



CHAPTER xliii.

An Act to confer further powers upon the lord mayor aldermen and citizens of the city of Leeds in regard to their water undertaking to empower them to construct street improvements and for other purposes. A.D. 1913.

[15th August 1913.]

WHEREAS the lord mayor aldermen and citizens of the city of Leeds (in this Act called "the Corporation") are the owners of waterworks and supply water within the city and the neighbourhood thereof :

And whereas by the Leeds Corporation Water Act 1901 and the Leeds Corporation Act 1907 the Corporation were authorised to construct certain waterworks in the north and west ridings of the county of York and although considerable progress has been made in the construction of the works it will not be possible to complete the same within the periods limited by the Act of 1907 for the completion thereof respectively which expire in the year nineteen hundred and sixteen and it is expedient to extend those periods :

And whereas it is expedient to empower the Corporation to construct the additional waterworks mentioned in this Act :

And whereas the burial ground attached to Holy Trinity Church West End in the township of Thruscross in the west riding of the county of York is situate in close proximity to the River Washburn above the point at which the water of that river is intercepted by the Corporation for the supply of the city and it is expedient to discontinue the use of such burial ground for burials and to provide a new burial ground in substitution therefor upon the land described in this Act which has been acquired by the Corporation in connection with their water undertaking :

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And whereas it is expedient to empower the Corporation to construct the new street and street diversion referred to in this Act:

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:—

(a) For the purchase of the lands and easements which the Corporation are by this Act authorised to acquire for the purposes of their water undertaking for the construction of the waterworks authorised by this Act and for defraying the expenditure incurred by the Corporation under this Act in connection with the burial ground at Thruscross	£ 121,467
(b) For the construction of the new street and the street diversion authorised by this Act	12,664

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

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed and the approval of the Local Government Board has been obtained:

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 clerk of the peace for the west riding of the county of York and are hereinafter respectively referred to as the deposited plans sections and book of reference:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty

by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):— A.D. 1913.

PART I.

PRELIMINARY.

1. This Act may be cited as the Leeds Corporation Act 1913 and the following Acts and this Act may be jointly cited as the Leeds Corporation Acts 1901 to 1913 (namely):— Short and collective titles.

- The Leeds Corporation (General Powers) Act 1901;
- The Leeds Corporation Water Act 1901;
- The Leeds Corporation (Waterworks) Railway Act 1904;
- The Leeds Corporation (Consolidation) Act 1905;
- The Leeds Corporation Act 1907;
- The Leeds Corporation Act 1908; and
- The Leeds Corporation Act 1910.

2. The following Acts and parts of Acts so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act are hereby incorporated with this Act:— Incorporation of Acts.

- (1) The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845);
- (2) The Waterworks Clauses Act 1847 (except the provisions with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and except section 83 relating to accounts) but that Act shall be read and have effect as if the words “with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner” were omitted from section 44; and
- (3) The Waterworks Clauses Act 1863.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated with this Act or by the Public Health Acts have the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Act unless the subject or context otherwise requires— Interpretation.

The expressions “the Corporation” “the city” “the city fund” “the city rate” and “the consolidated fund” have the meanings assigned to them respectively by section 4 (Interpretation) of the Act of 1908;

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- “The treasurer” means the treasurer of the city ;
“The General Powers Act 1901” means the Leeds Corporation (General Powers) Act 1901 ;
“The Water Act 1901” means the Leeds Corporation Water Act 1901 ;
“The Consolidation Act 1905” means the Leeds Corporation (Consolidation) Act 1905 ;
“The Act of 1907” means the Leeds Corporation Act 1907 ;
and
“The Act of 1908” means the Leeds Corporation Act 1908.

PART II.

WATER.

Extension of periods for completion of water-works.

4.—(1) The period limited by section 11 (Period for completion of works) of the Act of 1907 for the completion of the works authorised by Part II. (Water) of that Act and the period limited by section 14 (Extension of time for construction of authorised waterworks) of that Act for the completion of the works authorised by the Water Act 1901 are hereby respectively extended until the first day of September nineteen hundred and twenty-six.

(2) The provisions of section 21 (Extension of right of user of tramroad and railways) of the Act of 1907 shall be read and have effect as if the period limited by subsection (1) of this section for the completion of the said works were substituted for the periods limited by that Act for the construction of the waterworks authorised by that Act and by the Water Act 1901.

Power to make water-works.

5.—(1) Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections the works hereinafter described.

The said works will be situate in the west riding of the county of York and are—

Conduit No. 1 A conduit consisting of one or more lines of pipes to be situate in the townships of Timble Little Clifton-with-Norwood Askwith Weston Newall-with-Clifton Lindley Farnley Leathley Pool Arthington Weardley Harewood and Adel-cum-Eccup commencing in the

township of Timble Little by a junction with an existing pipe at a point 10·3 chains or thereabout measured in a south-westerly direction from the outlet end of the Swinsty reservoir tunnel and terminating in the township of Adel-cum-Eccup at a point 3 yards or thereabout measured in a westerly direction from the most westerly corner of the gauge basins at the Eccup reservoir:

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Conduit No. 2 A conduit consisting of one or more lines of pipes situate in the townships of Alwoodley and Adel-cum-Eccup and in the city commencing in the township of Alwoodley by a junction with the existing outfall basin of the Blackmoor Tunnel and terminating in the city by a junction with an existing pipe at a point 1·2 chains or thereabout measured in a northerly direction from the gauge basin at the Weetwood filter beds.

(2) In addition to the foregoing principal works the Corporation may upon any lands for the time being belonging to them make and maintain all such culverts tunnels shafts drains junctions discharge pipes sluices tanks basins filter beds filters embankments dams retaining walls bridges roads tramroads approaches telegraphic and telephonic apparatus valves machinery buildings appliances apparatus and conveniences connected with or ancillary to the said works or necessary for inspecting maintaining repairing cleansing managing working or using the same.

6.—(1) The Corporation may in lieu of acquiring any lands for the purposes of the works authorised by this Part of this Act where the same are intended to be constructed underground acquire such easements only in such lands as they may require for such purposes and may give notice to treat in respect of such easements describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements as fully as if the same were lands within the meaning of those Acts.

Corporation may acquire easements only in certain cases.

(2) As regards any lands in respect of which the Corporation have acquired easements only under the provisions of this section the Corporation shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall subject to such easements have the same rights to use and cultivate the said lands at all times as if this Act had not passed.

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(3) Provided always that nothing in this section contained shall authorise the Corporation to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Corporation to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement shall be endorsed with notice of this provision but this subsection shall not apply in regard to so much of any conduit authorised by this Act as shall be in tunnel and at a depth of not less than forty feet from the surface of the ground.

Power to deviate.

7. In the construction of the works authorised by this Part of this Act the Corporation may deviate laterally to any extent not exceeding the limits of deviation shown on the deposited plans (and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits) and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding four feet upwards and to any extent downwards Provided that except for the purpose of crossing over a stream no part of the conduits authorised by this Act shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

Period for completion of works.

8. If the works authorised by this Part of this Act and delineated on the deposited plans are not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for the making thereof or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as shall then be completed Provided that the Corporation may at any time lay down additional conduits or lines of pipes to form part of the works authorised by this Part of this Act.

Temporary discharge of water into streams.

9.—(1) For the purpose of executing any necessary work of repairing cleansing or examining any conduit authorised by this Act the Corporation may cause the water in any such conduit to be temporarily discharged into any available stream or water-course Provided that any water so discharged shall be as free as may be reasonably practicable from mud or solid or offensive matter.

(2) In the exercise of the power conferred by this section the Corporation shall do as little damage as may be and shall

make full compensation to all persons for all damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference by arbitration under and pursuant to the provisions of the Arbitration Act 1889. A.D. 1913.

10. Subject to the provisions of this Act the waterworks to be constructed under the authority of this Part of this Act shall for all purposes be deemed part of the waterworks undertaking of the Corporation. New works to form part of existing waterworks undertaking.

11. The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets shall apply with the necessary modifications to the construction laying down erection and maintenance in any streets or roads of the conduits authorised by this Act and of any discharge pipes telephone or telegraph posts wires conductors or apparatus which the Corporation may and which they are hereby authorised to erect or lay down for the purposes of or in connection with the works authorised by this Part of this Act. Application of Waterworks Clauses Act 1847 to conduits discharge pipes and telephones.

12. Any telephone or telegraph posts wires conductors and apparatus made maintained erected or laid down by the Corporation under the authority of this Act shall not be used for the purpose of transmitting telegrams which are within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869. For protection of Postmaster General.

13.—(1) The Corporation may convey to the vicar for the time being of the parish of Holy Trinity West End Thruscross in the west riding of the county of York and his successors the piece of land hereinafter described in order that the same may be used as a burial ground for that parish in substitution for the existing burial ground and as from the expiration of one month after the date of such conveyance the existing burial ground for the said parish shall cease to be used for burials. Closing of Holy Trinity burial ground.

(2) The Corporation shall—

(a) Pay to the said vicar all reasonable expenses incurred by him in fencing the piece of land hereinafter described and in laying out preparing levelling and draining the same and all reasonable expenses of and attendant on the consecration thereof:

(b) Erect and furnish a small chapel upon the said piece of land to the reasonable satisfaction of the said vicar:

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(c) Pay to the said vicar the sum of one hundred pounds which sum shall be invested by him in securities in which trustees are for the time being authorised to invest trust moneys and the income thereof shall be applied towards the repair of the said chapel and the payment of other expenses in connection therewith :

(d) Maintain the said existing burial ground in decent order and for that purpose the Corporation shall at all times be entitled to access thereto.

(3) The piece of land hereinbefore referred to contains two acres or thereabouts is situate wholly in the said township of Thruscross and comprises the southerly portion of the field No. 353 on the $\frac{1}{2500}$ Ordnance map of that township 1909 edition sheets Nos. CLII—8 and CLII—4.

(4) Any difference which may arise under this section between the Corporation and the said vicar shall be referred to an arbitrator to be agreed upon between the parties or failing agreement to be appointed by the President of the Surveyors' Institution and the provisions of the Arbitration Act 1889 shall apply to any such reference.

For protec-
tion of West
Riding
County
Council.

14. For the protection of the county council of the west riding of Yorkshire the following provision shall have effect (that is to say) :—

Notwithstanding anything in this Act or shown on the deposited plans and sections the Corporation shall not without the consent of the said county council construct or lay any conduits mains pipes or works in upon or across Lindley Bridge or the approaches thereto.

For protec-
tion of
North East-
ern Railway
Company.

15. The following provisions for the protection of the North Eastern Railway Company (hereinafter called "the company") shall unless with the previous consent of the company in writing under their common seal apply and have effect :—

(1) In making and maintaining Conduit No. 1 under the powers of this Act under the company's railway the Corporation shall execute the work under the direction and superintendence (if the same be given) and to the reasonable satisfaction of the engineer of the company and in accordance with plans drawings and specifications previously submitted to and reasonably

approved by him and shall pay and make good to the company all loss damages and expenses which the company shall sustain or be put to by or in consequence of the laying maintenance or user of the said conduit or by or in consequence of the bursting of or any other accident to such conduit:

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- (2) Notwithstanding anything contained in this Act or shown upon the deposited plans in constructing Conduit No. 1 under the company's railway the same shall be laid within the limits of the public road in such a manner as not to interfere with the abutments of the company's bridge:
- (3) In case of any difference between the Corporation and the company or their respective engineers touching the meaning or effect of this section or in relation to anything done or to be done under its provisions the same shall be determined by a single arbitrator to be appointed in case of difference by the Board of Trade and the provisions of the Arbitration Act 1889 shall apply to such arbitration:
- (4) The Corporation shall not without the consent in writing of the company purchase or take any property of the company but they may purchase and take such right easement or privilege over under or upon any lands or works of the company delineated on the deposited plans as shall be necessary for the purpose of making maintaining cleansing and repairing conduit No. 1 by this Act authorised and the provisions of the Lands Clauses Acts shall apply to and in relation to such rights easements or privileges as if the same were lands and they shall not either temporarily or permanently enter upon use or interfere with any railway or property of the company save only as far as may be necessary for the purpose of such right easement or privilege and in accordance with the provisions of this Act.

PART III.

STREET IMPROVEMENTS.

16. Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the new street and

Power to
make street
improvements.

A.D. 1913. street diversion hereinafter mentioned together with all necessary approaches junctions abutments embankments arches steps sewers drains culverts works and conveniences connected therewith or incidental thereto.

The works hereinbefore referred to and authorised by this section will be situate in the city and are as follows:—

Street Work No. 1 A new street from Fenton Street to Great George Street commencing in Fenton Street opposite to Driffield Place and terminating in Great George Street opposite to Calverley Street:

Street Work No. 2 A diversion of Blundell Street and Fenton Street commencing in Blundell Street opposite to No. 27 Blundell Street and terminating in Fenton Street opposite to No. 130 Fenton Street.

Subsidiary works.

17.—(1) Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the Corporation may in connection with any work authorised by this Part of this Act and for the purposes thereof make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to such work and may make diversions widenings or alterations of the lines or levels of any existing streets for the purpose of connecting the same with such work or of crossing under or over the same or otherwise and may alter divert or stop up all or any part of any drain sewer channel or gas or water main or pipe wire or apparatus within the said limits the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer or of any gas or water in any main or pipe or of electricity or telephonic communication in any wire or apparatus and making compensation for any damage done by them in the execution of the powers of this section.

(2) Provided that the Corporation shall not alter divert or otherwise interfere with any pipe wire or apparatus of the Postmaster-General, except in accordance with and subject to the provisions of the Telegraph Act 1878.

Power to alter steps areas pipes &c.

18. Within the limits of deviation shown on the deposited plans the Corporation may raise sink or otherwise alter the position of any of the steps areas cellars windows and pipes or spouts belonging to any house or building and also the drains and the pipes or wires for the purpose of conveying water electricity or gas to any house or other place and may remove all other obstructions so that the same be done with as little delay

and inconvenience to the inhabitants as the circumstances of the case will admit and the provisions of section 308 (Compensation in case of damage by local authority) of the Public Health Act 1875 shall apply as if the acts done under the authority of this section were done in exercise of the powers of that Act. A.D. 1913.

19. In the construction of the works authorised by this Part of 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 two feet either upwards or downwards. Limits of deviation.

20.—(1) So soon as the new street authorised by this Act has been completed and opened for public use the Corporation may stop up and discontinue as public highways the streets and the parts of the streets which are shown on the deposited plans relating thereto as intended to be stopped up and thereupon all public rights of way over or along such streets or parts of streets shall be extinguished. Stopping up of existing highways.

(2) So soon as the diversion of Blundell Street and Fenton Street (Street Work No. 2) authorised by this Part of this Act has been completed and opened for public use the Corporation may stop up and discontinue as public highways the parts of those streets which are shown on the deposited plans as intended to be diverted and thereupon all public rights of way over or along such parts of those streets shall be extinguished.

21. The Corporation and the board of the Leeds General Infirmary may enter into and carry into effect contracts and agreements with reference to the construction of the new street authorised by this Act the acquisition of land therefor or in connection therewith and the stopping up of highways authorised by this Act. Agreement with Leeds Infirmary.

PART IV.
LANDS.

22. Subject to the provisions and for the purposes of this Act (including the providing of space for the erection of buildings adjoining or near to any street) the Corporation may enter on take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference. Power to acquire lands.

23. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of five years from the passing of this Act in the Period for compulsory purchase of lands.

A.D. 1913. case of lands required for the purposes of Part II. (Water) and three years from the passing of this Act in the case of lands required for the purposes of Part III. (Street improvements).

Costs of arbitration in certain cases.

24.—(1) The tribunal to whom any question of disputed purchase money or compensation under this Act is referred shall if so required by the Corporation award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Corporation by the claimant giving sufficient particulars and in sufficient time to enable the Corporation to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Corporation has been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant.

(2) Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Corporation to amend the statement in writing of the claim delivered by him to the Corporation in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Corporation if they object to the amendment and such amendment shall be subject to such terms enabling the Corporation to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case.

(3) Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice of the effect of this section.

Application of provisions of Acts of 1901 1905 and 1908.

25. The following provisions of the General Powers Act 1901 the Consolidation Act 1905 and the Act of 1908 shall extend and apply to and for the purposes of this Act as if those provisions were with all necessary modifications re-enacted in this Act (namely):—

THE GENERAL POWERS ACT 1901—

Section 11 (Provisions as to compensation):

THE CONSOLIDATION ACT 1905—

Section 153 (Power to retain sell &c. lands and to purchase lands by agreement):

THE ACT OF 1908—

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- Section 7 (Correction of errors &c. in deposited plans and book of reference);
- Section 11 (Persons under disability may grant easements &c.);
- Section 41 (Inquiries by Local Government Board); and
- Section 42 (Audit of accounts):

Provided that in the application of section 11 (Provisions as to compensation) of the General Powers Act 1901 that section shall be read and have effect as if the words “after the twentieth day of November one thousand nine hundred and twelve” were substituted for the words “between the first day of January and the thirty-first day of December one thousand nine hundred and one.”

PART V.
FINANCE.

26.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for 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 money so borrowed within the respective periods mentioned in the third column of the said table (namely):—

Power to borrow.

1.	2.	3.
Purpose.	Amount.	Period.
(a) For the purchase of the lands and easements which the Corporation are by this Act authorised to acquire for the purposes of their water undertaking for the construction of the waterworks authorised by this Act and for defraying the expenditure incurred by the Corporation under this Act in connection with the burial ground at Thruscross.	£ 121,467	Sixty years from the date or dates of borrowing.
(b) For the purchase of lands for the new street and the street diversion authorised by this Act.	The sum requisite.	Sixty years from the date or dates of borrowing.
(c) For the construction of the said new street and street diversion.	12,664	Fifty years from the date or dates of borrowing.
(d) For paying the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

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(2)—(a) The Corporation may also with the consent of the Local Government Board borrow such further money as may be necessary for any of the purposes of this Act:

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

Money borrowed to be principal moneys within meaning of Acts of 1901 and 1905.

27.—(1) The moneys authorised to be borrowed under the provisions of this Act shall be and the same are hereby declared to be principal moneys within the meaning of the General Powers Act 1901 and the Consolidation Act 1905 and the provisions of those Acts with respect to principal moneys the borrowing or raising of money and the payment off of borrowed money (as amended by this Act) shall subject to the provisions of this Act apply accordingly.

(2) The following revenues and funds of the Corporation are hereby made liable to provide the yearly sums required to be provided in respect of the principal moneys borrowed under the provisions of this Act:—

As regards moneys borrowed for the purposes (a) mentioned in the last preceding section of this Act the revenue of the water undertaking of the Corporation:

As regards moneys borrowed for the purposes (b) and (c) mentioned in the said section the consolidated fund:

As regards moneys borrowed for the purpose (d) mentioned in the said section the city fund:

As regards moneys borrowed with the consent of the Local Government Board such fund or revenue as may be prescribed by that Board.

Power to re-borrow.

28.—(1) The Corporation shall have power—

(a) To borrow for the purpose of paying off any principal moneys previously borrowed which are intended to be forthwith repaid; or

(b) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying principal moneys previously borrowed and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period

prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section. A.D. 1913.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

- (a) By instalments or annual payments; or
- (b) By means of a sinking fund; or
- (c) Out of moneys derived from the sale of land; or
- (d) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

(5) Section 49 (Power to re-borrow) of the General Powers Act 1901 is hereby repealed and that Act and any subsequent Act which authorises principal moneys to be raised and which applies the provisions of the said section to such principal moneys shall be construed and have effect as if in lieu of such section this section had originally been inserted in the first-named Act.

29. Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made shall be defrayed by the Corporation out of the city fund. Expenses of execution of Act.

30.—(1) The Corporation may from time to time for the purpose of providing temporarily for any current expenses that may be incurred by them in the execution of any Act of Parliament or Provisional Order confirmed by or under any Act of Parliament borrow by way of temporary loan or overdraft from any bank or on temporary loan on deposit receipt from any person and in either case at such rate of interest as they may determine such sum as they may from time to time resolve not exceeding in the aggregate at any time an amount equal to one fourth of the total aggregate amount of the before-mentioned expenses for the immediately preceding financial year. As to temporary borrowing.

(2) Any amount borrowed under this section together with the interest thereon shall form a charge upon all the funds

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properties rates and revenues of the Corporation pari passu with all other mortgages stock or other securities affecting the same.

(3) It shall also be lawful for the Corporation to utilise for providing temporarily for any such expenses any sinking funds which they may have on hand crediting the said sinking funds with such fair rate of interest not being less than three per centum per annum as they may resolve.

(4) All sums borrowed by the Corporation under this section in respect of the current expenses of any financial year shall be repaid out of the revenue received by the Corporation in respect of such year.

(5) When the Corporation borrow money under this section—

(a) The treasurer shall within forty-two days after the end of each financial year furnish to the Local Government Board a special report showing precisely the operation of the powers of this section during such year and such report shall be in such form and shall contain such information as that Board shall approve or require:

(b) The Local Government Board may make such investigation as may be necessary to satisfy themselves that the requirements of this section have been complied with and if it appear to the Local Government Board by the said report or by such investigation that the Corporation have failed to comply with the requirements of this section that Board may by order suspend the operation of the powers of this section for such period as they may think fit.

(6) The provisions of this section limiting the amount of the sums which the Corporation may borrow and the provisions of subsection (4) of this section requiring the repayment thereof out of the revenue referred to in that subsection shall not affect any lender or his security for the loan or overdraft and the interest thereon respectively or his right to obtain payment thereof from the Corporation.

(7) The provisions of this section shall cease to be in force at the expiration of five years from the thirty-first day of March nineteen hundred and fourteen unless they shall have been continued by Act of Parliament or Provisional Order made by

the Local Government Board and confirmed by Parliament A.D. 1913.
which Order the Local Government Board are hereby empowered
to make in accordance with the provisions of the Public Health
Act 1875 and in the event of that Board making any such
Order they are hereby empowered to make such modifications
or amendments in the provisions of this section as may appear
to them to be necessary.

PART VI.

MISCELLANEOUS.

31.—(1) It shall be lawful for the Corporation by agree- Power to
ment with the owner or owners of lands adjoining the part of pave becks.
any river (except the River Aire) stream beck or watercourse
within the city to pave the bottom or wall the sides of such
river stream beck or watercourse.

(2) Any expenses incurred by the Corporation under this
section shall be defrayed out of the consolidated fund.

32. All the costs charges and expenses preliminary to and Costs of Act.
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 city fund and city rate or out of moneys
to be borrowed under this Act for that purpose.

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