

[1 EDW. 8. &  
1 GEO. 6.]

*Rotherham Corporation*  
*Act, 1937.*

[Ch. lxxx.]



## CHAPTER lxxx.

An Act to empower the mayor aldermen and bur-  
gesses of the county borough of Rotherham to  
construct street improvements and to acquire  
land for that and other purposes to make  
further provision with regard to their water  
gas electricity transport cemetery and market  
undertakings and to make further provision  
with regard to the health local government and  
improvement of the borough and for other  
purposes.

A.D. 1937.

[13th July 1937.]

**W**HEREAS it is expedient to empower the mayor  
aldermen and burgesses of the county borough  
of Rotherham (in this Act called "the Corporation")  
to construct street improvements and to acquire and use  
lands for the purposes mentioned in this Act :

And whereas the Corporation are the owners of the  
undertakings for supplying water gas and electricity  
to the borough and it is expedient to extend the limits  
of the Corporation for the supply of water and electricity  
to repeal the powers of the Electrical Distribution  
of Yorkshire Limited to supply electricity therein and  
to make further provision in regard to the said under-  
takings :

And whereas it is expedient to empower the  
Corporation to provide a cemetery in the borough :

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—

And whereas it is expedient to empower the Corporation to run additional trolley vehicles in and in the neighbourhood of the borough :

And whereas it is expedient to make further provision in relation to the health local government and improvement of the borough and to confer upon the Corporation the further powers contained in this Act :

And whereas it is expedient that the provisions with regard to the finances of the Corporation which are contained in this Act should be made :

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 purchase of the lands which the Corporation are by this Act authorised to acquire	£	80,500
The construction of the street works authorised by this Act		36,300
The construction of the cemetery authorised by this Act		28,000
The provision of trolley vehicles		3,000
The provision of electrical equipment and the construction of other works necessary for working the trolley vehicle routes authorised by this Act		10,544
The construction of gasworks		67,500
The provision of gas mains and services		47,000

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 Part XIII of the Local Government Act 1933 have been observed :

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 the west riding of Yorkshire and are hereinafter respectively referred to as the deposited plans sections and book of reference : A.D. 1937.

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.

1.—(1) This Act may be cited as the Rotherham Corporation Act 1937.

Short and collective titles and commencement.

(2) The Rotherham Corporation Acts 1801 to 1930 and this Act may be cited as the Rotherham Corporation Acts 1801 to 1937.

(3) Except where otherwise provided this Act shall come into operation on the first day of October nineteen hundred and thirty-seven.

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

Division of Act into Parts.

- Part I.—Preliminary.
- Part II.—Street improvements and lands.
- Part III.—Water.
- Part IV.—Trolley vehicles.
- Part V.—Gas.
- Part VI.—Electricity.
- Part VII.—Streets buildings sewers and drains.
- Part VIII.—Sanitary provisions.
- Part IX.—Superannuation and allowances.
- Part X.—Financial provisions.
- Part XI.—Miscellaneous.

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PART I.  
—cont.

Incorporation of  
Lands  
Clauses  
Acts.

8 & 9 Vict.  
c. 18.

3. The Lands Clauses Acts (so far as the same are applicable for the purposes of and are not varied by or inconsistent with this Act) are hereby incorporated with and form part of this Act with the following exceptions and modifications:—

- (a) Sections 127 to 132 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) 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 this section;
- (c) The expressions “the promoters of the undertaking” and “the company” in the Lands Clauses Acts shall be construed to mean the Corporation.

Interpreta-  
tion.

26 Geo. 5. &  
1 Edw. 8.  
c. 49.

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 Act 1936 shall have the same respective meanings unless there be something in the subject or context repugnant to such construction.

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

“The borough” means the county borough of Rotherham;

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

“The town clerk” “the treasurer” “the medical officer” “the surveyor” and “the sanitary inspector” mean respectively the town clerk the treasurer the medical officer of health the surveyor and any sanitary inspector of the borough;

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

“Trolley vehicle” means a mechanically propelled vehicle adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source; A.D. 1937.  
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PART I.  
—cont.

“The Sheffield Corporation” means the lord mayor aldermen and citizens of the city of Sheffield;

“The county council” means the county council of the administrative county of the west riding of Yorkshire;

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

“The tribunal” means the tribunal or other authority to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919; 9 & 10 Geo. 5. c. 57.

“The water limits” means the limits for the time being of the Corporation for the supply of water;

“The electricity undertaking” means the electricity undertaking of the Corporation;

“The electricity limits” means the limits for the time being of the Corporation for the supply of electricity;

“The Corporation undertakings” means the water gas electricity markets and transport undertakings of the Corporation and any other undertaking of the Corporation as from time to time existing from which revenue is derived;

“Food” has the meaning assigned to it by section 34 (Definitions) of the Food and Drugs (Adulteration) Act 1928; 18 & 19 Geo. 5. c. 31.

“Statutory borrowing power” and “statutory security” have the meanings assigned to them by section 4 (Interpretation) of the Act of 1924;

“The Minister” means the Minister of Health;

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PART I.  
—cont.

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

“The Act of 1933” means the Local Government Act 1933;

“The Act of 1936” means the Public Health Act 1936;

“The Act of 1863” “the Act of 1879” “the Order of 1898” “the Act of 1904” “the Act of 1911” “the Act of 1921” “the Act of 1924” “the Act of 1928” “the Act of 1930” “the Order of 1934” and “the Order of 1936” mean respectively the Rotherham and Kimberworth Local Board of Health Act 1863 the Rotherham Borough Extension and Sewerage Act 1879 the Rotherham Corporation Electric Lighting Order 1898 the Rotherham Corporation Act 1904 the Rotherham Corporation Act 1911 the Rotherham Corporation Act 1921 the Rotherham Corporation Act 1924 the Rotherham Corporation Act 1928 the Rotherham Corporation Act 1930 the Rotherham Corporation (Trolley Vehicles) Order 1934 and the Doncaster Rotherham and Wakefield Extension Order 1936.

26 & 27 Vict.  
c. cxvii.  
42 & 43 Vict.  
c. cxci.  
61 & 62 Vict.  
c. xxxviii.  
4 Edw. 7.  
c. ccxxxii.  
1 & 2 Geo. 5.  
c. cxvi.  
11 & 12 Geo. 5.  
c. lxxxvi.  
14 & 15 Geo. 5.  
c. lxix.  
18 & 19 Geo. 5.  
c. cxi.  
20 & 21 Geo. 5.  
c. clxxvi.  
24 & 25 Geo. 5.  
c. lxxi.

## PART II.

## STREET IMPROVEMENTS AND LANDS.

Power to  
construct  
street im-  
provements.

5. Subject to the provisions of this Act the Corporation may within the borough make and maintain in the lines and according to the levels shown on the deposited plans and sections the street improvements referred to in this section together with all necessary and proper works and conveniences connected therewith or incidental thereto (that is to say):—

Work No. 1 A widening and improvement of High Street Kimberworth on the north-east side and Old Wortley Road on the north-east side;

Work No. 2 A widening and improvement of High Street Kimberworth on the south-west side;

- Work No. 3 A widening and improvement of Wellgate on the south-west side; A.D. 1937.
- Work No. 4 A widening and improvement of Wellgate on the south-west side; PART II.  
—cont.
- Work No. 5 A widening and improvement of Wellgate on the north-east side;
- Work No. 6 A widening and improvement of Wellgate on the south-west side;
- Work No. 7 A widening and improvement of Wellgate on the north-east side;
- Work No. 8 A widening and improvement of Meadow Bank Road on the east side and Psalters Lane on the south-west side;
- Work No. 9 A widening and improvement of Ferham Road on the south side and Psalters Lane on the north-east side;
- Work No. 10 A widening and improvement of Effingham Street on the west side;
- Work No. 11 A widening and improvement of Fitzwilliam Road on the north side;
- Work No. 12 A widening and improvement of Doncaster Road on the north-west side.

6. In the construction of the street improvements authorised by this Act the Corporation may deviate from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and from the levels thereof as shown on the deposited sections to any extent not exceeding five feet either upwards or downwards. Limits of deviation.

7. Subject to the provisions of this Act the Corporation may enter upon take appropriate and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference which they may require for the following purposes:— Power to take lands.

- (a) for the street improvements authorised by this Act and the improvement and development of frontages and of lands abutting on or adjacent to any street;

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PART II.  
—*cont.*

26 Geo. 5. &  
1 Edw. 8.  
c. 51.

Correction  
of errors  
in deposited  
plans and  
book of  
reference.

(b) for the purposes of section 13 (Provision of cemetery) of this Act the lands referred to in the First Schedule to this Act;

(c) for the purposes of the Housing Act 1936 and of section 14 (Utilisation of certain lands) of this Act.

8. If there is any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or described in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to two justices having jurisdiction in the place in which the lands are situate for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and if the lands are situate in the borough such certificate or a copy thereof shall be deposited with the town clerk and if the lands are situate in an administrative county such certificate or a copy thereof shall be deposited with the clerk of the county council and a duplicate thereof shall also be deposited with the clerk of the county district in which the lands are situate and if the lands are situate in a rural parish having a parish council also with the clerk of that council and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to the certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with the certificate.

Period for  
compulsory  
purchase of  
lands.

9. The powers granted by this Act for the compulsory purchase of lands shall cease on the thirty-first day of December nineteen hundred and forty-two.

Power to  
enter upon  
property for  
survey and  
valuation.

10. The Corporation and their surveyors officers and workmen and any person duly authorised in writing under the hand of the town clerk may from time to time at all reasonable times in the day upon



giving in writing for the first time twenty-four hours' and afterwards from time to time twelve hours' previous notice enter upon and into the lands houses and buildings authorised by this Act to be taken and used or any of them for the purpose of surveying and valuing the said lands houses and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands houses and buildings.

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PART II.  
—cont.

11. In determining the amount of compensation or purchase money to be paid by the Corporation in respect of the acquisition under this Act of any part of the lands of any person the enhancement in value of the adjoining lands of such person not so acquired or of any other lands of such person which are contiguous with such adjoining lands arising out of the execution of the street improvements authorised by this Act or any of them or arising through such adjoining lands becoming lands fronting on any street shall be fairly estimated and shall be set off against the said compensation or purchase money.

Benefits to  
be set off  
against com-  
pensation.

12. For the purposes of determining any question of disputed compensation payable in respect of lands taken under the powers of this Act the tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the land created after the twentieth day of November nineteen hundred and thirty-six if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Compensa-  
tion in case  
of recently  
acquired  
interest.

13.—(1) When the Corporation have acquired the lands referred to in the First Schedule to this Act or any part thereof they may use the land so acquired or such part or parts thereof as they may from time to time think fit for the purposes of and may thereon make and maintain a cemetery with all necessary and proper buildings roads works and conveniences.

Provision of  
cemetery.

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PART II.  
—cont.

(2) The said lands are shown on the plan signed in triplicate by Major William Philip Colfox the chairman of the committee of the House of Commons to whom the Bill for this Act was referred.

18 & 19 Vict.  
c. 128.  
6 Edw. 7.  
c. 44.

(3) Section 9 (New burial ground not to be within one hundred yards of a dwelling-house) of the Burial Act 1855 as amended by the Burial Act 1906 shall not apply to the use or appropriation for a cemetery of the lands hereinbefore referred to.

Utilisation  
of certain  
lands.

14. The provisions of subsections (2) to (4) of section 9 (Acquisition of lands at Herringthorpe) of the Act of 1928 and of section 15 (Power to develop lands) of that Act and section 92 (Power to Corporation to advance money for erection of buildings) of the Act of 1930 shall extend and apply to the following lands as if they had been specifically referred to in those sections :—

- (a) So much of the lands in the borough numbered 164 165 169 172 and 173 on the deposited plans as belong to or shall be acquired by the Corporation and as shall not be required for the widening and improvement of Fitzwilliam Road authorised by this Act;
- (b) So much of the lands in the borough and in the parish of Dalton in the rural district of Rotherham numbered 175 to 194 on the deposited plans as shall be acquired by the Corporation under the powers of this Act and as shall not from time to time be used for the purposes of a cemetery;
- (c) The other lands acquired by the Corporation under the powers of this Act and not required for the purposes of the street improvements authorised by this Act.

Sale and  
disposal of  
lands.

15.—(1) Notwithstanding anything in the Lands Clauses Acts the Corporation may sell lease exchange or otherwise dispose of in such manner and for such consideration and on such terms and conditions as they may think fit and either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other

form any lands or any interest therein acquired by them under this Act or any general or local Act for the time being in force in the borough (other than the Housing Act 1936 or any Act repealed by that Act) and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interest therein and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange :

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PART II.  
—cont.

Provided that the Corporation shall not without the consent of the Minister sell lease exchange or otherwise dispose of any such lands or any interests therein at a price or rent or for a consideration of a 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 :

Provided also that nothing in this section shall be taken to dispense with the consent of any Government department to any sale lease appropriation or other disposition of any lands of the Corporation other than lands acquired under any local Act applying to the Corporation in any case in which such consent would have been required if this Act had not been passed.

(2) Nothing in this section shall release any person purchasing or acquiring any lands from the Corporation under this section from any rents covenants restrictions reservations terms or conditions made payable by or contained in any 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 the like manner and to the same extent as if this Act had not been passed.

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PART II.  
—cont.  
Closing of  
footpath.

16.—(1) (a) When the Corporation have acquired the site of the footpath in the borough known as Higgory Lane and numbered 184 on the deposited plans they may stop up and discontinue the same as a highway.

(b) Provided that the said footpath shall not be stopped up until an equally commodious highway has been provided in substitution therefor to the reasonable satisfaction of the rural district council of Rotherham and unless otherwise agreed between the Corporation and the said district council such substituted highway shall commence at the existing junction of Higgory Lane with Brecks Lane and shall terminate by a junction with Herringthorpe Valley Road at a point about one hundred and seventy-five yards south of the junction of Broadway East with that road.

(c) If any question shall arise between the Corporation and the said district council under this subsection the same shall be determined by arbitration.

(2) As from the stopping up of the said footpath all rights of way over or along the same shall be extinguished and the Corporation may appropriate and use the site thereof so far as they are the owners of the land on both sides thereof :

Provided that the Corporation shall make full compensation to all persons interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

### PART III.

#### WATER.

Alteration  
of water  
limits.

17.—(1) The limits within which the Corporation may supply water under the Rotherham Corporation Acts 1801 to 1930 are hereby extended so as to include in addition to the area in which the Corporation are authorised to supply water by section 36 (Limits

of Act as to water supply) of the Act of 1863 and to the area added to the borough by the Act of 1879—

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PART III.  
—cont.

(a) so much of the area which was transferred to the borough by the Order of 1936 as was not included within the area referred to in the said section 36; and

(b) that part of the parish of Wentworth in the rural district of Rotherham which is referred to in the Second Schedule to this Act.

(2) The Corporation shall have and may exercise within the areas mentioned in paragraphs (a) and (b) of subsection (1) of this section all and the like powers privileges and authorities for and in relation to the supply of water and be subject to all and the like duties and obligations in respect thereof as they now have and are subject to under the said Acts within the existing water limits of the Corporation.

(3) There shall be excluded from the limits within which the Corporation may supply water under the Rotherham Corporation Acts 1801 to 1930 the area which was transferred from the borough to the said parish of Wentworth by the Order of 1936:

Provided that the Corporation may continue to supply water to any premises in the last-mentioned area to which they were supplying water immediately before the commencement of this Act and those premises shall accordingly be deemed to be within the water limits and for the purposes of enabling the Corporation to supply those premises and to maintain and renew the mains and pipes for supplying them the Corporation may exercise the powers which they would have had if this subsection had not been enacted.

(4) The area referred to in paragraph (b) of subsection (1) of this section is shown on a plan signed in triplicate by Major William Philip Colfox the chairman of the committee of the House of Commons to whom the Bill for this Act was referred.

18.—(1) Those parts of the parish of Wentworth in the rural district of Rotherham which were transferred to that parish by the Order of 1936 (other than the area referred to in paragraph (b) of subsection (1) of section 17 (Alteration of water limits) of this Act) shall be within

Supply of  
water by  
Dearne  
Valley  
Water  
Board

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PART III.  
—cont.  
Sheffield  
Corporation  
and Lord  
Fitzwilliam.  
10 & 11  
Geo. 5.  
c. lxxiv.

the limits of the Dearne Valley Water Board for the supply of water and the Dearne Valley Water Act 1920 and any Act or Order amending the same shall have effect as if the parish of Wentworth referred to in section 33 (Limits of supply) of the said Act included the parts so transferred.

(2) Those parts of the parish of Wentworth which were transferred to the borough by the Order of 1936 shall cease to be within the limits of the Dearne Valley Water Board for the supply of water and notwithstanding anything contained in the Dearne Valley Water Act 1920 or in any other Act or Order the said Board the Sheffield Corporation and the Right Honourable the Earl Fitzwilliam shall not supply water therein :

Provided that nothing contained in this section shall prevent the Sheffield Corporation from supplying water in bulk to the Corporation for the supply of the said area.

Recovery of  
water rates.

19. When in pursuance of section 125 (Water rates to be assessed yearly in advance) of the Act of 1928 the Corporation assess their water rates and any charges payable to them for the supply of water for domestic purposes for an entire year in advance and any person fails to pay the instalments due from him on the last days of June and September by the thirtieth day of September then notwithstanding anything contained in the Summary Jurisdiction Acts proceedings for the recovery of the rate or charge or so much thereof as shall not have been paid may be brought at any time within six months from the thirtieth day of September.

Repair of  
stopcocks.

20. The provisions of section 41 of the Act of 1924 enabling the Corporation in certain cases to repair a communication pipe which the Corporation are not under obligation to maintain and to recover the expenses from the owner or occupier of the premises shall extend to enable the Corporation to repair any stopcock in any such pipe (including the cover and box for giving access and protection to such stopcock) which has been injured or is defective and the expenses incurred by the Corporation shall be recoverable by them from the owners of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier.

21.—(1) The Minister if he is satisfied that the owners or occupiers of premises in any area outside the water limits desire to obtain a supply of water from the Corporation may on the application of the Corporation subject to the provisions of this section by order authorise the Corporation to supply water in any such area or any part thereof or to any premises therein on such conditions as may be specified in the order.

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PART III.  
—cont.

Supply of  
water by  
Corporation  
to areas out-  
side water  
limits.

(2) An order under this section may contain such provisions as in the opinion of the Minister are necessary in order to give full effect to the order and upon the granting of any such order the provisions of the enactments relating to the water undertaking of the Corporation shall subject to any necessary modifications apply in relation to the laying of pipes for affording a supply of water in pursuance of such order and otherwise as if the water limits extended as far as and so as to include the area or premises to which such order relates.

(3) An order shall not (unless in the opinion of the Minister consent is unreasonably withheld) be made except with the consent of—

- (a) the local authority within whose district the area to which the supply is to be given is situate;
- (b) any undertakers for the supply of water within whose limits of supply such area is situate;
- (c) any local authority who at the time of the application for the order are supplying water in bulk to such undertakers;
- (d) the highway authority in respect of any roads which may be affected under the provisions of the proposed order.

(4) (a) An order made under this section shall cease to have effect with respect to any area or any part thereof or any premises therein when the local authority within whose district or the undertakers for the supply of water within whose limits of supply such area or part thereof or such premises is or are situate are able and willing to supply water to such area or part thereof or premises as the case may be and give not less than three months' notice thereof to the Corporation.

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PART III.  
—cont.

(b) When such local authority or undertakers commence to supply water to any such area or part thereof or any premises therein in pursuance of this subsection they shall pay to the Corporation such portion of the expenditure incurred by the Corporation within such area or part thereof in the district of the local authority or within the limits of supply of the undertakers as the case may be in giving a supply to such area or part thereof or premises therein as may be agreed or failing agreement as may be determined by arbitration.

For protec-  
tion of  
London  
Midland and  
Scottish  
Railway  
Company.

**22.** The following provisions for the protection of the London Midland and Scottish Railway Company (in this section referred to as "the company") shall unless otherwise agreed between the Corporation and the company be in force and have effect :—

(1) In laying down or executing or in effecting the repairs and renewals under the powers of this Part of this Act of any mains pipes or other works of the Corporation upon across over or under the railways lands or property belonging to the company or used or occupied by them for the purposes of their undertaking or the bridges approaches viaducts stations or other works or any level crossings over the railways of the company the same shall be done under the superintendence (if the same be given) and to the reasonable satisfaction of the principal engineer of the company and (except in the case of repairs) according to plans to be submitted to and reasonably approved by him :

Provided that if the said engineer shall not express his disapproval of such plans and his reasons for such disapproval within twenty-one days from the submission thereof he shall be deemed to have approved thereof :

(2) The Corporation shall restore and make good the roads over any bridges level crossings and approaches which the company are or may be liable to maintain so far as the same may be disturbed or interfered with by or owing to any operations of the Corporation and all the works matters and things aforesaid shall be constructed executed and done so as to



cause as little injury as may be to the railways bridges level crossings approaches viaducts stations works lands or property of the company and so as not to cause any interruption to the passage or conduct of traffic over such railways or at any station thereon except with the consent of the said engineer :

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PART III.  
—cont.

- (3) If any such injury or interruption as aforesaid shall arise from any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes or works of the Corporation the Corporation shall make compensation in respect thereof to the company unless such injury or interruption shall be due to the acts or default of the company :
- (4) Any dispute or difference which may arise between the company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall failing agreement be settled by arbitration by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers.

#### PART IV.

##### TROLLEY VEHICLES.

**23.**—(1) The Corporation may provide maintain and equip (but shall not manufacture) trolley vehicles and may use the same upon the following routes in addition to any routes upon which they are already authorised to use trolley vehicles :—

Power to use trolley vehicles upon certain routes.

Route No. 1 (3 furlongs 1·9 chains in length)  
In the borough commencing by a junction with Route No. 2 authorised by the Act of 1928 passing along Clifton Lane to its junction with Route No. 8 authorised by the Act of 1930 ;

Route No. 1A (6 furlongs 3·8 chains in length)  
In the borough commencing by a junction with Route No. 2 authorised by the Act of 1928 passing along Middle Lane South

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PART IV.  
—cont.

Dryden Road and Shenstone Road to its junction with Route No. 4 authorised by the Act of 1928;

Route No. 2 (2 miles 1·8 chains in length) Partly in the borough and partly in the parish of Whiston in the rural district of Rotherham commencing by a junction with Routes Nos. 1 and 1A authorised by the Order of 1934 passing along the Bawtry and Tinsley main road and terminating by a junction with Route No. 5 authorised by the Act of 1930;

Route No. 3 (4 furlongs 7·9 chains in length) In the borough commencing by a junction with Route No. 2 authorised by the Order of 1934 passing along Cambridge Street Park Road and Central Avenue to its junction with Route No. 2 authorised by the Act of 1928;

Route No. 4 (2 furlongs 4 chains in length) In the borough commencing by a junction with Route No. 2 authorised by the Act of 1928 passing along Broadway East to its junction with Route No. 4 authorised by the Act of 1928;

Route No. 5 (3 furlongs 6·7 chains in length) In the borough commencing by a junction with Route No. 2 authorised by the Act of 1928 passing along Browning Road and Chaucer Road to its junction with Route No. 4 authorised by the Act of 1928.

(2) The Corporation may also with the consent of the Minister of Transport use trolley vehicles along any other street or road within or without the borough which the Corporation think it necessary or convenient to use for the purpose of providing a turning point.

(3) 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 and shall also in the case of any turning point which is outside the borough submit a copy of such plans to the county council and to the chief constable of the west riding of Yorkshire.

Before approving any such last-mentioned plans the said Minister shall give to the county council and

the chief constable of the west riding of Yorkshire an opportunity of making representations with reference thereto and shall consider any such representations which may be made to him.

A.D. 1937.

—  
PART IV.  
—cont.

(4) Subject to the provisions of this Act the unrepealed provisions of Part III (Tramways trolley vehicles and omnibuses) of the Act of 1928 in so far as those provisions relate to trolley vehicles and trolley vehicle routes shall extend and apply to and in relation to the routes referred to in and authorised by this section as if those routes were authorised by the said Part III of the Act of 1928 :

Provided that for the purposes of such extension and application section 74 (For protection of West Riding County Council in respect of trolley vehicles) of the Act of 1928 shall be read and have effect as though the expression "main road" in that section included any county road within the meaning of the Local Government Act 1929 and as though the expression "county or main road bridge" therein included any bridge repairable by the county council pursuant to the last-mentioned Act.

19 & 20  
Geo. 5. c. 17.

**24.** 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 commencement 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.

Period for  
commence-  
ment of  
trolley  
vehicle  
services.

**25.** As from the commencement of this Act the tramway undertaking of the Corporation shall be known as the transport undertaking of the Corporation which shall comprise their tramway trolley vehicle omnibus and public service vehicle undertakings.

Definition of  
transport  
under-  
taking.

**26.** The following sections of the Act of 1930 shall with any necessary modifications extend and apply to the exercise of the powers of this Part of this Act as if the same were re-enacted therein :—

Application  
of provisions  
of Act of  
1930.

Section 12 (Byelaws as to intending passengers outside the borough);

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PART IV.  
—cont.Section 13 (Property found in Corporation  
vehicles);Section 14 (For protection of Yorkshire Electric  
Power Company and Electrical  
Distribution of Yorkshire Limited).Amendment  
of Act of  
1930.**27.** Subsection (7) of section 11 (Restricting  
running of omnibuses in competition) of the Act  
of 1930 is hereby amended by the insertion of the  
words "at the date of the passing of this Act" after  
the word "are."

## PART V.

## GAS.

Construc-  
tion of gas-  
works &c.19 & 20  
Geo. 5. c. 24.**28.**—(1) The Corporation may upon the lands  
referred to in the Third Schedule to this Act so long  
as they are possessed of the same erect maintain alter  
extend improve and renew gasworks with all necessary  
machinery and apparatus and do all such acts as may  
be proper for the making and storing of gas and for  
supplying gas within the limits of the Corporation for  
the supply of gas and may also upon the said lands  
work up and convert residual products arising directly  
or indirectly from the manufacture of gas by them  
or purchased by them under the powers conferred  
by section 4 of the Gas Undertakings Act 1929 and for  
this purpose the Corporation may purchase from any  
source and use such material as is required to work  
up and convert any such residual products.(2) The said lands are shown on a plan signed  
in triplicate by Major William Philip Colfox the  
chairman of the committee of the House of Commons  
to whom the Bill for this Act was referred.

## PART VI.

## ELECTRICITY.

Interpreta-  
tion of ex-  
pressions in  
Part VI of  
Act.**29.**—(1) In this Part of this Act—"the distribution company" means Electrical  
Distribution of Yorkshire Limited;

“ the power company ” means the Yorkshire Electric Power Company; and A.D. 1937.

“ electric line ” has the same meaning as in the Electric Lighting Act 1882. PART VI.  
—cont.  
45 & 46 Vict.  
c. 56.

(2) This Part of this Act shall come into operation on the passing of this Act.

**30.**—(1) There shall be added to the area of supply for the purposes of the Order of 1898 so much of the borough as comprises the parts of the parishes of Dalton and Whiston which were added thereto by the Order of 1936 and which are in this Part of this Act referred to as “ the added area ” and the Corporation may within and in respect of the said area exercise all or any of the powers in relation to the electricity undertaking conferred upon the Corporation by the Order of 1898 and subsequent Acts. Added area of supply.

(2) Provided that until the first day of April nineteen hundred and thirty-eight (in this Part of this Act referred to as “ the appointed day ”) the Corporation shall not under the powers of this section supply electricity to any premises in the added area except to the houses which shall have been erected by them under the Housing Act 1936 or any enactment repealed by that Act but nothing in this subsection shall prevent the Corporation from constructing works and laying down electric lines to enable them to supply electricity in the added area on and after the appointed day.

**31.**—(1) On the appointed day the distribution company shall cease to supply electricity in the added area and as from that date the added area shall cease to be part of their area of supply. Repeal of powers of distribution company.

(2) On the appointed day there shall by virtue of this Act be transferred to the Corporation so much of the undertaking of the distribution company as is within the added area including all their lands buildings works materials and plant situated in the added area except such as may be necessary for them to retain to enable them to supply electricity in their area of supply and any difference which may occur between the Corporation and the distribution company as to which

A.D. 1937. lands buildings works materials and plant are to be  
— retained by them under this provision shall be determined  
PART VI. by arbitration.  
—cont.

(3) Notwithstanding the foregoing provisions of this section the distribution company shall be entitled to maintain repair renew and enlarge any buildings works materials and plant retained by them under this section for the purpose of supplying electricity outside the added area and for that purpose the distribution company may exercise the same powers and shall be subject to the same obligations as they can exercise and are subject to in their area of supply.

(4) The Corporation shall pay to the distribution company the fair market value of so much of the undertaking of the distribution company as aforesaid as a going concern due regard being had to any loss occasioned by severance and the sum to be so paid shall in default of agreement be determined by arbitration.

(5) Any difference which under this section is to be determined by arbitration shall be determined by an arbitrator to be appointed failing agreement by the Minister of Transport and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 shall apply to any such determination.

(6) If the sum payable by the Corporation as aforesaid is not paid to the distribution company on or before the appointed day the Corporation shall pay to the distribution company interest on the said sum at the rate of five per centum per annum from the appointed day until the date of payment of the said sum to the distribution company.

Compensa-  
tion to  
power  
company.

**32.**—(1) The Corporation shall pay to the power company compensation for—

(a) the loss of the profit which the power company would have derived from the supply in bulk to the distribution company of the electricity required by the distribution company for supply in the added area if that area had continued to form part of the area of supply of the distribution company; and

(b) the loss suffered by the power company by reason of the restriction placed upon them by subsection (4) of section 48 (Limitation of powers) of the Yorkshire Electric Power Act 1901 to supply electricity in the added area except as mentioned in that subsection.

A.D. 1937.  
—  
PART VI.  
—cont.  
1 Edw. 7.  
c. cxvi.

(2) The compensation to be paid in pursuance of this section shall in default of agreement be determined by arbitration :

Provided that for the purposes of this section section 90 (Application of Arbitration Acts) of this Act shall be read and have effect as if the Minister of Transport had been therein referred to instead of the Minister.

(3) If the compensation payable by the Corporation as aforesaid is not paid to the power company on or before the appointed day the Corporation shall pay to the power company interest thereon at the rate of five per centum per annum from the appointed day until the date of payment of the said compensation to the power company.

**33.**—(1) Notwithstanding the transfer to the Corporation of so much of the undertaking of the distribution company as is within the added area the distribution company shall be entitled at any time and from time to time under and in accordance with the provisions of the South Yorkshire Electricity Special Order 1924 to lay down or place in and through the added area or any part thereof electric lines for the supply of electricity within their limits of supply outside the added area and for that purpose to break up streets (whether repairable by the local authority or not so repairable) railways and tramways in all respects as if the added area had continued to form part of their limits of supply.

Reservation  
of certain  
rights of dis-  
tribution  
company  
and power  
company.

(2) Nothing in this Part of this Act shall alter or affect the operation—

(a) as respects the distribution company of section 5 of the Electric Lighting Act 1909 and section 47 of the Electricity (Supply) Act 1926; or

9 Edw. 7.  
c. 34.  
16 & 17  
Geo. 5. c. 51.

A.D. 1937.

PART VI.

—cont.

12 &amp; 13

Geo. 5. c. 46.

(b) as respects the power company of those sections and section 24 of the Electricity (Supply) Act 1922;

as amended or extended by any enactment from time to time in force.

Power to lay communicating mains outside electricity limits.

**34.**—(1) For the purpose of supplying electricity from one part of the electricity limits to another part of those limits the Corporation may exercise with respect to any street outside the electricity limits the like powers of breaking up the streets for the purposes of laying down maintaining inspecting repairing and renewing electric lines and works as are exerciseable by them in respect of streets within the electricity limits and subject to the like conditions :

Provided that nothing in this section shall entitle or require the Corporation to supply electricity to the owner or occupier of any premises outside the electricity limits.

(2) Any electric lines or works laid down under the powers of this section shall be laid down in such line or route as may be agreed between the Corporation the highway authority and the local authority or as failing agreement shall be settled by an arbitrator to be appointed by the Electricity Commissioners.

Power to break up boundary streets.

**35.** Where the electricity limits are bounded by or abut upon any street wholly or for part of its width outside those limits the Corporation may for the purpose of supplying electricity to the owner or occupier of any premises within the electricity limits exercise with respect to the whole width of the street the like powers of breaking up the street for the purposes of laying down maintaining inspecting repairing and renewing electric lines and works as are exerciseable by them in respect of streets within the electricity limits and subject to the like conditions :

Provided that nothing in this section shall entitle or require the Corporation to supply electricity to the owner or occupier of any premises outside the electricity limits.

Acquisition of land for substations.

**36.**—(1) The Corporation may be authorised to purchase land within the electricity limits compulsorily for the purpose of the erection thereon in pursuance



of the powers of the Acts and Orders relating to the electricity undertaking of a station for transforming converting or distributing electricity by means of an order made by the Corporation and submitted to the Minister of Transport and confirmed by him in accordance with the provisions (so far as they are applicable) of section 161 of the Act of 1933 and of the Sixth Schedule to that Act and the provisions of that section and schedule with any necessary modifications and also where applicable of section 174 of the Act of 1933 shall have effect for the purposes of this section with the substitution of the Minister of Transport for the Minister :

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PART VI.  
—cont.

Provided that—

(a) The restrictions contained in paragraphs (a) (b) and (c) of section 179 of the Act of 1933 shall apply to any such order and that the provisions of section 162 of that Act shall have effect with respect to the validity of any such order; and

(b) Anything which is required by the said provisions of the Act of 1933 to be prescribed shall be prescribed by the Minister of Transport in such manner as he may think fit.

(2) Nothing in this section or in any order made thereunder shall authorise the compulsory acquisition of any land which at the date of the order forms part of any park garden or pleasure ground or is otherwise required for the amenity or convenience of any house or which at that date forms part of any premises occupied as a factory or workshop within the meaning of the Factory and Workshop Act 1901 or which has been acquired for the purposes of any such factory or workshop or which at that date forms part of any land which is in use as an aerodrome licensed pursuant to an order made under the Air Navigation Act 1920 or any Act amending replacing or consolidating the same.

1 Edw. 7.  
c. 22.

10 & 11  
Geo. 5. c. 80.

(3) If an order is made under this section for the purchase of land which any person has specific statutory power to acquire compulsorily such person shall be entitled to make objection to the Minister of Transport to the confirmation of such order and any such objection if duly made shall for the purpose of the said section 161

A.D. 1937.

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PART VI.  
—cont.Power to  
lay down  
connecting  
lines in  
certain  
cases.

as applied by this section be deemed to have been made by a person upon whom notice is required to be served.

**37.**—(1) For the purpose of supplying electricity to any premises to which the Corporation are for the time being authorised to supply electricity the Corporation may lay down place maintain and use electric lines in order to connect such premises to a service line already laid for the purpose of affording a supply of electricity to adjoining premises and for that purpose may cut or otherwise interfere with any party wall or fence to or open up any yard footpath or garden forming part of such premises and adjoining premises.

(2) In relation to any such electric lines as aforesaid the Corporation shall have the powers and be subject to the provisions of sections 17 18 20 and 77 of the schedule to the Electric Lighting (Clauses) Act 1899 and those provisions so far as applicable shall be incorporated with this Act and the Corporation shall be deemed to be the undertakers :

Provided that the Corporation shall not under the powers of this section open break up or otherwise interfere with any street or road in respect of which the county council are the highway authorities except in accordance with and subject to the provisions in that behalf contained in the Electricity (Supply) Acts 1882 to 1936 and the schedule to the Electric Lighting (Clauses) Act 1899.

(3) The provisions of section 14 of the said schedule so far as they relate to the Postmaster-General or to the county council shall extend and apply to the laying down or construction by the Corporation of any electric line under the provisions of this section.

(4) The provisions of this section shall not apply to any premises (not being a dwelling-house) belonging to a railway or canal company.

## PART VII.

## STREETS BUILDINGS SEWERS AND DRAINS.

Develop-  
ment  
scheme may  
be required

**38.**—(1) Whenever application shall be made to the Corporation to approve the laying out of or notice shall be given to the Corporation of intention to lay out a new

street the Corporation may require the applicant or the person giving such notice to furnish them with plans and particulars of the proposed development of any neighbouring land belonging to him the development of which is in their opinion likely substantially to affect or be affected by the determination of the site of the proposed street and in such case the date of the making of application or of the giving of notice as aforesaid shall for the purposes of any enactments or provisions in force for the time being with respect to the laying out of new streets be deemed to be the date on which plans and particulars required as aforesaid shall be so furnished.

(2) In this section the expression "lay out a new street" includes the formation of a new street or the widening of an existing street or the widening or adaptation of a road footpath or way so as to form a new street.

(3) If after receiving the plans and particulars referred to in subsection (1) of this section the Corporation shall approve the laying-out of any such new street either unconditionally or subject to any modification of such plans and particulars neither the owner of the land nor his successors in title shall carry out the development of such land in such a manner as to conflict substantially with such plans and particulars as approved.

(4) If any person shall offend against the provisions of this section he shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

(5) The owner may at any time submit to the Corporation for their approval any alteration in the said plans and particulars and the Corporation may if they think fit approve such alteration.

(6) Nothing in this section shall be deemed to authorise any contravention of any byelaw or statutory provision in force in the borough.

**39.**—(1) In any case in which the Corporation shall have required plans and particulars of the proposed development of land to be furnished under the last preceding section the Corporation as a condition of their

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PART VII.  
—cont.  
in connection with  
new streets.

Security for  
private  
street  
works.

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PART VII.  
—cont.

approval thereof may require the owner of the land upon which the new street is to be laid out to undertake to pay and to give security for the payment of any expenses which may be incurred by the Corporation in executing any private street works with respect to such street or any part thereof and such owner or his successors in title shall not lay out such street unless any undertaking and security required by the Corporation shall have been given.

(2) If any person shall offend against the provisions of this section he shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

38 & 39 Vict.  
c. 50. (3) In this section "private street works" means the works referred to in section 150 of the Public Health Act 1875.

Rounding  
rounding  
of corners  
at street  
junctions.

40.—(1) The powers conferred upon the Corporation by section 58 (Power to vary position or direction of new streets) of the Act of 1904 shall be extended so as to enable them (subject to the provisions of that section) to require that the corners formed at the junction of a new street with another street (whether new or existing) shall for the purposes of safety be rounded off so as to be coincident with the arc of a circle tangential to the adjacent boundaries of the two streets and having such radius as may be determined by the Corporation.

7 Edw. 7.  
c. 53.

(2) If section 17 (Power to vary position or direction and to fix the beginning and end of new streets) of the Public Health Acts Amendment Act 1907 shall be declared to be in force in the borough subsection (1) of this section shall be read and have effect as if the said section 17 were therein referred to instead of section 58 of the Act of 1904.

Intersecting  
streets.

41.—(1) On the approval of any plan for a new street or new streets submitted to the Corporation under any byelaw or enactment for the time being in force the Corporation may require provision for such intersecting streets as may be reasonably required.

(2) The expression "intersecting street" in subsection (1) of this section means a side or cross street forming a junction with another street.

(3) Any person who fails to comply with any requirement of the Corporation under subsection (1) of this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

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PART VII.  
—cont.

(4) Section 73 (Intersecting streets) of the Act of 1911 is hereby repealed.

**42.**—(1) In this section “neglected site” means the site of a demolished building in the borough which is in such a condition as to be prejudicial to the property in or the inhabitants of the neighbourhood.

As to  
neglected  
sites.

(2) A court of summary jurisdiction on complaint by the Corporation may order the owner of any neglected site to remove any rubbish resulting from the demolition of the building within a reasonable time to be fixed by the order.

(3) If the order is not obeyed within the time thereby prescribed the Corporation at any time after the expiration of such time may enter upon the neglected site and execute the order.

(4) All expenses incurred by the Corporation under subsection (3) of this section in relation to a neglected site may be recovered by the Corporation from the owner of the neglected site.

**43.**—(1) Where plans of a building are in accordance with building byelaws deposited with the Corporation the Corporation may reject the plans unless they show that the building will be provided with at least two doors in the external walls of such building.

As to pro-  
vision of  
external  
doors.

(2) (a) The power of the Corporation to make byelaws under paragraph (i) of subsection (1) of section 61 (Byelaws as to buildings and sanitation) of the Act of 1936 shall extend to enable the Corporation to make byelaws requiring a building to be provided with at least two doors in the external walls of the building.

(b) When byelaws made by the Corporation under the said paragraph (i) have come into operation subsection (1) of this section shall cease to have effect.

**44.**—(1) Every chimney erected in the borough after the commencement of this Act for carrying smoke or steam or for the conveying away of any noisome

Height of  
chimneys.

A.D. 1937.  
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PART VII.  
—cont.

or deleterious gases or effluvia from any buildings used for manufacturing or other purposes shall within such time as may be specified in that behalf in a notice in writing given by the Corporation to the owner of such chimney be raised to such height measured from the level of the centre of the street nearest thereto as the Corporation shall reasonably require having regard to the use of such chimney the position of dwelling-houses or other buildings near thereto the description of such buildings the levels of the neighbouring ground and any other condition requisite for consideration in determining such height and the Corporation may if they think fit contribute towards the cost of raising the chimney to comply with any such requirement :

Provided that before exercising the powers conferred by this section in relation to any chimney situated within one mile of an aerodrome licensed pursuant to an order made under the Air Navigation Act 1920 or any Act amending replacing or consolidating that Act the Corporation shall obtain the consent of the Secretary of State for Air.

(2) Any person who shall offend against any provision of this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Window  
blinds &c.

**45.**—(1) Any person erecting setting up or placing any blind shade covering or awning over any footway shall so erect set up or place the same that no part thereof shall project over any part of the footway which is less than one foot six inches from the outer edge of the kerb of such footway.

(2) Every such blind shade covering or awning shall be constructed and maintained so as to secure in accordance with the requirements of the Corporation the safety and convenience of the public.

(3) Every person who shall offend 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.

Cleansing of  
sinks and  
gullies.

**46.** The Corporation at the request of the owner or occupier of any premises in the borough may undertake the cleansing of any waterclosets drains sinks

or gullies in or connected with such premises for such remuneration as may be determined by the Corporation and the amount thereof shall be recoverable from the person by or on behalf of whom the request is made.

A.D. 1937.

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PART VII.  
—cont.

**47.**—(1) Where the Corporation resolve to construct a sewer in a street or part of a street within the borough repairable by the inhabitants at large which has not been previously sewered and the resolution states that the construction of the sewer will in the opinion of the Corporation increase the value of premises fronting adjoining or abutting on such street or part of a street then subject to the provisions of section 49 (Provisions applicable to the last two preceding sections) of this Act the expenses incurred by the Corporation in constructing the sewer so far as they do not exceed the sum authorised by the last-mentioned section shall be apportioned by the Corporation on the premises fronting adjoining or abutting on the street or part of a street according to the frontages of the respective premises as existing at the date when the resolution becomes operative.

Apportionment to frontagers of expenses of sewer constructed under public highway.

(2) Such resolution as aforesaid shall not become operative unless and until notice thereof has been published in a local newspaper circulating in the borough but shall become operative as from the date of such publication.

Copies of the newspaper containing the notice shall be sufficient evidence of the publication thereof.

(3) Nothing in this section shall authorise the apportionment of any sum on any land in contravention of any agreement between the Corporation and the owner of the land.

**48.**—(1) Where the Corporation have incurred expenses in constructing after the commencement of this Act a length of sewer in land within the borough and that land has subsequently become a street (whether repairable by the inhabitants at large or not) then subject to the provisions of the next succeeding section the expenses so incurred so far as they do not exceed the sum authorised by that section shall be apportioned by the Corporation on the premises fronting adjoining or abutting on the street according to the frontages of the respective premises.

Apportionment to frontagers of expenses of construction of sewer before land became a street.

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PART VII.  
—cont.

(2) Where on the construction of the length of sewer compensation became due to the owner of any land in which the length of sewer was constructed in respect of the damage he sustained by reason of such construction and any sum was set off against such compensation on account of the value of the land belonging to such owner having been enhanced by the construction of the length of sewer this section shall not apply to the length of sewer or to such part thereof as was constructed in such land as aforesaid.

(3) Nothing in this section shall authorise the apportionment of any sum on any land in contravention of any agreement between the Corporation and the owner of the land.

Provisions  
applicable  
to the last  
two preced-  
ing sections.

49.—(1) The sum apportionable under either of the two last preceding sections of this Act shall not exceed the sum certified by the surveyor to be at the time the average cost per lineal yard of providing a sewer having an internal diameter of nine inches in a private street in the borough multiplied by the extent in lineal yards (as so certified) of the sewer or length of sewer in question.

(2) As soon as the apportionment has been made the Corporation shall serve on the owners of the several premises affected notice in writing of the sums respectively apportioned to them and the notice shall state the right of appeal hereinafter conferred.

(3) Any owner on whose premises any sum has been apportioned shall be entitled within fourteen days of the service upon him of such notice as aforesaid to appeal to a court of summary jurisdiction against the amount of the sum so apportioned and may on such appeal dispute the correctness of the surveyor's certificate.

If the court finds that the certificate of the surveyor is erroneous the court shall order the revision of the sums apportioned not only to the appellant but also to the owners of the other premises affected.

(4) Whenever a new building (other than a building not requiring a foul water drainage system) is erected on any premises fronting adjoining or abutting on the street or part of the street after the date when the



resolution became operative or the street was laid out (as the case may be) the sum apportioned on those premises shall be recoverable to an extent proportional to the frontage on the street or part of the street of the site of and the land occupied with the new building :

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PART VII.  
—cont.

Provided that where the drains of such new building are at the time of its erection made to connect with a sewer other than the sewer the expenses of the construction of which are apportioned no sum shall be recoverable in respect of the building unless and until the drains thereof are connected with the last-mentioned sewer.

For the purposes of this subsection—

(a) a building shall be deemed to be a new building erected after the date in question unless the erection of the building was completed before that date ;

(b) any such re-erection alteration or extension of a building as is mentioned in the Third Schedule to the Restriction of Ribbon Development Act 1935 shall be deemed to be the erection of a new building :

25 & 26  
Geo. 5. c. 47.

Provided that references in the said schedule to the date on which the restrictions came into force shall for the purposes of this subsection be construed as references to the date when the resolution became operative or the street was laid out as the case may be.

(5) The sum apportioned on any premises shall notwithstanding that no part thereof is immediately recoverable be treated as a local land charge for the purposes of the Land Charges Act 1925 and where part thereof has become recoverable the balance shall be so treated.

15 & 16  
Geo. 5. c. 22.

(6) No interest shall be chargeable on any apportioned sum or any part thereof until it becomes recoverable.

(7) Where such a resolution as is mentioned in section 47 (Apportionment to frontagers of expenses

A.D. 1937.  
—  
PART VII.  
—cont.

of sewer constructed under public highway) of this Act has been passed but the construction of the sewer to which it relates has not been completed within two years from the date when the resolution became operative all liabilities of frontagers consequent thereon shall cease to have effect.

(8) If any person from whom an apportioned sum or any part thereof becomes recoverable proves that by reason of the length of frontage of the land occupied with the building in respect of which the sum so recoverable is payable the amount recoverable is disproportionate to the benefit accruing to the premises the Corporation or on appeal a court of summary jurisdiction may remit such part of that sum as they may think just but in such case if another new building is subsequently erected on the land occupied with the first-mentioned building the sum remitted or such part thereof as is proportional to the frontage of the site of and land occupied with that other building shall become recoverable.

(9) Where under this section any sum becomes recoverable in respect of any premises that sum together with interest from the date of service of a demand therefor may be recovered summarily as a civil debt by the Corporation from the person who is the owner of the premises at the date when a demand for payment is served and as from that date that sum and interest accrued due thereon shall until recovered be a charge on the premises and on all estates and interests therein and the following provisions of the Act of 1936 shall apply:—

Subsections (2) to (4) of section 291; and  
Subsection (2) of section 293.

Separate dwellings to be provided with food storage accommodation.

**50.** Where any new building contains two or more flats or separate dwellings or any old building is after the date of the passing of this Act converted into two or more flats or separate dwellings each such flat or separate dwelling shall for the purposes of section 63 (Food storage accommodation to be provided) of the Act of 1924 be deemed to be a dwelling-house within the meaning of that section.

PART VIII.

A.D. 1937.

SANITARY PROVISIONS.

**51.**—(1) No premises in the borough shall be used for any of the following purposes (that is to say):—

Registration of premises used in connection with sale of ice-cream or preserved food.

- (a) The sale or the manufacture for purposes of sale of any commodity consisting of ice-cream or any substance similar thereto or the storage of any such commodity intended for sale; or
- (b) The preparation or manufacture of sausages or potted pressed pickled or preserved meat fish or other food intended for sale;

unless the premises are registered under this section for that purpose by the Corporation.

(2) If any person uses any premises in contravention of this section he shall be guilty of an offence and liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(3) Every application for the registration of premises under this section shall be made by the owner or occupier of the premises or by the person intending to occupy them.

(4) If the Corporation are satisfied that any premises are unsuitable for use for any purpose for which they have been registered under this section or for which application for registration has been made under this section the Corporation may serve upon—

- (a) the occupier for the time being of the premises or the person on whose application they were registered; or
- (b) the person applying for registration;

as the case may be a notice requiring him to appear before them on such day not being earlier than seven days after the date of the notice as may be specified therein in order to show cause why the Corporation should not for the reasons specified in the notice revoke the registration of the premises for the said purpose or refuse the application and if that person fails to show cause to the satisfaction of the Corporation why they should not do so the Corporation may revoke the

A.D. 1937. registration of the premises for that purpose or refuse  
— the application Any such notice shall state the effect  
PART VIII. of the two next succeeding subsections.  
—cont.

(5) If the Corporation revoke the registration or refuse the application they shall if required by such occupier or person as aforesaid deliver to him within seven days of the receipt of such requirement a statement in writing of the ground or grounds upon which such revocation or refusal is based.

(6) Any person appealing (under section 86 (As to appeals) of this Act) against any decision of the Corporation under this section shall do so within fourteen days after the date of such decision.

(7) The medical officer the sanitary inspector or any other officer of the Corporation appointed for the purpose shall have power at all reasonable times to enter any premises in the borough to which he has reasonable cause to believe that the provisions of this section apply for the purpose of ascertaining—

(a) whether there is occurring therein any contravention of the said provisions; or

(b) in the case of premises which have been registered by the Corporation under this section for any of the purposes specified in subsection (1) thereof or in respect of which application for such registration for any of those purposes has been made to them whether the premises are suitable for that purpose or any of the purposes specified in subsection (1) of this section :

Provided that in exercising the powers conferred on them by this section at any premises owned or used by a railway company the Corporation shall conform to such reasonable requirements of the company as are necessary to prevent obstruction to or interference with the working of the traffic of the railway thereat and the railway company shall not be liable for any accident or injury happening to any officer servant or agent of the Corporation upon any lines of rails belonging to the company or upon any land immediately adjoining any such lines of rails.

(8) For the purpose of this section the preparation of meat or fish by any process of cooking shall be deemed to be the preservation thereof.

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PART VIII.

—cont.

(9) In relation to any premises used as a theatre music hall or cinema this section shall have effect as if in paragraph (a) of subsection (1) of this section the words "the sale or" and the words "or the storage of any such commodity intended for sale" were omitted therefrom.

(10) This section shall not apply in relation to any premises used as a club hotel or restaurant.

(11) On the coming into operation of this section section 102 (Registration of premises used for manufacture &c. of ice-cream) of the Act of 1928 shall be repealed but any premises registered under that section shall be deemed to have been registered under this section for the sale or the manufacture for purposes of sale of any commodity consisting of ice-cream.

**52.**—(1) The Corporation may make and enforce byelaws for preventing meat or any part of the carcase of an animal brought into the borough and intended for human food from being used for human food or being offered for sale or sold or deposited for sale or for preparation for sale until after inspection by an officer of the Corporation and for requiring any such meat or carcase to be taken for inspection to the abattoir of the Corporation or to such place as may be specified in the byelaws.

Byelaws as  
to inspection  
of meat.

(2) No byelaw made by the Corporation under subsection (1) of this section shall apply to meat or any part of a carcase to which the Public Health (Imported Food) Regulations 1925 and 1933 apply or which has been inspected and passed as fit for food by the medical officer of health for the district in which the animal has been slaughtered or by a duly qualified inspector being an official of or authorised to act on behalf of the sanitary authority of such district but the Corporation shall be entitled to require reasonable proof that the meat has been inspected and passed as aforesaid.

(3) With a view to facilitating the carrying into effect of any byelaws made in pursuance of this section

A.D. 1937.  
—  
PART VIII.  
—cont.

an officer of the Corporation may with the consent of the local authority concerned enter any slaughter-house which is situate outside the borough but within a circle having a radius of twenty miles from the Rotherham parish church for the purpose of inspecting any carcase or any part thereof intended for sale or consumption in the borough.

(4) Nothing in this section shall affect the operation of the Diseases of Animals Acts 1894 to 1935 or of any order licence or act of the Minister of Agriculture and Fisheries made granted or done thereunder.

(5) Before making any such byelaws the Corporation shall give to the Rotherham and District Beef and Pork Butchers' Association and to the local branch of the Farmers' Union not less than one month's notice of the Corporation's intention to make such byelaws and such notice shall be accompanied by a copy of the draft byelaws and the Corporation shall confer with the said association and branch thereon before they submit them to the Minister for confirmation and such association and branch shall be entitled to make representations to the Minister with regard thereto.

Prohibition  
of private  
slaughter-  
houses.

**53.**—(1) After the Corporation have satisfied the Minister that they have provided an adequate slaughter-house they may serve upon the owner of any premises used as a slaughter-house a notice requiring him to close and discontinue the use of such premises as a slaughter-house and every such owner shall within six months from the date of the service of such notice upon him or if he cannot be found within six months from the date of such notice being left upon such premises discontinue the use of such premises as a slaughter-house and from thenceforth it shall not be lawful for any person to slaughter any animal or dress any carcase upon such premises and every person acting in contravention of this section shall be liable for each offence to a penalty not exceeding five pounds.

(2) The Corporation shall make compensation to the owner lessee and occupier respectively of any such premises the use of which shall be so discontinued as aforesaid for any loss they or either of them may sustain by reason of such discontinuance and the amount of such compensation in case of disagreement

between the Corporation and any such owner lessee or occupier shall be settled by arbitration :

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PART VIII.  
—cont.

Provided that in the case of a slaughter-house which is defective or otherwise open to objection on sanitary grounds the arbitrator shall have regard thereto in settling the amount of compensation (if any) which shall be awarded in respect of the prohibition of slaughtering in such slaughter-house.

**54.**—(1) If the medical officer shall certify that any person is suffering from tuberculosis of the respiratory tract and is in an infectious state and that he is employed within the borough in the cooking preparation or handling of food intended for consumption by persons other than himself or members of his household and that his continuance in such employment would in the judgment of the medical officer be detrimental to the public health the Corporation may request such person to stop his employment and on such request being made the Corporation may if they think fit make compensation to him in respect of any loss which he may sustain by reason of such stoppage.

Power to prohibit persons in advanced state of tuberculosis from selling &c. food.

(2) If any such person shall fail to comply with such request the Corporation may apply to a court of summary jurisdiction for an order requiring him to stop his employment and the court shall have power to make such an order if after consideration of all the circumstances it thinks fit to do so and may direct that such compensation as it deems equitable shall be paid by the Corporation to such person.

(3) If any such person fails to comply with any such order he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

(4) This section shall not apply to any employment or occupation to which the Public Health (Prevention of Tuberculosis) Regulations 1925 apply.

**55.**—(1) As from the commencement of this section the following provisions shall have effect in the borough :—

Registration of hawkers of meat fish fruit and vegetables and premises.

(a) any person other than a person keeping open shop for the sale of meat or meat food product or fish or fruit or vegetables who shall

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PART VIII.

—cont.

by himself or by any person employed by him sell or offer or expose for sale any meat or meat food product or fish or fruit or vegetables from any cart or other vehicle or from any basket barrow or other receptacle; and

- (b) any premises used or proposed to be used as storage accommodation for any meat or meat food product or fish or fruit or vegetables intended for sale from a cart or other vehicle or from a basket barrow or other receptacle;

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 or intending owner or occupier thereof.

(2) (a) No person other than a person keeping open shop for the sale of meat or meat food product or fish or fruit or vegetables shall by himself or by any person employed by him sell or offer or expose for sale any meat or meat food product or fish or fruit or vegetables from any cart or other vehicle or from any basket barrow or other receptacle unless he is so registered as aforesaid.

(b) No premises shall be used as storage accommodation for any meat or meat food product or fish or fruit or vegetables intended for sale from a cart or other vehicle or from a basket barrow or other receptacle unless such premises are so registered as aforesaid.

(3) Any person who offends 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) (a) The Corporation may refuse to register any such person or premises as is or are referred to in subsection (1) of this section or (after giving one month's notice in writing to the person registered or in whose name any such premises are registered) may revoke the registration of any such person or premises if they are satisfied (as regards any such person) that the public health is or is likely to be endangered by any act or default of such person in relation to the quality storage or distribution of the meat or meat



food product or fish or fruit or vegetables as the case may be or (as regards any such premises) that such premises are not suitable to be used for the purposes aforesaid :

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PART VIII.  
—cont.

Provided that before refusing or revoking such registration the Corporation shall serve upon the person applying for registration or upon the person registered or in whose name such premises are registered 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 refuse to register or revoke the registration of the person or premises Any such notice shall state the effect of paragraphs (b) and (c) of this subsection.

(b) If the Corporation refuse to register or revoke the registration of any such person or premises they shall if required by the person applying for such registration or the person registered or in whose name the premises are registered deliver to him within seven days of the receipt of such requirement a statement in writing of the ground or grounds upon which such refusal or revocation is based.

(c) Any person appealing to a court of summary jurisdiction under section 86 (As to appeals) of this Act against any such refusal or revocation shall do so within fourteen days from the date of the notice of such refusal or revocation.

(5) The medical officer the sanitary inspector or any other officer of the Corporation appointed for the purpose shall have power at all reasonable times to enter and inspect any premises in the borough in respect of which an application has been received for registration under the provisions of this section and also any premises which he shall have reason to believe are being used as storage accommodation for meat or meat food product or fish or fruit or vegetables intended for sale from a cart or other vehicle or from a basket or barrow.

(6) The Corporation shall keep a register of the persons and premises registered under the provisions of this section.

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PART VIII.  
—cont.

(7) In and for the purposes of this section—

“meat” means the flesh of cattle swine sheep or goats including bacon and ham and edible offal and fat which is sold or intended for sale for human consumption;

“meat food product” means any article of food intended for sale for human consumption and derived or prepared in whole or in part from meat.

## PART IX.

### SUPERANNUATION AND ALLOWANCES.

Annuities  
for widows.

12 & 13  
Geo. 5. c. 59.

**56.**—(1) Within one month before any date on which if he ceased to hold his office or employment an officer or servant would become entitled to a superannuation allowance under paragraph (b) or paragraph (c) of subsection (1) of section 6 of the Local Government and other Officers' Superannuation Act 1922 (in this Part of this Act referred to as “the Act of 1922”) he may give notice in writing to the Corporation requiring that the provisions of subsection (2) or subsection (3) of this section shall apply to him and to any wife to whom he is married on the date on which he becomes entitled to a superannuation allowance or (if he dies before ceasing to hold office or employment but would had he so ceased immediately prior to his death have been entitled to a superannuation allowance) to any wife to whom he is married at the date of his death and where any such notice is given then unless the Corporation (being of opinion that the state of health of such person regard being had to his age is not reasonably satisfactory) notify him within one month after the receipt by the Corporation of the notice that they do not intend to comply with the requirement subsection (2) or subsection (3) of this section as the case may be shall apply and the other provisions of this section shall have effect:

Provided that a notice under this subsection may be given in respect either of the whole or of a specified part of an allowance and where it is given in respect of a specified part only of an allowance references in this section to the superannuation allowance shall be construed

as references to such specified part of the superannuation allowance.

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PART IX.  
—cont.

(2) In any case to which this subsection applies—

(a) the amount of the superannuation allowance payable to the officer or servant during the joint lives of himself and such wife as aforesaid shall in any case covered by Part I of the Fourth Schedule to this Act be such percentage of the superannuation allowance which would have been payable under the Act of 1922 if he had not given a notice under this section as is specified in that schedule as appropriate in relation to the ages of such officer or servant and his wife at the date of his retirement and in any other case such percentage of the said superannuation allowance as is certified to be just by an actuary appointed by the Corporation;

(b) if he predeceases her and—

(i) was in receipt of or entitled to a superannuation allowance; or

(ii) dies before ceasing to hold office or employment but would had he so ceased immediately prior to his death have been entitled to a superannuation allowance;

she shall be entitled after his death to receive for life an annuity equal to one-third of the amount of the superannuation allowance which was or would have been payable under paragraph (a) of this subsection during their joint lives;

(c) if she predeceases him then as from the date of her death or his retirement whichever occurs last the superannuation allowance payable to him shall be an amount equal to two-thirds of the amount which was or would have been payable under paragraph (a) of this subsection during their joint lives.

(3) In any case to which this subsection applies—

(a) the amount of the superannuation allowance payable to the officer or servant shall in any

A.D. 1937.

—  
PART IX.  
—cont.

case covered by Part II of the Fourth Schedule to this Act be such percentage of the superannuation allowance which would have been payable under the Act of 1922 if he had not given a notice under this section as is specified in that schedule as appropriate in relation to the ages of such officer or servant and his wife at the date of his retirement and in any other case such percentage of the said superannuation allowance as is certified to be just by an actuary appointed by the Corporation;

(b) if he predeceases her and—

(i) was in receipt of or entitled to a superannuation allowance; or

(ii) dies before ceasing to hold office or employment but would had he so ceased immediately prior to his death have been entitled to a superannuation allowance;

she shall be entitled after his death to receive for life an annuity equal to one-third of the amount of the superannuation allowance which was or would have been payable to him under the Act of 1922 if he had not given a notice under this section.

(4) The Minister may on application made by the Corporation by order alter as respects officers or servants giving notice under subsection (1) of this section after the date of the order any of the percentages specified in the Fourth Schedule to this Act so far as may be necessary to secure that the benefits provided by this section for officers or servants and their wives shall be actuarially equivalent to the benefits to which the officers or servants would have been entitled if they had not given such notice as aforesaid.

(5) The first payment of any superannuation allowance to a person under this section shall be accompanied by a statement showing the amount of any annuity which may become payable under this section.

(6) An annuity under this section shall be payable out of the superannuation fund:

Provided that if the superannuation allowance of the officer or servant was by reason of the proviso

to subsection (1) of section 16 of the Act of 1922 not payable wholly out of the superannuation fund such proportion only of the annuity shall be paid out of the superannuation fund as corresponds to the portion of the said superannuation allowance which was so payable and the balance shall be charged to the accounts (forming part of the general rate fund) out of which the salary or wages of the officer or servant to whom the allowance was granted are charged.

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PART IX.  
—cont.

(7) If the officer or servant shall die after becoming entitled to a superannuation allowance but before he would have been entitled to receive by way of superannuation allowance if he had not given notice under this section an amount in the aggregate equal to the amount of his contributions to the superannuation fund with compound interest thereon at three per centum per annum calculated by half-yearly rests the Corporation shall pay to his legal personal representative the difference between the amount which the officer or servant would have been entitled to receive as aforesaid and the sum to which his contributions to such fund with such compound interest thereon at the rate and calculated as aforesaid amounted at the date of his retirement.

(8) In any case to which subsection (7) of this section applies the Corporation shall not be required to make any payment to the legal personal representative of the deceased officer or servant under the provisions of subsection (2) of section 12 of the Act of 1922.

(9) An annuity under this section shall not be capable of assignment or transfer.

**57.** In the event of the salary or wages of an officer or servant being either—

(a) reduced on account of his mental or physical infirmity; or

(b) suspended by reason of illness;

he may if he so desires with the consent of the Corporation continue to contribute to the superannuation fund in all respects as if such reduction or suspension had not taken effect and in the event of his so continuing to contribute the amount of his salary or wages for the period in respect of which he so continues to contribute

Reduction  
or suspen-  
sion of  
salary or  
wages.

A.D. 1937. shall for the purposes of the Act of 1922 be deemed  
— to be the amount of the salary or wages which he would  
PART IX. have received in respect of that period if such reduction  
—cont. or suspension had not taken place.

Power to  
grant allow-  
ances or  
gratuities  
in certain  
cases.

59 & 60 Vict.  
c. 50.

**58.**—(1) The Corporation may if they think fit in cases which are not within the Workmen's Compensation Acts 1925 to 1934 or the Teachers (Superannuation) Acts 1918 to 1935 or any other Act for the time being in force relating to the superannuation of teachers and in which the officer or servant of the Corporation is not entitled to benefits under the Act of 1922 or the Poor Law Officers' Superannuation Act 1896 grant a weekly or other allowance (not exceeding one-half of his salary or wages) or in lieu thereof a gratuity of any sum (not exceeding two years' pay) to any of the Corporation's officers or servants who may be disabled or injured in the Corporation's service or may become incapacitated through age sickness or other infirmity.

(2) Every such allowance or gratuity shall be charged on and paid out of the fund or funds on or out of which the salary wages or emoluments of such officer or servant would have been charged or been paid if he had continued in his office or service.

(3) In and for the purposes of this section the expression "officers or servants" shall include any teacher who is not entitled to a gratuity under the Teachers (Superannuation) Acts 1918 to 1935 or any Act amending the same and who at the date of the passing of this Act is or shall thereafter be permanently and exclusively employed by the Corporation as the local education authority for the borough or permanently and exclusively employed in any public elementary school in the borough whether provided by the Corporation as the local education authority or not so provided.

## PART X.

### FINANCIAL PROVISIONS.

Power to  
borrow.

**59.**—(1) The Corporation shall have power in addition and without prejudice to their powers of borrowing under the Act of 1933 from time to time

to borrow at interest without the consent of any sanctioning authority 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 they shall pay off all moneys so borrowed within such periods as the Corporation may determine not exceeding the respective periods mentioned in the third column of the said table (namely) :—

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PART X.  
—cont.

1	2	3
Purpose.	Amount.	Period for repayment calculated (except when otherwise stated) from the date or dates of borrowing.
	£	
(a) The purchase of lands which the Corporation are by this Act authorised to acquire.	80,500	Sixty years.
(b) The construction of the street works authorised by this Act.	36,300	Thirty years.
(c) The construction of the cemetery authorised by this Act.	28,000	Thirty years.
(d) The provision of trolley vehicles -	3,000	Ten years.
(e) The provision of electrical equipment and the construction of other works necessary for working the trolley vehicle routes authorised by this Act.	10,544	Twenty years.
(f) The construction of gas works -	67,500	Thirty years.
(g) The provision of gas mains and services.	47,000	Twenty years.
(h) Any sum payable to the Electrical Distribution of Yorkshire Limited under section 31 (Repeal of powers of distribution company) of this Act.	The sum requisite.	Thirty years.
(i) The payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the commencement of this Act.

(2) The provisions of Part IX of the Act of 1933 so far as they are not inconsistent with this Part of this Act shall extend and apply to money borrowed under this section as if it were borrowed under Part IX of that Act and the period fixed for the repayment of any money borrowed under this section shall as respects

A.D. 1937. that money be the fixed period for the purpose of the  
said Part IX.

PART X.  
—cont.

(3) In the application of the provisions of Part IX of the Act of 1933 to the borrowing of any further money for the purposes of the transport undertaking the Minister of Transport shall be the sanctioning authority.

Application of Act of 1933 to existing sinking funds.

60. Sections 213 and 214 of the Act of 1933 shall (subject to the provisions of any scheme made under section 63 (Consolidated loans fund) of this Act) apply with respect to any sinking fund formed by the Corporation for the repayment of any money borrowed (otherwise than by the issue of stock) before the commencement of this Act under any statutory borrowing power as if it had been borrowed by way of mortgage and the Corporation shall make such adjustments of any existing sinking funds as may be proper.

Application of Act of 1933 to moneys borrowed by issue of bonds.

61. Where the Corporation after the commencement of this Act raise money by the issue of Corporation bonds under the provisions of section 84 (Power to borrow by issue of bonds) of the Act of 1930 sections 212 213 and 214 of the Act of 1933 shall (subject to the provisions of any scheme made under section 63 (Consolidated loans fund) of this Act) apply as if the money had been raised by borrowing by mortgage under the Act of 1933 and bonds were mortgages within the meaning of that Act.

Use of money forming part of sinking and other funds.

62.—(1) Notwithstanding anything in this or any other Act the Corporation may use for the purpose of any statutory borrowing power exercisable by them any moneys forming part of but not for the time being required for the purposes of any fund accumulated for the redemption of debt or as a reserve renewals repairs depreciation contingency superannuation insurance capital reserve or other similar fund (in this section referred to as "the lending fund") subject to the following conditions:—

- (a) The moneys so used shall be repaid out of the general rate or the general rate fund to the lending fund within the period and by the



methods within and by which a loan raised under the statutory borrowing power would be repayable :

A.D. 1937.

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PART X.  
—cont.

Provided that the Corporation shall repay to the lending fund the moneys so used or the balance thereof for the time being outstanding (as the case may be) as and when the same shall be required for the purposes of the lending fund and may if they so resolve repay the same at any time within the period aforesaid and in either case the repayment shall be made out of the general rate or the general rate fund or out of moneys which would have been applicable to the repayment of a loan if raised under the statutory borrowing powers ;

- (b) In the accounts of the general rate fund an amount equal to interest calculated at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power on any moneys so used and for the time being not repaid shall be credited to the lending fund and debited to the undertaking or purpose with reference to which the moneys are so used ;
- (c) The statutory borrowing power shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactment as to re-borrowing of sums raised under the statutory borrowing power shall apply accordingly.

(2) Section 95 (Use of moneys forming part of sinking and other funds) of the Act of 1924 is hereby repealed and any moneys used thereunder shall be deemed to have been used under this section.

**63.**—(1) Notwithstanding anything contained in any other Act or Order on and after the thirty-first day of March nineteen hundred and thirty-eight the Corporation may if they think fit establish a fund

Consoli-  
dated loans  
fund.

A.D. 1937. to be called "the consolidated loans fund" to which shall be paid—

PART X.  
—cont.

- (a) all moneys borrowed by the Corporation whether by issue of bonds stock or other security together with any moneys borrowed without security in connection with the exercise of any statutory borrowing power;
- (b) all moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose; and
- (c) the appropriate sums provided in each year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers or otherwise provided for the repayment of debt:

And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys so borrowed or received and of all sums provided by the Corporation as aforesaid before the date on which the consolidated loans fund is established.

(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

- (a) in the redemption of stock or any other securities issued by the Corporation the purchase of bonds or stock for extinction or the repayment of any moneys borrowed by the Corporation; and
- (b) in the exercise of any statutory borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation:

And the moneys of the consolidated loans fund not used or applied in these ways or about to be so used or applied within a reasonable period shall be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund and the moneys of the consolidated loans fund shall not except with the consent of the Minister be used or applied otherwise than as provided in this subsection.

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

A.D. 1937.

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PART X.  
—cont.

(4) The Corporation may pay into the consolidated loans fund any moneys forming part of any reserve renewals depreciation contingency superannuation insurance capital reserve 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) There shall be paid out of the consolidated loans fund to the general rate fund an amount equal to the interest 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 and in the accounts of the general rate fund an amount equal to the interest as aforesaid (subject in the case of any of the said funds to any prescribed limit on the amount thereof) shall be credited to the lending fund.

(5) Save as in this section expressly provided all the obligations of the Corporation to the holders of bonds stock or other securities of the Corporation shall continue in force.

(6) Nothing in this section shall apply to moneys borrowed from the Public Works Loan Commissioners.

(7) (a) The powers conferred by this section shall not be put into operation by the Corporation except in accordance with a scheme to be approved by the

A.D. 1937. Minister and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

PART X.  
—cont.

(b) Any scheme approved under this section may be altered amended or revoked by a scheme approved in like manner and subject to the like provisions as the original scheme.

(8) Section 96 (Consolidated loans fund) of the Act of 1924 is hereby repealed.

Repeal and  
commence-  
ment of  
certain  
provisions.

**64.** The following sections of this Act:—

Section 65 (Receipts and expenses);

Section 66 (Accounts);

Section 67 (Application of revenue of undertakings);

Section 68 (Reserve funds); and

Section 69 (Surplus electricity revenue);

shall be deemed to have come into operation on the first day of April nineteen hundred and thirty-seven and on that day sections 122 to 124 of the Act of 1928 shall be deemed to have been repealed.

Receipts  
and  
expenses.

**65.**—(1) Notwithstanding anything contained in any other Act or Order all moneys received by the Corporation whether on capital or revenue account including (but without prejudice to the generality of this provision)—

(a) all money received on account of the revenue of any of the Corporation undertakings; and

(b) interest and other annual proceeds received on the investments representing or forming part of any fund accumulated for the redemption of debt or as a reserve renewals repairs depreciation contingency insurance consolidated loans or other similar fund (including any amounts payable or to be credited to any such fund in pursuance of section 62 (Use of money forming part of sinking and other funds) and section 63 (Consolidated loans fund) of this Act);

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 whether public or local (including interest on moneys borrowed by the Corporation and all sums required by law to be paid or transferred or which the Corporation may determine to pay or transfer to any such fund as is referred to in paragraph (b) of this subsection) shall be paid or transferred out of the general rate fund :

A.D. 1937.

—  
PART X.  
—cont.

Provided that an amount equivalent to the interest and other annual proceeds as aforesaid shall (subject in the case of any of the said funds to any prescribed limit on the amount thereof) be credited in the accounts to the fund on the investments of which the same is received.

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

**66.**—(1) The Corporation shall keep their accounts so as to distinguish capital from revenue and as to revenue so as to show under a separate heading or division in respect of each of the Corporation undertakings on the one side all income in respect of the undertaking (including the interest and other annual proceeds received by the Corporation on the investments representing or forming part of any such fund provided in connection with the undertaking as is referred to in paragraph (b) of subsection (1) of the last preceding section) and on the other side all expenditure in respect of the undertaking such expenditure being divided so as also to show the amounts representing—

Accounts.

- (a) the working and establishment expenses and cost of maintenance of the undertaking;
- (b) the annuities (if any) payable in respect of the undertaking;
- (c) the interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking or any amounts payable in respect of moneys used for those purposes in pursuance of section 62 (Use of money forming part of sinking and other funds) and section 63 (Consolidated loans fund) of this Act;

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PART X.  
—cont.

- (d) the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed or used as aforesaid;
- (e) all other expenses (if any) of the undertaking properly chargeable to revenue;
- (f) the amount (if any) credited to reserves or to a reserve fund provided in respect of the undertaking;
- (g) any money expended or applied for any of the purposes mentioned in the next succeeding section.

(2) The Corporation shall show in their accounts relating to each undertaking 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.

(3) The Corporation shall so far as reasonably practicable apportion between the accounts of separate undertakings or carry to any of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

(4) The accounts in respect of the transport undertaking of the Corporation shall be kept so as to show separately (so far as may be reasonably practicable) the receipts and expenses in regard to—

- (a) their tramways;
- (b) their trolley vehicles; and
- (c) their omnibuses and public service vehicles.

Application  
of revenue  
of under-  
takings.

**67.** If in respect of any year the moneys received by the Corporation on account of the revenue of any of the Corporation undertakings (including the interest and other annual proceeds received by the Corporation in that year on the investments representing or forming part of any such fund as is referred to in paragraph (b) of subsection (1) of section 65 (Receipts and expenses) of this Act provided in connection with the undertaking) shall exceed the moneys expended or applied by the Corporation in respect of that undertaking for the several purposes mentioned in paragraphs (a) (b) (c) (d) (e) and (f) of subsection (1) of the last preceding section the Corporation may in respect of that year

(if they think fit but subject to the provisions hereinafter contained) apply out of the general rate fund a sum not exceeding the amount of such excess to any of the following purposes:—

- (a) In the 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 as respects expenditure chargeable to capital account) in or towards the payment of the cost of renewing improving or extending any works forming part of the undertaking or otherwise for the benefit thereof.

**68.**—(1) The Corporation may (if they think fit) provide a reserve fund in respect of any of the Corporation undertakings by setting aside such an amount as they may from time to time think reasonable and investing the same in statutory securities until the fund so provided amounts—

- (a) in the case of the gas or electricity undertaking of the Corporation to a sum equal to one-tenth of the aggregate capital expenditure of the Corporation on such undertaking; and
- (b) in the case of any other undertaking to the maximum reserve fund for the time being prescribed by the Corporation.

(2) Any reserve fund or contingency or depreciation fund which has been provided in respect of any of the Corporation undertakings and which was in existence on the first day of April nineteen hundred and thirty-seven shall be carried to and form part of any reserve fund provided under this section in respect of such undertaking.

(3) Any reserve fund provided under this section may be applied—

- (a) in making good to the general rate fund any deficiency at any time happening in the income of the Corporation from the undertaking in connection with which it is formed; or
- (b) in meeting any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking; or

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PART X.  
—cont.

(c) (subject in the case of the electricity undertaking to the consent of the Electricity Commissioners as respects expenditure chargeable to capital account) in or towards the payment of the cost of renewing improving or extending any works forming part of the undertaking or otherwise for the benefit thereof;

and so that if that fund 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.

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

33 & 34 Vict.  
c. cxxxiv.

(5) The provisions of sections 67 and 68 of the Rotherham and Kimberworth Local Board of Health Act 1870 and the other provisions of that Act so far as they relate to contingency or depreciation funds to be formed under that Act are hereby repealed.

Surplus  
electricity  
revenue.

**69.** 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 section 67 (Application of revenue of undertakings) of this Act) (namely) :—

If in respect of any year the moneys received by the Corporation on account of the revenue of the undertaking (including the interest and other annual proceeds received by the Corporation in that year on the investments representing or forming part of any such fund as is referred to in paragraph (b) of subsection (1) of section 65 (Receipts and expenses) of this Act provided in connection with the undertaking) shall exceed the aggregate of the moneys expended or applied by the Corporation in respect of the undertaking for the several purposes mentioned in paragraphs (a) (b) (c)



(d) (e) (f) and (g) of subsection (1) of section 66 A.D. 1937.  
(Accounts) of this Act then—

(a) if the reserve fund in respect of the electricity undertaking does not amount to more than one-twentieth of the aggregate capital expended for the time being upon the undertaking the charges for electricity supplied by the Corporation shall be reduced by such amount or respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the said excess;

(b) if the said reserve fund amounts to more than one-twentieth of the said aggregate capital the Corporation shall fix such amount as they may think fit (not being less in any case in which the said excess is more than a sum equal to one and a half per centum of the outstanding debt of the undertaking than the difference between that sum and the said excess) and the charges for electricity supplied by the Corporation shall be reduced by such amount or respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the amount so fixed.

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PART X.  
—cont.

## PART XI.

### MISCELLANEOUS.

70.—(1) The Corporation may demand and take stallages tolls and charges at their markets and abattoir in respect of the matters referred to in the Fifth Schedule to this Act not exceeding the amounts therein mentioned but this provision shall not apply to pleasure fairs.

Market and abattoir tolls and charges.

(2) Section 92 (Alteration of tolls &c. in respect of markets and fairs) of the Act of 1921 and the schedule to that Act are hereby repealed.

71.—(1) The Corporation may let any shop in their markets for such period at such rent and upon and subject to such terms and conditions as they may think fit.

Letting of shops &c. in market.

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PART XI.  
—cont.

(2) When the Corporation provide covers for the stalls in their markets or provide for the lighting of such stalls or for the storage of hampers or provide other conveniences they may make such charges in respect thereof as they may think fit and such charges may be recovered in the same way and subject to the same conditions as their stallages are recoverable.

Pleasure  
fairs.

**72.** The provisions of section 88 (Power to board to change sites of markets establish new markets take tolls &c.) of the Act of 1863 enabling the Corporation to establish construct maintain and manage fairs within the borough shall extend to pleasure fairs.

Use at  
abattoir of  
plant for  
ancillary  
purposes.

**73.**—(1) At the abattoir of the Corporation adjoining their cattle market in Corporation Street the Corporation may provide maintain and use all such plant apparatus and appliances as they think necessary for the treatment utilisation and disposal of all by-products arising from the slaughtering of animals whether at that abattoir or elsewhere and may deal in any product of such treatment.

(2) The Corporation may let such plant apparatus and appliances or allow the same to be used for such purposes at such rents or charges and subject to such terms and conditions as they may think fit.

Further  
provision  
for public  
and other  
buildings.

**74.**—(1) If it appears to the Corporation that for the purpose of preventing fire or injury or danger to persons resorting to any building to which section 59 (Exits entrances &c. in the case of certain public and other buildings) of the Act of 1936 applies—

- (a) the apparatus or fittings for lighting or heating the building require alteration; or
- (b) the arrangement of the chairs and seating requires alteration; or
- (c) any floor requires strengthening in order to prevent overloading;

the Corporation may by notice require the owner of the building to make such provision in regard to the matters aforesaid as may be necessary:

Provided that—

- (a) paragraphs (a) and (b) of this subsection shall not apply to premises in respect of which

a licence under the Theatres Act 1843 Part IV of the Public Health Acts Amendment Act 1890 or the Cinematograph Act 1909 is for the time being in force ;

(b) nothing in this section shall affect the operation of the Factory and Workshop Acts 1901 to 1929 or any regulation or order made thereunder.

(2) The provisions of Part XII of the Act of 1936 with respect to appeals against and the enforcement of notices requiring the execution of works shall apply in relation to any notice given under this section.

**75.**—(1) The provisions of section 38 of the Gasworks Clauses Act 1871 or (as the case may be) the provisions of that section incorporated with the Electric Lighting Act 1882 shall apply to any person who wilfully fraudulently or by culpable negligence injures or detaches or suffers to be injured or detached any of the sealing or locking devices attached to any sealed or locked receptacle meter or apparatus inserted by the Corporation in any gas pipe or electric line within a consumer's premises or who opens or suffers to be opened any such sealed or locked receptacle meter or apparatus as they apply to persons who wilfully fraudulently or by culpable negligence injure or suffer to be injured meters belonging to the Corporation.

(2) If any person accidentally injures or detaches or suffers to be injured or detached any such sealing or locking device as aforesaid he shall within forty-eight hours of such injury or detachment give notice in writing thereof to the Corporation and any person who fails to comply with the provisions of this subsection shall be liable to a penalty not exceeding five pounds.

**76.**—(1) As from the commencement of this section the provisions of Part IV of the Public Health Acts Amendment Act 1890 shall in their application to the borough extend to any place kept or used for any boxing or wrestling entertainment as though such entertainment were of the like kind with public dancing and music.

(2) For the purposes of this section "boxing or wrestling entertainment" means any public contest

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PART XI.

—cont.

6 & 7 Vict.

c. 68.

53 & 54 Vict.

c. 59.

9 Edw. 7.

c. 30.

Protection  
of seals &c.  
belonging to  
Corporation.  
34 & 35 Vict.  
c. 41.

Places used  
for boxing  
or wrestling  
entertain-  
ments to be  
licensed.

A.D. 1937.

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PART XI.  
—cont.

or display of boxing or wrestling except such as may be provided or given—

- (a) by travelling showmen at pleasure fairs;
- (b) in premises licensed under the Theatres Act 1843 if and so long as the conditions attached to the licence under the said Act are complied with as though such contest or display were a stage play;
- (c) by bona fide associations clubs hospitals or societies which are not carried on for profit;
- (d) by members of the Boy Scouts Association or of any organisation formed by the Boy Scouts Association in pursuance of their charter; or
- (e) by any school.

As to  
personal  
weighing  
machines.

**77.**—(1) In this section the expression “personal weighing machine” means any weighing machine which is used or exposed for use for the purpose of ascertaining the weight of a person—

- (a) for the use of which a charge is made; or
- (b) which is kept in any shop premises or place in the borough to which the public have access.

(2) The owner or the person in charge of any personal weighing machine which is false or unjust shall be liable to a penalty not exceeding forty shillings or in the case of a second or any subsequent offence five pounds and the machine shall be liable to be forfeited.

(3) A personal weighing machine shall not be used or exposed for use unless it has been examined and approved by an inspector of weights and measures of the Corporation and has been marked with a distinguishing mark by such inspector and after the expiration of twelve months from the commencement of this Act every person who has in his possession or under his control any personal weighing machine which is not so marked shall be liable to a penalty not exceeding forty shillings or in the case of a second or subsequent offence five pounds and the machine shall be liable to be forfeited.

(4) If any person forges or counterfeits or removes any such distinguishing mark as is referred to in the

...ast preceding subsection or knowingly exposes for use  
...y personal weighing machine without any such mark  
... with such forged or counterfeit mark thereon he shall  
... be liable to a penalty not exceeding five pounds and the  
... machine shall be liable to be forfeited.

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PART XI.  
—cont.

(5) (a) Any inspector of weights and measures of the Corporation may at all reasonable times inspect and examine any personal weighing machine in the borough and may seize and detain any such machine which is liable to be forfeited under the provisions of this section and may for the purposes of such inspection and examination enter any place (whether open or closed) where he has reasonable cause to believe that there is a personal weighing machine which he is authorised to inspect and examine.

(b) Any person who neglects or refuses to produce for such inspection any personal weighing machine in his possession or on his premises or refuses to permit any such inspector of weights and measures to examine the same or obstructs the entry of such inspector or otherwise obstructs or hinders him from acting under this section shall be liable to a penalty not exceeding five pounds or in the case of a second or any subsequent offence ten pounds.

(6) The Corporation may make byelaws—

- (a) Generally with respect to the examination and inspection of personal weighing machines and the distinguishing marks to be fixed to personal weighing machines under this section and the circumstances and conditions under which such marks may be affixed or cancelled;
- (b) With respect to the tests to be applied for the purpose of ascertaining the accuracy and efficiency of personal weighing machines;
- (c) For fixing the fees to be paid to the Corporation for the examination approval and marking of personal weighing machines under this section or for the examination of such personal weighing machines as are found to be incorrect or defective;

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PART XI.  
—cont.

(d) For fixing the limits of error to be allowed on examination and approval or on inspection and examination of any personal weighing machine under this section.

Power to  
provide  
concert  
halls &c.

**78.**—(1) The Corporation may provide concert halls entertainment rooms reading rooms pavilions and bandstands with all necessary and suitable offices refreshment rooms kitchens cloak rooms lavatories conveniences and appliances.

(2) For the purposes aforesaid the Corporation may—

- (a) erect or adapt buildings on any public park or pleasure ground belonging to them;
- (b) acquire buildings or acquire land and erect buildings thereon;
- (c) with the consent of the Minister adapt any premises or erect buildings on any land belonging to them but not already appropriated to entertainment purposes;

and may provide erect and maintain shops and offices as part of the buildings so acquired or erected.

(3) The Corporation may furnish and equip any premises provided by them under this section.

Power to  
provide &c.  
entertain-  
ments.

**79.**—(1) The Corporation may use or allow to be used or let any premises provided under subsection (1) of the last preceding section for concerts and other entertainments and may themselves provide or arrange for the provision of or contribute towards the expenses of any such concerts or entertainments and may make or allow to be made such charges as they think fit in connection therewith:

Provided that—

- (a) the Corporation shall not themselves use any such premises for a cinematograph theatre except for the exhibition of a cinematograph film relating to the functions of county councils or other local authorities nor shall they grant or let the use of any such buildings for the purposes of a theatre music-hall or cinematograph theatre except on the best terms that can be obtained;

(b) the power of the Corporation themselves to provide entertainments shall include a power to provide concerts and pierrot or other entertainments whether costume is or is not used in connection therewith and either with or without appropriate scenery but save as aforesaid the Corporation shall not provide or arrange for the provision of stage plays performed by persons other than members of any amateur dramatic society or any entertainment for which scenery or theatrical costume is used and which forms a complete programme of variety entertainments as usually given at a music-hall;

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PART XI.

—cont.

(c) the net amount of the expenses incurred by the Corporation under this section when added to the net amount of the expenses incurred by them in the provision of entertainments under section 56 of the Public Health Act 1925 shall not in any one year exceed the amount (calculated in accordance with the rules made from time to time by the Minister under sections 9 and 58 of the Rating and Valuation Act 1925) which would be produced by a rate of one penny and a third in the pound :

15 & 16

Geo. 5. c. 71.

15 & 16

Geo. 5. c. 90.

Provided that the limitation hereby imposed shall not apply in respect of any excess rate which may be approved by the Minister under the provisions of subsection (3) of section 56 of the Public Health Act 1925.

(2) The Corporation may provide and sell or authorise the provision and sale of programmes of any concerts or entertainments given in pursuance of this section.

(3) The Corporation may make byelaws for securing good and orderly conduct during any concerts or entertainments given in pursuance of this section.

(4) Nothing in this or in the last preceding section shall be taken to dispense with the consent of the Board of Education to any appropriation lease

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PART XI.  
—cont.

or other disposition of any lands of the Corporation in the case in which such consent would have been required if this section had not been passed.

(5) No power conferred upon the Corporation by this or the last preceding section shall be exercised in such a manner as to be at variance with any trust subject to which any lands or buildings are held managed or controlled by the Corporation without an order of the High Court or of the Charity Commissioners or the Board of Education or (where the trust instrument reserves to the donor or any other person the power to vary the trust) without the consent of such donor or other person.

Saving for  
licensing  
powers.

**80.** Nothing in section 78 (Power to provide concert halls &c.) or section 79 (Power to provide &c. entertainments) of this Act shall affect the provisions of any enactment by virtue of which a licence is required for the public performance of stage plays or for public music or dancing or any public contest or display of boxing or wrestling or other public entertainment of the like kind or a cinematograph exhibition or any other enactment relating to the sale of intoxicating liquor refreshments or tobacco.

Registration  
of hair-  
dressers' and  
barbers'  
premises.

**81.**—(1) Every person who shall carry on the trade or business of a hairdresser or barber shall register his name and place of abode and also the premises in which such trade or business is carried on in a book to be kept at the offices of the Corporation for the purpose.

(2) The Corporation may make byelaws for the purpose of securing the cleanliness of any premises registered under this section and of the instruments towels and materials used in such premises.

(3) The person registered shall keep a copy of the byelaws made by the Corporation under this section hung up in a conspicuous place in the registered premises.

(4) (a) Any officer of the Corporation or other person duly authorised in writing in that behalf by the Corporation and if so required exhibiting his authority shall at all reasonable times be afforded by the person



registered full and free power of entry into the registered premises for the purpose of inspecting such registered premises and examining whether there is any contravention of the provisions of this section or any byelaw made thereunder and any such officer or person as aforesaid shall have the like power of entry into any premises in the borough in which the Corporation may have reasonable cause to suppose that the said trade or business is being carried on.

(b) Every person who refuses to permit any officer or authorised representative of the Corporation to enter or inspect any premises which such officer or authorised representative is authorised under the provisions of this section to enter or inspect or obstructs any such officer or representative in the execution of his duty under such provisions or under the provisions of any byelaw made under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds.

(5) Any person carrying on such trade or business as aforesaid whose name place of abode and premises in which such trade or business is carried on have not been registered in accordance with subsection (1) of this section or whose registration has been cancelled or suspended as hereinafter provided or acting in contravention of any of the provisions of this section or of any byelaw made thereunder shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings and a court of summary jurisdiction may (in lieu of or in addition to imposing a penalty) order the suspension or cancellation of the registration.

82. Section 11 (Byelaws as to petroleum filling stations) of the Petroleum (Consolidation) Act 1928 in its application to the borough shall be extended so as to empower the Corporation to make byelaws in accordance therewith for the purpose of preserving for the enjoyment of the public or residents the amenities of any street.

83.—(1) Any person who shall cover over or wilfully or negligently obstruct or interfere with the convenient access to any police telephone call box or police shelter or box or any fire alarm fire plug or

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PART XI.  
—cont.

Regulation  
of petroleum  
filling  
stations.  
18 & 19  
Geo. 5. c. 32.

Interference  
with police  
call boxes  
&c.

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—  
PART XI.  
—cont.

hydrant or who shall remove or efface any plate or mark indicating the position of such call box shelter or box alarm plug or hydrant shall be liable to a penalty not exceeding five pounds and the Corporation may recover the expenses of replacement and making good from such person.

(2) Any person who shall knowingly and improperly use or cause to be used by means of any false or malicious statement message or otherwise any police telephone call box or (for the purpose of requiring the services of the police or an ambulance) any telephone call box of the Post Office telephone service shall for every such offence be liable to a penalty not exceeding five pounds.

As to school  
agreements.

84. Any agreement entered into between the Corporation and the parent or guardian of a pupil attending any secondary school or other institution of higher education may make provision for the payment by such parent or guardian to the Corporation of any sum not exceeding ten pounds in the event of the pupil ceasing without reasonable cause to attend any such school or institution prior to the date fixed by such agreement for the pupil to cease attendance at such school or institution and the Corporation shall be entitled without proof of any actual damage incurred by reason of such pupil ceasing to attend any such school or institution as aforesaid to recover summarily as a civil debt from such parent or guardian any sum not exceeding the sum specified in the agreement as the court may think fit to award in all the circumstances of the case.

Deposit of  
signed plans.

85.—(1) One copy of each of the signed plans showing respectively—

- (a) The lands referred to in the First Schedule to this Act and authorised by this Act to be used for the provision of a cemetery;
- (b) The area referred to in the Second Schedule to this Act; and
- (c) The lands referred to in the Third Schedule to this Act and authorised by this Act to be used for gas works;

has been deposited in the Parliament Office of the House of Lords one copy in the Committee and

Private Bill Office of the House of Commons and one A.D. 1937.  
copy with the town clerk.

PART XI.  
—cont.

(2) A copy of any of the said plans 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 plan.

**86.**—(1) Any person aggrieved by any requirement refusal or other decision of the Corporation or of any officer thereof under Part VII (Streets buildings sewers and drains) or Part VIII (Sanitary provisions) of this Act may except where otherwise expressly provided or where some other right of appeal is conferred by this Act appeal to a court of summary jurisdiction. As to appeals.

(2) The procedure upon any such appeal shall be by way of complaint for an order and the Summary Jurisdiction Acts shall apply to the proceedings.

(3) The time within which any such appeal may be brought shall except where otherwise expressly provided be twenty-one days from the date on which notice of the requirement refusal or decision was published or served upon the person desiring to appeal and for the purposes of this subsection the making of the complaint shall be deemed to be the bringing of the appeal.

(4) In any case in which such an appeal lies the document notifying the requirement refusal or decision in the matter shall state the right of appeal to a court of summary jurisdiction and the time within which such an appeal may be brought unless these have already been stated in a notice to the person concerned informing him of his right to a hearing before the Corporation with regard to the same matter.

(5) Where a person aggrieved by any order determination or other decision of a court of summary jurisdiction under this Act is not by any other enactment authorised to appeal to a court of quarter sessions he may appeal to such a court.

(6) Where any requirement refusal order determination or other decision against which a right of appeal is conferred by this Act involves the execution of any work or the taking of any action or makes

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PART XI.  
—cont.

it unlawful for any person to carry on any business which he was lawfully carrying on up to the time of such requirement refusal order determination or other decision or to use any premises for any purpose for which they were lawfully used up to such time—

- (a) no proceedings in respect of any failure to execute the work or take the action shall be taken;
- (b) the Corporation shall not execute such work or take such action; and
- (c) any such person may carry on such business and use such premises for such purpose;

until the time for appealing has expired or when an appeal is lodged until the appeal has been disposed of or withdrawn or fails for non-prosecution thereof.

(7) Where upon an appeal under this Act a court varies or reverses any requirement refusal or other decision of the Corporation effect shall be given to the order of the court and in particular any necessary consent certificate or other document shall be granted or issued and any necessary entry in any register shall be made.

Confirming  
authority  
for byelaws.

**87.**—(1) As respects byelaws made under this Act the confirming authority for the purposes of section 250 of the Act of 1933 shall be—

- (a) In the case of byelaws made under Part IV (Trolley vehicles) of this Act the Minister of Transport;
- (b) In the case of byelaws made under section 77 (As to personal weighing machines) of this Act the Board of Trade;
- (c) In the case of byelaws made under section 82 (Regulation of petroleum filling stations) of this Act the Secretary of State; and
- (d) In all other cases the Minister.

(2) Notwithstanding the provisions of any Act or Order relating to the procedure for the making of byelaws by the Corporation the provisions of section 250 of the Act of 1933 shall apply to all byelaws to be made by the Corporation in respect of the transport undertaking and in the application of such last-mentioned

provisions the Minister of Transport shall be the confirming authority. A.D. 1937.

PART XI.

—cont.

Commence-  
ment of  
certain  
provisions  
of this Act.

88.—(1) The provisions of this Act to which this section applies shall come into operation on but not until such date as may be fixed by a resolution of the Corporation of which date public notice shall be given by the Corporation by advertisement in one or more local newspapers circulating in the borough.

Every such advertisement shall also state the effect of the provisions to which it relates and the date specified therein as the date on which such provisions shall come into operation shall not be less than one month after the date of publication of the advertisement:

Provided that if the provision is one which requires the licensing or registration of any person or premises the application for the licence or registration may be made and determined before the provision comes into operation.

(2) A copy of a newspaper containing such advertisement shall be sufficient evidence of the publication of the advertisement.

(3) This section shall apply to the following sections of this Act:—

Section 51 (Registration of premises used in connection with sale of ice-cream or preserved food);

Section 55 (Registration of hawkers of meat fish fruit and vegetables and premises);

Section 76 (Places used for boxing or wrestling entertainments to be licensed); and

Section 81 (Registration of hairdressers' and barbers' premises).

(4) As respects any of the said provisions which requires the licensing or registration of persons carrying on any business or of premises used for any purpose it shall be lawful for any person who when such provision came into operation—

(a) was carrying on any such business or using any premises for any such purpose; and

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PART XI.

—cont.

(b) had made application in accordance with the provisions of this Act for such licence or registration as is required by this Act;

to continue to carry on such business and to use such premises for such purpose until such time as he had been informed of the decision with regard to his application and if the decision is adverse during such further time as is provided under subsection (6) of section 86 (As to appeals) of this Act.

Restriction  
on right to  
prosecute.

89. Section 298 (Restriction on right to prosecute) of the Act of 1936 shall apply to offences created by or under this Act as if they were offences created by or under that Act except that the said section shall not apply to those created by or under Part IV (Trolley vehicles) and Part VI (Electricity) hereof or by or under the following sections of this Act:—

Section 75 (Protection of seals &c. belonging to Corporation);

Section 77 (As to personal weighing machines);

Section 82 (Regulation of petroleum filling stations); and

Section 83 (Interference with police call boxes &c.).

Application  
of Arbitra-  
tion Acts.

90. Where under this Act any question or dispute is to be referred to an arbitrator or to arbitration other than questions or disputes to which the provisions of the Lands Clauses Acts apply then unless other provision is made the reference shall be subject to the provisions of the Arbitration Acts 1889 to 1934 and unless otherwise agreed the arbitrator shall be appointed by the Minister.

Application  
of provi-  
sions of  
Public  
Health Act  
1936.

91.—(1) The sections of the Act of 1936 hereinafter mentioned shall have effect as if they were re-enacted in this Act and in terms made applicable thereto (that is to say):—

Section 275 (Power of local authority to execute certain work on behalf of owners or occupiers);

Section 277 (Power of councils to require information as to ownership of premises);

- Section 283 (Notices to be in writing; forms of notices &c.); A.D. 1937.  
Section 284 (Authentication of documents); PART XI.  
Section 285 (Service of notices &c.); —cont.  
Section 286 (Proof of resolutions &c.);  
Section 287 (Power to enter premises);  
Section 288 (Penalty for obstructing execution of Act);  
Section 289 (Power to require occupier to permit works to be executed by owner);  
Section 291 (Certain expenses recoverable from owners to be a charge on the premises: power to order payment by instalments);  
Section 292 (Power to make a charge in respect of establishment expenses);  
Section 293 (Recovery of expenses &c.);  
Section 294 (Limitation of liability of certain owners);  
Section 295 (Power of local authority to grant charging orders);  
Section 296 (Summary proceedings for offences);  
Section 297 (Continuing offences and penalties);  
Section 299 (Inclusion of several sums in one complaint &c.);  
Section 304 (Judges and justices not to be disqualified by liability to rates);  
Section 328 (Powers of Act to be cumulative);  
Section 329 (Saving for certain provisions of the Land Charges Act 1925):

Provided that—

- (a) the said sections 277 287 288 289 291 292 294 295 and 329 shall only apply to the provisions contained in Part VII (Streets buildings sewers and drains) and Part VIII (Sanitary provisions) of this Act;
- (b) nothing in the said section 287 as applied by this section shall confer upon the Corporation or their officers powers of entry into

A.D. 1937.

PART XI.  
—cont.

premises outside the borough for the purposes of section 52 (Byelaws as to inspection of meat) of this Act except with the consent and for the purpose mentioned in the last mentioned section.

(2) The following sections of the Act of 1936 shall extend and apply in relation to any local Act for the time being in force in the borough as if such sections were re-enacted in that local Act and in terms made applicable thereto (that is to say):—

Section 283 (Notices to be in writing; forms of notices &c.);

Section 285 (Service of notices &c.);

Section 299 (Inclusion of several sums in one complaint &c.).

Inquiries by Minister.

92. The Minister may hold such inquiries as he may consider necessary in regard to the exercise of any powers conferred upon him or the giving of consents under this Act and section 290 of the Act of 1933 shall apply accordingly.

Inquiries by Minister of Transport.

93.—(1) The Minister of Transport may hold such inquiries as he may consider necessary in regard to the exercise of any powers or duties conferred upon him or the giving of consents under this Act or any existing Act or Order of the Corporation.

(2) Where the Minister of Transport causes any inquiry to be held in pursuance of this section or of any provision of any existing Act or Order of the Corporation section 290 of the Act of 1933 shall apply to such inquiry notwithstanding the provisions of any such Act or Order of the Corporation.

Crown rights.

94. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Incorporation of sections from existing Acts.

95. The following sections of the Acts hereinafter mentioned shall so far as they are applicable for the purpose extend and apply with the necessary modifications to and in relation to this Act and be incorporated with and form part of this Act (that is to say):—

63 & 64 Vict. c. cliii.

The Rotherham Corporation Act 1900—

Section 54 (Persons under disability may grant easements &c.);



[1 EDW. 8. &  
1 GEO. 6.]

*Rotherham Corporation  
Act, 1937.*

[Ch. lxxx.]

Section 58 (Proceeds of sale of surplus lands); and

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Section 59 (Agreements with landowners).

PART XI.  
—cont.

The Act of 1904—

Section 49 (Power to appropriate lands);

Section 181 (Persons acting in execution of Act not to be personally liable);

Section 190 (Damages and charges to be settled by court); and

Section 194 (Saving for indictments &c.).

The Act of 1911—

Section 61 (Temporary stoppage of streets).

The Rotherham Corporation Act 1915—

5 & 6 Geo. 5.  
c. lii.

Section 21 (Owners may be required to sell parts only of certain lands and buildings).

The Act of 1921—

Section 7 (Extinction of private rights of way);

Section 16 (Power to make subsidiary works); and

Section 17 (Power to alter steps areas pipes &c.).

The Act of 1924—

Section 10 (Application of road materials excavated in constructing works); and

Section 11 (Land laid into streets to form part thereof).

The Act of 1930—

Section 8 (For protection of Sheffield Corporation):

Provided that:—

(1) Section 61 of the Act of 1911 shall only apply to the works authorised by Part II (Street improvements and lands) of this Act;

(2) In the application of section 21 of the Rotherham Corporation Act 1915 that

A.D. 1937.

PART XI.  
—cont.

11 & 12  
Geo. 5. c. 51.

section shall have effect with the substitution of the Sixth Schedule to this Act for the Second Schedule to that Act;

(3) Section 8 of the Act of 1930 shall have effect with the substitution of Works Nos. 11 and 12 authorised by this Act for Works Nos. 2 3 and 4 authorised by that Act;

(4) Nothing in this section shall authorise the Corporation to apply the proceeds of any sale lease or other disposition of lands held by them for the purpose of the Education Act 1921 otherwise than subject to the provisions of section 115 of that Act;

(5) A sewer constructed by the Corporation in pursuance of the provisions incorporated by this section in the place of a private sewer shall be a private sewer within the meaning of the Act of 1936.

Costs of Act.

96. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the general rate fund and the general rate or out of moneys to be borrowed under this Act for that purpose.

The SCHEDULES referred to in the  
foregoing Act.

A.D. 1937.

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## THE FIRST SCHEDULE.

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### LANDS FOR CEMETERY.

Lands situate in the borough bounded by an imaginary line commencing on the boundary of the borough at the point where that boundary intersects the north side of Higgory Lane thence proceeding in a northerly direction along that boundary for a distance of 100 feet thence in a westerly direction at a distance of 100 feet from and parallel to the north side of Higgory Lane for a distance of 447 yards thence in a straight line in a south-westerly direction to the north-west corner of enclosure numbered 204 on the 1/2500 Ordnance map Yorkshire (West Riding) (edition 1923) sheet CCLXXXIX.12 thence in a southerly direction along the western boundary of the said enclosure thence in a straight line in a south-easterly direction to the south-western corner of enclosure numbered 206 on the said map thence in an easterly direction along the southern boundary of the said enclosure thence in a straight line in an easterly direction to the boundary of the borough at the northernmost corner of enclosure numbered 209A thence along that borough boundary in a northerly direction to the point of commencement.

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## THE SECOND SCHEDULE.

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### THE PART OF THE PARISH OF WENTWORTH ADDED TO THE WATER LIMITS.

So much of the parish of Wentworth in the rural district of Rotherham as is comprised within the following line :—

A line commencing at the boundary of the borough at the western end of Morley Pond proceeding in an easterly direction along the southern side of Morley Pond and thence easterly and south-easterly along the southern side of Dog Kennel Pond to a field boundary joining Dog Kennel Pond to the north-west corner of the wood known as Squirrel Castle Plantation thence in a straight line in a north-easterly direction across Dog Kennel Pond and Wentworth Park to a point south-eastwards of Hollin Hall where the stream issuing from the wood known as Upper Swallow Wood unites with the stream issuing from the wood known as Mausoleum Park or Mausoleum Plantation

A.D. 1937.

—  
2ND SCH.  
—cont.

thence following the centre of the last-mentioned stream northwards to the south-western corner of Mausoleum Plantation and north-eastwards through Mausoleum Plantation to the northern side of the footpath crossing that plantation from its western boundary to Corthworth Lane near Mausoleum Lodge thence in a north-easterly and south-easterly direction along the northern side of the said footpath to Corthworth Lane thence across Corthworth Lane in a north-easterly direction to its north-east side thence in a south-easterly direction along the north-east side of the said Corthworth Lane for a distance of about fifteen chains to the south-eastern boundary of a small enclosure abutting on Corthworth Lane of which enclosure the greater part is a pond thence north-easterly along the said south-eastern boundary of the said enclosure a distance of about twenty feet to a wall forming the south-western boundary of a field abutting on Stubbin Lane thence in a south-easterly direction along the said wall and the hedge continuing at a distance of about 400 feet to Stubbin Lane thence easterly across Stubbin Lane to the east side of Stubbin Lane thence in a direction ~~somewhat south-easterly along the~~ centre of a stream course in part culverted known as the Old Sough to the footpath leading from Back Lane to Upper Haugh known as Roman Rig thence south-westerly along the north-western side of the said footpath to Back Lane thence in a south-westerly direction across Back Lane and along the south-eastern side of the minor road joining Back Lane to the main road leading between Nether Haugh and Greasbrough to the point where the boundary of the borough meets the said minor road thence following the said boundary south-westerly westerly south-westerly and north-westerly to the point where it joins the western end of Morley Pond.

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## THE THIRD SCHEDULE.

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### GAS LANDS.

A piece of land situate in the borough containing 8 acres or thereabouts being part of the lands numbered 221 221A and 222 on the 1/2500 Ordnance map of Yorkshire (West Riding) (edition 1923) sheet CCLXXXIX.7 and bounded on the south-easterly side by the London Midland and Scottish Railway on the westerly side by the Greasbrough road on the north-westerly side by a footpath leading from that road in a north-easterly direction and on the north-easterly side by land belonging to the Earl Fitzwilliam's Wentworth Estates Company.

THE FOURTH SCHEDULE.

A.D. 1937.

ANNUITIES FOR WIDOWS.

PART I.

Percentage of the full superannuation allowance payable under the Act of 1922 to an officer or servant which may be paid during the joint lives of such officer or servant and his wife in order that (1) his wife shall be entitled to receive during the remainder of her life after his death an annuity equal to one-third of the amount of the superannuation allowance payable during their joint lives and (2) the officer or servant shall be entitled to receive during the remainder of his life after the death of his wife an annuity equal to two-thirds of the amount of the superannuation allowance payable during their joint lives.

Age last birthday of wife at date of retirement of officer or servant.	Age last birthday of officer or servant at date of his retirement.							
	60	61	62	63	64	65	66	67
50	87	—	—	—	—	—	—	—
51	87 $\frac{1}{2}$	86 $\frac{1}{2}$	—	—	—	—	—	—
52	88 $\frac{1}{4}$	87 $\frac{1}{4}$	86	—	—	—	—	—
53	89	88	86 $\frac{3}{4}$	85 $\frac{1}{2}$	—	—	—	—
54	89 $\frac{3}{4}$	88 $\frac{3}{4}$	87 $\frac{1}{2}$	86 $\frac{1}{4}$	85	—	—	—
55	90 $\frac{1}{2}$	89 $\frac{1}{2}$	88 $\frac{1}{4}$	87	85 $\frac{3}{4}$	84 $\frac{1}{2}$	—	—
56	91 $\frac{1}{4}$	90 $\frac{1}{4}$	89	87 $\frac{3}{4}$	86 $\frac{1}{2}$	85 $\frac{1}{4}$	84	—
57	92	91	89 $\frac{3}{4}$	88 $\frac{1}{2}$	87 $\frac{1}{4}$	86	84 $\frac{3}{4}$	83 $\frac{1}{2}$
58	93	92	90 $\frac{3}{4}$	89 $\frac{1}{2}$	88 $\frac{1}{4}$	87	85 $\frac{3}{4}$	84 $\frac{1}{4}$
59	94	92 $\frac{3}{4}$	91 $\frac{3}{4}$	90 $\frac{1}{2}$	89 $\frac{1}{4}$	88	86 $\frac{3}{4}$	85 $\frac{1}{4}$
60	95	93 $\frac{3}{4}$	92 $\frac{3}{4}$	91 $\frac{1}{2}$	90 $\frac{1}{4}$	89	87 $\frac{3}{4}$	86 $\frac{1}{4}$
61	96	94 $\frac{3}{4}$	93 $\frac{3}{4}$	92 $\frac{1}{2}$	91 $\frac{1}{4}$	90	88 $\frac{3}{4}$	87 $\frac{1}{4}$
62	97	95 $\frac{3}{4}$	94 $\frac{3}{4}$	93 $\frac{1}{2}$	92 $\frac{1}{4}$	91	89 $\frac{3}{4}$	88 $\frac{1}{4}$
63	98	96 $\frac{3}{4}$	95 $\frac{3}{4}$	94 $\frac{1}{2}$	93 $\frac{1}{4}$	92	90 $\frac{3}{4}$	89 $\frac{1}{2}$
64	99 $\frac{1}{4}$	98	97	95 $\frac{3}{4}$	94 $\frac{1}{2}$	93 $\frac{1}{4}$	92	90 $\frac{3}{4}$
65	—	99	98	97	95 $\frac{3}{4}$	94 $\frac{1}{2}$	93 $\frac{1}{4}$	91 $\frac{3}{4}$
66	—	—	99 $\frac{1}{4}$	98 $\frac{1}{4}$	97	95 $\frac{3}{4}$	94 $\frac{1}{4}$	93
67	—	—	—	99 $\frac{1}{2}$	98 $\frac{1}{4}$	97	95 $\frac{3}{4}$	94 $\frac{1}{4}$

A.D. 1937.

PART II.

4TH SCH.  
—cont.

Percentage of the full superannuation allowance payable under the Act of 1922 which may be paid to an officer or servant during his lifetime in order that his wife shall be entitled to receive during the remainder of her life after his death an annuity equal to one-third of the amount of such full superannuation allowance.

Age last birthday of wife at date of retirement of officer or servant.	Age last birthday of officer or servant at date of his retirement.							
	60	61	62	63	64	65	66	67
50	81 $\frac{3}{4}$	—	—	—	—	—	—	—
51	82 $\frac{1}{2}$	81	—	—	—	—	—	—
52	83	81 $\frac{3}{4}$	80 $\frac{1}{4}$	—	—	—	—	—
53	83 $\frac{3}{4}$	82 $\frac{1}{2}$	81	79 $\frac{1}{2}$	—	—	—	—
54	84 $\frac{1}{2}$	83 $\frac{1}{4}$	81 $\frac{3}{4}$	80 $\frac{1}{2}$	78 $\frac{3}{4}$	—	—	—
55	85 $\frac{1}{4}$	84	82 $\frac{3}{4}$	81 $\frac{1}{4}$	79 $\frac{3}{4}$	78	—	—
56	86	84 $\frac{3}{4}$	83 $\frac{1}{2}$	82 $\frac{1}{4}$	80 $\frac{3}{4}$	79	77 $\frac{1}{4}$	—
57	86 $\frac{3}{4}$	85 $\frac{1}{2}$	84 $\frac{1}{4}$	83	81 $\frac{1}{2}$	80	78 $\frac{1}{4}$	76 $\frac{1}{2}$
58	87 $\frac{1}{2}$	86 $\frac{1}{4}$	85	83 $\frac{3}{4}$	82 $\frac{1}{2}$	81	79 $\frac{1}{4}$	77 $\frac{1}{2}$
59	88	87	85 $\frac{3}{4}$	84 $\frac{1}{2}$	83 $\frac{1}{4}$	81 $\frac{3}{4}$	80 $\frac{1}{4}$	78 $\frac{1}{2}$
60	88 $\frac{3}{4}$	87 $\frac{3}{4}$	86 $\frac{1}{2}$	85 $\frac{1}{2}$	84 $\frac{1}{4}$	82 $\frac{3}{4}$	81 $\frac{1}{4}$	79 $\frac{3}{4}$
61	89 $\frac{1}{2}$	88 $\frac{1}{2}$	87 $\frac{1}{2}$	86 $\frac{1}{4}$	85	83 $\frac{3}{4}$	82 $\frac{1}{4}$	80 $\frac{3}{4}$
62	90 $\frac{1}{4}$	89 $\frac{1}{4}$	88 $\frac{1}{4}$	87 $\frac{1}{4}$	85 $\frac{3}{4}$	84 $\frac{1}{2}$	83 $\frac{1}{4}$	81 $\frac{3}{4}$
63	90 $\frac{3}{4}$	90	89	88	86 $\frac{3}{4}$	85 $\frac{1}{2}$	84 $\frac{1}{4}$	83
64	91 $\frac{1}{4}$	90 $\frac{1}{2}$	89 $\frac{3}{4}$	88 $\frac{3}{4}$	87 $\frac{3}{4}$	86 $\frac{1}{2}$	85 $\frac{1}{4}$	84
65	91 $\frac{3}{4}$	91	90 $\frac{1}{4}$	89 $\frac{1}{2}$	88 $\frac{1}{2}$	87 $\frac{1}{2}$	86 $\frac{1}{4}$	85
66	92 $\frac{1}{4}$	91 $\frac{1}{2}$	91	90 $\frac{1}{4}$	89 $\frac{1}{4}$	88 $\frac{1}{4}$	87 $\frac{1}{4}$	86
67	92 $\frac{1}{2}$	92	91 $\frac{1}{2}$	90 $\frac{3}{4}$	90	89	88	87

THE FIFTH SCHEDULE.

A.D. 1937.

STALLAGES TOLLS AND CHARGES.

MARKET HALL.

	£	s.	d.
(1) For every stall standing or place per week	1	0	0

OPEN MARKET.

(Elsewhere than in Market Hall Cattle Market and Wholesale Meat Market.)

	£	s.	d.
(2) For every stall standing or place (other than for auction or pitching) per 9 running feet per day	0	6	0
(3) For every standing or place for auction or pitching per day	0	15	0

CATTLE MARKET.

	£	s.	d.
(4) For every beast and for every horse brought into the market	0	1	6
(5) For every sheep pig lamb or calf brought into the market	0	0	9
(6) For every vehicle brought into the market per day	0	1	0

ABATTOIR.

	£	s.	d.
(7) For every beast slaughtered	0	3	9
(8) For every calf slaughtered	0	1	6
(9) For every sheep or lamb slaughtered	0	0	9
(10) For every pig slaughtered other than a boar pig or sow pig	0	1	6
(11) For every boar pig and for every sow pig slaughtered	0	2	6

LAIRAGE.

	£	s.	d.
(12) For every beast per night	0	0	6
(13) For every other animal per night	0	0	4

WHOLESALE MEAT MARKET.

	£	s.	d.
(14) For every side of beef and for every carcass of mutton lamb veal pork or goat brought into the market	0	0	9
(15) For every side of beef and for every carcass of mutton lamb veal pork or goat hung after 12 hours from the time of slaughtering per day	0	0	9

A.D. 1937.

5TH SCH.  
—cont.

		WEIGHING.	£	s.	d.
(16)	For every quantity of meat article or thing	-	0	0	2
		WEIGHING MACHINES.	£	s.	d.
(17)	For weighing any vehicle laden or unladen not exceeding one ton	- - - - -	0	1	0
	And for any additional ton or fractional part of a ton	- - - - -	0	0	6

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### THE SIXTH SCHEDULE.

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County borough of Rotherham	1	2	17	18	67	68	69	70	71	72		
					73	78	79	80	81	82	111	112
					121	122	123	124	125	126		
					127	128	129	130	131	141		
					142	143	144	145	166	167		
					168	175	176	178.				

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