



Municipal Corporations Act 1882

1882 CHAPTER 50

PART I

PRELIMINARY.

1 Short title.

This Act may be cited as the Municipal Corporations Act, 1882.

2 Division of Act into Parts.

This Act is divided into Parts, as follows :

- PART I.—Preliminary.
- PART II.—Constitution and government of borough.
- PART III.—Preparations for and procedure at elections.
- PART IV.—Corrupt practices and election petitions.
- PART V.—Corporate property and liabilities.
- PART VI.—Charitable and other trusts and powers.
- PART VII.—Borough fund: borough rate: county rate.
- PART VIII.—Administration of justice.
- PART IX.—Police.
- PART X.—Freemen.
- PART XI.—Grant of charters.
- PART XII.—Legal proceedings.
- PART XIII.—General

3 Extent.

This Act shall not extend to Scotland or Ireland.

4 Commencement.

This Act shall commence and have effect from and immediately after the thirty-first of December one thousand eight hundred and eighty-two.

5 Repeal.

The enactments described in the First Schedule are hereby repealed, subject to the exceptions and qualifications in this Act mentioned.

6 Application.

This Act shall apply to every city and town to which the Municipal Corporations Act, 1835, applies at the commencement of this Act, and to any town, district, or place whereof the inhabitants are incorporated after the commencement of this Act, and whereto the provisions of the Municipal Corporation Acts are under this Act extended by charter, but to no other place.

7 Interpretation and construction.

(1) In this Act—

" Borough " means, unless a contrary intention appears, a city or town to which this Act applies :

" Municipal corporation " means the body corporate constituted by the incorporation of the inhabitants of a borough :

" Municipal Corporations Act, 1835, " means the recited Act of King William the Fourth, the date of the passing whereof is the ninth of September one thousand eight hundred and thirty-five :

" Municipal Corporations Acts " means this Act and any Act to be passed amending this Act:

" Burgess " includes citizen:

" Corporate seal " means the common seal of a municipal corporation :

" Corporate office " means the office of mayor, alderman, councillor, elective auditor, or revising assessor :

" Corporate land " means land belonging to or held in trust for a municipal corporation :

" Municipal election " means an election to a corporate office:

" Parliamentary borough " means any borough, city, county of a city, county of a town, place, or combination of places, returning a member to serve in Parliament, and not being a county at large, or a riding, parts, or division of a county at large :

" Parliamentary election " means an election of a member to serve in Parliament:

" Parish " means any place for which a separate poor rate is or can be made :

" Overseers " means overseers of the poor of a parish, township, or place, and includes all persons who execute the duties of overseers :

" County " does not include a county of a city or county of a town, but includes a riding, parts, division; or liberty of a county:

" Trustees " means trustees, commissioners, or directors, or the persons charged with the execution of a trust or public duty, however designated:

" Person " includes a body of persons corporate or unincorporate:

" Treasury " means the Commissioners of Her Majesty's Treasury :

" The Secretary of State " means one of Her Majesty's Principal Secretaries of State.:

" High Court " means Her Majesty's High Court of Justice:

" Justice " means one of Her Majesty's justices of the peace :

" Borough civil court " means an inferior court of record for the trial of civil actions which by charter, custom, or otherwise, is or ought to be holden in a borough, but does not include a county court:

" Bank of England " means the Governor and Company of the Bank of England:

" Schedule " means schedule to this Act, and " Part " means Part of this Act:

" Writing " includes print, and " written " includes printed.

- (2) Words in this Act referring to a borough, municipal corporation, authority, officer, or office, shall be construed distributively as referring to each borough, corporation, authority, officer, or office to which or to whom the provision is applicable.
- (3) Words in this Act referring to a parish shall be construed, unless a contrary intention appears, as referring to every parish situate wholly or in part in a borough.
- (4) The schedules shall be read and have effect as if they were part of this Act.