



## CHAPTER ccxxxii.

An Act for extending the boundaries of the city of York and county of the same city; for consolidating and amending various provisions of the Local Acts in force within the city; and for other purposes. A.D. 1884.  
[7th August 1884.]

**W**HEREAS the city of York is under the government for municipal sanitary and other purposes of the Lord Mayor aldermen and citizens thereof (in this Act called "the Corporation"):

And whereas the city is a county of itself and has a sheriff a separate court of quarter sessions and an ancient court of record with a recorder and a clerk of the peace and a coroner and a separate police force:

And whereas the several townships of Holgate and Dringhouses are situate on the western the several townships of Middlethorpe and Fulford or Gate Fulford on the southern the township of Heworth on the eastern and the several townships of Saint Olave Marygate and Clifton on the northern sides of the city respectively and the said townships are all comprised in and form part of the district of the York Union Rural Sanitary Authority (in this Act called "the York Union Authority"):

And whereas it is expedient that the boundaries of the city be extended so as to comprise the said townships of Holgate and Saint Olave Marygate and parts of the said townships of Dringhouses Middlethorpe Fulford or Gate Fulford Heworth and Clifton and that all the jurisdictions duties powers and authorities of the York Union Authority should cease within the said townships and parts of townships respectively and that all the properties and liabilities of the said rural sanitary authority within the said townships and parts of townships respectively be transferred to the Corporation and that provision be made for enabling the Corporation on the one hand and the York Union Authority on the other hand respectively

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A.D. 1884. to make and carry into effect agreements with reference to the inclusion in the city of the said townships and parts of townships :

And whereas it is expedient to make provision for the division into wards of the city as extended by this Act (in this Act referred to as "the extended city") and to make such provision as to the aldermen and councillors for the extended city as is in this Act contained :

33 & 34 Vict.  
c. 75.

And whereas it is expedient that the extended city be a school district for the purposes of the Elementary Education Act 1870 and the Acts amending or extending the same :

And whereas some portions of the local and personal Acts in force within the city have from time to time been repealed or altered and new provisions have been made by divers other Acts or Provisional Orders confirmed by Parliament and it would be of local and public advantage if the provisions in force of the said Acts and Orders or some of them were consolidated with amendments in one Act and made applicable to the extended city :

And whereas it is expedient to empower the Corporation to borrow moneys for the purpose of discharging the liabilities transferred to them by this Act and to create and issue Corporation stock for the purpose of raising or securing any moneys authorised to be borrowed under this Act and any moneys authorised to be borrowed by the Corporation under any Act or Order for the time being in force in the city :

And whereas the Corporation have caused to be prepared estimates in relation to the following purposes in respect of which the Corporation are by this Act authorised to borrow moneys and such estimates are as under (namely) :—

|   |   |   |   |   |   |         |
|---|---|---|---|---|---|---------|
| For sewerage  | - | - | - | - | - | £10,000 |
| For flagging paving road making and other street improvements | - | - | - | - | - | £40,000 |

38 & 39 Vict.  
c. 55.

And the several works included in those estimates are permanent works within the meaning of section 234 of the Public Health Act 1875 :

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

And whereas an absolute majority of the whole number of the council at a meeting held on the twenty-second day of October one thousand eight hundred and eighty-three after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the York Herald a local newspaper published or circulating in the city such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to

promoting the Bill for this Act should at the option of the council be charged on the borough fund borough rate district fund general district rate or other public funds or rates under the control and management of the council in such proportions as the council may determine or out of moneys to be borrowed by the Corporation on the security thereof: A.D. 1884.

And whereas such resolution was published twice in the Yorkshire Gazette a local newspaper published or circulating in the city and has received the approval of the Local Government Board:

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

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

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

#### PART I.—PRELIMINARY.

1. This Act may be cited as the York Extension and Improvement Act 1884. Short title of Act.
2. For the purposes of proceedings preliminary to the municipal elections of one thousand eight hundred and eighty-four this Act shall commence and take effect on its passing but except for those purposes and except as herein-after otherwise expressly provided this Act shall commence and take effect on and from the first day of March one thousand eight hundred and eighty-five (which last-mentioned time is in this Act referred to as "the commencement of this Act"). Commencement of Act.
3. This Act is divided into parts as follows:— Division of Act into parts.
  - Part I.—Preliminary.
  - Part II.—Extension of city.
  - Part III.—Lands.
  - Part IV.—Rating and borrowing powers.
  - Part V.—Corporation stock.
  - Part VI.—Sanitary and other matters.
  - Part VII.—Police.

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Part VIII.—Markets.

Part IX.—Lendal Bridge tolls.

Part X.—Procedure and miscellaneous.

Interpreta-  
tion of terms.

4. In this Act (including the schedules to this Act) the following words and expressions have the meanings hereby assigned to them unless the subject or context otherwise requires—

“The existing city” means the city of York and county of the same city as existing immediately before the passing of this Act;

“The added part of the city” means the area added to the existing city by this Act;

“The city” used without any qualification or “the extended city” means the existing city with the added part of the city;

“The Corporation” means the Lord Mayor aldermen and citizens of the existing city or of the extended city as the case may require;

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

“The town clerk” and “the city surveyor” mean respectively the town clerk (including the deputy town clerk) and the city surveyor; “the medical officer of health” means the medical officer of health of the city;

45 & 46 Vict.  
c. 50.

“The Municipal Corporation Acts” means the Municipal Corporations Act 1882 and all Acts for the time being in force amending the same;

“Infectious disease” for the purposes of this Act means and includes small-pox cholera typhus typhoid scarlet relapsing continued and puerperal fever scarlatina and diphtheria; and such other disease as the Corporation under the provisions and for the purposes of this Act may from time to time declare to be infectious;

38 & 39 Vict.  
c. 55.

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

“The Treasury” means the Lords Commissioners of Her Majesty’s Treasury;

38 & 39 Vict.  
c. 55.

“The Education Department” means the Lords of the Committee of Her Majesty’s Privy Council on Education;

The expressions “parish” “lands” “premises” “owner” and “street” have in this Act the meanings respectively assigned to them by the Public Health Act 1875;

“Person” includes a corporation;

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“Existing” means existing immediately before the commencement of this Act;

Words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have in this Act the same respective meanings. The expression “superior courts” or “court of competent jurisdiction” or any other like expression in this Act or any Act wholly or partially incorporated herewith shall have effect as if the debt or demand with respect to which it is used were a simple contract debt and not a debt or demand created by statute.

5. This Act shall be carried into execution by the Corporation acting by the council in and for the extended city and according to the Municipal Corporation Acts and the Acts for the time being affecting the Corporation as a municipal body and as a sanitary authority respectively and with all the rights powers privileges exemptions authorities and duties conferred and imposed by those Acts respectively on the Corporation and on the council and committees of the council and the officers agents and servants of the Corporation with respect to matters provided for or comprised in the Municipal Corporation Acts and the Public Health Act 1875 respectively and as nearly as may be in all respects as if the powers duties exemptions and property vested in imposed on or enjoyed by the Corporation by or under this Act were vested in imposed on or enjoyed by them by or under the Municipal Corporation Acts and the Public Health Act 1875 respectively.

Act to be  
executed by  
council.

6.—(1) The Corporation may from time to time appoint committees of their members and may delegate to such committees or any of them such of the powers and duties of the Corporation whether as a municipal body or as an urban sanitary authority or otherwise as the council think fit and the acts and proceedings of every committee within the limits of their delegation shall be deemed the acts and proceedings of the council and the quorum of any committee in this section provided for shall be such as the council direct.

Committees  
of council.

(2) The council may from time to time make such regulations as they think fit with respect to the confirmation of the proceedings of a committee and otherwise for the guidance of a committee and the council may from time to time remove any member of a committee and fill any casual vacancy in a committee arising by death resignation removal or otherwise.

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(3) A committee may appoint a sub-committee of its members to execute and discharge any of the powers and duties of the committee but the acts of such sub-committee shall unless the council on the appointment of the committee otherwise direct be submitted for approval to the committee by which such sub-committee was appointed. Provided that in no case shall a committee be authorised to borrow any money or to make any rate.

(4) Subject to the foregoing provisions section twenty-two of the Municipal Corporations Act 1882 applies to committees and sub-committees under this Act.

Repeal and  
re-enactment  
of portions of  
Local Acts.

7. From and after the commencement of this Act the Local Acts and Order of the Local Government Board enumerated in the First Schedule to this Act shall be repealed to the extent therein mentioned with the qualification that so much of the Acts of 1825 and 1833 as is set forth in the Second Schedule to this Act shall be re-enacted in manner therein appearing and shall be in force and have effect throughout the extended city as if enacted in the body of this Act: Provided that nothing contained in any such re-enactments shall be construed to apply to any telegraph line of Her Majesty's Postmaster-General or any apparatus or works connected therewith constructed under or by virtue of the Telegraph Acts 1863 to 1878:

Notwithstanding the repeal of the Local Acts and Order as aforesaid:—

(1.) All acts works matters and things before the commencement of this Act done or commenced under the powers and authorities or by operation of the Local Acts or Order or any or either of them and which were at the commencement of this Act good valid and available or in progress and all awards conveyances leases mortgages bonds covenants deeds instruments contracts agreements obligations rights and remedies at the commencement of this Act existing under the same shall be and continue as good valid and available for all purposes and for and against all parties and properties and may be commenced continued and completed as if this Act had not been passed;

(2.) All actions suits prosecutions arbitrations or other proceedings by with or against the Corporation by reason of any matter or thing done before the commencement of this Act in execution of or in relation to the Local Acts or Order or any of them may be continued commenced or prosecuted by or against the Corporation as if this Act had not been passed;

- (3.) All byelaws rules and regulations made under the Local Acts and Order shall continue in force until repealed or altered under the provisions of this Act and may be enforced in like manner and with the same penalties as if made for like purposes respectively under the provisions of this Act; A.D. 1884.
- (4.) All officers and servants of the Corporation shall continue to hold office as if this Act had not been passed;
- (5.) All mortgages and other securities granted under the Local Acts or Order or any of them may be transferred as if this Act had not been passed and the Corporation shall in respect of all such mortgages and other securities and the repayment extinction or redemption thereof and in respect of the borrowing or the re-borrowing of any principal moneys and otherwise have exercise and be subject to the like powers duties liabilities and obligations as if this Act had not been passed and the Local Government Board may give any consent to the borrowing of any moneys by the Corporation which they could have given if this Act had not been passed;
- (6.) All rates rents tolls and other sums at the commencement of this Act due or accruing due to the Corporation may be collected and recovered by the Corporation as if this Act had not been passed;
- (7.) All books and documents which under any of the Local Acts or Order or otherwise would have been receivable in evidence shall be receivable in evidence as if this Act had not been passed;
- (8.) All expenses of executing the Local Acts or Order shall be chargeable to and payable out of the same funds and rates respectively as such expenses are now charged to and paid out of.

## PART II.—EXTENSION OF CITY.

### (i.) *Extension of Boundaries and of Powers of Corporation &c.*

8. The boundaries of the existing city are hereby extended so as to comprise and the city shall accordingly comprise in addition to the existing city the township of Holgate and so much of the several townships of Middlethorpe and Dringhouses (in the Ainsty of the city of York or otherwise in the west riding of the county of York) the township of Saint Olave Marygate and so much of the several townships of Clifton and Heworth (in the north riding of the said county) and so much of the township of Fulford or Gate Fulford (in the east riding of the said county) as is or are included within the boundaries described in the Third Schedule to this Act.

Extension of  
boundaries  
of city.

[Ch. ccxxxii.] *York Extension and Improvement* . [47 & 48 VICT.]  
Act, 1884.

A.D. 1884.  
Authority of Corporation extended and application of Acts to extended city.

**9.** Subject to the provisions of this Act the powers rights privileges authorities and duties of the Corporation acting by the council as a municipal body and of the Corporation acting by the council as the sanitary authority for the district of the existing city and of the Corporation acting in the execution of the public and Local Acts and Provisional Order in force within the existing city or otherwise and of all officers and servants of the Corporation shall extend to and throughout and may be exercised within the extended city.

Jurisdiction of the sheriff recorder and other officers extended.

**10.** The jurisdiction powers authorities rights privileges and duties of the sheriff recorder clerk of the peace and coroner of the existing city and of the ancient court of record of the existing city and its officers and of the justices of the peace appointed for the existing city whether acting in general or quarter sessions or in petty sessions or out of sessions or otherwise and of the police constables and other peace officers of the existing city shall extend and apply throughout the extended city.

Extinction of liability to county and other rates and collection of arrears in added part.

**11.** Lands and other property in the added part of the city shall not be liable to be rated or be rated to any county rate or rate in the nature of a county rate made after the commencement of this Act in or for the east riding of the county of York or to any rate made after the commencement of this Act by or in accordance with the precept of any highway board or rural sanitary authority but orders or precepts of such authorities respecting rates and matters connected therewith made before the commencement of this Act shall be executed in and with respect to the added part of the city and arrears of rates existing at the commencement of this Act may be collected and recovered therein as if this Act had not been passed and every person committing an offence in the added part of the city before the commencement of this Act shall be tried adjudicated on and dealt with as if this Act had not been passed In consideration of the provisions of this section the Corporation shall within one month after the passing of this Act pay to the treasurer of the east riding the sum of one hundred pounds.

Added part of city to be part of county of city of York.

**12.** Subject to the provisions of this Act and of the Municipal Corporation Acts the added part of the city shall to and for all intents and purposes be part of the city and county of the city of York and all the rights privileges benefits and advantages held used or enjoyed by the citizens or burgesses or inhabitants of the existing city shall be and the same are hereby extended to the citizens or burgesses or inhabitants of the extended city.

Parliamentary limits not affected.

**13.** Nothing in this Act shall extend limit alter or affect the parliamentary boundaries of the city of York or of the east west and north ridings of the county of York.



14. All estates and property of every description vested in the Corporation at the commencement of this Act for the benefit of the existing city shall vest in the Corporation for the benefit of the extended city and the Corporation shall hold enjoy and exercise for the benefit of the extended city all the powers rights and privileges which at the commencement of this Act are vested in the Corporation for the benefit of the existing city but subject to all debts liabilities and engagements affecting the same.

A.D. 1884.

Vesting  
property in  
Corporation.

15. Subject to any re-arrangement of offices and duties in consequence of the passing of this Act the town clerk and all other officers and servants of the Corporation shall continue to be the town clerk officers and servants of the Corporation upon such and the same terms as they now hold their respective offices.

Officers of  
Corporation.

The Corporation may for the purposes of this Act appoint such and so many officers and servants as they may from time to time think proper with such designations duties and salaries as they may prescribe and fix.

16. A map of the city as altered and extended by this Act signed in duplicate by John Gilbert Talbot Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred shall within two weeks after the passing of this Act be deposited in the Private Bill Office of the House of Commons and with the town clerk of the city at his office and a copy thereof certified by the town clerk shall be sent as soon as may be after the deposit of the same as aforesaid to the Director General of Her Majesty's Ordnance Survey at Southampton.

Deposit of  
map of city.

17. Copies of the said map deposited with the town clerk or any extract therefrom certified by him or by the city surveyor to be true shall be received by all courts of justice and elsewhere as *primâ facie* evidence of the contents of such map and such map shall at all reasonable times be open to inspection on payment of a sum not exceeding one shilling and any person shall be entitled to a copy of or extract from such map certified by the town clerk or city surveyor on payment of the costs of every such copy or extract All sums received under this section shall be carried to the credit of the borough fund.

Copies of  
deposited  
map of city  
to be evi-  
dence.

18. All byelaws rules and regulations made by the Corporation and at the commencement of this Act in force within the existing city shall extend and apply to the extended city (subject to any future repeal or amendment of the same) and byelaws rules and regulations made by any county justices rural sanitary authority highway or other local authority shall on the commencement of this

Byelaws  
to apply to  
extended  
city.

[Ch. ccxxxii.] *York Extension and Improvement* [47 & 48 VICT.]  
Act, 1884.

A.D. 1884. — Act cease to be in force or to have any effect within the added part of the city. Provided that any person may be tried and punished for any offence against the same committed before the commencement of this Act as if this Act had not been passed.

(ii) *Division of City into Wards ; Election of Councillors and Aldermen ; Citizens or Burgess Roll &c.*

Division of city into wards.

**19.** On and from the thirtieth day of September one thousand eight hundred and eighty-four the extended city shall be divided into six wards and the names or distinguishing numbers and boundaries of such wards shall be fixed and determined by a scheme to be made by a commissioner to be for that purpose appointed by Her Majesty's Principal Secretary of State for the Home Department within three weeks after the passing of this Act.

Commissioner to frame scheme.

**20.** The commissioner shall commence and proceed with the duties of his appointment with all practicable despatch and so as to complete his scheme before the first day of September one thousand eight hundred and eighty-four or such later day as may on his application be fixed by the said Secretary of State.

Provisions for existing councillors continuing to represent their former constituents.

**21.** The commissioner shall by his scheme apportion all the existing councillors among the new wards described therein so as to provide (as far as practicable) for each councillor continuing to represent as large a number as possible of his former constituents and every such councillor shall hold his office in the ward to which he shall be so assigned for the same period as he would have held such office if the existing wards of the city remained unaltered.

Scheme to be published.

**22.** The scheme shall be published in the London Gazette and also in some local newspaper or newspapers circulating in the city.

Application of section 30 of 45 & 46 Vict. c. 50.

**23.** Subject to the provisions of this Act subsections (8) to (15) both inclusive of section thirty of the Municipal Corporations Act 1882 shall apply as if they were re-enacted in this Act.

Constitution and number of the council.

**24.** After the division of the city into wards under the provisions of this Act the council for the city shall continue to consist of twelve aldermen and thirty-six councillors and each ward shall return six councillors.

Lord Mayor to have jurisdiction over extended city.

**25.** On and from the passing of this Act the Lord Mayor shall have all such powers jurisdiction and authority in and over the extended city as he now has or possesses in and over the existing city and his election on the ninth day of November one thousand eight hundred and eighty-three shall be deemed to have applied to the extended city accordingly in all respects.

**26.** Anything to be done under the provisions of the Municipal Corporation Acts the Ballot Act 1872 and any other Act or Acts in relation to elections and other matters incidental thereto as also by the Lord Mayor or alderman in relation to each of the wards fixed and determined by the said scheme as aforesaid before the first day of November one thousand eight hundred and eighty-four may be done in like manner as if such wards were and had been wards of the city existing at the time of the passing of this Act and the assignment of aldermen as returning officers by the council on the twelfth day of November one thousand eight hundred and eighty-three shall be deemed to have applied to the several wards of the city as fixed and determined by the said scheme subject to any provisions in that behalf made in and by such scheme.

A.D. 1884.  
Further provisions as to elections, &c.  
35 & 36 Vict. c. 33.

**27.** For the purposes of the parish citizens or burgess lists and the citizens or burgess roll to be made after the passing of this Act under the Municipal Corporation Acts and in relation to the functions and offices of the Lord Mayor town clerk and other officers under those Acts the added part of the city shall be deemed to have always been part of the city and for the purposes of such lists and roll and all other matters in relation thereto the parts of the several townships of Middlethorpe Dringhouses Clifton Heworth and Fulford or Gate Fulford added to the city shall be deemed to be separate and distinct townships and shall be called and designated by the names of the respective townships from which such parts are taken with the addition thereto respectively of the word "city" so as to distinguish such parts from the parts of the said several townships not added to the city: Provided that no such parish citizens or burgess lists or the citizens or burgess roll to be so made as aforesaid shall be deemed to be invalid by reason only that the same shall not have been made and published or any notices given at the time or times now required prior to the passing of this Act if such lists or roll and notices be given made and published as soon after the passing of this Act as may be practicable.

Citizens or burgess lists and roll.

**28.** The present auditors of the existing city shall remain in office until the first day of March one thousand eight hundred and eighty-five and shall be the auditors of the extended city.

Present auditors to continue.

(iii.) *Provisions respecting Rural Sanitary and School and other Authorities.*

**29.—(1.)** The York Union Authority shall cease from and after the commencement of this Act to have or exercise any powers rights or jurisdiction in or in relation to the part of their district which is by this Act added to the city But nothing in this Act

Cesser of jurisdiction of York Union Authority

A.D. 1884. shall be construed to prevent the York Union Authority from suing  
over parts of their district added to city. for and recovering any rates or sums of money due to them at or immediately before the commencement of this Act and the York Union Authority may accordingly sue for and recover all such rates and sums in the same manner as if this Act had not been passed.

And transfer of property to Corporation. (2.) All buildings sewers lamps lamp-posts pipes mains and all other property of every description of the York Union Authority situate in the said part of their district shall from and after the commencement of this Act be transferred to and vest in the Corporation for all the estate and interest therein of the York Union Authority and may be held recovered and enjoyed by the Corporation accordingly.

Transfer of liabilities of added parts to Corporation. **30.**—(1.) From and after the commencement of this Act the following liabilities and obligations of the York Union Authority and of the Bulmer East Highway Board respectively (namely):—

The sum (or balance remaining undischarged of the sum) of eleven hundred and thirty pounds borrowed of the Public Works Loan Commissioners for drainage works in the township of Fulford or Gate Fulford; and

The sum (or balance remaining undischarged of the sum) of nine hundred and eighty-two pounds borrowed for flagging and other works in the township of Clifton;

shall subject to the provisions of this Act be transferred and attach to the Corporation and shall be paid discharged and performed by the Corporation accordingly.

(2.) All instalments of principal or the interest payable in respect of any liability or obligation aforesaid and due at the commencement of this Act shall be borne and paid by the York Union Authority or the Bulmer East Highway Board respectively from whom the same were due at the commencement of this Act.

(3.) The liabilities and obligations transferred to the Corporation under this section shall be chargeable to and defrayable out of the district fund and general district rate of the city.

Saving for deeds securities &c. **31.** Subject to the provisions of this Act all deeds contracts documents securities orders notices and proceedings made or entered into with or in favour of or by or on behalf of the York Union Authority and in force at the commencement of this Act and concerning the part of their district by this Act added to the city shall be and remain as valid and effectual in favour of against and with reference to the Corporation and may be proceeded on and enforced in like manner to all intents and purposes as if the Corporation instead of the York Union Authority had been party or privy thereto.

**32.** Any action cause of action prosecution or other proceeding whatsoever pending or existing at the commencement of this Act either in favour of or against the York Union Authority and concerning the part of their district by this Act added to the city shall not abate or be discontinued or prejudicially affected by this Act but on the contrary may be maintained commenced prosecuted or continued by in favour of or against the Corporation in like manner to all intents and purposes as if the Corporation instead of the York Union Authority were party to such action prosecution or proceeding.

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Actions &c.  
not to abate.

**33.** All books and other documents directed or authorised to be kept by the York Union Authority by any Act of Parliament and which at the commencement of this Act would be receivable in evidence shall be admitted as evidence in Her Majesty's High Court of Justice and all other courts and proceedings notwithstanding the cesser of the powers rights and jurisdiction of the York Union Authority in and over the part of their district by this Act added to the city.

Books to be  
evidence.

**34.**—(1.) Notwithstanding any of the foregoing provisions of this Act it shall be lawful for the Corporation on the one hand and for the York Union Authority on the other hand but so far only as relates to the part of the district of the said authority by this Act added to the city at any time after the passing of this Act to make and carry into effect agreements with respect to the transfer of any property liabilities or powers from the York Union Authority to the Corporation and for settling and adjusting any doubt or difference arising in relation thereto and generally with respect to the execution of the provisions of this Act relating to any such agreement.

Power of  
York Union  
Authority to  
enter into  
agreements  
with Cor-  
poration.

(2.) Any such agreement may provide for the reference of any matter to the decision of the Local Government Board and the provisions of any such agreement shall be deemed to be within the powers of the Corporation and of the York Union Authority respectively and shall be carried into effect accordingly.

**35.** For the purposes of the Elementary Education Act 1870 and the Acts amending the same the extended city shall be a school district and the Corporation shall from and after the commencement of this Act have and exercise all powers and duties under the said Acts in and over the extended city to the exclusion of any other school authority and the members of the school attendance committee of the existing city in office at the commencement of this Act shall be deemed to have been elected for the extended

City to be a  
school  
district.

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A.D. 1884. city and shall be the school attendance committee for the extended city subject to the provisions of the said Acts and to any order which may be made by the Education Department in pursuance thereof.

As to byelaws under Elementary Education Act.

**36.** From and after the commencement of this Act all byelaws and regulations made by the school attendance committee appointed by the Corporation and then in force in the existing city shall apply to and be in force within the extended city (subject to any future repeal or amendment of the same) and all byelaws and regulations made by any other school authority shall cease to be of any force or effect in the added part of the city.

Compensation to certain officers.

**37.** Compensation shall be paid by the Corporation to any clerk to justices of the peace of any division of any of the ridings of the county of York and to any other person in respect of the loss of the whole or part of the emoluments of his office by reason of the passing of this Act. Provided that in case of difference between the Corporation and any such clerk or person as aforesaid as to the right of such clerk or person to compensation or as to the amount of compensation payable to him the difference shall be finally and conclusively determined by the Local Government Board.

Any compensation payable by the Corporation under this section may be at the option of the Corporation by way of annuity or otherwise and shall be paid by the Corporation out of the district fund and general district rate.

Provided always that any such clerk or person as aforesaid who shall accept employment in any office of equal value under the Corporation shall be deemed to waive all claim to compensation under this Act.

Power to sell property transferred to Corporation.

**38.** The Corporation may from time to time sell or lease and dispose of any buildings or other property transferred to or acquired by them by or under this part of this Act and they shall apply the proceeds of any sale towards paying off any debt incurred by the local authority or other body to which the property belonged and by this Act transferred to the Corporation.

Corporation to prepare scheme for drainage of city.

**39.** Within two years after the commencement of this Act the Corporation shall cause to be prepared a scheme for the efficient drainage of the city including all such provisions for the treatment and outfall of the sewage as may be proper and necessary for the purpose of receiving storing disinfecting distributing or otherwise disposing of such sewage and they shall submit such scheme to the Local Government Board for their consideration and that Board shall have full power at the expense of the Corporation to examine

such scheme and after such inquiry as they may direct to approve or amend the same as they may see fit and if such scheme cannot be carried out without the authority of Parliament the Corporation shall apply in the then next ensuing session of Parliament for all necessary powers to carry such scheme into execution and on the same being obtained shall forthwith proceed to put the same into force.

A.D. 1884.

PART III.—LANDS.

40. Subject to the provisions of this Act the Corporation may from time to time appropriate and use for any of the purposes of this Act any lands for the time being vested in them as part of their corporate estates or in their capacity of a sanitary authority and which are not required for the purposes for which the same were acquired or are at present held.

Power to acquire and appropriate lands for purposes of Act.

The Corporation may by agreement purchase and take such lands buildings or other property as they may from time to time require for the purposes of this Act not exceeding ten acres.

41. The Corporation may from time to time sell and dispose of for such consideration in money or land or partly in land and partly in money as they see fit any lands acquired by them under the powers of this Act and not required for the purpose for which the same were acquired.

Power to sell lands discharged from securities.

42. The Corporation from time to time if and when they think fit may lay out for building purposes all or any part of any lands acquired by them under any former Local Act or under this Act and not required for the purposes of such former Act or of this Act and may from time to time demise or grant on building or other leases with or without fine for any term not exceeding ninety-nine years all or any part of such lands to such persons and subject to such reservations covenants terms and conditions as the Corporation think fit and the Corporation may make any such lease by public auction or tender or by private contract and with or without any special conditions and stipulations and may accept a surrender of any lease and either before or after a lease is granted may in like manner sell and dispose of any rent reserved or agreed to be reserved for any such lands and may execute and do all deeds and things necessary to effect the several purposes aforesaid.

Corporation may lease lands not required for purposes of Act.

43. Any purchase money received on any sale of land and any money received as a fine on the granting of any lease by the Corporation shall be distinguished as capital in the accounts of the Corporation and shall be applied exclusively for purposes for which money borrowed by the Corporation is for the time being applicable

Application of purchase money of land.

A.D. 1884. or in discharge of borrowed moneys and any money so discharged shall not be re-borrowed.

PART IV.—RATING AND BORROWING PROVISIONS.

Expenses of  
executing  
Act.

44. All expenses incurred by the Corporation in carrying into execution the provisions of this Act except such of those expenses as are payable out of borrowed moneys or out of the borough fund and borough rate under any general Act of Parliament or this Act and except so far as any such expenses may be defrayed out of the income of any property of the Corporation or be recovered from the owners or occupiers of premises or other persons shall be paid out of the district fund and general district rate leviable under the Public Health Act 1875.

Making and  
assessment  
of rates and  
power to  
rate owner  
in certain  
cases.

45.—(1.) The Corporation may make any rate which they are for the time being authorised to make either prospectively in order to raise money to pay charges and expenses to be incurred after the making of the rate or retrospectively in order to raise money to pay charges and expenses incurred at any time within six months before the making of the rate or partly prospectively and partly retrospectively.

(2.) In the case of all rates leviable by the Corporation the owner instead of the occupier may at the option of the Corporation be rated in the cases in which the owner might be rated under section two hundred and eleven subsection 1 of the Public Health Act 1875.

(3.) The Corporation may if they think fit assess levy and collect all or any of the several rates leviable by them either as separate rates or together but so nevertheless that if whenever two or more rates are or may be made assessed levied and collected together each of such rates shall be distinguished in the assessment thereof and also in the demand note and receipt Any rate or rates so made may be in the form given in the Fourth Schedule to this Act or to the like effect and one demand note may comprise all or any of such rates.

(4.) If the Corporation so resolve and order they may from time to time assess the contributions to the general district rate or any other rate leviable by them on the parishes and parts of parishes liable thereto and may instead of themselves levying and collecting such contributions order the overseers of those parishes or parts of parishes to levy collect and pay the same in like manner and subject to the like provisions as apply in law to the levying collection and payment by overseers of contributions to the borough rate and any



order under this section may comprise the contributions to all or any of the rates leviable by them. Provided that nothing in this section shall be deemed or taken to alter or to affect any exemption or allowance to which any particular description of property is or may be entitled in the case of any general district rate or other rate but in assessing levying and collecting general district and other rates regard shall be paid and full effect given by all overseers and other persons to every such allowance or exemption as aforesaid.

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(5.) A resolution and order of the Corporation under this section in the form in Part II. of the Fourth Schedule to this Act or to the like effect shall be valid and effectual to all intents.

**46.** With respect to the added part of the city the following provisions shall have effect (namely):—

Special provisions with respect to rating &c. in regard to added area.

(1.) No general district rate borough rate sanitary improvement rate or Skeldergate Bridge rate made or levied before the first day of January one thousand eight hundred and eighty-five shall apply to or be levied upon or within the added part of the city;

(2.) The owners and occupiers of all lands houses and hereditaments within the added part of the city shall be exempted from payment of the sanitary improvement rate leviable by the Corporation under and by virtue of the York Drainage and Sanitary Improvement Act 1853;

(3.) For a period of three years from the first day of January one thousand eight hundred and eighty-five but no longer the owners or occupiers (as the case may be) of lands houses and hereditaments within the added part of the city shall not be liable to or charged with any greater proportion of any general district rate or Skeldergate Bridge rate to which they are or may be assessed or liable than one half of the amount thereof and such proportion of any such rate may be collected recovered and paid in the same manner and subject to the like conditions provisions and regulations in all respects as if it had been the whole amount of any such rate;

(4.) No rate now or hereafter made or levied in the city shall be invalid by reason only of its being made levied collected or recovered in conformity as regards the added part of the city with the provisions of this section.

**47.** In any rate (except a borough rate) levied within the added area by or under any precept of the Corporation the occupier of any land used as a railway constructed under the powers of any Act of Parliament for the conveyance of public traffic and as sidings

As to rating of North-eastern Railway.

[Ch. ccxxxii.] *York Extension and Improvement* [47 & 48 VICT.]  
*Act, 1884.*

A.D. 1884, and turntables (other than such sidings and turntables as are used by private persons or traders) shall be assessed in respect of the same in the proportion of one-fourth part only of the net annual value thereof.

Power to borrow.

**48.** The Corporation may from time to time borrow as follows (that is to say):—

For the purpose of sewerage works in the added part of the city any sum not exceeding ten thousand pounds ;

For flagging paving road making and other works of street improvement in such added part any sum not exceeding twenty thousand pounds ;

And for flagging paving road making and other works of street improvement in the existing city any sum not exceeding twenty thousand pounds ;

For effecting the discharge of any outstanding loan or portion thereof by or under this Act transferred to the Corporation from the York Union Authority or the Bulmer East Highway Board such sums as may be required.

The Corporation may also from time to time with the sanction of the Local Government Board borrow and re-borrow any further sums which they may require for sewerage works or for works of street improvement and any moneys which they may deem necessary for defraying any other expenses of the execution by them of this Act to which capital is properly applicable.

All moneys borrowed under this section shall be repaid within the following respective periods from the time or times when the same shall be respectively borrowed (that is to say):—

|                                       | Period.         |
|---------------------------------------|-----------------|
| Moneys borrowed for sewerage works    | - Forty years.  |
| Moneys borrowed for any other purpose | - Twenty years. |

The Corporation may raise any moneys which they are by this Act authorised to borrow by mortgage of the district fund and general district rate or by the creation and issue under the powers conferred by this Act of York Corporation stock charged primarily on the district fund and general district rate.

Priority &c. of mortgages.

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

(2.) Subject to the provisions of this Act the provisions contained in sections two hundred and thirty-six to two hundred and thirty-nine (both inclusive) of the Public Health Act 1875 with respect to the mortgages to be executed by a local authority shall

apply in the case of all mortgages granted by the Corporation under this Act. A.D. 1884.

**50.** The Corporation shall pay off all moneys borrowed by them on mortgage under this Act by equal yearly or half-yearly instalments of principal and interest or by means of a sinking fund or sinking funds created invested and applied in manner provided by the Local Loans Act 1875 and section fifteen of that Act shall apply accordingly Provided that any moneys repaid by the Corporation otherwise than by means of a sinking fund or instalments or appropriations or out of the proceeds of sale of surplus lands or other moneys received on capital account before the expiration of the respective periods prescribed by this Act may be re-borrowed from time to time so that they be finally discharged within the said respective periods and for the purposes of repayment and of sections fourteen and fifteen of the Local Loans Act 1875 the moneys re-borrowed and the moneys originally borrowed shall be deemed to form the same loan.

Mode of discharge of money borrowed on mortgage.

**51.—(1.)** The Corporation may if they see fit in manner provided by the Local Loans Act 1875 borrow and re-borrow on the security aforesaid any sums authorised to be borrowed under this Act.

Power to borrow under Local Loans Act.

(2.) Any sum borrowed in manner provided by that Act shall be discharged within such period not exceeding the respective periods by this Act prescribed from the date of the loan as the Corporation determine and the period so determined shall be the prescribed period within the meaning of the Local Loans Act 1875.

(3.) The Corporation may raise the loan or any part thereof by the issue of debenture stock.

(4.) Any loan raised under this section may be repaid by means of a sinking fund.

(5.) If any part of a loan is re-borrowed then for the purposes of repayment and of sections fourteen and fifteen of the Local Loans Act 1875 the moneys re-borrowed and the moneys originally borrowed shall be deemed to form the same loan.

**52.** The treasurer of the city shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by the said Board showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making

Annual return to Local Government Board with respect to sinking fund.

A.D. 1884. — of such return and the description of the securities on which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining uninvested at the end of the year and in the event of any wilful default in making such return the treasurer shall be liable to a penalty not exceeding twenty pounds which shall be recoverable by the Local Government Board in the same manner as penalties recoverable under the Public Health Act 1875 and may be recovered by parties aggrieved within the meaning of that Act.

If it appear to the Local Government Board by such return or otherwise that the Corporation have failed to pay any instalment or to set apart the sum required by this Act for any sinking fund or have applied any portion of the moneys set apart for that fund to any purposes other than those authorised by this Act the Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court of Justice and the provisions of this section shall in the event of the Corporation borrowing money under the provisions of the Local Loans Act 1875 apply *mutatis mutandis* to appropriations and annual repayments.

#### PART V.—CORPORATION STOCK.

Interpreta-  
tion.

**53.** In this part of this Act—

(1.) “The Bank of England” means the Governor and Company of the Bank of England.

(2.) “Statutory declaration” means declaration under the Statutory Declarations Act 1835.

(3.) Any power (whether or not coupled with a duty) of borrowing or continuing on loan or re-borrowing money or of creating or redeeming or paying off any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under this Act or under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed is for purposes of this part of this Act a statutory borrowing power.

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(4.) Any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock Corporation stock annuity rentcharge rent or other security authorised by or under any Act of Parliament passed or to be passed of any municipal corporation in Great Britain including the Corporation or of any other local authority within section thirty-four of the Local Loans Act 1875 is for purposes of this part of this Act a statutory security.

(5.) The provisions of this part of this Act referring to dividends or interest apply to and include instalments of an annuity and half-yearly or other payments of or in respect of a rentcharge rent or other statutory security.

**54.**—(1.) Where the Corporation have for the time being any statutory borrowing power then subject and according to the provisions of this part of this Act the Corporation may from time to time by resolution of the council exercise the power by creation of stock either redeemable or irredeemable to be from time to time issued for such amount within the limit of the power at such price to bear such half-yearly or other dividends and to be so transferable that is to say in books or by deed as the Corporation by the resolution direct Provided that all redeemable stock at any time and from time to time so created shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock and that all irredeemable stock at any time and from time to time so created shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock.

Creation of  
Corporation  
stock.

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

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

[Ch. ccxxxii.] *York Extension and Improvement* [47 & 48 Vict.]  
Act, 1884.

A.D. 1884.

(4.) Irredeemable stock shall not be redeemable except by agreement between the Corporation and the holder of stock.

(5.) Each resolution for creation of stock shall specify whether the stock thereby created is redeemable or irredeemable.

(6.) Stock so created shall be designated by the Corporation as York Corporation Redeemable Stock or as York Corporation Irredeemable Stock (as the case may require).

(7.) All stock for the time being so created whether redeemable or irredeemable is comprised in the term Corporation stock when hereafter used in this part of this Act except where either redeemable stock or irredeemable stock is separately mentioned.

Borrowing  
power to be  
exercisable  
for actual  
sum rais-  
able.

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

Charge of  
Corporation  
stock.

**56.—**(1.) All Corporation stock for the time being issued and the dividends thereon shall be and the same are by virtue of this Act charged indifferently on the whole revenues of the Corporation from time to time arising from the lands undertakings and other property for the time being of the Corporation and on the borough fund and borough rate and on the general district fund and general district rate and on all other funds and rates established and leviable by the Corporation.

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

Establish-  
ment of  
Consolidated  
Loans Fund.

**57.** For payment of dividends on all Corporation stock and for redemption and extinction or purchase and extinction of all Corporation stock there shall be established and formed a fund called the

York Corporation Consolidated Loans Fund (in this part of this Act referred to as the loans fund). A.D. 1884.

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

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

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

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

(2.) They shall provide the sum or sums last aforesaid by contributions from the several Corporation revenues if any specifically made liable to provide the same by or under any Act of Parliament or by any resolution of the Corporation having reference to those respective statutory borrowing powers and if as regards any statutory borrowing power there is no such specific liability then from the several Corporation revenues out of which any yearly or other sums would have been payable towards a sinking fund for discharge or

A.D. 1884. — towards payment off by instalments appropriations annual repayments or otherwise of money borrowed by the Corporation under that power if that money had been raised and remained secured otherwise than by Corporation stock and in default thereof or subject thereto out of the borough fund and borough rate or out of the general district fund and general district rate as the Corporation having regard to the provisions of this part of this Act and the objects for which the statutory borrowing power was exercised may consider equitable.

(3.) The amounts of those several contributions (subject to any payment in reduction thereof authorised by this part of this Act) shall be the same amounts as would in the same respective cases have been payable towards a sinking fund or towards payment off as aforesaid those contributions to be subject to accumulation if and as in the same respective cases accumulation was prescribed.

(4.) The Corporation shall from time to time by investment on statutory securities of the sums paid into the loans fund in respect of those several contributions or of proper parts thereof and by like investment of the interest and annual proceeds arising from those securities make and maintain such accumulations as are in this section referred to.

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

Raising of  
contribu-  
tions to  
loans fund.

**60.**—(1.) The Corporation shall from time to time in order to raise the amounts of the several contributions of the two kinds aforesaid out of the several Corporation revenues do all such acts exercise all such powers collect all such money and make and levy all such rates as they lawfully can or ought to do exercise collect make and levy for the purposes of or in relation to the respective statutory borrowing powers in exercise whereof the several portions of Corporation stock are issued.

(2.) If by reason of any limit of a rate or for any other reason there is a deficiency on any Corporation revenue in respect of any required contribution the Corporation shall advance the amount of



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the deficiency out of the borough fund and borough rate or general district fund and general district rate as the Corporation having regard to the provisions of this part of this Act and the objects for which the statutory borrowing power was exercised may consider equitable.

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

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

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

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

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

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

Application  
of loans  
fund.

**63.**—(1.) The Corporation shall not be bound to purchase for extinction any Corporation irredeemable stock unless they can do

Purchase of  
irredeemable  
stock.

A.D. 1884. — so at or below par that is to say at a price not higher than the nominal amount thereof.

(2.) If any portion of Corporation irredeemable stock is not wholly extinguished within the period expressly or by implication limited for the continuance of any loan by or under the statutory borrowing power in exercise whereof that portion of stock is issued or by the provisions of this part of this Act then after that period the dividends on that portion of stock while unextinguished shall be paid out of the interest and annual proceeds of such money and securities forming part of the loans fund as are properly applicable to the extinction of that portion of stock and except as far as at any time a deficiency of the loans fund in that behalf exists no further money shall be paid into the loans fund in respect of those dividends out of the Corporation revenues liable to contribute to the loans fund in respect of those dividends.

(3.) But in that case the Corporation shall continue to pay into the loans fund the yearly sum theretofore required to be provided for extinction of that portion of stock until the securities forming part of the loans fund applicable to that extinction are of sufficient value to enable the Corporation to purchase therewith for extinction the unextinguished part of that portion of stock.

(4.) In case at any time during any period limited as aforesaid the Local Government Board are of opinion that regard being had to the market value of Corporation irredeemable stock the provision made for the purchase and extinction of any portion of that stock within that period is insufficient the Local Government Board may from time to time by order direct that the contributions to be made to the loans fund for the purchase and extinction of that portion of stock in accordance with the provisions of this part of this Act shall be increased by such amount as shall be specified in the order so as to provide that the Corporation shall purchase and extinguish or shall be in a position to purchase and extinguish that portion of Corporation stock within that period.

(5.) In case at any time after the expiration of the period limited as aforesaid the Local Government Board are of opinion that the Corporation can without material loss regard being had to the price of issue of the portion of Corporation irredeemable stock which ought to be extinguished within that period and to the rate of dividend payable thereon purchase that portion of stock for extinction then the Local Government Board may if they think fit order the purchase for extinction of that portion of stock or of any part thereof.

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

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Extinction  
of stock  
redeemed or  
purchased.

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

Account of  
loans fund.

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

(b) Each statutory borrowing power so exercised.

(2.) Those separate accounts shall distinguish and show—

(c) The portions of Corporation stock for the time being unextinguished and chargeable to each undertaking or purpose and respectively attributable to the exercise of the several statutory borrowing powers if more than one relating to that undertaking or purpose; and

(d) The amounts of those several portions of Corporation stock redeemed or purchased by means of the loans fund and cancelled and extinguished.

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

(e) All money being capital or in the nature of capital arising from any sale lease or other disposition of land or other property of the Corporation paid into the loans fund and in the judgment of the Corporation properly attributable to that undertaking or purpose and the securities on which that money or any part thereof is from time to time invested; and

(f) All money from time to time received as interest and annual proceeds of the last-mentioned money and securities; and

(g) All money from time to time received as rents and profits of any land and other property of the Corporation so as aforesaid acquired and not otherwise appropriated or made applicable; and

(h) All money and securities transferred to the loans fund as having formed part of a sinking fund and all money from time to time received as interest and annual proceeds of the last-mentioned money and securities or of securities wherein the same interest and annual proceeds are from time to time invested by way of accumulation; and

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(j) All money paid into the loans fund as contributions from the Corporation revenues in respect of dividends on the several portions of Corporation stock chargeable to that undertaking or purpose; and

(k) All money paid into the loans fund as contributions from the Corporation revenues in respect of redemption and extinction or purchase and extinction of those several portions of Corporation stock.

Application  
of income in  
reduction of  
contribu-  
tions.

**66.**—(1.) Where any money is standing on a separate account in the loans fund being money paid into the loans fund as rents and profits of the land and other property of the Corporation or being money paid into the loans fund as interest on cash balances received by the Corporation or being other money paid into the loans fund but not being capital or in the nature of capital and not being required by this part of this Act to be applied to the making and maintenance of such accumulations as are prescribed by this part of this Act the Corporation may deal with the same as in this section provided.

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

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

(a) In reduction of such contributions out of the Corporation revenues as are payable into the loans fund in respect of dividends on the portions of Corporation stock comprised in the separate account on which the money or interest and annual proceeds is or are standing :

(b) In reduction of such contributions out of the Corporation revenues as are payable into the loans fund for redemption and extinction or purchase and extinction of those portions of stock.

Determina-  
tion as to  
charge of  
stock.

**67.** For the purposes of any contribution or account under this part of this Act the Corporation if they think fit having regard to all the circumstances of the case and subject to the terms on which

any loan of the Corporation was contracted or any Corporation stock was issued may from time to time determine and declare on which of the Corporation revenues any loan of the Corporation or any portion of the Corporation stock is or shall be deemed to be primarily or collaterally charged or determine and declare that any loan of the Corporation or any portion of Corporation stock shall be apportioned as regards the charge thereof between or among any of the Corporation revenues and every such determination and declaration shall be effectual to all intents.

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**68.**—(1.) Where any mortgage bond debenture debenture stock annuity rentcharge or other security granted or created before or after the passing of this Act by the Corporation under any statutory borrowing power is outstanding or payable and the Corporation have power with the consent of the holder of that security or otherwise to pay off the amount thereby secured or represented or to redeem the same they may pay off or redeem the security accordingly with money raised by Corporation stock or they may with the consent of the holder thereof issue Corporation stock in substitution for the security.

Payment off  
or substitu-  
tion for  
existing  
securities.

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

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

(4.) Where the holder of the security is one of the persons described in section seven of the Lands Clauses Consolidation Act 1845 and by that Act enabled to sell land thereunder that person may consent to payment or redemption of or substitution for the money secured or represented by that security and may accept money for giving that consent as if the person so consenting were the absolute owner of that security and that person is hereby indemnified for so doing and his receipt shall be a good discharge for the same.

(5.) Money received by the holder of any security as authorised by this section and Corporation stock issued to him in substitution for any security shall be subject to the same trusts powers

A.D. 1884. testamentary and other dispositions provisions and incumbrances as the money secured or represented by the security was subject to immediately before the payment off redemption or substitution and every testamentary or other disposition shall take effect with reference to the whole or a proportionate part of the money or stock received or substituted as the case may be.

Extinction or suspension of borrowing power.

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

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

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

General application of money from Corporation stock.

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

Temporary investment of money raised by stock.

**71.—(1.)** The Corporation may from time to time invest temporarily on statutory securities other than stock certificates to bearer money raised by Corporation stock and not for the time being applied to or required for the undertaking or purpose for which it is raised and shall from time to time pay the interest and annual proceeds of those securities into the loans fund.

(2.) The Corporation may if they think fit from time to time apply the interest and annual proceeds aforesaid or any part thereof in reduction of such contributions out of the Corporation revenues as are payable into the loans fund in respect of dividends on the respective portions of Corporation stock by the issue whereof that money is raised.

Appointment of registrar.

**72.—(1.)** The Corporation may if they think fit and on and subject to such terms and instructions not inconsistent with any provision of this part of this Act as they think expedient appoint and keep appointed an officer of the Corporation or other person or the Bank of England or any other bank or a banker as registrar for all

or any of the purposes of this part of this Act (in this part of this Act referred to as the registrar). A.D. 1884.

(2.) The Corporation in relation to the provisions of this part of this Act and the registrar shall respectively be deemed a banker within the Bankers Books Evidence Act 1879.

**73.**—(1.) The Corporation or the registrar shall keep books in which shall be entered the names and addresses of holders from time to time of Corporation stock and the amounts held by them (in this part of this Act referred to as the Corporation stock register). Corporation stock register.

(2.) The Corporation stock register shall be primâ facie evidence of any matter entered therein in accordance with this part of this Act and of the title of the persons entered therein as holders of stock.

**74.**—(1.) On demand of a holder of Corporation stock the Corporation may if they think fit give to him a certificate of the proprietorship thereof under their common seal specifying the amount of Corporation stock to which he is entitled (in this part of this Act referred to as a stock certificate). Certificate of proprietorship of stock.

(2.) A stock certificate shall be primâ facie evidence of the title of the person therein named his executors administrators successors or assigns to the stock therein specified but the want of a stock certificate if such want be accounted for to the satisfaction of the Corporation shall not prevent the holder of stock from disposing of and transferring the same.

(3.) If a stock certificate is worn out or damaged the Corporation on production thereof may cancel it and give a similar stock certificate to the party in whom the property in the stock certificate and in the stock therein specified is then vested.

(4.) If a stock certificate is lost or destroyed the Corporation on proof thereof to their satisfaction may give a similar stock certificate to the party entitled to the certificate lost or destroyed.

(5.) An entry of the issue of a stock certificate or a substituted certificate as the case may be shall be made in the Corporation stock register.

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

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

A.D. 1884.

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

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

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

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

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

Transfer by  
deed.

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

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

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

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

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

(6.) Until the deed of transfer has been so delivered to the Corporation or the registrar the Corporation or the registrar shall not



be affected thereby and the purchaser of the stock shall not be entitled to receive any dividend thereon. A.D. 1884.

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

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

**79.**—(1.) The Corporation or the registrar with the approval of the Corporation may as regards any portion of Corporation stock close the Corporation stock transfer books or the register of transfers of Corporation stock (as the case may be) on any day in the month next before that in which dividends on that portion of Corporation stock are payable but so that the books be not at any time kept closed for more than fifteen days. Closing of transfer books.

(2.) The persons who on the day of such closing are inscribed as Corporation stockholders shall as between them and their transferees of Corporation stock be entitled to the dividend next payable thereon.

**80.** Unless the Corporation have compounded for stamp duty all stock issued by the Corporation shall notwithstanding anything in any resolution of the Corporation be transferable by deed and not in books and every deed of transfer of stock transferable by deed shall be duly stamped and the consideration shall be truly stated therein. Stamp duty on transfers.

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

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

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

A.D. 1884.

(2.) The declaration shall state the manner in which and the party to whom the stock has been transmitted and shall be left with the Corporation or the registrar.

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

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

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

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

Payment of  
dividends.

**83.** The Corporation may pay by the registrar the dividends on Corporation stock.

Dividends to  
executors  
&c.

**84.** The Corporation or the registrar shall not be required to allow any executors or administrators to receive any dividend on Corporation stock held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the Corporation or the registrar for registration.

Evidence of  
title.

**85.** The Corporation or the registrar before allowing the receipt of any dividend on any Corporation stock may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming a right to receive the dividend and that evidence shall be a statutory declaration of competent persons or of such other nature as the Corporation or the registrar may require.

Dividends to  
joint holders.

**86.** Where more persons than one are registered as joint holders of any Corporation stock any one of them may give an effectual receipt for any dividend thereon unless notice to the contrary has been given to the Corporation or the registrar by any other of them.

Dividends  
when the  
joint holder  
is infant  
&c.

**87.** Where Corporation stock is standing in the name of an infant or person of unsound mind jointly with any person not under legal disability a letter of attorney for receipt of the dividends on the stock shall be sufficient authority in that behalf if given under the hand and seal of the person not under disability attested by two

more credible witnesses but the Corporation or the registrar before acting on the letter of attorney may if they or he think fit require proof to their or his satisfaction of the alleged infamy or unsoundness of mind by a statutory declaration of one or more competent persons. A.D. 1884.

**88.**—(1.) Where a Corporation stockholder desires to have his dividends sent to him by post he may make a request for that purpose to the Corporation or the registrar in writing signed by him in a form approved by the Corporation and shall give to the Corporation or the registrar an address in the United Kingdom or in the Channel Islands or the Isle of Man to which the letters containing the warrants are from time to time to be sent. Dividend warrants by post.

(2.) The posting by the Corporation or the registrar of a letter containing a dividend warrant addressed to a stockholder at his request at the address so given by him shall as respects the liability of the Corporation and of the registrar be equivalent to the delivery of the warrant to the stockholder himself.

(3.) Every warrant so sent by post shall be deemed a cheque and the Corporation and the registrar shall in relation thereto be deemed a banker within the Bills of Exchange Act 1882.

**89.**—(1.) On demand of a Corporation stockholder the Corporation or the registrar may issue to the stockholder a Corporation stock certificate to bearer that is to say a certificate of title to his stock or any part thereof entitling the bearer to the stock therein specified and transferable by delivery with coupons entitling the bearer of the coupons to the dividends on the stock but so that in case of redeemable stock no such certificate or coupons shall give a title to dividends beyond the time limited for redemption. Provisions respecting stock certificates with coupons to bearer.

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

(3.) Notwithstanding anything in this Act a trustee shall not apply for purchase take or hold a Corporation stock certificate to bearer unless he is in express words authorised to do so by the instrument creating his trust and any contravention of this provision by a trustee shall be deemed a breach of trust but this provision shall not impose on the Corporation or the registrar an obligation to inquire or to take notice whether a person applying for or holding a stock certificate to bearer is or is not a trustee or subject the Corporation or the registrar to any liability in case of their or his with or without notice issuing to a trustee a stock certificate to bearer or invalidate any stock certificate issued to bearer.

[Ch. ccxxxii.] *York Extension and Improvement* [47 & 48 VICT.]  
Act, 1884.

A.D. 1884.

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

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

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

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

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

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

(10.) If a Corporation stock certificate to bearer or coupon is worn out or damaged the Corporation or the registrar on production and delivery up thereof may cancel it and issue a new certificate or coupon.

(11.) If a Corporation stock certificate to bearer or coupon is lost or destroyed the Corporation or the registrar may issue a new certificate or coupon on receiving indemnity to the satisfaction of

the Corporation against the claims of all persons deriving title under the certificate or coupon lost or destroyed. A.D. 1884.

(12.) All coupons issued under this Act in respect of any Corporation stock certificate shall for the purposes of the Acts relating to stamp duties be deemed to have been attached to and issued with such stock certificate.

(13.) Corporation stock specified in a stock certificate to bearer shall be charged on the same securities and be subject to the same powers of redemption if any and other powers and save as regards the mode of transfer and of payment of dividends thereon and save so far as a stock certificate to bearer is a negotiable instrument shall be subject to the same incidents in all respects as if that stock had continued to be registered in the Corporation stock register as transferable in books or by deed.

**90.**—(1.) Corporation stock is personal property.

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

Nature of Corporation stock.

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

Notice of trusts not receivable.

**92.**—(1.) If at any time the Corporation for two months after demand in writing fail to pay any dividend due on any Corporation stock the person entitled thereto may apply to Her Majesty's High Court of Justice in the Chancery Division for a receiver and the court may if it thinks fit appoint a receiver on such terms as it thinks fit.

Receiver.

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

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

**93.**—(1.) Trustees or other persons for the time being authorised to invest money in the mortgages debentures or debenture

Holding of Corporation stock by trustees.

A.D. 1884. stock of any railway or other company shall unless the contrary is provided by the instrument authorising the investment have the same power of investing that money in Corporation stock (other than stock for the time being represented by a stock certificate to bearer) as they have of investing it in the mortgages debentures or debenture stock aforesaid.

(2.) Provided that where two or more persons are successively interested in trust money no investment thereof shall be made in Corporation redeemable stock at a price exceeding the redemption value of the stock.

Protection  
of holders of  
Corporation  
stock.

94. A person taking or holding Corporation stock shall not be concerned to inquire or to take notice whether the creation or issue thereof was or was not within any statutory borrowing power of the Corporation or otherwise in accordance with this part of this Act or whether or not the council or any meeting thereof was properly constituted or convened or whether or not the proceedings at any meeting of the council were legal or regular or to see to the application of any money raised by Corporation stock or be answerable for any loss or misapplication thereof.

Annual  
return to  
Local  
Government  
Board.

95.—(1.) Once in every year at a time appointed by the Local Government Board the Corporation shall send to that Board an abstract of the accounts of the Corporation relating to Corporation stock and the loans fund in a form prescribed by that board and verified by a statutory declaration of the town clerk if required by that board.

(2.) In case of wilful default therein by the Corporation the Corporation shall on each occasion be liable to a fine not exceeding two hundred pounds and in case of wilful default therein by the town clerk the town clerk shall on each occasion be liable to a fine not exceeding twenty pounds and every fine under this section shall be recoverable summarily on the prosecution of the Local Government Board and not otherwise.

(3.) If by any such abstract or otherwise it appears to that Board that the Corporation have failed to comply with any requisition of this part of this Act in relation to any payment application or investment or otherwise in relation to Corporation stock or the loans fund that board may notwithstanding any proceeding for the recovery of any fine or any other proceeding taken by that board by order require the Corporation to make good the default within a time therein limited.

Unclaimed  
dividends.

96.—(1.) If at any time any dividend on any Corporation stock is unclaimed at the time for payment thereof the same shall nevertheless on demand at any subsequent time whatsoever be paid to the

person showing his right thereto but without interest in the mean-  
time. A.D. 1884.

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

(3.) At the end of every successive period of five years from the day when the first dividend becomes payable on Corporation stock first issued after the passing of this Act the Corporation shall publish an advertisement in a newspaper circulating in the city stating what if any dividends on Corporation stock other than those falling due at the then last half-yearly or other day of payment are then unclaimed and the names and addresses appearing in the Corporation stock register of the holders of the stock on which the dividends are unclaimed.

(4.) At the end of every successive period of ten years from the day when the first dividend becomes payable on Corporation stock first issued after the passing of this Act the Corporation unless it has been otherwise agreed between them and the registrar may require the registrar to repay to them all dividends unclaimed during that period and then in his hands and the Corporation shall pay the same into the loans fund and may deal therewith as they are by this part of this Act empowered to deal with money paid into the loans fund as interest on cash balances received by them without prejudice nevertheless to the rights of any persons to those dividends.

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

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

A.D. 1884.

Saving for  
other obliga-  
tions.

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

Saving for  
power to sell  
lands &c.

**100.**—(1.) Nothing in this part of this Act shall affect any power or duty of the Corporation to sell lease or otherwise dispose of any land or property of the Corporation or to apply any purchase money or other money arising thereby in discharge of any charge on that land or property or the revenues thereof other than the charge of Corporation stock or affect any claim of any person under such first-mentioned charge.

(2.) That land or property shall in the hands of the purchaser or other person taking the same under the sale lease or other disposition be by virtue of this Act absolutely freed from the charge of Corporation stock and he shall not be concerned to see to the application of that purchase money or other money or be answerable for any loss or misapplication thereof.

Saving for  
existing  
securities.

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

Forgery.

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

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

Orders of  
Local  
Government  
Board.

**103.** Any Order of the Local Government Board under this part of this Act may contain such directions as the Board think necessary or proper for giving effect thereto and shall be enforceable by writ of mandamus to be obtained by the Board out of Her Majesty's High Court of Justice and may be from time to time cancelled or varied by the board as the circumstances of the case may require but the board shall not make any such order without first hearing



the Corporation if desirous of being heard which hearing may be in the form of a public inquiry with or without a published report or in such other form as the board having regard to the circumstances think just and expedient and sections two hundred and ninety-four and two hundred and ninety-six of the Public Health Act 1875 shall apply to hearings inquiries and other proceedings to which this section relates. A.D. 1884.

**104.** Where the Bank of England are the registrar they may with the sanction of the Corporation from time to time issue any forms that may be required for carrying into effect the provisions of this part of this Act and may also from time to time make any regulations that are not inconsistent with this part of this Act relative to the following things and when made may alter vary or repeal any such regulations and make other regulations instead thereof or in addition thereto and any such regulations for the time being in force shall be duly observed :— Regulations  
by Bank of  
England.

- (a) The period for which coupons are to be given ;
- (b) The mode in which the Bank is to act in issuing stock certificates to bearer or entering in the transfer books the names of holders of stock certificates to bearer ;
- (c) The mode of proving the title of or identifying any person applying for a stock receipt or stock certificate or stock certificate to bearer ;
- (d) With respect to anything necessary for carrying into effect the provisions of this part of this Act which relate to or affect the Bank.

**105.** The forms given in the Fifth Schedule to this Act may be used for the purposes therein indicated and the same or forms to the like effect with such variations or additions as circumstances require shall be effectual for those purposes. Forms.

**106.**—(1.) Fees not exceeding those specified in the Fifth Schedule to this Act may be taken by or on behalf of the Corporation in the cases therein mentioned. Fees.

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

**107.**—(1.) The expenses incurred by the Corporation in or about the creation and issue of any portion of Corporation stock including any sum paid by them for composition for stamp duty thereon and Expenses.

A.D. 1884. — any other expenses being in their judgment properly chargeable to capital shall be deemed money raisable under the statutory borrowing power in exercise whereof that portion of stock is issued.

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

## PART VI.—SANITARY AND OTHER MATTERS.

### (i.) *General Provisions.*

Powers as to  
houses unfit  
for human  
habitation.

**108.**—(1.) Where it appears to two justices of the city upon the complaint of the city surveyor that any house or building whether built before or after the passing of this Act and used as a dwelling is unfit for human habitation either from structural dilapidations or general uncleanliness or sanitary defects such justices may make an order prohibiting the use or occupation of such house or building as a dwelling after a date to be mentioned in such order and from and after that date it shall not be lawful to use or occupy or to permit to be used or occupied such house or building as a dwelling until two justices of the city are satisfied and have certified under their hands that such house or building has been repaired or cleansed in such manner that the same may again be used or occupied as a dwelling :

(2.) The owner and occupier of any such house or building shall be liable to a penalty not exceeding five pounds and to a further penalty of ten shillings for every day during which such owner and occupier shall permit to be used and occupied or shall use and occupy the said house or building in contravention of the provisions of this section and of any order made as aforesaid. Provided that before the making of any such order as aforesaid reasonable notice shall be given by the city surveyor to such owner and occupier of his intention to make such complaint as aforesaid so that such owner and occupier may have an opportunity of being heard and showing cause against the making of the order.

(3.) The owner or occupier shall bear all or such part as such justices shall direct of the costs and expenses in and about the making of any such order as aforesaid but if no order shall be made upon complaint made as aforesaid then the costs and expenses in relation to such complaint shall be borne by the Corporation.

Foul matters  
to be cleared  
from the

**109.** The foundations of a new building shall not be constructed on any site on which any offensive or unwholesome waste or refuse

shall have been deposited or on which the soil has been rendered offensive or unwholesome by admixture or deposit of such waste or refuse or of foecal matters unless and until such waste refuse or matters has or have been properly removed by excavation or otherwise from such site to the satisfaction of the city surveyor. Any person offending against the provisions of this section shall be liable to a penalty not exceeding fifty pounds.

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—  
sites of  
buildings.

**110.** When any land shall have been excavated and it is afterwards intended to erect any building or buildings thereon such land unless the building or buildings to be erected thereon shall be constructed with a proper basement storey or with sufficient and suitable cellars shall first be raised to its original surface or to the level of the nearest street or roadway with suitable and proper material to the satisfaction of the city surveyor and no building except as aforesaid shall be commenced or built unless and until such land be so raised. Any person offending against the provisions of this section shall be liable to a penalty not exceeding fifty pounds.

Excavated  
land to be  
filled up.

**111.** Whenever any person shall have been permitted to break or open into any roadway or footway for any purpose and fails to fill in and make good the same to the satisfaction of the city surveyor within a time to be fixed by the surveyor such person shall be liable to a penalty not exceeding forty shillings and to a further penalty of ten shillings for every day during which the work shall remain unexecuted after the time so fixed by the city surveyor.

Breaking  
into road-  
ways.

**112.** It shall not be lawful for any person to cause or permit to fall or to pass into any of the sewers of the Corporation or into any watercourse (whether open or not) communicating with any of such sewers any refuse or other matters which may tend to obstruct or impede the free flow along or through such sewers or which would be injurious to the construction of such sewers nor any liquids whatsoever from chemical or other works tending or likely to create or generate poisonous or pernicious gases or to injure or prejudicially affect such sewers and every person offending against this enactment shall for every such offence be liable to a penalty not exceeding fifty pounds.

Refuse and  
other  
injurious  
matters not  
to be put  
into sewers.

**113.—(1.)** Every building permanent or otherwise now used or hereafter intended to be used as an hotel refreshment rooms church chapel school theatre or place of public amusement or entertainment or for holding a large number of persons for any purpose (except barracks and any other building the property of or occupied by the Crown and except workhouses) shall be provided with ample and

Means of  
ingress and  
egress from  
public build-  
ings.

A.D. 1884. convenient means of ventilation and of ingress and egress to the satisfaction of the Corporation regard being had to the purposes for which such building is intended to be used and the number of persons likely to be assembled at one and the same time therein.

(2.) If the Corporation are not satisfied with the sufficiency of the means of ventilation ingress and egress provided for such building they shall give notice thereof to the proprietor of such building specifying the alterations or additions which the Corporation think necessary to be effected and no such building shall be used for any such purposes as aforesaid unless and until such alterations and additions are made and completed to the satisfaction of the Corporation.

(3.) Any person offending against this enactment shall for every such offence be liable to a penalty not exceeding fifty pounds.

Construction  
of urinals  
by inn-  
keepers and  
others.

**114.**—(1.) The Corporation may order the owner or occupier of any building permanent or otherwise now used or hereafter intended to be used as an inn public-house beer-shop refreshment rooms church chapel school theatre or place of public worship amusement or entertainment or for holding a large number of persons (except barracks and any other buildings the property of the Crown and except workhouses) for any purpose to remove any urinal now or hereafter adjoining any such building which is reported by the city surveyor to be a nuisance and may order the owner or occupier of any such building to construct or place adjoining or near to any such building a urinal in such position and according to such plan as the Corporation may approve Provided that if in the case of any urinal constructed under any order of the Corporation the Corporation shall make any further order for the removal and reconstruction of such urinal the expenses of such last-mentioned removal and reconstruction shall be borne by the Corporation.

(2.) If any such owner or occupier fail for fourteen days after the time allowed by the Corporation for the removal or the construction or reconstruction or placing of any such urinal to remove or construct or reconstruct or place the same according to such order he shall for every such offence be liable to a penalty not exceeding five shillings for every day after the expiration of fourteen days during which such order is not complied with.

Power to  
enter and  
inspect  
premises.

**115.** The Corporation by their officers and servants may at all reasonable hours in the daytime enter upon any lands or buildings for the purpose of making such examination as may be necessary to ascertain whether the provisions of this Act or any other Local Act or of any byelaw of the Corporation made under any Local Act have been complied with or whether anything prohibited by the

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said Acts or any of them or by any such byelaw is being done or suffered or for the purpose of carrying into execution any of the powers contained in the said Acts or any of them or in any such byelaw without being deemed trespassers or liable to any action indictment or other proceeding on account thereof and in case of any refusal to permit any such entry the provisions of section three hundred and five of the Public Health Act 1875 relative to obtaining an order of a court of summary jurisdiction authorising entries on the premises shall apply for the purposes of this section.

**116.** Where default has been made by the occupiers of any premises let from week to week or for any less period in complying with notice served on such occupiers to cleanse and empty any privy or ashpit used in common by them the Corporation may undertake the cleansing and emptying of such privy or ashpit and may charge the owner thereof instead of such occupiers with the costs and expenses incurred by them in respect thereof and may recover the same from such owner in a summary manner Provided that notice shall be served upon such owner by the Corporation of their intention to undertake such cleansing and emptying if such default continues at the same time as notice is given to such occupiers requiring them to cleanse and empty any such privy or ashpit.

Cleansing of common privies and ashpits and recovery of expenses.

**117.** The Corporation may from time to time make byelaws for prescribing the mode of construction and the materials to be used by builders and other persons in the erection of hoardings scaffolds shores and other like contrivances used in or during the construction or repair of buildings or in excavations or other work of a like description.

Byelaws as to hoardings scaffolds &c.

**118.** The provisions of sections one hundred and fifty-five one hundred and fifty-six and one hundred and fifty-seven of the Public Health Act 1875 shall not apply (except as regards anything relating to sanitary matters) to property of the North-eastern Railway Company used for railway purposes.

For protection of North-eastern railway Company.

(ii.) *Private Improvement Expenses.*

**119.** The expression "private improvement expenses" means and includes all private improvement expenses expressly declared to be such by or under the Public Health Act 1875 or this Act or any other Act or byelaw for the time being in force within the city (whether incurred before or after the passing of this Act) also all other expenses at any time incurred by the Corporation for the repayment whereof the owner of the building or lands in respect

What to be deemed private improvement expenses.

A.D. 1884. — whereof such expenses may have been or may be incurred is liable under any enactment or byelaw or under any agreement with or by reason of any application of such owner.

Apportionment of private improvement expenses.

**120.**—(1.) Where any private improvement expenses are recoverable by the Corporation from owners or occupiers of premises under the Public Health Act 1875 or this Act or any other Act or byelaw for the time being in force within the city in respect of works executed by the Corporation in any street the Corporation may apportion such expenses among such owners or occupiers as the Corporation having regard to all the circumstances of the case and not merely to frontage may deem just but so that the burden shall as far as possible follow the benefit.

(2.) A person aggrieved by a decision of the Corporation under this section may appeal within twenty-one days after notice in writing of such decision to any court of summary jurisdiction and the court may summon all parties interested to appear before it and the court may make an order confirming or varying the apportionment in whole or in part and with or without costs to any party as may appear to it just.

Surveyor's apportionment of expenses to be conclusive after one month.

**121.** In all cases where the Corporation shall have incurred expenses for the repayment whereof the owner or occupier of the lands houses or other property in respect of which the same are incurred is made liable by the Public Health Act 1875 or this Act or any other Act or byelaw in force for the time being within the city and such expenses have been settled or apportioned by the city surveyor as payable by such owner or occupier such settlement and apportionment shall be binding and conclusive upon such owner or occupier unless within one month from the time of written notice being given by the Corporation or the city surveyor of the amount of such settlement or apportionment together with notice of the provisions of this section he shall by written notice given to the Corporation or city surveyor object to such settlement or apportionment and state the particulars and grounds of his objection and if any such objection be so made the amount to be payable by such owner or occupier shall be determined by the court before whom the same expenses are by law made recoverable.

Recovery of expenses.

**122.** All private improvement expenses and all other expenses by the Public Health Act 1875 or this Act or any other Act or byelaw for the time being in force within the city made payable by or recoverable from the owner or occupier of any building or lands or from any other person shall if not paid on demand be recoverable by the Corporation with interest thereon after the rate of five

pounds per centum per annum after the expiration of one month from demand for payment thereof and such expenses may be recovered either as a debt from such owner or occupier or other person (as the case may be) in any court of competent jurisdiction or by distress and sale of the goods and chattels of such owner or occupier or other person (as the case may be) and any justice may issue his warrant accordingly. A.D. 1884.

**123.** Summary proceedings for the recovery of any amount or instalment of any private improvement expenses or other expenses recoverable by the Corporation under this or any other Act or byelaw for the time being in force within the city may be commenced at any time within twelve months from the date of service of a demand for payment of the same. Limit of time for recovery of expenses by Corporation extended.

**124.** When any private improvement expenses are recoverable from the owners or occupiers of buildings or lands the Corporation may by resolution allow to the owners or occupiers or any of them time for repayment thereof or of any part thereof and may order the same or any part thereof to be paid either in one sum or by such instalments as the Corporation think fit with interest for the principal money from time to time remaining unpaid after such rate not exceeding five pounds per centum per annum as the Corporation determine but all sums so remaining due notwithstanding that the Corporation agree so to allow time shall from time to time at the expiration of the several times allowed be recoverable from the respective owners and occupiers for the time being both present and future in succession one after another as the same would have been recoverable from the original owner or occupier if no such time had been allowed and with respect to any such instalment the time limited by this Act or otherwise for the recovery of expenses shall be deemed to run only from the time when such instalment becomes due but the Corporation shall not in any case allow under this section a term exceeding twenty years for the payment of any expenses or of any part thereof. Power to allow time for repayment of expenses.

**125.** All private improvement expenses by the Public Health Act 1875 or this Act or any other Act or byelaw for the time being in force within the city made payable by or recoverable from the owner of any buildings or lands with interest thereon as by this Act is provided for shall be a charge on such buildings or lands and in priority over any incumbrance or charge on or affecting the same created subsequently to the time when the works are commenced. Expenses due from owners to be a charge on premises.

**126.** Successive owners of the buildings or lands for or in respect of which any private improvement expenses have been incurred Successive owners to

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continue  
liable.

shall be liable to the Corporation for the payment of the same or such part thereof as may for the time being remain unpaid until the same with interest thereon as in this Act mentioned shall have been fully paid and satisfied and such expenses or such part thereof as may for the time being remain unpaid shall constitute a debt due from each successive owner to the Corporation recoverable from him in a summary manner within twelve months of his succession and after that period may be recovered by the Corporation from the owner for the time being of the buildings or lands by action in any court of competent jurisdiction Provided that no debt shall be recovered under the provisions of this section after the expiration of six years from the completion of the works in respect of which such debt is due or in the case of instalments after the expiration of three years from the time when the last instalment became due.

Power to  
enter into  
possession  
where owner  
fails to pay  
expenses.

**127.** If the owner of any building or lands liable to the payment of any private improvement expenses under this Act or the Public Health Act 1875 or any other Act or byelaw for the time being in force within the city fails for the space of twelve months after such expenses become recoverable from him to pay the same with all interest thereon or if any such owner is or becomes bankrupt or is unknown to the Corporation or after diligent inquiry cannot be found then and in every such case and as often as the same happens the Corporation (by way of additional remedy and whether any action or other proceeding to recover such expenses charges or other moneys has been brought by them or not) may on or at any time and from time to time after the expiration of one month from service of a notice on such owner of their intention to put in force the powers of the present section proceed as follows (namely) :—

- (1) The Corporation may enter into receipt of and demand and receive from tenants and occupiers and persons liable the rents and profits of such building or lands and in case of non-payment may use all or any such lawful remedies by way of ejectment for non-payment of rent distress or otherwise for recovering and obtaining payment of the same or any part thereof as may be used by landlords in ordinary cases and may do all things necessary or expedient for recovering and receiving the rents and profits as if they were the owners of the building or lands and the tenants occupiers and persons liable shall pay the rents and profits to the Corporation and the receipt of the treasurer shall be and shall alone be an effectual discharge for the same Provided that in cases where any owner is also the occupier of such lands and buildings the sum payable by him as rent to the Corporation under this



section shall be calculated on the gross annual value at which such lands and buildings are assessed to the relief of the poor at the time of such entry by the Corporation; A.D. 1884.

- (2) Where any such building or lands is or are unoccupied or unproductive at the time when the Corporation would be entitled under this Act to enter into the receipt of the rents and profits thereof (if any) or at any time afterwards while the claim of the Corporation is unsatisfied then and in every such case and as often as the same happens the Corporation may enter into possession of the building or lands and may occupy and use the same or any part thereof. And in such case the Corporation may from time to time let from year to year or any shorter period any such unoccupied or unproductive building or lands or any part thereof as if they were owners thereof and for such rent as the Corporation shall think reasonable and all such rents shall be paid to the treasurer.

**128.** All rents and profits received in respect of any such building or lands as aforesaid shall be applied in the manner and in the order following (namely):— Application of rents and profits received.

There shall be paid thereout—

- (1.) Any chief or ground rent payable in respect of the building or lands;
- (2.) All taxes rates assessments expenses of repairs and other outgoings properly payable by the owner in respect of the building or lands;
- (3.) Interest due in respect of any mortgage debt charged on such building or lands and ranking in priority to such expenses or in case such building or lands shall form part only of the security for a mortgage debt charged thereon in conjunction with other buildings or lands then such amount of interest due in respect of any such last-mentioned mortgage debt as shall bear the same proportion to the whole interest as such building or lands shall bear to the whole of the buildings or lands so charged;
- (4.) All costs and charges incurred by the Corporation in relation thereto by reason or in consequence of the failure of the owner thereof to pay any such expenses;
- (5.) There shall be retained on behalf of the Corporation the amount which the owner is at the time of the commencement of such receipt by the Corporation liable to pay on account of such expenses and interest in respect of the same or any other building or lands in the same or any other street;
- (6.) The surplus (if any) shall be paid to the owner his representatives or assigns:

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Occupier in  
default of  
owner may  
execute  
works and  
deduct ex-  
penses from  
his rent.

**129.**—(1.) Whenever default is made by the owner of any building or lands in the execution of any work by or by virtue of the Public Health Act 1875 or this Act or any other Act or byelaw for the time being in force within the city required to be executed by him the occupier of such building or lands may upon the request of the Corporation cause such work to be executed and the expenses thereof shall be repaid to the occupier by the owner or in default of payment the occupier shall deduct the amount of such expenses out of the rent from time to time becoming due from him to the owner.

(2.) The provisions of this section shall extend to any and every succeeding occupier so long as any portion of the expenses aforesaid shall remain unpaid to the Corporation as if such succeeding occupier had himself originally executed the works Provided that the Corporation shall as soon as may be give notice to each succeeding occupier of the amount due to them at the time when such occupier commenced his tenancy of the building or lands Provided also that no debt shall be recovered under the provisions of this section after the expiration of six years from the completion of the works in respect of which such debt is due or in the case of instalments after the expiration of three years from the time when the last instalment became due.

Recovery by  
mortgagees  
in possession  
of moneys  
paid by  
them.

**130.** Where any premises are in the possession of any mortgagee or other person having in his own right any charge or incumbrance thereon such mortgagee or other person shall have and may exercise the same powers and remedies for the recovery of any moneys paid by him in accordance with the provisions of the Public Health Act 1875 or this Act in respect of such premises for forming constructing sewerage levelling paving flagging and channelling or otherwise completing any street or footway as he has and may exercise for the recovery of the principal money secured by such mortgage or the interest thereof.

Persons  
having  
partial  
interests may  
raise ex-  
penses by  
mortgage.

**131.** All owners of buildings or lands being tenants for life only and all committees of the estates of lunatics and all trustees seised possessed of or entitled to any estate or interest in any buildings or lands for or on behalf of any person or charity may charge such buildings or lands with such sum as may be necessary to defray the whole or any part of any private improvement expenses which the owners of such buildings or lands for the time being are liable to pay and the expenses of making such charge and for securing the repayment of such sum with interest may mortgage such buildings or lands to any person advancing such sum but so that the principal money and all interest due on any such mortgage or any mortgage

which may be substituted therefor shall be paid off within twenty years after the date of the original loan. A.D. 1884.

**132.** Whenever under the Public Health Act 1875 or this Act or any other Act or byelaw for the time being in force within the city the Corporation either on the application or in consequence of the default of the owners or occupiers of any premises execute any work the cost of which is payable by such owners or occupiers they may if they see fit in addition to the actual cost of such works charge and recover in respect of plans sections measuring supervision and all other matters an amount not exceeding five per centum of the actual cost of such works. Corporation may charge supervision in addition to costs.

**133.** Whenever the Corporation are by the Public Health Act 1875 or this Act or any other Act or byelaw for the time being in force within the city authorised to execute re-execute or alter any work act or thing in default of the owner occupier or other person required to do the same and whenever the Corporation execute any work upon the application and instead of such owner occupier or other person the Corporation may apply the district fund in or towards the executing re-executing or altering of such work act or thing but this section shall not affect the liability of any such owner occupier or other person to repay the moneys expended by the Corporation. Power to apply district fund in executing works for private owners.

**134.** The North-eastern Railway Company shall not be liable in respect of any of their premises fronting adjoining or abutting on any street to sewer level pave metal flag channel or make good such street or the carriage-way footway or any other part of such street or to provide proper means for lighting the same or to pay any part of the expenses of the execution of such works in cases where such premises shall be used by such Company solely as a part of their line of railway sidings stations or works and shall have no communication with such street but the whole of such expenses shall be borne and paid by the other owners of premises fronting adjoining or abutting on such street. North-eastern railway abutting on but not communicating with streets not to be chargeable with expenses.

(iii.) *Infectious Diseases.*

**135.** In order to secure that due notice be given to the Corporation of any inmate of any building used for human habitation who is suffering from any infectious disease the following provisions shall take effect (that is to say):— Notice to be given of persons suffering from infectious diseases.

(1.) If any such inmate be suffering from any infectious disease the occupier or the person having the charge management or control of such building (or if such occupier or person be

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prevented by reason of such disease then the person in charge of such inmate) shall so soon as he shall become aware of the existence in any such inmate of any such disease forthwith give notice thereof to the medical officer of health at his office ;

- (2.) If such inmate be not a member of the family of such occupier or person the head of the family (resident in such building) to which such inmate belongs or if there be no such head or if such head be prevented by illness then such inmate (unless prevented by reason of such disease or of youth) shall on becoming aware of the existence in such inmate or in his own person as the case may be of such disease forthwith give notice thereof to such occupier or person ;
- (3.) The Corporation shall provide and supply gratuitously to every legally qualified medical practitioner resident or practising in the city who shall apply for the same forms for the certificate or declaration to be made by such medical practitioner of the particulars herein-after mentioned in relation to such cases according to the form set forth in the Sixth Schedule to this Act ;
- (4.) Every medical practitioner attending on or called in to visit such inmate shall on becoming aware that such inmate is suffering from any infectious disease forthwith fill up sign and deliver or send to the medical officer of health at his office a certificate or declaration stating according to the form so prescribed the name of such inmate the situation of such building the name of such occupier or person and the nature of the infectious disease from which in the opinion of such medical practitioner such inmate is suffering ;
- (5.) The Corporation shall pay to every legally qualified medical practitioner who shall in pursuance of this section duly make and give any such certificate or declaration a fee of two shillings and sixpence for each such certificate or declaration in respect of cases occurring in his private practice and a fee of one shilling for each such certificate or declaration in respect of cases occurring in his practice as a medical officer to any public body or institution ;
- (6.) And any person who shall wilfully offend against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Other  
diseases may  
be declared  
to be within  
the fore-

**136.** The Corporation may from time to time by resolution on the report of the medical officer of health and approved by the Local Government Board order that any infectious disease other than those specifically mentioned in this Act shall be deemed to be

an infectious disease within and subject to the provisions of this Act: A.D. 1884.

(1.) Any such order of the Corporation may be permanent or temporary only and if temporary the period during which it is to continue in force shall be specified therein and the Corporation shall give public notice of the order by publishing the same by advertisement in two of the local newspapers circulating in the city and after such public notice has been given the provisions of this Act shall so long as the order continues in force apply to the disease specified therein in like manner in all respects as if the disease were an infectious disease specifically mentioned in this Act ;

(2.) The production of the newspapers containing a copy of the resolution shall be conclusive evidence that public notice of the order has been so given ;

(3.) The Corporation shall immediately after any such order shall have been made send a copy thereof to each legally qualified medical practitioner residing in the city but the omission to send any such copy shall not affect the validity of such order.

**137.** Whenever it shall be certified to the Corporation by the medical officer of health or other legally qualified medical practitioner that the spread of infectious disease is in the opinion of such medical officer of health or medical practitioner attributable to the milk supplied by any cowkeeper purveyor of milk or occupier of a dairy milk store or milk shop the Corporation may require such cowkeeper purveyor of milk or occupier to furnish to them within a time to be fixed by them a full and complete list of the names and addresses of all his customers within the city and such cowkeeper purveyor of milk or occupier shall furnish such list accordingly and the Corporation shall pay to him for every such list after the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed two shillings and every person who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and a further penalty not exceeding five shillings for every day during which the offence is continued.

going provision.

Cowkeepers and others to furnish lists of customers in certain cases.

**138.** Where the Corporation are of opinion on the certificate of the medical officer of health or of any other legally qualified medical practitioner that the cleansing and disinfecting of any house or part thereof and of any articles therein likely to communicate any infectious disease or to retain infection would tend to prevent or to check infectious disease and that such cleansing and disinfection

Further powers in relation to disinfection of premises.

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would more effectually be carried out by the Corporation than by the owner or occupier of such house or part thereof the Corporation without requiring such owner or occupier to carry out such cleansing and disinfection as aforesaid may if they think fit but at their own cost themselves cleanse and disinfect such house or part thereof and articles and may for that purpose remove any such articles and shall make compensation to such owners or occupiers for all property or articles destroyed or injured by the exercise of the provisions of this section. And any person who shall obstruct any duly authorised officer of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding forty shillings for every day during which the obstruction continues.

Penalty on persons ceasing to occupy houses without previous disinfection or giving notice to owner or making false answers.

**139.** Every person who shall cease to occupy any house room or part of a house in which any person has within six weeks previously been suffering from any infectious disease without having such house room or part of a house and all articles therein liable to retain infection disinfected to the satisfaction of a legally qualified medical practitioner as testified by a certificate signed by him or without first giving to the owner of such house room or part of a house notice of the previous existence of such disease and every person ceasing to occupy any house room or part of a house and who on being questioned by the owner thereof or by any person negotiating for the hire of such house room or part of a house as to the fact of there having within six weeks previously been therein any person suffering from any infectious disease knowingly makes a false answer to such question shall be liable to a penalty not exceeding ten pounds.

Prohibiting the retention of dead bodies in certain cases.

**140.** No person shall without the sanction in writing of the medical officer of health or of a legally qualified medical practitioner retain unburied elsewhere than in a mortuary for more than forty-eight hours the dead body of any person who has died of any infectious disease and any person offending against this enactment shall be liable to a penalty not exceeding ten pounds and to a further penalty not exceeding forty shillings for every day during which the offence is continued.

Bodies of persons dying in hospital &c. of infectious diseases to be removed only for burial.

**141.** If any person shall die from any infectious disease in any hospital or place of temporary accommodation provided by the Corporation and the medical officer of health certifies that in his opinion it is desirable in order to prevent the risk of communicating any infectious disease or spreading infection that the dead body shall not be removed from such hospital or place except for the

purpose of being forthwith buried it shall not be lawful for any person or persons to remove such dead body from such hospital or place except for the last-mentioned purpose and when the dead body is taken out of such hospital or place for that purpose it shall be forthwith carried or taken directly to some cemetery or place of burial and shall be forthwith there buried and any person wilfully offending against this section shall be liable to a penalty not exceeding fifty pounds.

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**142.** Where the dead body of any person who has died of any infectious disease remains unburied elsewhere than in a mortuary for more than forty-eight hours after the death without the sanction of the medical officer of health or of a legally qualified medical practitioner or is retained in a room in which persons live or sleep or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or of any adjoining or neighbouring house or building and there shall be a certificate thereof signed by a legally qualified medical practitioner any justice may order the body to be removed at the cost of the Corporation to any mortuary provided by the Corporation and direct the same to be buried within a time to be limited in the order or may in the case of the body of a person who has died of any infectious disease or in any case in which he shall consider immediate burial necessary direct such body to be so buried without requiring the same to be removed to a mortuary and unless the friends or relatives of the deceased undertake to bury and do bury the body within the time limited by such order it shall be the duty of the relieving officer to bury such body at the expense of the poor rate but any expense so incurred may be recovered by the relieving officer in a summary manner from any person legally liable to pay the expense of such burial Any person obstructing the execution of an order made by a justice under this section shall be liable to a penalty not exceeding five pounds.

Justices may in certain cases order dead bodies to be buried.

**143.** Any person who hires or uses a public conveyance other than a hearse for the conveyance of the corpse of a person who has died from any infectious disease without previously notifying to the owner or driver of such public conveyance that the person whose corpse is or is intended to be so conveyed has died from infectious disease and any owner or driver of a public conveyance other than a hearse which has been used for conveying the corpse of a person who has died from infectious disease who shall not immediately afterwards provide for the disinfection of such conveyance shall be liable to a penalty not exceeding five pounds.

Corpses not to be carried in public conveyances.

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Temporary  
shelter.

**144.** The Corporation shall from time to time provide temporary shelter or house accommodation for the members of any family in which any infectious disease has appeared and who have been compelled to leave their dwellings for the purpose of enabling such dwellings to be disinfected and shall further provide or contract with any person or persons to provide nurses for attendance upon persons suffering from any infectious disease within the city and shall be enabled to charge a reasonable sum for the service of any nurse provided by them.

Saving for  
Acts relating  
to dairies  
animals &c.

**145.** Nothing in or done under this Act shall interfere with the operation or effect of the Contagious Diseases (Animals) Act 1878 or of any order license or act of Her Majesty's Privy Council made granted or done or to be made granted or done thereunder or of any order regulation license or act of a local authority made granted or done or to be made granted or done under any such order of the Privy Council or exempt the dairies milk stores or milk shops or the slaughter-houses or knackers yards to which this Act relates or any building or thing whatsoever or any body or person from the provisions of any general Act relating to dairies milk or animals already passed or to be passed in this or any future session of Parliament.

#### PART VII.—POLICE REGULATIONS, &c.

Byelaws as  
to tramcars  
drovers &c.

**146.** The Corporation may from time to time make alter and repeal byelaws for all or any of the following purposes—  
For the regulation of carriages carriers carts waggons or other similar vehicles (except hackney carriages) standing in the public streets;  
For fixing the number of persons to be conveyed in tramcars used on any tramway within the city to prevent overcrowding therein;  
For licensing drovers (that is to say persons offering themselves within the city to lead or drive cattle for hire) and for regulating the conduct of drovers in their employment and determining whether they shall wear any and what badges and generally for regulating the exercise of their calling and fixing the rates of charges to be paid to them and for the imposition of penalties on such drovers for misconduct and also upon persons acting as drovers without being licensed;  
For regulating the use of bicycles in highways in the city and for the purposes of this section "bicycle" shall include tricycle velocipede and other similar mechanical contrivance.



**147.**—(1) Sections thirty-seven thirty-nine to fifty-two (both included) fifty-four fifty-eight and sixty to sixty-eight (both included) of the Town Police Clauses Act 1847 as incorporated with the Public Health Act 1875 shall (anything in section thirty-eight of the Town Police Clauses Act 1847 notwithstanding) be deemed to include every omnibus waggonette brake stage-coach or other carriage (except tramcars and carriages licensed by the Corporation under the Tramways Act 1870 or any order made thereunder and confirmed by Parliament) plying or standing for hire by or used to carry passengers at separate fares to or from any part of the city and the provisions of those sections shall apply to the owners and drivers of such omnibuses waggonettes brakes stage-coaches and other carriages.

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Regulation  
of omnibuses  
&c.

Provided that so much of section sixty-eight of the Town Police Clauses Act 1847 as authorises the making of byelaws with respect to the fares to be charged for hackney carriages shall not apply to the fares to be charged for any such omnibus waggonette brake stage-coach or other carriage as aforesaid and that the word "driver" or "drivers" in the incorporated provisions of the Town Police Clauses Act 1847 and in this Act shall be deemed to include every conductor of any such omnibus waggonette brake stage-coach or other carriage as aforesaid.

(2) The prescribed distance to which within the meaning of sections thirty-seven forty-five forty-six and fifty-one of the Town Police Clauses Act 1847 a license for any such omnibus waggonette brake stage-coach or other carriage to ply or stand for hire by or to be used to carry passengers at separate fares shall extend shall be a distance within a radius of seven miles from the General Post Office of the city and such distance shall as regards any such omnibus waggonette brake stage-coach and other carriage be substituted for the limits mentioned in section thirty-seven of the Town Police Clauses Act 1847.

**148.** Every person who shall have or keep any house building or other place of public resort which shall be used for indecent exhibitions or representations shall be liable to a penalty not exceeding twenty pounds.

Penalty on  
persons  
keeping  
indecent ex-  
hibitions.

**149.** Any householder personally or by any member of his family or by his servant or by any constable may require any street musician or singer to depart from the neighbourhood of the house of such householder and every person who shall sound or play upon any musical instrument or sing in any street near or within hearing of such house after being so required to depart shall be liable to a penalty not exceeding forty shillings.

Street  
musicians to  
depart when  
required to  
do so.

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Prohibition  
of persons  
assembling  
in streets for  
purpose of  
betting.

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

Penalty on  
persons ob-  
structing  
footway.

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

Penalty on  
pulling down  
notice  
boards.

**152.** If any person destroys pulls down injures or defaces any board or convenience for the reception of advertisements or any advertisement placard or bill affixed thereto or any placard or notice issued and put up by or under the direction of the Corporation or any notice of the position of a fire-plug or hydrant or any board provided by the Corporation on which any byelaw or part of a byelaw of the Corporation is painted or placed he shall for every such offence be liable to a penalty not exceeding forty shillings.

Prohibition  
of obscene  
bills, &c.

**153.** If any person affixes to any house building wall board tree post palisading or convenience or delivers or exhibits to any inhabitant or passenger in or near to any street any bill or printed or written paper (whether enclosed in a sealed or other envelope or not) of an obscene or indecent nature or referring to any disease of a loathsome or secret kind or to any cure for any such disease he shall for every such offence be liable to a penalty not exceeding forty shillings or in the discretion of the justices before whom he is convicted to imprisonment for any term not exceeding one month with or without hard labour.

Provisions  
with respect  
to disorderly  
houses.

**154.**—(1.) It shall be lawful for the chief constable with the sanction of the watch committee of the city to institute and prosecute proceedings against the occupier or other person keeping or occupying any brothel or house of ill-fame or any lewd or disorderly house which is a nuisance or annoyance to the persons residing in the neighbourhood thereof.

(2.) The court competent to hear and determine any such complaint shall be the court of quarter sessions of the city and the proceedings shall be by indictment preferred at such sessions and the said court shall have power to impose such fine or penalty not exceeding fifty pounds in addition to the costs of the prosecution or

may order the imprisonment of the offender for such period not exceeding twelve months as the court may deem expedient. A.D. 1884.

Provided that in any such prosecution a copy of the indictment to be preferred against any such person as aforesaid shall be supplied to such person not less than seven days prior to the holding of the court at which such indictment is intended to be preferred.

**155.**—(1.) From and after the commencement of this Act it shall not be lawful for any person to keep or use any building house room garden or other place whatsoever (including a house or building licensed for the sale of intoxicating liquors and any room garden or other place connected or occupied therewith) for public dancing music or other public entertainment without a license for all or some of those purposes first being obtained from a majority of the justices of the city present at a special session convened by at least fourteen days previous notice to be published in some newspaper or newspapers circulating in the city. Regulations as to music and dancing in halls inns and other places.

(2.) Licenses to keep or use buildings houses rooms gardens or places for all or some of the purposes aforesaid may be granted on such terms and conditions and subject to such restrictions as may be specified in the respective licenses and every license shall be in force for one year unless previously revoked.

(3.) A majority of such justices assembled at any special or ordinary session may from time to time transfer any such license to such person as they think fit.

(4.) Any person intending to apply for any such license or for the transfer of any such license shall give not less than seven days notice of his intention to apply to the clerk to the justices and to the chief constable of the city.

(5.) There shall be paid for every such license or transfer such sum not exceeding five shillings as the Corporation may determine.

(6.) The chief constable or any police officer of the city may prefer a charge against the holder of any such license for any alleged breach of the conditions thereof before a court of summary jurisdiction and in case of proof of the breach of any of those conditions such license shall be liable to be suspended or revoked by the order of such court.

(7.) If any building house room garden or place be kept or used for any such purpose aforesaid without such license the occupier of the same shall be liable to a penalty not exceeding five pounds for every day on which the same is kept or used for any of the purposes aforesaid.

**156.** Any constable or officer of the Corporation may destroy or cause to be destroyed any dog or other animal within the city Destruction of mad dogs and other animals.

A.D. 1884. — reasonably suspected to be in a rabid state or to have been bitten by any dog or other animal reasonably suspected to have been in a rabid state.

Regulations  
as to dogs.

**157.**—(1.) Any constable may take possession of any dog found in any street or market or other public place in the city and not apparently under the control of any person and may detain such dog until the owner has claimed the same and paid all expenses incurred in connexion with such detention.

(2.) When any dog has been so taken possession of notice thereof with a short description of the dog shall be publicly announced by handbill or by advertisement in some newspaper or newspapers published in the city and if such dog be not claimed within five days from the issuing or giving of such notice the same may be destroyed or sold and if sold the moneys arising from such sale after satisfying the expenses incurred shall be paid over to the borough fund: Provided that if any dog so taken possession of wears a collar with the name and address thereon of the owner the chief constable of the city shall send a letter to the owner at such address stating that the dog may be claimed within five days from the date of the letter on payment of the expenses incurred.

#### PART VIII.—MARKETS.

Power to  
continue and  
establish  
markets and  
fairs.

**158.** The market undertaking of the Corporation as it exists at the commencement of this Act including all property rights powers and privileges of the Corporation in respect to markets and fairs shall continue vested in and may be held exercised and enjoyed by the Corporation subject to the provisions of this Act and the Corporation shall have the following powers (namely) :—

- (1) They may continue the markets and fairs held at the commencement of this Act and may from time to time alter the days on which and the places at which the same respectively are or may be held;
- (2) They may alter or discontinue any cattle or other market or fair of the Corporation and improve alter or remove any market-place market-house or any place for cattle fairs or any weighing-house or offices approach or convenience belonging to the Corporation;
- (3) They may continue and from time to time provide cattle markets with offices approaches and conveniences and market-places and market-houses for the sale of marketable articles and places for fairs with offices approaches and conveniences.

**159.** The provisions of the Markets and Fairs Clauses Act A.D. 1884.  
1847 :

With respect to the holding of the market or fair and the protection thereof; and

With respect to weighing goods and carts; and

With respect to the stallages rents and tolls to be taken by the undertakers; and

With respect to the byelaws to be made by the undertakers; are hereby save so far as they may be varied by or inconsistent with any provision of this Act incorporated with this Act.

And for the purposes of such incorporation this Act shall be the special Act and the Corporation shall be deemed to be the undertakers and the expressions "the market or fair" and "the undertaking" shall mean the markets and fairs held within the extended city or which the Corporation may direct to be held therein and the limits of the extended city shall be deemed to be the limits of the special Act or the prescribed limits.

**160.** The Corporation may from time to time demand receive and take of and from all and every person and persons exposing or offering for sale or selling any provisions goods or wares in the markets who shall rent hire or use any stall or standing-place in the markets the several rents stallages and sum or sums of money which shall at any time or from time to time be fixed and appointed by the Corporation to be paid for the same not exceeding the several rents stallages or sum or sums of money mentioned and specified in the Seventh Schedule to this Act any charter statute usage or custom to the contrary thereof in anywise notwithstanding.

**161.** The Corporation may from time to time demand receive and take in the cattle markets and fairs from any person bringing therein any cattle or live stock specified in the Eighth Schedule to this Act such stallages rents or tolls as the Corporation shall from time to time appoint not exceeding the several stallages rents or tolls specified in the said Eighth Schedule.

**162.** The Corporation may from time to time demise all or any of the rents stallages or tolls payable to the Corporation in any of the markets or fairs held within the city or of any stalls standings or other conveniences therein for any term not exceeding three years and upon such terms covenants and conditions as the Corporation shall think proper and every lessee shall have the same powers rights and remedies for recovering and enforcing payment of the rents stallages sums of money and tolls granted by such lease as are by law vested in the Corporation for that purpose.

Incorporation of part of Markets and Fairs Clauses Act 1847.

Rents and stallages in provision markets.

Tolls in cattle markets and fairs.

Power to demise rents tolls &c.

A.D. 1884.

Lease to be granted by tender and after notice has been given.

**163.** Before any lease of any of the rents stallages or tolls aforesaid shall be granted by the Corporation ten days notice at least shall be given in two of the newspapers published in the city of the intention of the Corporation to let the same and inviting any person willing to take the same to make proposals for that purpose to the Corporation and the Corporation shall accept the proposal which upon a view of all the circumstances shall appear to them to be most advantageous and shall take security for payment of the rent to be reserved by such lease at such times and either in advance or otherwise as the Corporation shall think proper.

License for sale out of markets.

**164.**—(1.) The Corporation may from time to time if they think fit grant to any person a license to sell or expose for sale from door to door any article in respect of the sale or exposure for sale whereof in any market-place or market-house or in respect of the user of any stall or other convenience for the sale or exposure for sale whereof in any market-place or market-house any toll stallage or rent is leviable by or payable to the Corporation.

(2.) Every such license shall be granted on such terms and conditions as the Corporation think fit and shall continue in force for a period not exceeding twelve months and shall be revocable in such cases as the Corporation prescribe and the Corporation may demand and take for every such license any sum not exceeding one pound.

(3.) If any person does any act for which such license is required without having obtained such license or does any act in contravention of or omits to do anything required by a license granted to him he shall be liable to a penalty not exceeding ten pounds and to a further penalty not exceeding forty shillings for every day during which the offence is continued.

Restrictions on sale except in markets.

**165.**—(1.) If any person not licensed by the Corporation under this Act other than a hawker holding an Excise license sells or exposes for sale except in his own dwelling-place or place of business or carries about for sale any article in respect whereof or in respect of the user of any stall or other convenience for the sale or exposure whereof the Corporation are entitled to take any toll stallage or rent in any market or fair he shall for every such offence be liable to a penalty not exceeding forty shillings.

(2.) Every person who except in a cattle market provided by the Corporation sells or offers or exhibits for sale or permits to be sold or to be offered or exhibited for sale any cattle or other animals other than cattle or animals which are in good faith his own property shall be liable to a penalty not exceeding five pounds but

nothing in this section shall prevent any person selling or offering or exhibiting for sale in any house yard or land of which he is owner lessee or yearly tenant any such cattle or other animals. A.D. 1884.

**166.** Nothing in this Act nor in any byelaw thereunder shall interfere with the lawful exercise of their calling by horse dealers or by pedlars holding certificates under any Act relating to their calling. Saving for pedlars and horse dealers.

**167.** Every animal or article brought into any market or fair and left therein after the hour of closing (except such as may be left in charge of the superintendent or other officer of the market or fair) may be taken possession of by the superintendent or inspector and if the same being of a perishable nature be not claimed within one hour after the closing or not being of a perishable nature be not claimed within one month thereafter then and in every such case the same may be sold by the Corporation who shall return the surplus proceeds of such sale after deducting any unpaid stallage rent or toll due in respect thereof and the expenses of detention and sale to the owner on demand if made within one month after the sale but if demand be not so made the proceeds of the sale shall be forfeited to the Corporation. Forfeiture of articles left in markets.

**168.** The powers now vested in the Corporation to hold and keep markets and fairs for the buying and selling of live cattle beasts sheep horses and pigs in and upon the land called the cattle market and on the two adjoining fields situate in the parish of Saint Lawrence shall be deemed and taken to extend to a piece of land containing five thousand and six square yards or thereabouts and situate near to Walmgate Bar recently acquired by the Corporation or to such part thereof as may be appropriated for the purposes of the said markets and fairs and also to a piece of ground also belonging to the Corporation near the said last-mentioned piece of land called the Outer Rampart and Moat extending from Walmgate Bar aforesaid to the Red Tower in the said parish of Saint Lawrence and to any other piece or pieces of land which the Corporation may from time to time acquire and appropriate for the purposes of the said markets and fairs and to the markets and fairs to be held thereupon in all respects as if the same pieces of land so appropriated for the purposes of the said markets and fairs as aforesaid had originally formed part of the land called the Cattle Market and the two adjoining fields situate in the said parish of Saint Lawrence. Defining additional lands for markets.

**169.** Section forty-five of the York Drainage and Sanitary Improvement Act 1853 shall be altered and amended by the Amendment of section 45 of York

A.D. 1884. substitution therein of the words "twenty-six thousand seven hundred  
pounds" for the words "twenty-two thousand pounds" and all the  
Improve- provisions of the same Act shall take effect in the same manner as  
ment Act of if the amount authorised to be raised thereunder had been twenty-  
1853. six thousand seven hundred pounds and not twenty-two thousand  
pounds.

PART IX.—LENDAL BRIDGE TOLLS.

Power to  
continue  
tolls on  
Lendal  
Bridge.

**170.**—(1) Notwithstanding anything to the contrary contained in the Lendal Bridge and York Improvement Act 1860 (herein-after called "the Act of 1860") providing for the cesser and determination in the events therein mentioned of the tolls authorised by that Act to be taken for the use of the said bridge the Corporation may continue from time to time to take and receive any tolls or sums by that Act authorised for the period of ten years from the passing of this Act.

(2) All the provisions of the Act of 1860 with regard to the fixing taking demanding and recovering of tolls the appointment duties and obligations of toll collectors the stoppage and prevention of persons refusing to pay tolls and the settling disputes concerning tolls and other matters of and concerning such tolls (except the application thereof) as also the power of and other provisions relating to the leasing the said tolls shall during the time such tolls are continued under the provisions of this section continue in force as fully in all respects as if any principal moneys and interest remained unpaid or any annuities were in force under and by virtue of the Act of 1860 during such time.

Application  
of tolls.

**171.** Notwithstanding anything to the contrary contained in the Act of 1860 providing for the application of the tolls of the said Lendal Bridge as in the Act of 1860 mentioned it shall be lawful for the Corporation on and after the passing of this Act and for so long a period as the said tolls shall be payable under the provisions of the last preceding section to appropriate and apply one half the amount of the tolls so to be received from the said bridge to and in aid of the revenues of Skeldergate Bridge in the said city to be paid and applied in the same manner and for the same purposes in all respects as the tolls dues rates and other moneys of and appurtenant to Skeldergate Bridge are directed to be paid and applied in and by the York (Skeldergate Bridge) Improvement Act 1875 Provided that the other half of the tolls of the said Lendal Bridge shall continue to be applied in manner directed by the Act of 1860.



PART X.—PROCEDURE AND MISCELLANEOUS.

A.D. 1884.

**172.** All offences penalties forfeitures damages costs and expenses by this Act or any Act incorporated herewith or any byelaw for the time being in force within the city authorised or directed to be prosecuted or recovered summarily or in a summary manner or before any justices or justice or the prosecution or recovery of which is not otherwise expressly provided for may be prosecuted and recovered in manner provided by the Summary Jurisdiction Acts and all penalties recovered summarily by the Corporation within the city under this Act or any Act incorporated herewith or any byelaw for the time being in force within the city shall be paid to the Corporation and carried to the borough fund in the case of matters arising out of or in connexion with the Municipal Corporation Acts and to the district fund in matters relating to the Public Health Act 1875.

Prosecution of offences and recovery of penalties.

**173.** Any person who deems himself aggrieved by any rate made under the provisions of this Act or by any order conviction judgment or determination of or by any matter or thing done (including the withholding of any consent or approval or the revocation or refusal of any license) by the Corporation or any committee or officer of the Corporation or any court of summary jurisdiction under the powers of this Act (including the schedules to this Act) may appeal to the court of quarter sessions of the city.

Appeal to quarter sessions.

**174.** No information shall be laid for the recovery of any penalty under this Act except by the party aggrieved or by the chief constable of the city as respects penalties under Part VII. of this Act or by the authority of the Corporation.

Restriction on informations.

**175.** No order verdict rate assessment judgment conviction or other proceeding touching or concerning any offence against this Act or any Act incorporated therewith or against any byelaw made by authority thereof shall be quashed or vacated for want of form only.

Proceedings not to be quashed for want of form.

**176.** A judge of any court or a justice shall not be disqualified from adjudicating or acting in the execution of this Act by reason of his being a member of the Corporation or by reason of his being as one of several ratepayers or as one of any other class of persons liable in common with the others to contribute to or to be benefited by any rate or fund out of which any expenses incurred by the Corporation are under this Act to be defrayed or by reason of his being interested in any contract under this Act for a supply of water or means of lighting.

Judges not disqualified.

[Ch. ccxxxii.] *York Extension and Improvement* [47 & 48 VICT.]  
*Act, 1884.*

A.D. 1884.

Proofs of  
debts in  
bankruptcy.

**177.** If any person against whom the Corporation have any claim or demand become bankrupt or enter into any arrangement for the liquidation of his affairs or composition with creditors it shall be lawful for the town clerk in all proceedings against or in the matter of the estate of such bankrupt or insolvent to represent the Corporation and act in their behalf in proving the debt and in all other respects as if such claim or demand had been the claim or demand of the town clerk and not of the Corporation.

For securing  
transient  
offenders.

**178.** Any constable or other officer of the Corporation and such person or persons as he may call to his assistance may without any warrant or other authority than this Act seize or detain any person being unknown to such constable or other officer who shall be found committing any offence against this Act and take him as soon as conveniently may be before a justice of the peace for the city.

Apportion-  
ment of  
expenses  
where lands  
are leased.

**179.** Whenever any expenses are payable to the Corporation by the owner of any buildings or lands in respect thereof and such buildings or lands are in lease such expenses may be apportioned between the lessees and the reversioners of such lands in such proportions as the Corporation may deem equitable Provided that nothing in this section shall alter the liabilities respecting the payment of expenses as between owner and lessee under any special contract relative thereto.

Corporation  
may order  
prosecutions  
and expenses  
thereof.

**180.** The Corporation from time to time may direct any prosecution for any public nuisance whatsoever created permitted or suffered in the city and may order proceedings to be taken for the recovery of any penalties and for the punishment of any persons offending against any of the provisions of this Act or of any Act incorporated herewith or of any byelaw for the time being in force within the city and may defray the expenses of such prosecution or other proceedings as part of their general expenditure in the execution of this Act.

Corporation  
may provide  
offices, &c.  
for conduct  
of business.

**181.** The Corporation may provide such offices and other conveniences as they may deem expedient or necessary for the transaction of their business and the expenses incurred by them in providing such offices and conveniences shall be deemed to be expenses incurred in carrying into execution the provisions of this Act to which capital is properly applicable.

Corporation  
may convey  
gratuitously  
to the Com-  
missioner of  
Works land  
for erection

**182.** The Corporation may dispose of and convey gratuitously to Her Majesty's Commissioner of Works or other person or persons body or bodies to be named for that purpose by Her Majesty's Secretary of State for the Home Department for the purpose of erecting thereon a district registry of the Probate Division of the

High Court of Justice a piece of land now belonging to the Corporation and situate in Blake Street and Duncombe Place in the city of York and containing about six hundred square yards more or less. A.D. 1884.  
of a Probate  
Office.

**183.**—(1.) Any instrument (including a notice order resolution requisition declaration consent approval disapproval demand or other document) made given delivered or served by the Corporation under this or any other Act or any byelaw for the time being in force within the city may be either in print or in writing (including lithograph) or partly in print and partly in writing (including lithograph) and shall be sufficiently authenticated by the name of the town clerk or of the city surveyor or other proper officer (according to the subject of the particular instrument) being affixed thereto in print or writing or by a stamp on behalf of the Corporation. Form and  
service of  
notices by  
Corporation.

(2.) Subject to any express provision of this or of any other Act it shall be sufficient where any such instrument is required to be given to or served on the owner or occupier of any premises to address it to such owner or occupier by his description as owner or occupier (as the case may be) of the premises (naming them) in respect of which it is given or served without further name or description and any such instrument may be addressed to owners or occupiers of any adjoining or neighbouring premises collectively and when so addressed may be served on more owners or occupiers than one so that separate copies be served on the respective owners and occupiers of the premises concerned.

(3.) Any such instrument may be served on any such owner occupier or other person either personally or by sending the same through the post in a registered letter addressed to him by name at his last known place of abode or business or by delivering the same to some inmate at his last known or usual place of abode or business or in case of an occupier to any inmate of the premises in respect of which it is given or served or if the premises are unoccupied and the place of abode of the person to be served is after diligent inquiry unknown it shall be sufficient to affix it or a copy thereof upon some conspicuous part of such premises.

(4.) Service by a registered letter under this section shall be deemed to be effected on the day on which such letter would be delivered in the ordinary course of post.

**184.** All byelaws authorised by this Act or by any other Act and at any time in force within the city may be altered or repealed from time to time by the Corporation. Byelaws of  
Corporation.

[Ch. ccxxxii.] *York Extension and Improvement* [47 & 48 VICT.]  
Act, 1884.

A.D. 1884.

Sections one hundred and eighty-two to one hundred and eighty-six (both inclusive) of the Public Health Act 1875 (except so much of section one hundred and eighty-five as applies exclusively to byelaws made by a rural authority) shall apply to the alteration and repeal of any existing byelaws and to the making alteration and repeal of the byelaws made by the Corporation under this Act or any Act for the time being in force within the city or incorporated with this Act (except byelaws required to be confirmed by the Board of Trade) as if they were byelaws made by a local authority under the Public Health Act 1875. Provided that all byelaws in force in the existing city shall remain in force until their repeal or alteration without requiring any further or other confirmation thereof by reason of the passing of this Act.

Saving  
rights of  
freemen of  
city and  
extension of  
rights &c. to  
added parts.

**185.** Nothing in this Act shall take away extend abridge or prejudicially affect any right power authority estate interest benefit or privilege of the freemen and widows of freemen of the existing city and every such right power authority estate interest benefit and privilege may be had enjoyed and exercised by those freemen and widows of freemen as fully and effectually and to the same extent as if this Act had not been passed, save that all statutes charters customs and usages with regard to admission to the freedom of the existing city and all rights powers authorities estates interests benefits and privileges attached thereto and now enjoyed and exercised by freemen or widows of freemen when resident within the existing city shall be extended to the added part of the city and shall affect be possessed enjoyed and exercised by freemen and widows of freemen when resident therein in like manner as they now affect and are possessed enjoyed and exercised by freemen and widows of freemen when resident within the existing city and for all purposes of and concerning the rights of stray and average in and over the several strays or common lands of the city now or heretofore exercised or enjoyed by the freemen or widows of freemen of the existing city and any other purposes appertaining thereto the added part of the city shall from and after the commencement of this Act belong to and be deemed to form part of the existing wards of the city in manner following (namely) :—

- (1.) The township of Saint Olave Marygate and the part of the township of Clifton to Bootham Ward ;
- (2.) The township of Holgate and the parts of the townships of Dringhouses and Middlethorpe to Micklegate Ward ;
- (3.) The part of the township of Heworth to Monk Ward ; and
- (4.) The part of the township of Fulford or Gate Fulford to Walmgate Ward.

And all the powers rights privileges advantages and benefits now exercised or enjoyed by the freemen or widows of freemen of the existing city shall be deemed to extend to and be exercised and enjoyed by the freemen resident in the liberty of Saint Peter the townships of Mint Yard and Minster Yard with Bedern the parishes of Saint Martin Coney Street and Saint Wilfred and the extra-parochial place of Davy Hall in the existing city in the same manner and as fully to all intents and purposes as the freemen or widows of freemen resident in other parts of the existing city now exercise or enjoy the same and for all purposes of stray or average and other powers rights privileges advantages and benefits of such freemen or widows of freemen the said liberty townships parishes and extra-parochial place aforesaid shall be deemed and taken to be included in Bootham Ward in the city. A.D. 1884.

**186.** Notwithstanding section seventy of the York New Waterworks Act 1846 the York New Waterworks Company may charge for supplying water for flushing the sewers and drains and for cleansing and watering the streets within the added part of the city and such supply shall be provided at such rates in such quantities and upon such terms and conditions as may be agreed upon by the Corporation and the said company or in case of disagreement as shall be settled by two justices in the manner provided by section thirty-seven of the Waterworks Clauses Act 1847. As to supply of water for cleansing sewers &c. within added part of city.

**187.** All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers conferred on them by Act of Parliament charter law custom or prescription and the Corporation may exercise such other powers as if this Act had not passed. Powers of Act cumulative.

**188.** All the preliminary and other costs charges and expenses of and incident to the preparing for obtaining and passing of this Act (including the costs incurred by the Corporation in complying with the provisions of the Act 35 & 36 Vict. c. 91. with respect to the bill for this Act as taxed and ascertained by the taxing officer of the House of Lords or House of Commons) shall at the option of the Corporation be paid by the Corporation out of the district fund and general district rate or out of the borough fund and borough rate or partly out of one and partly out of another of such respective funds or rates or out of moneys borrowed on the security of all or any one or more of the said funds and rates and the Corporation are hereby authorised to borrow such moneys as they may require for that purpose and to raise the same by the creation and Costs of Act.

[Ch. ccxxxii.] *York Extension and Improvement* [47 & 48 VICT.]  
*Act, 1884.*

A.D. 1884. — issue of York Corporation stock under the powers conferred by this Act or by mortgage of such funds or rates or any or either of them and to exercise the powers of this section at any time after the passing of this Act and all moneys borrowed under this section shall be repaid within ten years from the time or respective times of borrowing the same.

SCHEDULES referred to in the foregoing Act.

A.D. 1884.

THE FIRST SCHEDULE.

LOCAL ACTS AND ORDER REPEALED TO THE EXTENT HEREIN-AFTER  
MENTIONED.

| Title or Short Title.   | Extent of Repeal.  |
|---|--|
| <p>“An Act for paving lighting watching and improving the city of York and the suburbs thereof and the liberty of Saint Peter within the said city and for regulating the police of the same respectively.” (6 Geo. IV. cap. 127.)</p>  | <p>The whole of the Act.</p>   |
| <p>“An Act for improving and enlarging the market-places within the city of York and rendering the approaches thereto more commodious and for regulating and maintaining the several markets and fairs held within the same city and the suburbs thereof and for amending an Act of His late Majesty for paving lighting watching and improving the said city and other purposes.” (3 Wm. IV. cap. 62.)</p> | <p>The whole of the Act.</p>   |
| <p>The York Drainage and Sanitary Improvement Act 1853. (16 &amp; 17 Vict. cap. lvi.)</p>   | <p>Sections 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 71, 72, 74, 75, and the Schedule B thereto.</p>            |
| <p>The Local Government Board's Provisional Orders Confirmation (No. 9) Act 1882. (45 &amp; 46 Vict. cap. ciii.)</p>  | <p>So much as confirms the Provisional Order relating to the city of York and the whole of the said Order.</p> |

A.D. 1884.

THE SECOND SCHEDULE.

RE-ENACTED PROVISIONS OF THE

LOCAL ACT—6 GEORGE IV. CAP. CXXVII.

*In this Act referred to as "the Act of 1825."*

An Act for paving lighting watching and improving the city of York and the suburbs thereof and the liberty of Saint Peter within the said city and for regulating the police of the same respectively. [10 June 1825.]

Inhabitants to sweep foot pavements opposite their houses.

LXXIII. It shall be lawful for the Corporation when and as they shall deem expedient to order the respective occupiers of houses or other buildings tenements or lands and the trustees or churchwardens of any public buildings churches or places of worship and also the owners of any unoccupied tenements fronting to or adjoining upon any of the streets markets highways roads or public places within the city to cause to be well and sufficiently scraped swept and cleansed the footways and foot pavements and the water-courses opposite the same respectively to the full extent of the said footways or foot pavements the whole length of their respective houses or other buildings or property as the situation thereof shall require and to remove snow from the roofs of the said houses and buildings and in default thereof such occupier or other person or persons shall for every such offence forfeit and pay to the Corporation any sum not exceeding forty shillings.

Dirt not to be swept into channels.

LXXIV. In case any person shall sweep rake or place or cause to be swept raked or placed any of the mud dirt dust rubbish snow ice filth or soil in the said roads streets lanes and places to into or upon or the channels on the sides of the said roads streets lanes and public places and shall not immediately remove the same every person so offending in any of the said cases shall forfeit and pay any sum not exceeding forty shillings.

Regulations as to building fronts of houses.

LXXXII. All houses and buildings in any of the present or future streets lanes roads passages or other public places within the city which hereafter shall be erected or built or new-fronted or rebuilt shall be made to rise perpendicularly from the foundations thereof and no part of the front of any ancient house or building within any of the said streets lanes roads passages or other public places which shall hereafter be new-fronted nor any part of the front of any new house or building which shall hereafter be rebuilt upon the site of any ancient house or building in any of the said present or future streets lanes roads highways passages or public places shall on any pretence whatsoever be brought forward beyond the old foundation. If any person or persons shall at any time hereafter erect or build or new-front or rebuild or cause to be erected or built or new-fronted or rebuilt any house or building in the said present or future streets lanes roads passages or public places or any of them in any other manner than so as to rise perpendicularly from the foundation thereof or so that any part of the front thereof shall be brought forward beyond the old foundation of any such ancient house or building as aforesaid then and in every such case such house or building



shall be deemed an encroachment nuisance and annoyance and it shall be lawful for the Corporation to cause the same house or building so erected new-fronted or rebuilt or so much of the front thereof as shall have been so erected new-fronted or rebuilt contrary to the foregoing enactment to be pulled down and removed by any person or persons who shall be directed so to do by an order of the Corporation under the hand of the town clerk and the costs and charges of pulling down and removing the same shall be paid and reimbursed to the Corporation by the owner or owners of such house or building and in default of payment thereof within twenty days next after demand in writing made in that behalf by the town clerk the same having been ascertained by any two justices of the peace for the city shall and may be recovered in like manner as any penalties or forfeitures are by this Act authorised to be recovered and when received the same shall be paid to the treasurer of the Corporation to be applied to the general purposes of this Act provided nevertheless that the Corporation may agree by giving up any portion of ground part of any street or way and receiving any portion of ground in lieu thereof to make a straight line in any buildings wall hedge or other boundary of any street or way.

A. D. 1884.

LXXXIII. It shall be lawful for the Corporation from time to time to cause all and every or any of the projecting windows palisades rails posts fences steps scrapers cellar windows cellar doors hatchways frontsteads and other obstructions and projections whatsoever and of what nature or kind soever which are already erected affixed set up laid down or being against or in front of or belonging to any houses or other buildings whatsoever in any of the streets lanes roads passages or other public places within the city which shall be public annoyances or nuisances by reason of their projecting into or encroaching upon or otherwise obstructing annoying or endangering the public passage along any of the aforesaid streets lanes roads passages or other public places and also any hogsties therein to be taken down filled up removed and carried away or otherwise altered or reformed by the Corporation or any person or persons acting under their authority in such manner as shall be thought most proper and expedient by the Corporation and also from time to time to pull down and remove or cause to be pulled down and removed all or any posts rails pales trees or fences in or near the streets lanes roads passages or public places or any of them within the city which shall be useless or be a nuisance or obstruction to passengers horses or carriages the Corporation nevertheless first causing fourteen days notice in writing under the hand of the town clerk to be given to the respective owners or occupiers of such houses or other buildings of their intention to take down fill up remove alter or reform such obstructions or projections and to remove such hogsties respectively and causing as little damage to be done in effecting every such removal or alteration as the nature of the case will allow and also defraying the whole costs and charges of executing the same Provided nevertheless that the Corporation shall and they are hereby required to make reasonable satisfaction and compensation for any loss or damage to the several owners proprietors and occupiers of tenements buildings lands or premises in consequence of such taking down filling up removal carrying away or alteration of obstructions projections or annoyances existing or being at the time of the passing of this Act for any damage and injury which shall be thereby done to any property of such owners and proprietors and if the Corporation and such person or persons cannot agree as to the sum to be paid by the Corporation the amount thereof shall be ascertained fixed and determined by a court of summary jurisdiction.

Projections  
&c. to be  
removed by  
Corporation.

Owners to be  
recompensed  
for loss or  
damage arising  
from the exe-  
cution of this  
Act.

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Future pro-  
jections re-  
moved by  
occupiers.

LXXXIV. The several occupiers of houses and other buildings situate in the several streets lanes roads or other public places within the city are hereby required at their own respective costs and charges within fourteen days next after their respectively receiving notice in writing from the Corporation in that behalf signed by the town clerk to cause all and every the projecting windows posts fences steps scrapers cellar windows cellar doors hatchways frontsteads courtyards and other obstructions and projections which shall in future be erected set up affixed laid down or be against or in front of or belonging to their respective houses or other buildings which shall be public annoyances or nuisances by reason of their projecting into or encroaching upon or otherwise annoying or endangering the public passage along any of the streets lanes roads passages or other public places within the city to be taken down filled up removed and carried away or otherwise altered or reformed in such manner as shall be directed by the Corporation and in case the occupier of any such house or other building as aforesaid shall neglect or refuse to cause any such projecting window post fence step scraper cellar window hatchway frontstead courtyard or other projection or obstruction whatsoever which shall in future be so erected set up affixed laid down or be against or in front of or belonging to his or her house or other building which shall be considered an annoyance or nuisance as aforesaid to be taken down filled up removed and carried away or otherwise altered or reformed within such time and in such manner as in such notice shall be directed then and in every such case it shall be lawful for the Corporation to cause the same to be forthwith done by some person or persons acting under their authority and the costs and charges attending the same having been ascertained by any two justices of the peace for the city shall and may be recovered from the occupier of such house or building in like manner as any penalties or forfeitures are by this Act authorised to be recovered and when received the same shall be paid to the Corporation to be applied to the general purposes of this Act and it shall be lawful for the occupier of any such house or building or being a tenant at rackrent and having either paid such costs and charges in the first instance or having repaid the same to the Corporation to deduct and retain the amount thereof out of his or her rent and the proprietor or landlord of every such house or other building so held at rackrent is hereby required to allow the same accordingly except only in cases where the encroachment obstruction annoyance or nuisance so removed or altered shall have been originally occasioned by such occupier in which case he or she shall bear the expense of altering or removing the same.

Encroach-  
ments to be  
removed by  
occupiers.

LXXXV. The respective occupiers of houses and other buildings situate in the streets lanes roads passages and other public places within the city shall at their own respective costs and charges within twenty days next after their respectively receiving notice in writing from the Corporation in that behalf signed by the town clerk cause all signs sign irons sign posts barber's poles stalls blocks bulks show boards butcher's hooks spouts and water pipes which now are or hereafter shall be in anywise affixed or set up and which shall be public annoyances or nuisances by reason of their projecting into or encroaching upon or otherwise annoying or endangering the public passage along any of the streets lanes roads passages or public places within the city to be taken down removed and carried away or otherwise altered or reformed in such manner as shall be directed by the Corporation and if the occupier of any such house or other building as aforesaid neglects or refuses to cause any such sign sign iron sign post barber's pole stall block bulk show board butcher's hook spout or water

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pipe which shall be so considered an annoyance or nuisance as aforesaid to be taken down removed and carried away or otherwise altered or reformed within the time and in manner appointed and directed in and by such notice then and in every such case it shall be lawful for the Corporation to cause the same to be forthwith done by some person or persons acting under their authority and the costs and charges attending the same having been ascertained by any two justices of the peace for the city shall and may be recovered from the occupier of such house or building in like manner as any penalties or forfeitures are by this Act authorised to be recovered and when received the same shall be paid to the Corporation to be applied to the general purposes of this Act and it shall be lawful for the occupier of any such house or other building being a tenant at rackrent and having either paid such costs and charges in the first instance or having repaid the same to the Corporation to deduct and retain the amount thereof out of his or her rent and the proprietor or landlord of such house or other building so held at rackrent is hereby required to allow the same accordingly except only in cases where the encroachment obstruction annoyance or nuisance so removed or altered shall have been originally occasioned by such occupier in which case he or she shall bear the costs and expenses of altering or removing the same.

XCVII. In case of any fire happening within the city it shall be lawful for any of the inhabitants thereof or other persons whomsoever to take use and employ the water which shall be contained in any pipes aqueducts or reservoirs already laid and made or to be hereafter laid or made within the city in or for the extinguishing any such fire without any compensation or satisfaction to be made to the proprietors of such pipes aqueducts or reservoirs and without being subject to any penalty on account thereof such inhabitants or other persons not wilfully wasting the said water and doing as little damage as may be to such pipes aqueducts or reservoirs and for the more easy obtaining water on such occasions it shall be lawful for the Corporation to make such communications with any of the said pipes as they shall think proper.

Power to get water in case of fire.

CIV. The Corporation shall from time to time appoint one or more fit and proper person or persons to be an inspector or inspectors and also the weigher or weighers of all coals brought to and delivered for sale in the city and which person or persons shall and may be removed suspended or displaced by and at the will and pleasure of the Corporation and in case of the removal death or resignation of such inspector or inspectors and weigher or weighers the Corporation shall as soon as may be after such vacancy takes place elect and choose some other fit and proper person or persons in his or their stead and so toties quoties as often as the like event shall happen and the Corporation shall provide a proper and suitable place for the office of such inspector or inspectors and weigher or weighers and fix and appoint his or their salary or wages at their discretion the expense and charge whereof shall be paid and borne or defrayed by and out of the district fund or general district rates of the city.

For preventing frauds &c. in the quality and delivery of coals.

CV. The owner or owners agent or agents for the sale of all coals brought for sale in the city shall before such coals are exposed for sale cause a board on which the name of the coals is written or painted in large letters to be affixed and continued upon every heap of coals or in such other place or in such manner as the Corporation shall from time to time direct and if any such owner or agent or any dealer in coals or other person as the case may be shall sell and deliver or expose to sale in the city any coals without exposing such boards as directed

A board with names of coals to be fixed on place where coals sold.

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by this Act or shall sell or dispose of within the city coals of one quality or sort for and as a quality or sort which the same really are not or in case any other person or persons shall remove alter or deface any of such boards before the coals to which the same relate shall be sold and delivered every such offender shall upon conviction thereof before a court of summary jurisdiction forfeit and pay for every such offence any sum not exceeding ten pounds.

Penalties on inspector for neglect or fraud.

CVII. If any person who shall be appointed to act as inspector and weigher under or by virtue of this Act shall in any manner act in collusion with any person or persons whomsoever to assist or enable him her or them to counteract defeat or evade the provisions of this Act every such offender shall upon conviction thereof before a court of summary jurisdiction forfeit and pay for every such offence any sum not exceeding twenty pounds.

Charges for weighing and portage of coals &c.

CVIII. The Corporation shall from time to time prescribe and fix the rates and charges to be taken as well by the inspectors and weighers appointed by them as aforesaid as by carriers or porters of coals sold and delivered within the city from any person desiring to employ them for weighing carriage or portage thereof and in case any carrier or any porter shall make any overcharge for or misconduct himself as to the carriage or portage of such coals such carrier or porter shall upon conviction thereof before a court of summary jurisdiction forfeit and pay for every such offence any sum not exceeding five pounds.

Persons buying coals may have them weighed.

CIX. If any person shall think himself aggrieved respecting the weight of coals by him purchased such person may apply to an inspector and weigher to weigh the same who shall thereupon weigh the same and the charge of such inspector and weigher for so weighing such coals shall be paid by the seller in case the weight complained of shall be incorrect and by the purchaser in case such weight shall be correct.

Regulations by Corporation respecting weighing of coals &c.

CXI. The Corporation may from time to time make such orders and regulations respecting the weighing of coals and the conduct of the inspectors and weighers thereof as they shall think expedient so as such orders and regulations be not inconsistent with the provisions of this Act and all persons who shall give short weight on the sale of coals or shall transgress or neglect any of the orders and regulations so made shall forfeit and pay for each offence any sum not exceeding five pounds.

Inspectors &c. not to be sellers of coals.

CXII. If any inspector and weigher of coals appointed or acting under the provisions of this Act shall himself either directly or indirectly sell or deal in or be a purchaser or agent for or otherwise interested or concerned in the sale of any coals whatsoever (except in the discharge of the duties of his office as inspector and weigher) every such inspector and weigher so offending shall for every such offence forfeit and pay any sum not exceeding fifty pounds.

Penalty on fraudulent delivery of coals.

CXIII. If any person employed to carry and deliver coals within any part of the city shall fraudulently neglect to deliver the same or wilfully deliver short weight such person shall forfeit and pay for each such offence any sum not exceeding twenty shillings.

Regulations as to the staiths and traffic on the Ouse and Foss.

CXV. For the better management and regulation of the staiths and public landing places on the Rivers Ouse and Foss within the city and the maintenance of such staiths or landing places and the convenience of persons resorting thereto for the loading and unloading of goods from vessels the Corporation as trustees and conservators of the River Ouse (so far as concerns that river) and the Cor-

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poration (so far as concerns the River Foss) shall and may respectively make such rules byelaws orders and regulations touching the mooring and unmooring of vessels and other craft and the fixing of mooring posts and rings and the placing of goods previous to the embarkation and upon and after the disembarkation thereof and the manner of loading or unloading vessels at or near the said staiths or landing places as they shall from time to time see occasion and also impose any fines or forfeitures for the breach of such rules byelaws orders and regulations not exceeding for any one offence the sum of forty shillings and also shall and may from time to time alter revoke or add to such rules byelaws orders and regulations and make such new rules byelaws orders and regulations for the purposes aforesaid as they shall think expedient. The Corporation as trustees and conservators of the River Ouse as aforesaid and the Corporation respectively shall and may make such further and other rules byelaws orders and regulations for regulating the traffic on the said Rivers Ouse and Foss respectively for the prevention of trespasses and for preventing the employment of old and worn out vessels and the mooring or otherwise of vessels and other craft in such positions as likely to impede or cause obstruction on the said rivers respectively as they from time to time may think expedient with the like power to impose fines or forfeitures and for revocation or alteration of such rules byelaws orders and regulations as last aforesaid. All rules byelaws orders or regulations made and prescribed under this section shall be allowed and confirmed by the Board of Trade (who are hereby authorised to allow and confirm the same) before they shall become operative and when any such rules byelaws orders or regulations shall have been so allowed and confirmed the same shall be published by advertisement in some newspaper or newspapers circulating in the city and in such other manner as the Corporation as such trustees and conservators as aforesaid and the Corporation respectively may think expedient for giving publicity thereto.

CLI. If any person or persons shall at any time or times obstruct molest or hinder any surveyor collector or other officer appointed or employed by virtue of this Act in the performance or execution of any duty matter or thing hereby authorised or directed to be done every person so offending shall for every such offence forfeit and pay any sum not exceeding five pounds.

Penalty on persons obstructing officers in the performance of their duty.

CLXXII. So much of the street called New Street formerly Cumberland Row within the city as is deemed to be extra-parochial shall be construed and taken to be within the parish of Saint Martin Coney Street in the city for all the purposes of this Act and so much of the place called Mint Yard and so much of the street called Lendal within the city as are deemed to be extra-parochial shall be construed and taken to be within the parish of Saint Wilfrid in the city for the purposes of this Act in the same manner as if the said respective places had been anciently within the said respective parishes but that to all other purposes to which this Act does not extend the said respective places or so much thereof as is or are now extra-parochial shall from thenceforth continue and remain as if this Act had not been passed anything herein contained to the contrary notwithstanding.

Extra-parochial places to be annexed to certain parishes for the purposes of this Act.

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LOCAL ACT 3 WM. IV. CAP. LXII.

*In this Act referred to as "the Act of 1833."*

An Act for improving and enlarging the market places within the city of York and rendering the approaches thereto more commodious and for regulating and maintaining the several markets and fairs held within the same city and the suburbs thereof and for amending an Act of His late Majesty for paving lighting watching and improving the said city and other purposes. [10th June 1833.]

Provision and corn market may be held in the city and tolls payable.

XLVI. The Corporation may and shall hold and keep an open and public market in and upon the space of ground between a square or place called Saint Sampson's Square and a street or place called the Pavement (and in and upon such square and street and any of the streets or places adjoining thereto respectively and in and upon any additional space of ground hereafter purchased and acquired by the Corporation for the purposes of the said market for supplying the inhabitants of the city and neighbourhood with corn meat fish poultry eggs butter vegetables fruit and other provisions and for buying and selling all or any such goods and wares as aforesaid under and subject to such rules and regulations as are in and by this Act authorised to be made and established.

Surplus of market dues how to be applied.

XLVII. The amount of the rents stallage and sum or sums of money to be received by the Corporation from the said market and also from the markets and fairs for the buying and selling of live cattle beasts sheep horses and pigs hereafter mentioned shall after payment thereof of all rates taxes and needful repairs and the expenses of management thereof respectively be paid over and applied by the Corporation to and in aid of the borough fund of the city. The accounts in respect of the said markets and fairs shall be kept audited and published in the same manner as if they were accounts under the Municipal Corporation Acts.

List of rents &c. to be painted on boards and affixed in the markets.

XLVIII. The Corporation shall from time to time cause to be painted on boards and affixed and continued and renewed as often as the same shall be obliterated or defaced upon some conspicuous place or places in the said markets in large and legible characters an account or list of the several rents stallage and sum or sums of money which the said Corporation shall from time to time direct and appoint to be taken or which they are authorised to demand receive and take in the said markets and fairs respectively.

Rights of Corporation not to be abridged.

XLIX. Nothing in this Act contained shall extend or be construed to extend in any manner to abridge or rescind the rights which the Corporation now possess and enjoy whether by charter or otherwise to hold fairs and markets in the city or suburbs thereof or in any manner to affect or abridge the rights of the Corporation to pickage stallage tolls or any privilege advantage or authority which they now possess exercise or enjoy respecting the market places and the several markets and fairs now being or hold in the city or the suburbs thereof and that the several public markets and fairs which have been usually holden within the city and the suburbs thereof shall continue to be and shall and may be lawfully holden and kept upon the several days whereupon the same and every of them are usually holden and kept under and subject nevertheless to such rules and regula-

tions as are in and by this Act or any Act or order hereafter passed or made A.D. 1884.  
contained and authorised to be made and established.

L. The Corporation may and shall hold and keep in and upon the plot or piece of ground situate in the parish of Saint Lawrence in the city and in and upon a piece of land containing five thousand and six square yards or thereabouts situate near to Walmgate Bar and in the said parish of Saint Lawrence (or so much thereof as may be appropriated for the purposes of the markets and fairs herein mentioned) and in and upon a certain other piece of ground near to the said last-mentioned piece of land called the Outer Rampart and Moat extending from Walmgate Bar aforesaid to the Red Tower in the said parish of Saint Lawrence whereon markets and fairs for the buying and selling of live cattle beasts sheep horses and pigs are now and have heretofore been held on every alternate Thursday and on certain other days during the year markets and fairs for the buying and selling of live cattle beasts sheep horses and pigs and such other days or times as the Corporation shall from time to time appoint for that purpose under and subject to such rules and regulations as are in and by this Act authorised to be made and established.

Holding of  
cattle markets  
and fairs and  
payment of  
tolls.

LI. The Corporation may from time to time make such byelaws and regulations as they may think fit:—

Byelaws for  
regulating  
markets &c.

For preventing horses and carriages from passing through the market places and the approaches to the same during the time of the said markets and fairs; and

For fixing proper places for the loading and unloading of carts and other carriages and for the standing of carts and carriages after being unloaded at the said markets and fairs and for prescribing by what streets such loaded and unloaded carts and carriages shall pass into through and out of the city during the time of the said markets and fairs; and

For determining the particular streets or places to be used for the exhibition of cattle and other animals brought or exposed for sale at the said markets and fairs and for regulating the penning of cattle and other animals; and

For inspecting provisions brought to the said markets and fairs and for weighing and ascertaining the weight and measure of all corn provisions and other articles sold by weight or measure in the said markets or fairs; and

For prescribing the hours within which during any such market or fair or at any other time any show booth caravan circus or exhibition may be kept open and for preventing any such show booth caravan circus or exhibition from being open on Sundays and for preserving order therein; and

Generally for the holding good order and regulation of the several markets and fairs and of the persons resorting thereto.

LIII. Any person who wilfully destroys defaces injures or removes any building shambles wall fence post rail or chain or any shed stall standing block trestle hurdle pen or other erection set up by or under the authority of the Corporation or the lord mayor as clerk of the markets in the city for any purpose of the said markets and fairs or any board notice or inscription affixed by or under the like authority in or near the places of holding the said markets and fairs shall upon conviction thereof before a court of summary jurisdiction forfeit and pay for every such offence any sum not exceeding five pounds.

Penalty on  
injuring  
market build-  
ings &c.

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Slaughter-  
houses hog-  
sties and  
other erections  
to be removed  
if deemed a  
nuisance.

XCVII. In case any foundry candle-house melting-house or melting-place soap-house slaughter-house hogstye swinecote boiling-house for offal or uninclosed or uncovered yard or place for the deposit or screening or sifting of any lime or ash dust or any necessary house dunghill manure heap midden or other noisome or offensive depository or building place or matter whatsoever in or near any of the said streets lanes highways passages or places within the city shall in the judgment of the Corporation be a nuisance it shall and may be lawful for the Corporation by an order in writing under the hand of the town clerk to direct any such nuisance to be removed and in case the same shall not be removed within fourteen days after notice of such order shall have been given to or left at the last or usual place of abode of the person or persons who ought to remove the same such person or persons shall be liable to a penalty of not exceeding five pounds for every day that the same shall continue unremoved after the expiration of the said fourteen days to be recovered by the Corporation in a court of summary jurisdiction.

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### THE THIRD SCHEDULE.

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#### DESCRIPTION OF THE BOUNDARIES OF THE CITY AS EXTENDED.

A boundary line commencing at the junction of the parishes or townships of Acomb and Holgate and the parish of St. Mary Bishophill Junior at the north-east corner of certain land called "Hob Moor Field" (shown on the six-inch Ordnance map and numbered 1 in red ink thereon) where the same abuts upon Hob Moor (numbered 2 in red ink on the said map) and a certain field (numbered 3 in red ink on the said map) belonging or reputed to belong to William Benson Richardson and in the occupation of Ann Shilleto thence proceeding in a northerly direction along and following the line of boundary between the said township of Holgate and the township of Acomb to a point in the centre of the River Ouse in the line of boundary between the said parishes or townships of Holgate and Acomb and of Clifton thence proceeding in a north-westerly direction along the said line of boundary between the said parishes or townships of Acomb and Clifton in the said River Ouse to a point in the said line of boundary where the same is intersected by the existing parliamentary boundary of the city and county of the city of York thence following the said parliamentary boundary through the said township of Clifton and through the township of Heworth to a point in the said last-mentioned township where the said parliamentary boundary joins the existing municipal boundary of the city of York at or near to a certain bridge called Tang Hall Bridge in a lane or highway called Tang Hall Lane shown on the said six-inch Ordnance map thence following the said parliamentary boundary from Tang Hall Bridge aforesaid to the junction thereof with the line of boundary between the city of York and the respective townships of Heslington and Fulford or Gate Fulford in a certain highway or lane called Thief Lane shown on the said six-inch Ordnance map thence proceeding in a southerly direction following the line of boundary between the said parish or township of Fulford or Gate Fulford and the parish or township of Heslington to a point in such line of boundary where such line is intersected by the high road leading from Heslington to Fulford or Gate Fulford thence proceeding



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along the fence dividing certain lands called "Low Moor" and shown on the said 6-inch Ordnance map and the said last-mentioned high road thence proceeding in a westerly direction along the centre of the said high road to a point distant one hundred and fifty yards or thereabouts from the junction of the said high road with the high road leading from York to Fulford or Gate Fulford thence proceeding in a straight line in a northerly direction for a distance of two hundred and sixteen yards or thereabouts thence proceeding in a westerly direction for a distance of one hundred and forty-one yards or thereabouts to the said high road leading from York to Fulford or Gate Fulford thence proceeding in a northerly direction along the east side of the said high road for a distance of sixty-seven yards or thereabouts thence crossing the said high road to and following the parliamentary boundary of the said city on the northerly side of Church Lane shown on the said 6-inch Ordnance map to the south-easterly corner of the churchyard of Saint Oswald's Church shown on the said 6-inch Ordnance map thence following the line of fence of the said churchyard on the east north and west sides thereof respectively to the junction of the said fence at the south-west corner thereof with Church Lane aforesaid and the said parliamentary boundary at that point thence following the said parliamentary boundary in Church Lane aforesaid and across Fulford Ings to the centre of the River Ouse and from thence in a northerly direction to the junction of such parliamentary boundary with the existing parliamentary and municipal boundary of the said city in the said River Ouse thence following the said parliamentary and municipal boundary in a westerly direction for a distance of four hundred and sixty-seven yards or thereabouts to where such boundary is intersected by the fence of a certain tract of land called or known as "Knavesmire" thence following the said fence of Knavesmire in a southerly westerly and north-westerly direction respectively to the junction of such fence with the existing parliamentary and municipal boundary of the city at the easterly end of a certain lane called "Tyburn Lane" shown on the said 6-inch Ordnance map thence following the said last-mentioned boundary line in a westerly direction to the south-west corner of Knavesmire aforesaid near to the road or highway called or known as the Tadcaster Bridge and Hob Moor Lane End Trust shown on the said 6-inch Ordnance map thence crossing the said last-mentioned highway and proceeding in a straight line in a westerly direction for a distance of four hundred and seventeen yards or thereabouts to a certain ditch running on the westerly side of the village of Dringhouses and at a point in the said ditch near to where such ditch runs under the line of the North-eastern (formerly the York and North Midland) Railway shown on the said 6-inch Ordnance map thence following the said ditch in a northerly direction to a point where such ditch abuts upon Hob Moor numbered 2 aforesaid distant one hundred yards or thereabouts measured from the clay pit shown on the said map and where such point joins the existing boundary line of the city and county of the city of York on the south side of Hob Moor aforesaid shown on the said map thence following the said existing boundary line of the city and county of the city of York on the south and south-west side of Hob Moor aforesaid to the junction of such boundary with the boundary line between the parishes or townships of Acomb and Holgate and the parish of Saint Mary Bishophill Junior at the north-east corner of Hob Moor Field aforesaid numbered 1 in red ink on the said map where the same abuts upon Hob Moor aforesaid and the field numbered 3 in red ink on the said map such parishes or townships or parts of parishes and townships included within

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A.D. 1884. the boundary line before described being situated in the north east and west ridings of the county of York or some or one of them.

THE FOURTH SCHEDULE.

PART I.

FORM OF RATE.

AN ASSESSMENT TO RATES under the York Extension and Improvement Act 1884 made the \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

PARISH (or Township) of \_\_\_\_\_

| Number of Assessment. | Name of each Person to be Rated. |           | Description of Property. | Situation of Property. | Gross estimated Rental. | Net Annual or Rateable Value. | General District Rate at in the £. | Sanitary Improvement Rate at in the £. | Skeldergate Bridge Rate at in the £. | [Specify any other Rate or Rates.] | Deductions Allowances and Exemptions. | Total amount of Rate to be collected. |
|-----------------------|----------------------------------|-----------|--------------------------|------------------------|-------------------------|-------------------------------|------------------------------------|--|--------------------------------------|------------------------------------|---------------------------------------|---------------------------------------|
|                       | Owner.                           | Occupier. |                          |                        |                         |                               |                                    |  |                                      |                                    |                                       |                                       |
|                       |                                  |           |                          |                        |                         |                               |                                    |  |                                      |                                    |                                       | £ s. d.                               |
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|                       |                                  |           |                          |                        |                         |                               |                                    |  |                                      |                                    |                                       |                                       |
|                       |                                  |           |                          |                        |                         |                               |                                    |  |                                      |                                    |                                       |                                       |

PART II.

A.D. 1884.

FORM OF ORDER ON OVERSEERS FOR PAYMENT OF CONTRIBUTION TO RATES.

Resolved and ordered—

(1.) That the council hereby estimate that the under-mentioned sums will be required and sufficient during the year ending on 18 for the purposes to which the under-mentioned rates are respectively applicable (namely)—

- Borough rate ;
- General district rate ;
- Burial rate ;
- Library rate.

And the Corporation hereby order the said rates to be made to raise the said amounts respectively (namely)—

- Borough rate ;
- General district rate &c.

(2.) That the council hereby assess the contributions to be made to the said rates on the several parishes and parts of parishes within the city liable thereto as follows :—

| Parish or Township. | Contributions. |                        |              |               |        |
|---------------------|----------------|------------------------|--------------|---------------|--------|
|                     | Borough Rate.  | General District Rate. | Burial Rate. | Library Rate. | Total. |
| 1. Parish of        |                |                        |              |               |        |
| 2. Parish of        |                |                        |              |               |        |
| 3. Township of      |                |                        |              |               |        |
| 4. Parish of        |                |                        |              |               |        |
| 5. Township of      |                |                        |              |               |        |

(3.) That the respective overseers of the said parishes and of the said parts of parishes or townships be and they are hereby ordered to levy collect and pay to the treasurer of the city together with and in like manner as contributions to the borough rate are by law required to be levied collected and paid the several amounts of the several contributions aforesaid so however that in raising the same the overseers and all persons assisting them do make and allow the exemptions and allowances to which any description of property or any person may be lawfully entitled.

L.S.

Lord Mayor.  
Town Clerk.

A.D. 1884.

THE FIFTH SCHEDULE.

FORMS.

(A.)

*RESOLUTIONS OF COUNCIL ON CREATION OF STOCK.*

Resolved first—

That under the authority and subject to the provisions of the York Extension and Improvement Act 1884 the Corporation acting by the council do hereby in exercise of their several statutory powers create stock to be called York Corporation [Irredeemable] Stock and to be issued to an amount which shall be sufficient for the following purposes but not exceeding [ ] pounds (£ ):—

A. For raising the following sums (amounting in the aggregate to the sum of [ ] pounds which has not been raised) that is to say:—

(1) The sum of [ ] pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [ ] Acts for the purchase money for [ ] and the cost of reconstruction of portions thereof;

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

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

(4) The sum of [ ] pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [ ] Acts for the purposes of [sewering and paving within the city].

B. For raising instead of reborrowing the sum of [ ] pounds required by the Corporation for the purpose of paying off when due sums amounting to [ ] pounds which will fall due before the [1st January 188 ] being a portion of their debts now subsisting on the security of outstanding securities granted by the Corporation for raising money for the purposes of the following Acts (that is to say):—

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

[47 & 48 VICT.] *York Extension and Improvement* [Ch. ccxxxii.]  
Act, 1884.

C. For raising the sum of \_\_\_\_\_ pounds for repaying the amount temporarily borrowed by the Corporation from the [Bank of England] in order to enable the Corporation to meet sums which amount to \_\_\_\_\_ pounds being a portion of their debt secured on outstanding securities granted by the Corporation for raising money for the purposes of the following Acts (that is to say):—

A.D. 1884.

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

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

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

Resolved secondly—

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

- A. The minimum price of issue to be \_\_\_\_\_ per cent. the first dividend to be payable on the [1st January 188 ] ;
- B. Tenders for stock to be made to the [Bank of England]. A deposit of 5 per cent. on the amount of stock tendered for to be paid at the [Bank of England] at the time of the delivery of the tender ;
- C. The dates for the further payments on account of the said tenders when accepted to be as follows [On Wednesday the 20th day of October 188 so much of the amount tendered and accepted as when added to the deposit will leave £75 (sterling) to be paid for each £100 of stock On Friday the 26th day of November 188 25 per cent. On Tuesday the 11th day of January 188 25 per cent. On Tuesday the 1st day of March 188 25 per cent.] In case of default in the payment of any instalment at its proper date the deposit and instalments previously paid will be liable to forfeiture.

[Ch. ccxxxii.] *York Extension and Improvement* [47 & 48 VICT.]  
Act, 1884.

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- D. Dividends at      per cent. per annum payable [quarterly] ;  
 E. Dividends on the total amount of stock (calculated from the 1st of October 188 ) to be payable on the 1st January 188 .  
 F. Scrip certificates to bearer with coupons attached for the dividends payable 1st January 188 and 1st April 188 to be issued in exchange for the provisional receipts.  
 G. In the event of the receipt of tenders for a larger amount of stock than that proposed to be issued at or above the minimum price the tenders at the lowest price accepted to be subject to proportionate diminution.  
 H. Stock to be issued in sums of not less than £10.  
 J. Stock to be transferable [in books and not by deed].

Resolved thirdly—

That such stock shall be irredeemable [or shall be redeemable as follows]:

[state terms.]

Resolved fourthly—

That subject to the approval of the Commissioners of Her Majesty's Treasury an agreement be entered into with the Commissioners of Inland Revenue for the payment to the last-mentioned commissioners of composition under the provisions of section fifty-three of the Inland Revenue Act 1880 for the stamp duty on transfers of stock issued under the foregoing resolutions.

(B.)

*STOCK RECEIPT.*

YORK CORPORATION STOCK (      PER CENT.)

|                           |  |         |      |   |
|---------------------------|--|---------|------|---|
|                           | RECEIVED this  | day of  | 188  | The proprietors to protect themselves from fraud are recommended to accept by themselves or their attorneys all transfers made to them. |
|                           | of   |         |      |   |
| <i>Transfer days:</i>     | (herein-after called the said transferee) the sum of   |         |      |   |
| Monday,                   |  |         |      |   |
| Tuesday,                  |  |         |      |   |
| Wednesday,                | being the consideration for  |         |      |   |
| Thursday,                 | interest or share in the York Corporation Stock  |         |      | £ s. d.   |
| Friday.                   | (      per cent.), transferable at the   |         |      |   |
| <i>Holidays excepted.</i> | Bank of England and all my property and interest in and right to the same and the dividends thereon by      this day |         |      |   |
|                           | transferred unto the said transferee   |         |      |   |
|                           |  | Witness | hand |   |
|                           | Witness  |         |      |   |

[Indorsement.]

A.D. 1884.

NOTICE TO HOLDERS OF YORK CORPORATION STOCK  
( PER CENT.)

PAYMENT OF DIVIDENDS.

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

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

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

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

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

1. Any stockholder residing within the United Kingdom the Channel  
Islands or the Isle of Man who desires to have his dividend  
warrant sent to his address by post must fill up a form of  
application to be obtained at the bank or at any of its branches.
2. In the case of joint accounts the application must be signed by  
all the members of the account directing the warrant to be sent  
to one of them at a given address.
3. Post dividend warrants will be crossed & Co. and will only be  
payable through a banker. They will be drawn to the order of  
the stockholder and must be indorsed.

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

STOCK CERTIFICATES TO BEARER.

Stock certificates to bearer of the denominations of £10 and any multiple of  
£10 with coupons for the quarterly dividends attached may be obtained in  
exchange for inscribed stock.

---

(C.)

CORPORATION STOCK CERTIFICATE.

*City of York.*

Number

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

Given under the common seal of the lord mayor aldermen and citizens of  
the city of York this [ ] day of [ ]  
18 [ ].

A.D. 1884.

(D.)

TRANSFER IN BOOKS.

YORK CORPORATION STOCK ( PER CENT.)

No.

Entered by

this \_\_\_\_\_ day of  
 of our Lord One thousand eight hundred and  
 assignandtransfer

in the year  
 do

| £ | s. | d. |
|---|----|----|
|   |    |    |

Witness to  
 the identity  
 of

interest or share in the York Corporation Stock ( \_\_\_\_\_ per  
 cent.) transferable at the Bank of England and all my property  
 and interest in and right to the same and the dividends thereon  
 unto

Executors administrators or assigns  
 Witness

Witness

hand

do freely and voluntarily accept the above stock transferred to  
 Witness

(E.)

APPLICATION FOR ISSUE OF POWER OF ATTORNEY.

Bank of England, the \_\_\_\_\_ day of \_\_\_\_\_ 188  
 From A.B. and C.D. [*the registered stockholders in the bank books*]

£ \_\_\_\_\_ York Corporation Stock ( \_\_\_\_\_ per cent.)  
 To G.H. [*the intended attorney*]

Examined by

Dr. fol.  
 Posted by

Cr. fol.  
 Posted by

Transfer book.



(F.)

A.D. 1884.

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

Corporate }  
Account. }

YORK CORPORATION STOCK.

Acceptance, sale of £ \_\_\_\_\_ and dividends.

WE

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

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

YORK CORPORATION STOCK.

Secondly—to sell and transfer all, or any part of, the sum of

said stock standing in our name in the books of the Governor and Company  
of the Bank of England ;

Thirdly—to receive and give receipts for all dividends or payments due, or to  
become due, on any sum of the said stock from time to time standing in  
our name in the books of the Governor and Company of the Bank of  
England ;

And also—to do whatever is necessary or proper to be done for the purposes  
aforesaid, or any of them.

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

*Sealed with the corporate seal and delivered in the presence of*

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

*For further instructions, see other side.*

[Indorsement.]

INSTRUCTIONS FOR EXECUTING THE WITHIN LETTER OF ATTORNEY.

Corporate }  
Account. }

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

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

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

[Ch. ccxxxii.] *York Extension and Improvement* [47 & 48 VICT.]  
Act, 1884.

A.D. 1884.

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

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

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

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

I demand to act by this letter of attorney, this \_\_\_\_\_ day of \_\_\_\_\_ 18  
Witness \_\_\_\_\_

(G.)

DEED OF TRANSFER.

CITY OF YORK.

I A.B. of [ \_\_\_\_\_ ] in consideration of the sum of [ \_\_\_\_\_ ] pounds paid to me by C.D. of [ \_\_\_\_\_ ] (herein-after called the said transferee) do hereby transfer to the said transferee the sum of [ \_\_\_\_\_ ] pounds York Corporation Redeemable [*or Irredeemable*] Stock standing [or part of the stock standing] in my name in the books of the lord mayor aldermen and citizens of the city of York to hold unto the said transferee his executors administrators and assigns [*or successors and assigns*] subject to the several conditions on which I hold the same at the time of the execution hereof and I the said transferee do hereby agree to take the said stock subject to the same conditions.

As witness our hands and seals the [ \_\_\_\_\_ ] day of [ \_\_\_\_\_ ].

(H.)

DIVIDEND WARRANT.

YORK CORPORATION STOCK

(£ \_\_\_\_\_ PER CENT.)

To the cashiers of the Bank of England.

Pay to bearer the sum of \_\_\_\_\_

for one quarter of a year's dividend on the  
sum of £ \_\_\_\_\_ York Corporation  
Stock (£ \_\_\_\_\_ per Cent.) due  
188 . Less property tax at *d.* per £.

|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|

I do hereby acknowledge to have received of the Bank of England the above-mentioned sum, in full payment for one quarter of a year's dividend, due as aforesaid.

Witness my hand this \_\_\_\_\_, 188 .

Witness,

(I.)

A.D. 1884.

*DIVIDEND WARRANT BY POST.*

(1.)

YOKK CORPORATION STOCK (£ PER CENT.)

*Request for Transmission of Dividend Warrants by Post.*

To the Governor and Company of the Bank of England.

A sum of £ \_\_\_\_\_ York Corporation Stock Amount.  
(£ per Cent.) is now standing in name as follows :— "my" or "our."

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Names, ad-  
dresses, and de-  
scriptions as re-  
corded in the  
bank books.

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

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

And \_\_\_\_\_ hereby request the said Accountant General to send through the post, at \_\_\_\_\_ risk and until further notice, the warrants so drawn to \_\_\_\_\_

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

Name \_\_\_\_\_

Present address \_\_\_\_\_

If the ac-  
count is a sole  
one, insert here  
the name and  
address of the  
stockholder: if  
the account is  
a joint one, in-  
sert here the  
name and ad-  
dress of one  
of the stock-  
holders, as *no-  
minee*.

SIGN HERE.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_ 188 \_\_\_\_\_

[On second half-sheet of same form.]

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

[Ch. ccxxxii.] *York Extension and Improvement* [47 & 48 VICT.]  
Act, 1884.

A.D. 1884.

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

*Transmission of Dividend Warrants by Post.*

Dividends upon the above-named stock may be transmitted through the post to the stockholder in sole accounts, and to any one of the stockholders in joint accounts, at their risk, upon a form of request being duly filled up and forwarded to the Accountant General Bank of England (Forms are obtainable at the Bank of England and at any of its branches.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A.D. 1884.

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

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

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

(2.)

POST DIVIDEND WARRANT.

YORK CORPORATION STOCK.

(£ PER CENT.)

To the Governor and Company of the Bank of England, London.

Pay to me or my order on demand the sum of

being one quarter of a year's dividend  
 at £ per cent. per annum, due on the  
 1st day of 188 , on the  
 sum of £ { York  
 Corporation Stock  
 (£ per Cent.)  
 Less property tax at per £

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  |  |
|--|--|--|--|--|

*Accepted for the Governor and Company  
of the Bank of England.*

*Per pro*

[*F. May*]  
*Chief Cashier.*

*Accountant General.*

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

[Ch. ccxxxii.] *York Extension and Improvement* [47 & 48 VICT.]  
Act, 1884.

A.D. 1884.

(K.)

STOCK CERTIFICATE WITH COUPONS TO BEARER.

YORK CORPORATION STOCK CERTIFICATE TO BEARER.

DIVIDEND AT £ PER CENT. PER ANNUM.

£50.

A00000

This is to certify that the bearer of this certificate is entitled to fifty pounds York Corporation [Redeemable] Stock with dividend thereon at the rate of £ per cent. per annum transferable at the Bank of England pursuant to the York Extension and Improvement Act 1884.

Dated , 188 .

For the Governor and Company  
of the Bank of England

[F. MAY.]

Countersigned

[S. O. GRAY,]

Chief Accountant,

Bank of England.

A00000

£50

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

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

[Coupons.]

|   |  |   |  |
|---|--|---|--|
| <p>5 Div. YORK CORPORATION STOCK.</p> <p>Coupon for shillings and pence, (Less Income Tax) being Three Months Dividend at £ Per Cent. Per Annum.</p> <p>A00000 Due [1st January, 18 ]</p> <p>on Certificate for FIFTY POUNDS YORK CORPORATION STOCK,</p> <p>£ Payable at the Bank of England.</p> | <p>5 Div. YORK CORPORATION STOCK.</p> <p>Due [1st Jan. 18 ]</p> <p>A00000</p> <p>£ .</p> | <p>4 Div. YORK CORPORATION STOCK.</p> <p>Coupon for shillings and pence, (Less Income Tax) being Three Months Dividend at £ Per Cent. Per Annum.</p> <p>A00000 Due [1st October, 18 ]</p> <p>on Certificate for FIFTY POUNDS YORK CORPORATION STOCK,</p> <p>£ Payable at the Bank of England.</p> | <p>4 Div. YORK CORPORATION STOCK.</p> <p>Due [1st Oct., 18 ]</p> <p>A00000</p> <p>£ .</p>  |
| <p>3 Div. YORK CORPORATION STOCK.</p> <p>Coupon for shillings and pence, (Less Income Tax) being Three Months Dividend at £ Per Cent. Per Annum.</p> <p>A00000 Due [1st July, 18 ]</p> <p>on Certificate for FIFTY POUNDS YORK CORPORATION STOCK,</p> <p>£ Payable at the Bank of England.</p>    | <p>3 Div. YORK CORPORATION STOCK.</p> <p>Due [1st July 18 ]</p> <p>A00000</p> <p>£ .</p> | <p>2 Div. YORK CORPORATION STOCK.</p> <p>Coupon for shillings and pence, (Less Income Tax) being Three Months Dividend at £ Per Cent. Per Annum.</p> <p>A00000 Due [1st April, 18 ]</p> <p>on Certificate for FIFTY POUNDS YORK CORPORATION STOCK,</p> <p>£ Payable at the Bank of England.</p>   | <p>2 Div. YORK CORPORATION STOCK.</p> <p>Due [1st April, 18 ]</p> <p>A00000</p> <p>£ .</p> |

| FEES.  | £ | s. | d. | A.D. 1884. |
|--|---|----|----|------------|
| On original issue of stock receipt or stock certificate - - -  | 0 | 2  | 6  | —          |
| On any new stock certificate - - - - -   | 0 | 2  | 6  |            |
| On transfer with or without new stock certificate - - -  | 0 | 5  | 0  |            |
| On any issue of stock certificate to bearer in respect of every ten<br>pounds of stock specified therein - - - - - | 0 | 0  | 6  |            |
| On re-entry in register of stock specified in stock certificate to bearer  | 0 | 5  | 0  |            |

YORK CORPORATION STOCK.

FORM OF TOWN CLERK'S CERTIFICATE AS TO BORROWING POWERS.

I \_\_\_\_\_ town clerk of the city of York do hereby certify that the sum secured by the within written stock certificate is within the borrowing powers of the Corporation of York as fixed by Act of Parliament.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_  
Town clerk.

THE SIXTH SCHEDULE.

CERTIFICATE OF DISEASE.

YORK EXTENSION AND IMPROVEMENT ACT 1884.

*To the Corporation of the City of York.*

Pursuant to the above-mentioned Act I hereby certify and declare that in my opinion the under-mentioned person is suffering from a disease within the terms of that Act.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_  
(Signed)

Name of person suffering from the disease }  
Situation of the house building or room wherein such person is. }  
Name of occupier or other person having the charge management or control of such house building or room. }

Nature of the disease.

NOTE.—This certificate must (under a penalty of forty shillings in case of neglect) be forthwith sent to the medical officer of health at the Guildhall or the town hall and may be delivered to the official clerk or servant in attendance at the sanitary office of the Corporation.

A.D. 1884.

THE SEVENTH SCHEDULE.

RENTS and STALLAGE in the CORN and PROVISION MARKETS.

|   | £ | s. | d. |
|---|---|----|----|
| For every unenclosed covered butcher's stall not occupying less than seven feet in length nor less than three feet in breadth for every market day any sum not exceeding - - - - -  | 0 | 2  | 0  |
| For every other day in the week any sum not exceeding -   | 0 | 1  | 0  |
| For every fish stall used in the market for any one day any sum not exceeding - - - - -   | 0 | 1  | 0  |
| For every enclosed covered butcher's stall occupying in space in the clear not less than eight feet square for every market day any sum not exceeding - - - - -   | 0 | 2  | 6  |
| For every other day in the week any sum not exceeding -   | 0 | 1  | 0  |
| For every space of ground not less than three feet in length occupied by any one person for exposing to sale poultry rabbits butter eggs fruit vegetables or any other articles of provision for each day any sum not exceeding - - - - - | 0 | 0  | 3  |
| For every additional foot in length any sum not exceeding -   | 0 | 0  | 1  |
| For every superficial foot of uncovered ground used or occupied by persons offering for sale or selling cabbage or other plants apple trees or shrubs for each day any sum not exceeding - - - - -  | 0 | 0  | 0½ |
| For every superficial foot of covered ground used or occupied by persons offering for sale or selling cabbage or other plants apple trees or shrubs for each day any sum not exceeding - - - - -  | 0 | 0  | 1  |
| For every stall not occupying less than seven feet in length nor less than three feet in breadth for exposing to sale any manufactured goods wares or merchandise for each market day any sum not exceeding - - - - -                     | 0 | 4  | 0  |

The several rents and stallage before mentioned and specified to be payable and paid for and in respect of the occupation or use of any stall standing place bench compartment or space of ground as well by the original taker or occupier thereof for a part or portion of the day in case he or she shall not occupy the same the whole day as also by any subsequent taker or occupier of the same for the residue of any other part or portion of the same day.



THE EIGHTH SCHEDULE.

A.D. 1884.

TOLLS to be taken in the CATTLE MARKETS and FAIRS.

|  | s. | d.   |
|--|----|------|
| For every horse or gelding and every mare with or without a foal                             | -  | 0 1  |
| For every bull ox or cow with or without a calf - - -  | -  | 0 0½ |
| For every two heifers two years old or less - - -  | -  | 0 0½ |
| For every ten sheep - - - - -  | -  | 0 0½ |
| For every five ewes with their lambs - - - - -   | -  | 0 0½ |
| For every ten lambs - - - - -  | -  | 0 0½ |
| Pigs to be charged after the same rate as sheep.   |    |      |
| For every beast pen or sheep pen - - - - -   | -  | 1 6  |
| For single cattle shown therein per head - - - - -   | -  | 0 3  |
| For cattle shown in the open market and using the rings or posts per head - - - - -          | -  | 0 2  |
| For cattle shown in the market and afterwards placed within the inclosure per head - - - - - | -  | 0 1  |

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