necessary or has been obtained;
- (d) the said section 96 of the Act of 1899 shall have effect as if the words "five guineas" were inserted therein instead of the words "three guineas";
- (e) the said section 11 of the Act of 1904 shall only apply in relation to the provisions of Parts III and IV of this Act and in the exercise by the Corporation of the powers of that section for the purposes of this Act the Corporation shall at all times maintain reasonably sufficient access both for vehicular and pedestrian traffic to the stations and depots of any railway company;
- (f) the said sections 165 and 166 of the Act of 1925 shall have effect as if Part VI of this Act were therein referred to instead of any Parts of the Act of 1925;

(g) the said section 30 of the Act of 1928 shall have effect as if the seventeenth day of November nineteen hundred and thirty-one were therein referred to instead of the seventeenth day of November nineteen hundred and twenty-seven; A.D. 1932.
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(h) the said sections 34 and 35 of the Act of 1928 shall have effect as if the lands and street works referred to therein were the lands which the Corporation are empowered to acquire by the section of this Act of which the marginal note is "Power to construct street works" and the street works authorised by that section.

109.—(1) For the protection of the Wolverhampton Gas Company (in this section called "the Company") the provisions of subsections (1) to (8) inclusive of section 39 (For protection of Wolverhampton Gas Company) of the Act of 1925 shall (in addition to any other provisions enuring for the protection of the Company and notwithstanding anything in Parts III and VIII of this Act contained) unless otherwise agreed in writing between the Corporation and the Company apply and have effect in all respects as if the same were set out in this section. Provided that for the purposes of such application— For protec-
tion of
Wolver-
hampton
Gas Com-
pany.

(a) references to Parts III and VIII of this Act shall respectively be substituted in the said subsections for the references to Parts III and X of the Act of 1925;

(b) the President of the Institution of Civil Engineers shall be substituted for the Board of Trade in the said subsection (8).

(2) The provisions of the section of this Act of which the marginal note is "Further power to make byelaws as to new buildings &c." shall not extend or apply to any building (not being a dwelling-house or showroom) or chimney belonging to the Company and used or intended to be used exclusively for the purposes of their undertaking under the provisions of any Act of Parliament or Order.

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Costs of Act.

110. All the costs charges and expenses preliminary to and of and incidental to preparing applying for obtaining and passing 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 general rate fund and the general rate or out of such other funds and revenues and in such proportions as the Corporation may by resolution determine or out of moneys to be borrowed under this Act for that purpose.

The SCHEDULES referred to in the
foregoing Act.

A.D. 1932.

THE FIRST SCHEDULE.

PART I.—LOCAL ACTS.

Session and Chapter.	Short Title.
32 & 33 Vict. c. cxxxi	- The Wolverhampton Improvement Act 1869.
45 & 46 Vict. c. ccxl -	- The Wolverhampton Corporation Loans Act 1882.
50 & 51 Vict. c. clxxiv	- The Wolverhampton Corporation Act 1887.
54 & 55 Vict. c. cxcv -	- The Wolverhampton Corporation Act 1891.
62 & 63 Vict. c. cclix -	- The Wolverhampton Corporation Act 1899.
4 Edw. 7. c. xcix -	- The Wolverhampton Corporation Act 1904.
8 Edw. 7. c. lxxv -	- The Wolverhampton Corporation Act 1908.
5 & 6 Geo. 5. c. lxiv -	- The Wolverhampton Corporation Water Act 1915.
10 & 11 Geo. 5. c. lxx	- The Wolverhampton Corporation Act 1920.
15 & 16 Geo. 5. c. cxxiii	- The Wolverhampton Corporation Act 1925.
16 & 17 Geo. 5. c. cvi	- The Wolverhampton Corporation Act 1926.
18 & 19 Geo. 5. c. cix	- The Wolverhampton Corporation Act 1928.

PART II.—CONFIRMATION ACTS AND ORDERS.

Session and Chapter.	Short Title.	Order thereby confirmed.
40 & 41 Vict. c. ccxli.	The Local Government Board's Provisional Orders Confirmation (Artizans and Labourers' Dwellings) Act 1877.	The Order relating to Wolverhampton dated 5th June 1877.

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Session and Chapter.	Short Title.	Order thereby confirmed.
51 & 52 Vict. c. clxvii.	The Local Government Board's Provisional Order Confirmation (No. 13) Act 1888.	The Order relating to Wolverhampton dated 7th June 1888.
53 & 54 Vict. c. clxxxvi.	The Electric Lighting Orders Confirmation Act 1890.	The Wolverhampton Electric Lighting Order 1890.
56 & 57 Vict. c. clxxxix.	The Local Government Board's Provisional Orders Confirmation (No. 15) Act 1893.	The Order relating to Wolverhampton dated 16th May 1893.
59 & 60 Vict. c. cxi.	The Local Government Board's Provisional Orders Confirmation (No. 19) Act 1896.	The Wolverhampton Order 1896.
59 & 60 Vict. c. clxx.	The Local Government Board's Provisional Order Confirmation (No. 21) Act 1896.	The Wolverhampton Order 1896 (No. 2).
63 & 64 Vict. c. cxcvi.	The Local Government Board's Provisional Orders Confirmation (No. 15) Act 1900.	The Wolverhampton Order 1900.
2 Edw. 7. c. cciii.	The Tramways Orders Confirmation (No. 2) Act 1902.	The Wolverhampton Corporation Tramways Order 1902.
3 Edw. 7. c. lxxxiii.	The Local Government Board's Provisional Order Confirmation (No. 18) Act 1903.	The Wolverhampton Order 1903.
1 & 2 Geo. 5. c. cxliii.	The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1911.	The Wolverhampton Order 1911.
3 & 4 Geo. 5. c. cxxxii.	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1913.	The Wolverhampton Order 1913.
3 & 4 Geo. 5. c. clii.	The Electric Lighting Orders Confirmation (No. 4) Act 1913.	The Wolverhampton Electric Lighting (Extension) Order 1913. The Wolverhampton and Cannock (Bulk Supply) Special Order 1921.
12 & 13 Geo. 5. c. xcvi.	The Ministry of Health Provisional Orders Confirmation (No. 10) Act 1922.	The Wolverhampton (Rates) Order 1922.

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Session and Chapter.	Short Title.	Order thereby confirmed.
14 & 15 Geo. 5. c. xvi.	The Ministry of Health Provisional Orders Confirmation (No. 4) Act 1924.	The Wolverhampton Order 1924.
—	—	The Wolverhampton Electricity (Extension) Special Order 1925.
20 & 21 Geo. 5. c. cxxxviii.	Wolverhampton Corporation (Trolley Vehicles) Order Confirmation Act 1930.	Wolverhampton Corporation (Trolley Vehicles) Order 1930.

THE SECOND SCHEDULE.

PROVISIONS AS TO CORPORATION BONDS.

1. Bonds shall be secured on the rates and revenues of the Corporation.

2. Bonds shall be issued in such amounts in denominations of five pounds and multiples of five pounds and for such periods not being less than five years as the Corporation may determine.

3. (a) Bonds may be issued at such price and at such rates of interest as the Corporation may from time to time determine.

(b) The nominal amount of bonds issued shall not exceed in the aggregate according to the price of issue such amounts as will together produce the actual amount of money for the time being authorised to be borrowed by the Corporation.

(c) Where a bond has been issued at a price lower than par so much of the issue as represents the difference between the price of the bond as issued and its nominal value shall be treated as a loan authorised by a statutory borrowing power and repayable out of the revenues of the Corporation on or before the date for repayment specified in the certificate issued in respect of the bond.

4. Bonds shall be repayable at par (unless the same shall have been previously cancelled by purchase in the open market or by agreement with the bondholder) at the town hall Wolverhampton on the dates specified in the certificates issued in respect of the bonds and no interest shall be payable thereon

A.D. 1932. in respect of any period after the date upon which the bond is repayable.

5.—(1) The treasurer shall keep a register of all persons who are holders for the time being of bonds.

(2) The register shall contain the following particulars :—

(a) The name address and description of each holder a statement of the denomination of the bonds held by him the price at which and the periods for which they are issued and the numbers and dates of the certificates issued to him as hereinafter provided.

(b) The date of registration of each holder and the date on which he ceased to be so registered.

(3) The register shall be prima facie evidence of any matter entered therein in accordance with the provisions of this Act and of the title of the persons entered therein as holders of bonds.

6.—(1) The Corporation shall issue to each holder of a bond a certificate in respect thereof duly numbered and dated and specifying the denomination of the bond and the period for which it is issued.

(2) If a certificate is worn out or damaged the Corporation on the production thereof may cancel it and issue a new certificate in lieu thereof.

(3) If a certificate is lost or destroyed the Corporation on proof thereof to their satisfaction and if they so require on receiving an indemnity against any claims in respect thereof may give a new certificate in lieu of the certificate lost or destroyed.

(4) An entry of the issue of a substituted certificate shall be made in the register.

(5) A certificate shall be in the following form or in a form substantially to the like effect :—

No.

BOROUGH OF WOLVERHAMPTON.

Wolverhampton Corporation Bonds.

— per centum Wolverhampton Corporation bond repayable at par 19 at the town hall
Wolverhampton.

This is to certify that of
is the registered holder of a Corporation bond for
pounds (£) issued by the mayor
aldermen and burgesses of the borough of Wolverhampton
under the Wolverhampton Corporation Act 1932 at

Signed

Borough Treasurer.

Date

A.D. 1932.

7. The certificate shall be prima facie evidence of the title of the person therein named his executors administrators or assigns to the bond therein specified but the want of a certificate if accounted for to the satisfaction of the Corporation shall not prevent the holder of the bond from disposing of and transferring the bond.

8.—(1) The transfer of a Corporation bond shall be by deed in the following form or in a form substantially to the like effect :—

FORM OF DEED OF TRANSFER.

Wolverhampton Corporation Bonds.

I

in consideration of the sum of
paid by

(hereinafter called "the transferee") do hereby assign and transfer to the said transferee

To hold unto the transferee his executors administrators and assigns subject to the several conditions on which I held the same immediately before the execution hereof and I the said transferee do hereby agree to accept and take the said subject to the conditions aforesaid.

As witness our hands and seals this

day of in the year of our Lord one
thousand nine hundred and

(2) A bond may be transferred in whole or in part so however that any part transferred shall not be for an amount other than an amount for which a bond may be issued by the Corporation.

(3) The deed of transfer shall be delivered to and retained by the Corporation and the Corporation shall enter a note thereof in a book to be called the "Register of transfers of Wolverhampton Corporation bonds" and shall endorse on the deed of transfer a notice of that entry.

(4) The Corporation shall upon receipt of the deed of transfer duly executed and properly stamped together with the certificate issued in respect of the bond enter the name of the transferee in the register and shall issue a new certificate or certificates to the transferee or to the transferor and transferee as the case may require.

(5) Until the deed of transfer and the certificate have been delivered to the Corporation as aforesaid the Corporation shall not be affected by the transfer and the transferee shall not be entitled to receive any payment of interest on the bond.

(6) The Corporation before registering a transfer of a bond may if they think fit require evidence by statutory declaration

A.D. 1932. or otherwise of the title of any person claiming to make the transfer.

9. The Corporation may close the register for a period not exceeding thirty days immediately before the thirty-first day of March and the thirtieth day of September in any year respectively and notwithstanding the receipt by the Corporation during those periods of any deed of transfer the half-yearly payment of interest next falling due may be made to the persons registered as holders of bonds on the date of the closing of the register.

10.—(1) Any person becoming entitled to a bond by reason of the death or bankruptcy of a holder or by any lawful means other than a transfer may by the production of such evidence of title as the Corporation may require either be registered as holder of the bond or instead of being himself registered may make such transfer of the bond as the holder could have made and the Corporation shall issue a certificate accordingly.

(2) Until such evidence as aforesaid has been furnished to the Corporation the Corporation shall not be affected by the transmission of the bond and no person claiming by virtue thereof shall be entitled to receive any payment of interest thereon.

(3) Where two or more persons are registered as holders of a bond they shall be deemed to be joint holders with right of survivorship between them.

11.—(1) Unless the holder of a bond otherwise requests the Corporation may pay the interest thereon by posting a warrant to the holder at his address as shown in the register.

(2) The posting by the Corporation of a letter containing an interest warrant addressed to a holder as aforesaid shall as respects the liability of the Corporation be equivalent to the delivery of the warrant to the holder himself.

12. The Corporation shall not be required to pay any executors or administrators any interest on bonds 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 for registration.

13. The Corporation before paying any interest on any bonds may if they think fit require evidence by statutory declaration or otherwise of the title of any person claiming a right to receive the interest.

14. Where more persons than one are registered as joint holders of a bond any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Corporation by any other of them.

15. No notice of any trust shall be entered in the register or in any other book kept by the Corporation or be receivable by the Corporation.

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16.—(1) If at any time any interest due on any bonds remains unpaid for two months after demand in writing the persons entitled thereto may apply to the High Court for the appointment of 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 moneys and of assessing making and recovering all rates for the purpose of obtaining the same as the Corporation or any other officer thereof would or might have and such other powers and duties as the court thinks fit and shall apply all moneys so collected and received after paying all such costs as the court may direct for the purposes of this Act.

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