



CHAPTER ccx.

An Act to make further provision for the Local Government of the City of Leeds to authorise certain Street Improvements and for other purposes.

A.D. 1893.

[24th August 1893.]

WHEREAS Her Majesty has by Her Royal Charter dated the thirteenth day of February one thousand eight hundred and ninety-three ordained that the borough of Leeds in the county of York shall be a city and be called and styled the city of Leeds (in this Act called "the city") and that the mayor aldermen and burgesses of the said borough shall be one body politic and corporate by the name and style of the mayor aldermen and citizens of the city of Leeds (in this Act called "the Corporation") :

And whereas it is expedient that the Corporation be authorised to extend their existing gasworks and to construct additional gasworks on lands they have acquired adjoining their existing works at Hunslet and to borrow money for those purposes :

And whereas the Corporation are or claim to be entitled to the exclusive right of holding markets and fairs within the city and it is expedient that better provision should be made as in this Act mentioned in regard to markets and fairs :

And whereas under the local Acts in force in the city there are leviable separate and distinct rates known as the lamp rate the improvement rate and the main sewer rate and it is expedient that the expenses at present defrayed out of moneys raised by those respective rates be defrayed out of one consolidated rate to be levied in lieu of the said separate rates :

And whereas it is expedient to empower the Corporation to execute the street improvements in this Act described and to acquire lands for that purpose and also to acquire lands for the purpose of disposal and treatment of sewage and to borrow money for the purposes of this Act :

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

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And whereas plans of the lands proposed to be acquired and plans and sections showing the lines and levels of the said street improvements and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the west riding of the county of York and are in this Act respectively referred to as the deposited plans sections and book of reference :

And whereas estimates have been prepared by the Corporation for the purchase of land for purposes of this Act for the execution of the said street improvements and for the other purposes herein-after mentioned and such estimates are as follows :—

- (1) For gasworks purposes two hundred and fifty thousand pounds ;
- (2) For waterworks purposes two hundred and fifty thousand pounds ;
- (3) For the purchase of land for and the execution of street improvements four hundred and fifty thousand pounds ;
- (4) For the disposal and treatment of sewage thirty thousand pounds ;
- (5) For the construction of sewers within and for the drainage of the city the sum of two hundred and ten thousand pounds :

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

And whereas an absolute majority of the whole number of the council at a meeting held on the second day of December one thousand eight hundred and ninety-one after ten clear days notice by public advertisement of such meeting and of the purposes thereof in the Leeds Mercury 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 be charged on the city fund and city rate :

And whereas such resolution was published twice in the said Leeds Mercury and has received the approval of the Local Government Board and of one of Her Majesty's Principal Secretaries of State :

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 third day of February one thousand eight hundred and ninety-two in pursuance

of a similar notice being not less than fourteen days after the deposit of the Bill in Parliament: A.D. 1893.

And whereas the owners and ratepayers of the city by resolution in the manner provided in the Third Schedule 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 Leeds Improvement Act 1893 and shall save as otherwise in this Act expressed commence and take effect on the first day of January one thousand eight hundred and ninety-four which date is herein-after referred to as the commencement of this Act. Short title and commencement.

2. This Act shall be carried into execution by the council with all the powers privileges duties and obligations of the Corporation as a municipal authority and as an urban sanitary authority respectively and the limits of this Act shall save as otherwise in this Act expressed or implied be the city. Execution and limits of Act.

3. In this Act unless the context otherwise requires—

“The city” means the city and county borough of Leeds;

“The city engineer” means the engineer and surveyor of the city and “the surveyor” means the officer for the time being appointed by the Corporation to execute the duties of that office according to the terms of his appointment;

“Existing” means existing at the commencement of this Act;

“Through house” means any house which has two separate entrances thereto one from the front and the other from the back;

“Closet accommodation” means and includes water-closets and earth-closets and privies and ashpits and any similar conveniences;

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

“Corporation Acts and Orders” means the Acts of Parliament and Provisional Orders confirmed by Parliament which are enumerated in the Third Schedule to this Act;

The expressions “lands” “premises” “owner” “house” “drain” “sewer” and “street” have in this Act the

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NARY.

meanings assigned to them respectively in the Public Health Acts and the expression "street" applies to part of a street or road;

Expressions to which meanings are assigned by the Acts incorporated herewith have in this Act (unless the context otherwise requires) the same respective meanings Provided that for the purposes of and in this Act the expression "court of competent jurisdiction" or any like expression 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.

Incorporation of Lands
Clauses
Acts.

4. The Lands Clauses Acts are hereby incorporated with this Act and in construing those Acts for the purposes of this Act the expression "the promoters of the undertaking" shall mean the Corporation.

PART II.—BUILDING REGULATIONS.

What to be
deemed new
buildings.

5. From and after the commencement of this Act—

The re-erection wholly or partially on the same site of any building of which an outer wall is pulled down or burnt down to or within ten feet of the surface of the adjoining ground and of any frame building so far pulled down as to leave only the framework of the ground floor storey thereof;

The conversion into a dwelling-house of any building not originally constructed for human habitation or the conversion into more than one dwelling-house of a building originally constructed as one dwelling-house only;

The re-conversion into a dwelling-house of any building which has been discontinued as and appropriated for any purpose other than that of a dwelling-house;

The conversion of a dwelling-house into any other building not intended for human habitation;

The making of any addition to an existing building by raising any part thereof or making any projection therefrom but so far as regards such addition only; and

The roofing or covering over of an open space between walls or buildings;

shall for all the purposes of this part of this Act and of the Corporation Acts and Orders and of any byelaw made thereunder be deemed to be the erection of a new building.

6.—(1) The Corporation may make byelaws with respect to the following matters (that is to say) :—

- (a) With respect to the level width and construction of new streets and for securing a straight and continuous building line in such new streets for the entire length thereof and the provisions for the sewerage thereof ;
- (b) With respect to the structure and materials of walls foundations floors stairs roofs and chimneys of new buildings and the strength of timber and other materials for securing stability and the prevention of fires and for purposes of health ;
- (c) With respect to the sufficiency of the space about buildings to secure a free circulation of air and with respect to the ventilation of buildings ;
- (d) With respect to the drainage of buildings to water-closets privies ashpits urinals and cesspools in connection with buildings and to the closing of buildings or parts of buildings unfit for human habitation and to the prohibition of their use for such habitation ;
- (e) The prohibition of the laying out of any new street or the commencement of any building without the approval by the Corporation of the deposited plans of such new street or building within a reasonable period to be specified in such byelaws and in no case exceeding one month ;
- (f) The approval by the Corporation of the site on which it is proposed to erect any building and as to the drainage of such site so as to ensure that the site may be in a proper sanitary condition :

And they may further provide for the observance of the same by making therein such provisions as they think necessary—

As to the giving of notices ;

As to the deposit of plans and sections by persons intending to lay out streets or to construct buildings ;

As to inspection by the Corporation or their surveyor or other officer ; and

As to the power of the Corporation to remove alter or pull down any work begun or done in contravention of such byelaws.

(2) No such byelaw except such as relate to the drainage of buildings to water-closets privies ashpits urinals and cesspools in connection with buildings and to the closing of buildings or parts of buildings unfit for human habitation and to the prohibition of their use for such habitation shall affect any building erected

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REGULA-
TIONS.

Byelaws as
to streets
and build-
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TIONS.Dwelling-
houses in
blocks.

before the twenty-eighth day of June one thousand eight hundred and sixty-six unless and except so far as the same shall have become a new building within the definition contained in this Act.

7.—(1) It shall be lawful with the previous consent of the Corporation but not otherwise to erect back-to-back dwelling-houses in blocks and every block which shall contain not more than eight dwelling-houses when built back-to-back or four dwelling-houses not being through houses when built in a single row shall have an open space at the end thereof such open space to be on the land of the owner or owners of such block of dwelling-houses and to be and remain free from any erection thereon above the level of the ground except closet accommodation and the distance across such open space between every such block of dwelling-houses and the opposite property at the end or side shall be not less than fifteen feet at all points or if any block shall contain more than eight dwelling-houses built back to back or more than four dwelling-houses not being through houses when built in a single row each of such dwelling-houses shall have at the front thereof an open space exclusively belonging thereto to the extent of two hundred square feet at the least free from any erection thereon above the level of the ground except a bay window or porch which shall not project more than four feet from the front of the house and the distance across such open space at the front of any such house shall be fifteen feet at all points from the front wall thereof.

(2) The paragraph marked (B) in section twenty-three of the Leeds Improvement Act 1872 is hereby repealed from the words "It shall not be lawful" to "front wall thereof" and the foregoing enactment shall be substituted for that paragraph.

(3) The spaces herein-before mentioned are exclusive of the site of any street or intended street on which the buildings may abut and such spaces shall never afterwards be built upon in such manner as to reduce the area of open space below that herein-before respectively required.

(4) When in the case of the rebuilding of such dwelling-houses the dimensions required by the preceding enactments cannot be obtained without undue sacrifice of property the Corporation may in special cases at their discretion modify those dimensions but not so as to prevent thorough ventilation.

Amendment
of section
44 of Leeds
Improve-
ment Act
1877.

8. Any person offending against section 44 of the Leeds Improvement Act 1877 shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

9. Nothing contained in this Act shall affect or apply to any building structure work or property of any kind vested in or in the occupation of Her Majesty Her heirs and successors either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or for public purposes or to any building structure work or property of any kind vested in or in the occupation of any department of Her Majesty's Government for public purposes or for the public service neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exercisable by Her Majesty Her heirs or successors or any such department.

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REGULA-
TIONS.

Exemption
in respect of
Her Ma-
jesty's build-
ings.

10. Nothing in this part of this Act or in any byelaws made under the powers of this part of this Act shall apply to any building (not being a dwelling-house) belonging to any railway or canal company and used by such company as a part of or in connection with their railway or canal as the case may be.

Saving for
railway and
canal com-
panies.

PART III.—COURTS.

11. The entrance to any court shall not at any time after the commencement of this Act be closed or narrowed or built over or the height or headway thereof lowered without in each case the consent of the Corporation in writing.

Entrances to
courts not
to be closed
&c. without
consent of
Corporation.

PART IV.—DANGEROUS PLACES &c.

12. Where any vacant or waste lands are in a state to cause a nuisance to the public the Corporation may serve a notice on the owner or occupier requiring him within a time thereby limited to effectually fence the same so as to exclude the public therefrom and if the owner or occupier fails to comply with the requisitions of the notice or to keep such lands effectually fenced the Corporation may cause such lands to be effectually fenced or the fences thereof to be repaired and may recover the expenses incurred thereby summarily as a civil debt.

Fencing of
vacant lands.

PART V.—GAS.

13. Every person intending to lay down or fix any pipes or other fittings which are intended to be covered over for the distribution and supply of gas by the Corporation in any new house building or premises within the gas limits shall before such pipes or fittings are plastered or covered over give to the Corporation twenty-four

As to in-
spection of
gas fittings
in new
buildings.

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hours notice in writing specifying the situation of such house building or premises and any officer of the Corporation duly appointed for that purpose may before the expiration of such notice enter such house building or premises to inspect and test such pipes or fittings and may prohibit the use of any pipes or fittings which in the opinion of such officer will be likely to occasion danger or the escape of gas and until such pipes or fittings are altered to the reasonable satisfaction of such officer or if any person shall fail to give such notice as aforesaid or shall refuse such officer admittance into such house building or premises within the time and for the purposes aforesaid or shall prevent him from making such inspection the Corporation shall not be bound to furnish a supply of gas for such house building or premises.

Lands for
manufacture
of gas.

14. In addition to the lands now authorised to be used by the Corporation for the manufacture of gas or residual products the Corporation may use for the manufacture of gas or residual products the lands which they have acquired adjoining their existing works at Hunslet which are described in the First Schedule to this Act.

PART VI.—HACKNEY CARRIAGES.

Signature of
and charge
for licenses.

15. Any license for a hackney carriage or omnibus or for the driver or conductor of a hackney carriage or omnibus may be signed by the mayor or town clerk and need not be under the seal of the Corporation.

The fee for a driver's or a conductor's license may be any sum not exceeding five shillings.

As to car-
riages plying
for hire at
railway sta-
tions.

16. Sections 38 to 68 of the Town Police Clauses Act 1847 as amended by the Town Police Clauses Act 1889 incorporated with the Public Health Act 1875 shall be deemed to extend to every hackney carriage used in standing or plying for hire at any railway station or at any yard adjoining to or connected with such railway station within the city Provided that nothing in this Act contained shall extend to or include any omnibus belonging to or hired or used by any railway company for conveying passengers and their luggage to or from any railway station of that company and not standing or plying for hire within the prescribed distance Provided also that nothing in this Act shall empower the Corporation to fix the site of the stand or starting place of any omnibus in any railway station or in any yard belonging to a railway company except with the consent of the railway company owning such station or yard.

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PART VII.—INFECTIOUS DISEASES.

PART VII.
INFECTIOUS
DISEASES.

Application
of following
provisions
and defini-
tions.

17. The following provisions of this part of this Act shall apply to the infectious diseases whereof notification is required by the Infectious Disease (Notification) Act 1889 and may be applied to any other infectious disease in the same manner as the provisions of that Act relating to notification may be applied to such disease.

In the following provisions of this part of this Act—

“Dairy” shall include any farm farmhouse cowshed milk-store milk-shop or other place from which milk is supplied or in which milk is kept for purposes of sale;

“Dairyman” shall include any cowkeeper purveyor of milk or occupier of a dairy;

“Medical officer of health” shall include any person duly authorised to act temporarily as medical officer of health.

18. Whenever it shall be certified to the Corporation by the medical officer of health that the outbreak or spread of infectious disease is in the opinion of such medical officer of health attributable to the milk supplied by any dairyman the Corporation may require such dairyman 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 dairyman shall furnish such list accordingly and the Corporation shall pay to him for every such list the sum of sixpence and after the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed three shillings Any person who wilfully or knowingly offends against this enactment shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Dairymen
and others
to furnish
lists of cus-
tomers in
certain cases.

19. Whenever it shall be certified to the Corporation by the medical officer of health that it is desirable with a view to prevent the spread of infectious disease that they should be furnished with a list of the customers of any person or company earning a livelihood or deriving gain by the washing or mangling of clothes the Corporation may require such person or company to furnish to them a full and complete list of the names and addresses of the owners of clothes for whom such person or company washes or mangles or has washed or mangled during the past six weeks and such person or company shall furnish such list accordingly and the Corporation shall pay to him her or them for every such list the sum of sixpence and at the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed three shillings Any person who wilfully or knowingly offends against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Persons en-
gaged in
washing or
mangling
clothes to
furnish lists
of owners of
clothes in
certain cases.

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LANDS.Power to
deal with
lands not
required.

PART VIII.—LANDS.

20.—(1) Notwithstanding anything contained in section 127 of the Lands Clauses Consolidation Act 1845 the Corporation from time to time may retain and hold for such time as they think fit and may from time to time sell exchange demise or otherwise dispose of in such manner for such consideration and on such terms and conditions (including payment of purchase money by instalments) as they think fit for all the estate and interest of the Corporation therein any lands acquired or to be acquired by the Corporation under the powers of the Corporation Acts and Orders and now or hereafter vested in the Corporation or which may be acquired by them under the provisions of this Act and which may not be wanted for the respective purposes for which those lands may have been or may be acquired:

Provided that no such lands shall be retained and held for a longer period as regards lands purchased prior to the passing of this Act than twenty years from the passing of this Act and as regards lands purchased after the passing of this Act than ten years from the execution of the works or the laying out or appropriation of the lands for the purpose for which they were respectively acquired unless in the meantime such lands have (in pursuance of a resolution of the council) been appropriated for some specific purpose for which the Corporation are or may hereafter be empowered to acquire and hold lands.

(2) Upon payment of any capital moneys which shall arise by or from the sale exchange demise or other disposition of such lands the city treasurer may sign and give a receipt for the same which receipt shall be binding on the Corporation.

Power to
appropriate
lands for
purposes of
Act.

21. The Corporation may from time to time appropriate and use for any of the purposes of this Act and of the Corporation Acts and Orders any lands for the time being vested in them as a municipal or sanitary authority which are not wanted for the purpose for which such lands were originally acquired but nothing in this section shall authorise the Corporation to create or knowingly permit any nuisance.

Power to
acquire land
for disposal
of sewage
and street
improvements.

22. The Corporation may for the purposes of disposal and treatment of sewage and of the construction and execution of the street improvements by this Act authorised or for the erection of buildings abutting on or near to any such improved street enter on take appropriate and use all or any part of the lands shown on the deposited plans and described in the deposited book of reference and may for the purposes of disposal and treatment of sewage make

and maintain all necessary and proper tanks buildings pumps channels and other works Provided that no nuisance shall be created in the exercise of any of the powers of this section.

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23. If the Corporation shall purchase and take the lands numbered 1 2 24 25 and so much of 27 as lies west of an imaginary line in continuation of the east fence of No. 25 on the plans deposited in respect of the township of Calverley with Farsley or any part of those lands the following provisions for the protection and benefit of the local board for the district of Farsley (in this section referred to as "the local board") shall unless otherwise agreed in writing between the Corporation and the local board have effect (that is to say) :—

For the protection of the Local Board of Farsley.

(1) Subject to the provisions of this section the Corporation shall so soon as they are in possession of the lands authorised to be taken under this Act for sewage purposes and shall have laid out and executed the necessary works for the interception and collection as well as for the treatment and disposal of the sewage permit the outfall sewer of the local board to discharge its sewage upon such lands at such place or places and in such manner as may be agreed between the Corporation and the local board or in default of agreement may be settled by arbitration in manner in this section provided and the Corporation shall receive the sewage of the local board and treat and dispose of the same upon the said lands as part of the sewage of the city Provided that the power herein-before conferred upon the local board shall not be exercised unless the local board shall within three months after the receipt from the Corporation of a notice that the Corporation propose to acquire and lay out the first-mentioned lands elect whether they will exercise such power or not and if the local board elect to exercise such power they shall at the same time give to the Corporation such reasonable particulars of their requirements as will enable the Corporation to determine on the extent of the provision necessary to be made for taking and dealing with the sewage of the local board :

(2) In the event of the local board electing to exercise such powers as aforesaid they shall contribute and pay to the Corporation interest at the rate of three and a half per centum per annum on five seventeenths of the moneys from time to time borrowed by the Corporation under the powers of this Act and expended as capital expenditure on the said sewage lands and works or on the balance of such moneys as shall not have been paid off and also five seventeenths of the annual expenditure of the Corporation in the treatment of the sewage

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and maintenance and management of the sewage lands and works Provided that in case the population of both the district of the local board and the districts of the Corporation whose sewage shall be dealt with on the said sewage lands shall increase about five thousand and twelve thousand respectively (which for the purposes of this section are taken to be the relative populations of the district of the local board and the districts of the Corporation respectively) then in the year 1902 and subsequently on the publication from time to time of the Government census returns such proportions may be reviewed and altered by agreement or in default of agreement at the instance of either party by arbitration in manner in this section mentioned :

- (3) Before making any communication with the lands or sewage works of the Corporation the local board shall if required by the Corporation execute (to the reasonable satisfaction of the city engineer) all necessary works for the purpose of carrying off storm rain and other surface waters so as to exclude as far as reasonably may be such waters from the lands or sewage works of the Corporation :
- (4) All expenses incurred by the local board under this section shall be deemed expenses incurred under the Public Health Act 1875 and the local board may in accordance with the provisions and subject to the restrictions of that Act borrow any money necessary for the purposes of this section :
- (5) In the event of the local board electing to exercise such power as aforesaid it shall be lawful for the local board to nominate from time to time three of their members to attend and vote at meetings of any committee or sub-committee of the council of the city which shall be entrusted with the execution of this part of this Act on all questions relating to the acquisition of lands for the disposal and treatment of sewage under this Act or relating to such disposal and treatment :
- (6) If any difference shall arise between the local board and the Corporation as to the sums payable to the Corporation under this section or as to the true intent and meaning of this section or as to the mode of giving effect thereto the difference shall be determined by an arbitrator appointed in default of agreement upon the application of either party by the Local Government Board and the costs of the reference and award shall be borne as such arbitrator shall direct.

Correction of
errors omis-
sions &c.

24. If any omission mis-statement or erroneous description is found to have been made of any lands or of any owners lessees or occupiers of any lands shown or described or intended to be

shown or described on the deposited plans or in the deposited book of reference the Corporation may apply to two justices for the correction thereof after giving ten days notice to the owners lessees and occupiers of the lands affected by the proposed correction and if it appears to the justices that the omission mis-statement or erroneous description arose from mistake they shall certify the same accordingly stating the particulars of the omission mis-statement or erroneous description and such certificate shall be deposited with the clerk of the peace for the west riding of the county of York and shall be kept by him with the other documents to which it relates and subject and according to the same enactments and provisions as apply to those other documents and thereupon the deposited plans or book of reference (as the case requires) shall be deemed to be corrected according to the certificate and the Corporation may enter on take hold and use those lands accordingly.

25. The powers of the Corporation for compulsory purchase of lands under this Act shall not be exercised as to lands for sewage purposes after the expiration of three years from the commencement of this Act and as to other lands after the expiration of five years from the commencement of this Act.

Period for compulsory purchase of lands.

26. Any person empowered by the Lands Clauses Acts to sell and convey or release lands may grant to the Corporation any easement right or privilege (not being an easement right or privilege of water) in over or affecting any lands which they are empowered to purchase for the purposes of this Act and the provisions of the Lands Clauses Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Persons under disability may grant easements.

27.--(1) The Corporation shall not under the powers by this Act granted purchase or acquire in any parish ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

Restrictions on displacing persons of labouring class.

(A) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation

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in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case ; and

(B) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(5) If the Corporation acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Corporation may appropriate any lands for the time being belonging to them or which they have power to acquire :

Provided that nothing in this section shall relieve the Corporation from the necessity of obtaining the approval of the Local Government Board for such appropriation or use of their corporate land as would require such approval under the Municipal Corporations Act 1882 (as amended by section 72 of the Local Government Act 1888) or any other general Act,

(7) Subject to the provisions of this section the Corporation and the Local Government Board and their inspectors shall have and may exercise for any purpose in connection with any scheme under this section all or any of the powers vested in them under the Public Health Act 1875 in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act:

Provided that all lands on which any buildings have been erected or provided by the Corporation in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment:

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to the conditions (if any) as they may see fit.

(8) The Corporation shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(9) For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

28. And whereas in the construction and execution of the street improvements by this Act authorised it may happen that portions only of certain of the lands and buildings shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and persons interested in the lands and buildings described in the Second Schedule to this Act and whereof parts only are required for the purposes of this Act may (if such portions can in the judgment of the jury arbitrator or other authority assessing or determining the compensation under that Act be severed from such properties without material detriment thereto) be required to sell and convey to the

Owners may be required to sell parts only of certain lands and buildings.

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PART IX.
MARKETS
AND FAIRS
SLAUGHTER
HOUSES.

Corporation the portions only of the premises so required without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof the Corporation paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

PART IX.—MARKETS AND FAIRS SLAUGHTER HOUSES.

Markets not
to be held
except by
Corporation
or their
licensees.

29. If any person shall without the license of the Corporation on any land belonging or reputed to belong to or occupied by him in any part of the city hold or permit to be held any market or fair he shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding five pounds.

Tolls &c.
when pay-
able.

30. The tolls rents stallages and charges authorised by the Corporation Acts and Orders to be taken shall become due and payable as soon as the animal article or thing in respect of which the same are respectively payable is brought within the market or fair or as soon as the pen lair stall stand bench or convenience in respect of which the same are respectively payable is first occupied or used.

Power to
take posses-
sion of stalls
for non-pay-
ment of rent.

31. If any tenant shall for three days after demand thereof made after the same has become due and payable make default in the payment of any toll rent stallage or charge payable to the Corporation in respect of any stall booth stand shed hiring fixture or property in any market the Corporation may enter on and take possession thereof and re-let the same without prejudice to any other remedy for the recovery of such toll rent stallage or charge.

Corporation
may license
porters and
carriers.

32.—(1) The Corporation may from time to time grant to any person carrying on within the limits of the markets of the Corporation the business or calling of a porter or carrier a license on such terms and revocable in such cases and events as the Corporation may prescribe.

(2) The Corporation may demand and take for every such license any sum not exceeding four shillings for twelve months and in the like proportion for any shorter period not being less than three months and may attach to such license the terms and conditions of revocation or suspension of any such license.

(3) If any person while unlicensed represents himself to be licensed or wears any badge for the purpose of holding himself out as licensed to carry on any of the callings specified in this section he shall be liable to a penalty not exceeding twenty shillings.

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PART X.—PARKS AND RECREATION GROUNDS.

PART X.
PARKS AND
RECREATION
GROUNDS.

33. The Corporation may from time to time pay or contribute towards the payment of a band of music to perform in any park recreation ground public walk or other place of public resort vested in or under the control of the Corporation as the Corporation may prescribe and the Corporation may inclose an area within which such band shall play and may make byelaws for regulating the payments to be made for admission within the said inclosure Provided that the payments or contributions by the Corporation for or towards such band or bands shall be paid out of the consolidated rate and shall not altogether in any one year exceed the sum of five hundred pounds.

Band of
music.

34. The Corporation may from time to time place or authorise any person or persons to place seats or chairs in any street park gardens recreation ground or other public place for the use of the public and may if they think fit charge or allow such person or persons to charge a reasonable sum for the use of chairs and may make regulations for the use of seats and chairs and for preventing injury or damage thereto.

Chairs and
seats for
public use.

35. Public addresses may be delivered only in such part or parts of Roundhay Park as shall be prescribed by the Corporation.

Public ad-
dresses in
Roundhay
Park.

PART XI.—POLICE CONSTABLES AND FIRES.

36. The chief constable or superintendent of the fire brigade of the Corporation or other officer for the time being in charge of the engines or part of the fire police establishment of the Corporation attending at any fire in the city shall from the time of his arrival thereat have the sole charge and control of all operations for the extinguishment of such fire whether by the Corporation engine or establishment or any other or others including the fixing of the positions of fire engines and apparatus the attaching of hose to any water pipes or water supply and the parts of the building on fire or of adjoining buildings against which the water is to be directed.

Corporation
Fire Brigade
and control
of opera-
tions.

Such officer may remove or cause to be removed any persons who interfere by their presence with the operations of the fire brigade and generally he may take any measures that appear expedient for the protection of life and property with power by himself or his men to break into or through or take possession of or pull down any premises for the purpose of putting an end to a fire doing as little damage as possible.

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PART XII.—RATES.

PART XII.
RATES.

Consolidation of improvement rate lamp rate and main sewer rate leviable under existing Acts repealed.

37. From and after the twenty-fifth day of March one thousand eight hundred and ninety-four—

(1) The improvement rate lamp rate and main sewer rate leviable under the Corporation Acts and Orders or any of them shall cease to be levied and in lieu thereof there shall be levied one consolidated rate to be termed “the consolidated rate”:

(2) All moneys on the said twenty-fifth day of March standing to the credit of any such improvement rate lamp rate or main sewer rate as aforesaid shall be carried to the credit of the consolidated rate leviable under this Act:

(3) All expenses of the execution of the Public Health Act 1875 other than the expenses of repair of highways and all other expenses which were defrayed out of any of the said rates shall after the said twenty-fifth day of March (unless otherwise expressly in this Act provided) be defrayed out of the consolidated rate leviable under this Act:

(4) All annuities mortgages and other securities which before the said twenty-fifth day of March were charged wholly or partly on any such improvement rate lamp rate or main sewer rate as aforesaid shall on and from the said twenty-fifth day of March by virtue of this Act become and be (so far as they are then subsisting) valid and effectual charges on the consolidated rate leviable under this Act to the same extent as they were charged on such improvement rate lamp rate or main sewer rate respectively and with the like rights powers and remedies for enforcing payment of all or any moneys from time to time due in respect of any such annuity mortgage or other security as aforesaid.

Differential rating in respect of certain property.

38. As regards the consolidated rate and as regards any increase or addition to the city rate for gas or water purposes the owner of any tithes or of any tithe commutation rentcharge or the occupier of any land used as arable meadow or pasture ground or as woodlands market gardens orchards allotments or nursery grounds and the occupier of any land covered with water or used only as a canal or towing-path for the same or as a railway constructed under the powers of any Act of Parliament for public conveyance shall be assessed in respect of such property in the proportion of one fourth part only of the net annual value thereof Provided always that if any sum shall be paid by such occupier towards the consolidated rate or any increase or addition to the city rate for the purposes aforesaid above one fourth thereof the Corporation shall allow to such occupier a drawback on his or their rate equal to three

fourths of such rate and the amount of such drawback may be recovered by action or may be deducted out of the next rate to which the parties respectively may be liable.

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PART XII.
RATES.

39.—(1) The Corporation shall continue to keep a separate account to be called the highway account of all their receipts credits payments and liabilities as surveyors of highways and with respect to highways and all expenses incurred by the Corporation as surveyors of highways and in paving flagging macadamizing maintaining repairing and cleansing highways repairable by the inhabitants at large shall be paid out of and charged on the highway rate to be levied under the powers of this Act.

Highway
account and
rate.

(2) For the purpose of defraying those expenses the Corporation may continue to make and levy an equal highway rate on the occupiers of all hereditaments by law assessable to any rate for the relief of the poor and such rate shall be assessed on the full net annual value of such hereditaments but the rate for such expenditure shall not in any one year exceed two shillings and sixpence in the pound.

(3) All annuities mortgages and other securities which before the twenty-fifth day of March one thousand eight hundred and ninety-four were charged on the highway rate shall continue to be so charged to the same extent and with the like rights powers and remedies as before the commencement of this Act.

40. As regards the consolidated rate and the highway rate the owner not being also the occupier of every tenement the yearly value whereof shall not exceed six pounds shall be assessed thereto in respect of such tenement at three fourths of the amount at which such tenement would otherwise be liable to be assessed in case no provision for a reduced assessment had been made by this Act and such owner shall be liable to pay the rates due in respect of such tenement whether the same shall be occupied or unoccupied.

Composition
in case of
small tene-
ments.

41. Subject to the provisions of this Act the consolidated rate and the highway rate shall be made assessed levied collected and recovered in like manner as general district rates under the Public Health Act 1875 and the Corporation are hereby empowered accordingly.

Application
of machinery
of Public
Health Act
1875.

42. Notice of the intention to make any rate authorised to be made by the Corporation under this Act and of the time at which the same is intended to be made shall be given by the Corporation by advertisement three times in at least two daily newspapers published in the city before such rate shall be made and no other notice of the intention to make any such rate or of the making of any rate shall be necessary neither shall it be

Notice of
rates.

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PART XII.
RATES.Recovery of
rates unpaid
by owner.

necessary in any proceedings for levying and recovering such rate to prove that such notice as aforesaid has been given.

43. Where the owner of any rateable hereditament is liable for payment of any rate made by the Corporation the goods and chattels of the occupier shall be liable to be distrained and sold for payment of such rates as may accrue during his occupation of the premises at any time whilst such rates remain unpaid by the owner subject to the following provisions:—

- (1) That no such distress shall be levied unless the rate has been demanded in writing by the collector for the Corporation from the occupier and the occupier has failed to pay the same within fourteen days after the service of such demand :
- (2) That no greater sum shall be raised by such distress than shall at the time of making the same be actually due from the occupier for rent of the premises on which the distress is made :
- (3) That any such occupier shall be entitled to deduct the amount of rates for which such distress is made and the expense of distress from the rent due or accruing due to the owner and every such payment shall be a valid discharge of the rent to the extent of the rate and expenses paid :
- (4) That no such distress shall be levied except in pursuance of an order of a court of summary jurisdiction.

Power to
Corporation
to amend
rates.

44. The Corporation may from time to time amend or alter any rate—

By making a supplement thereto and by inserting therein the name of any person who ought to have been assessed and rated or who ought to be assessed and rated at the time of the making of such rate or by striking out the name of any person who ought not to have been assessed or rated or by raising or reducing the sum at which any person shall have been assessed or rated if it shall appear to them that such person has been under assessed or rated or over assessed or rated ;

By altering the description of the tenement in respect of which any person is assessed or rated and in respect of which the rate has not been paid ;

By inserting the description of any new tenement in respect of which any person ought to be assessed and rated.

Every such supplement alteration or insertion when made shall operate as if it had been part of the original rate and any person aggrieved thereby shall have the same right of appeal therefrom as he would have had if the supplement or matter of amendment or

alteration had appeared on the rate originally made and as respects such person the rate shall be considered to have been made at the time when he received notice of such amendment.

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PART XII.
RATES.

45. The Corporation may levy any rate they are for the time being authorised to make either in one sum or by any number of instalments (not being more than four) of such amounts and to be paid at such times within the financial year as they shall from time to time fix and determine at the time of making the rate but if the rate is made payable by instalments the demand note shall in addition to other requisite particulars state the time appointed for payment of each instalment and all powers rights and remedies of the Corporation and their officers for levying and recovering rates shall extend and apply to each instalment as if the same were a separate rate.

Power to
levy rates
by instal-
ments.

46. The Corporation may include unoccupied premises in any rate made by them describing the premises in the column of the rate book appropriated to the name of the occupier as "void" and if any person liable to assessment in respect of such premises as occupier to any such rate shall afterwards occupy such premises during any part of the period for which such rate shall have been made the Corporation may insert in such rate the name of such occupier and may collect from him such portion of the rate as shall be proportioned to the time during which he shall so occupy such premises and every such person shall thereupon be deemed to all intents and purposes to be properly rated and such proportion of the rate may be collected and after demand recovered from such person Provided that any such person whose name shall be so inserted in such rate may appeal against the same to the justices at special sessions or to the general quarter sessions for the city which shall be available next after such demand.

Unoccupied
premises.

47. The Corporation may reduce or remit the payment of any rate leviable by them on account of the poverty or sickness of any person liable to the payment thereof.

Power to
remit rates.

48. The books of the Corporation and all entries duly made therein shall be received as evidence of rates imposed by virtue of this Act.

Books to be
evidence.

49. If any person think himself aggrieved by any rate or assessment made under the provisions of this Act he may appeal therefrom at his discretion either to the justices of the peace for the city at the next practicable special sessions for hearing appeals against rates for the relief of the poor or to the next practicable quarter sessions for the city under and according to the provisions

Appeal
against
rates.

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PART XIII.
SANITARY
PROVISIONS.

of the Summary Jurisdiction Acts but no such appeal shall be entertained by such justices unless seven days notice in writing of such appeal and of the ground thereof be given to the Corporation by the appellant.

PART XIII.—SANITARY PROVISIONS.

Corporation may require offensive urinals &c. to be removed.

50. If any urinal or other sanitary convenience now or hereafter erected in or opening on any street shall in the opinion of the Corporation be so placed or constructed as to be a nuisance or offensive to public decency the Corporation may by notice in writing require the owner to remove such urinal or convenience to a place to be specified by them free from such objection Any person who fails within a reasonable time to comply with a notice under this section shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding ten shillings :

Provided that nothing in this section contained shall extend or apply to any convenience now or hereafter to be erected by any railway company at or within any railway station or station yard.

Power to charge for removal of trade refuse &c.

51. If any trade refuse or any building or other materials or rubbish of a like description be deposited in any privy cesspool ash-pit or ash-tub the Corporation may make a reasonable charge for the removal of the same which charge shall be paid to the Corporation by the occupier of the premises in respect of which the charge is made.

Power to supply courts with water-closets &c.

52. The Corporation for the purpose of supplying a court or place with closet accommodation may from time to time purchase by agreement any building and remove the same and execute all consequent structural and other works and the owner or owners of the houses in the court or place benefited thereby shall be liable to pay the expenses incurred by the Corporation in the execution of this section and the amount thereof shall be apportioned among those owners by the city engineer or surveyor in proportion to the rateable value of the property held by them in such court or place and the amount apportioned to each owner shall be payable by and recoverable from him summarily as a civil debt or as private improvement expenses under the Public Health Act 1875 Provided that if any owner feels himself aggrieved as regards either the amount of such expenses or the apportionment thereof he may within twenty-one days from service of notice on him by the Corporation or their engineer or surveyor of the amount due from such owner appeal to a court of summary jurisdiction to determine the amount or apportionment as the case may be.

53. In addition to all other powers vested in the Corporation the Corporation if it shall appear to them on the report of the city engineer or surveyor or medical officer of health that any building whether built before or after the commencement of this Act is not provided with a proper sink or drain or other necessary appliances for carrying off refuse water from such building may give notice in writing to the owner or occupier of such building requiring him in the manner and within the time to be specified in such notice to provide such sink drain or other appliances. If the owner or occupier makes default in complying with such requirement to the satisfaction of the Corporation within the time specified in such notice he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and in case of default the Corporation may if they think fit themselves provide such sink drain or other appliances and the expenses incurred by them in so doing shall be repaid to them by such owner or occupier and may be recovered summarily.

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SANITARY
PROVISIONS.

Summary
power to
provide
sinks and
drains for
buildings.

54.—(1) The medical officer of health or surveyor or any other officer from time to time appointed by the Corporation may if he has reasonable ground for believing the existence of a nuisance inspect any drain closet accommodation or cesspool or any sinks traps syphons pipes or other works or apparatus connected therewith and for that purpose may (on production of his authority if required) at all reasonable times in the day time after twelve hours notice in writing has been given to the occupier of or left on the premises to which such drain closet accommodation or cesspool or such works or apparatus is attached or in any case of emergency without notice enter with or without workmen on any premises and cause the ground to be opened wherever such officer thinks fit doing as little damage as may be.

Inspection
of drains
privies and
cesspools.

(2) If such drain closet accommodation or cesspool or the connected works and apparatus be found on inspection as aforesaid to be properly made and in proper order and condition the Corporation shall cause the same to be reinstated and made good as soon as may be and the expenses of examination reinstating and making good such drain closet accommodation cesspool or other works or apparatus as aforesaid shall be defrayed by the Corporation and full compensation shall be made by them for all damage or injury done or occasioned by the examination of any such drain closet accommodation cesspool or other works or apparatus as aforesaid.

(3) If upon such inspection as aforesaid any drain closet accommodation or cesspool or the connected works or apparatus appear to be in bad order and condition or to require cleansing alteration or amendment or to be filled up and disused the Corporation

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—

shall cause notice in writing to be given to the owner or occupier of the premises upon or in respect of which the inspection was made requiring him forthwith or within such reasonable time as shall be specified in such notice to do the necessary works in accordance with the requirements and to the satisfaction of the Corporation and if such notice be not complied with by the person to whom it is given the Corporation may if they think fit execute such works and may recover the expenses incurred by them in so doing from the owner or occupier of the premises in a summary manner. Provided that where the Corporation under this enactment require the alteration of any drain closet accommodation or other like accommodation which has after construction thereof been altered according to any different system required by the Corporation all the expenses of such further alteration shall be paid by the Corporation.

Buildings
not to be
erected over
rivers becks
&c.

55. Any person who without the written consent of the Corporation builds or causes to be built within the city any building (not being a building other than a dwelling-house belonging to any railway or canal company and intended to be used by such company in connexion with their railway or canal) in or over the bed-course or waterway or any part of the bed-course or waterway of any river stream beck or watercourse within the city shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may cause any building erected in contravention of this section to be altered pulled down or otherwise dealt with as they may think fit and may recover from the offender any expenses incurred by them in so doing summarily as a civil debt.

PART XIV.—STREETS.

Byelaws as
to new
streets.

56. Nothing in the Corporation Acts and Orders shall be deemed to limit or restrict the powers of the Corporation in making byelaws with respect to the width and construction of new streets.

Back streets
to dwelling-
houses.

57.—(1) Every new continuous line of dwelling-houses being through houses shall unless the Corporation otherwise allow have provided and set out in connexion with them one or more back streets fifteen feet wide in such manner as to afford access for carts to the back of every house in such continuous line of dwelling-houses and such back streets shall be kept free from any obstruction and uncovered and shall communicate at each end with a street.

(2) Paragraph (A) of section 23 of the Leeds Improvement Act 1872 shall be read and have effect as if the back street of fifteen feet provided for by this section were substituted for the passage of twelve feet there mentioned and the space of thirty-six feet between

the buildings referred to in the said section were increased to thirty-nine feet.

(3) In the event of there not being any building erected or in course of erection at the back of the dwelling-houses about to be erected as aforesaid such last-mentioned dwelling-houses shall not be erected within 19 feet 6 inches of the boundary of the land of the person proposing to erect such dwelling-houses.

(4) In the cases referred to in this section and the said paragraph one half of the space forming the yards to such dwelling-houses shall be for ever left open and unbuilt upon and no building shall be erected altered or added to on the remaining half of such yards which exceeds 12 feet 6 inches in height from the ridge of the roof to the level of the ground and every such building shall be exclusively used in connexion with the adjoining dwelling-house of which it forms a part.

58. Every person desirous of forming a communication for horses cattle or vehicles across any kerbed footpath so as to afford access to any premises from a street shall give five days notice in writing of such desire to the Corporation and shall if so required by them submit to them for their reasonable approval a plan of the proposed communication showing where it will cut the footpath and what provision (if any) is made for kerbing for gullies and for a paved crossing and the dimensions and gradients of necessary works and shall execute the works at his own expense under the supervision and to the reasonable satisfaction of the city engineer or the surveyor and in case such plan shall have been required then in accordance with the plan so approved and not otherwise.

If any person drives or permits or causes to be driven any horse or vehicle across or along any footway before a communication has been made or on or along any part of any footway other than the part over which a sufficient communication has been made he shall be liable to a penalty not exceeding five pounds in addition to the amount of damage (if any) thereby occasioned and such penalty and damages shall be recovered in like manner as penalties under this Act may be recovered. Provided that this section shall not apply when the land immediately adjoining such crossing or footway is used solely for agricultural purposes.

59.—(1) Sections 69 and 70 of the Towns Improvement Clauses Act 1847 (incorporated with the Public Health Acts) shall with respect to the city extend and apply to any crane or apparatus for hoisting or lowering goods and any other like projections from or at any building and whether erected before or after the passing of this Act which the Corporation may determine to be dangerous or an obstruction to the safe or convenient use of any street.

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PART XIV.
STREETS.

Crossings
for horses or
vehicles &c.
over foot-
ways.

Prevention
and removal
of projec-
tions over
streets.

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PART XIV.
STREETS.

(2) Nothing herein contained shall affect any observation or projection at or from any building belonging to a railway company and existing at the passing of this Act if and so long as the same shall not be an annoyance or obstruction in the street or footway or shall not endanger or render less commodious the passage along the same street or footway.

Amendment
of section
53 of Act of
1866.

60. Section fifty-three of the Leeds Improvement Act 1866 shall be read and have effect as if the words "or occupier" were inserted after the word "owner" where that word occurs firstly and secondly in the said section.

In the event of failure on the part of any owner or occupier to comply with any order of the Corporation under the said section the Corporation may remove the projection obstruction or encroachment referred to in such order and the expense of such removal shall be paid by the owner or occupier so making default and shall be recoverable summarily Provided always that except in the case in which projections were made or put up by the occupier such occupier shall be entitled to deduct the expense of removing the same from the rent payable by him to the owner of the building or land.

Byelaws as
to sky signs.

61. The Corporation may make byelaws for regulating the erection height and exhibition of words letters medals signs devices or representations in the nature of advertisement announcement or direction elevated or suspended so as to show against the sky from any street or public place (all of which are in this Act referred to as sky signs) and may by such byelaws provide for the control and inspection of such sky signs and for the removal of any existing sky signs:

Provided always that the provisions of this section shall not extend or apply to any such word letter medal sign device or representation as aforesaid which relates exclusively to the business of a railway or canal company and which is placed or may be placed wholly upon or over any railway station yard platform or station approach belonging to a railway company or upon or over any wharf or premises of a canal company and which is also so placed that it could not fall into any street or public place.

Restrictions
on deposit of
building
materials
and excava-
tions.

62. It shall not be lawful for any person without the consent of the Corporation first obtained which consent shall not be unreasonably withheld to lay any building materials rubbish or other thing or make any excavation on or in any street and when with such consent any person lays any building materials rubbish or other thing or makes any excavation on or in any street he shall at his own expense cause the same to be sufficiently fenced and a sufficient

light to be fixed in a proper place on or near the same and to be continued every night from sunset to sunrise and shall remove such materials rubbish or thing or fill up such excavation (as the case may be) when required by the Corporation and if any person fails to comply in any respect with the requirements of this enactment he shall be liable to a penalty not exceeding forty shillings and the Corporation may remove any such materials rubbish or thing or fill up such excavation (as the case may be) and recover the expenses from the offender summarily.

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STREETS.

63. The Corporation may direct and prescribe the streets in which and the manner according to which the leading or driving of animals shall be permitted within the city. Provided that the streets which it shall be lawful for the Corporation so to prescribe shall not be such as would prevent the passage of cattle between any market and any railway station in the city or any place beyond the boundary of the city when such animals are merely passing between such market and railway station or other place as aforesaid and the Corporation shall be bound to allow at all times a reasonably short and efficient route or routes for the passage of such animals. Provided also that any such directions shall only operate between the hours of eight in the morning and nine in the evening and shall not prevent the owner of any animals driving the same to his own premises and nothing in this enactment contained shall authorise the Corporation to interfere with the driving of any animals to any slaughter-house so long as the slaughtering of such animals therein is lawful.

As to lead-
ing or driv-
ing cattle.

64. Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the street improvements herein-after mentioned together with all necessary works and conveniences connected therewith or incident thereto and may stop up alter or divert all highways roads and ways within the limits of deviation defined on the deposited plans which may in the opinion of the Local Government Board become unnecessary by reason of the execution of the said improvements and may appropriate for the purposes of this Act the sites of the highways roads and ways so stopped up so far as the same are bounded on both sides by lands of the Corporation.

Power to
make street
improve-
ments.

The street improvements above referred to and authorised by this Act are—

- (1) A widening of Park Lane and an improvement of the junction of Burley Street with Park Lane;
- (2) A widening of Wellington Street and Park Row and an improvement of the junctions of Park Row Quebec Street and Aire Street therewith;

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- (3) A widening of Mill Hill with Bishopgate Street and an improvement of the junction thereof;
- (4) A widening of Guildford Street;
- (5) A widening of Lands Lane;
- (6) A widening of Vicar Lane;
- (7) A widening of North Street;
- (8) A widening of Burmantofts Street and an improvement of the junction of Marsh Lane with Burmantofts Street;
- (9) A widening of Mabgate;
- (10) A widening of Roundhay Road;
- (11) A widening of Cookridge Street;
- (12) A widening of Cobourg Street at its junction with Woodhouse Lane;
- (13) A widening of Woodhouse Lane;
- (14) A widening of Camp Road;
- (15) A widening of St. Mark's Road;
- (16) A widening of Headingley Lane;
- (17) A widening of Otley Road;
- (18) A widening of Meadow Lane;
- (19) A widening of Jack Lane;
- (20) A widening of Beeston Road:

Provided that the Corporation in executing the improvement of Mabgate above mentioned shall not without the consent of a Secretary of State take or interfere with St. Mary's churchyard or any part thereof.

Period for
completion
of works.

65. The street improvements authorised by this Act shall be completed within ten years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Corporation for executing those works or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed. Provided that the cesser of those powers shall not prevent the Corporation from executing from time to time thereafter any works in connection with so much of those works as is then completed.

Deviation.

66. In the construction of the street improvements authorised by this Act the Corporation may deviate vertically from the levels shown on the deposited sections to any extent not exceeding two feet upwards and two feet downwards and they may deviate laterally within the limits of deviation shown on the deposited plans.

Power to
make sub-
sidiary
works.

67. Subject to the provisions of this Act and within the limits defined on the deposited plans the Corporation in connection with the street improvements authorised by this Act and for the purposes thereof may make junctions and communications with any existing

streets which may be intersected or interfered with by or be contiguous to the street improvements or any of them and may make diversions widenings or alterations of lines or levels of any existing streets for the purpose of connecting the same with the improved streets or any of them or of crossing under or over the same or otherwise and may alter divert or stop up all or any part of any drain sewer or channel shown on the deposited plans the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer and making compensation for any damage done by them in the execution of the powers of this section.

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PART XIV.
STREETS.
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68. In cases where urgent repairs are required to any street not being a highway repairable by the inhabitants at large and where for want of such repairs danger exists to passengers or vehicles in such street the Corporation may give notice in writing to the owners of the premises fronting or abutting on such parts thereof as may require such repairs requiring them to execute within a time to be specified in such notice such repairs in and upon such street as shall be specified in such notice and if such notice is not complied with the Corporation may if they think fit execute such repairs and the expenses thereof shall be recoverable summarily from the owners in default :

As to urgent
repairs to
private
streets.

Provided always that no railway or canal company shall be deemed to be an owner for the purposes of this section in respect of any land of such company upon which any street shall wholly or partially front or abut and which shall at the time when such notice is given be used by such company solely as a part of their line of railway canal or siding station towing-path or works and shall have no direct communication with such street.

69.—(1) A copy of every order made by the Corporation for paving flagging levelling draining or sewerage under the Leeds Improvement Act 1842 or any other Corporation Act or Order shall be served on the respective owners of the premises fronting adjoining or abutting on the street or part or parts of the street to which the order so made relates and the time for appealing against any such order shall commence to run from the day of such service.

Service of
orders for
paving flag-
ging &c.

(2) If within two months after the service of a copy of such order on any such owner he does not commence the work required by the order to be done by him or having commenced does not proceed with all reasonable despatch to complete the work within the time expressed in such order and to the satisfaction of the city engineer it shall then be lawful for the Corporation to execute the works mentioned or referred to in the order (or such part thereof

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PART XIV.
STREETS.

as shall not have been so done pursuant to the said order) and to charge such respective owners with their several proportionate parts of the charges and expenses thereof according to the frontage of their respective premises fronting adjoining or abutting on the street or part of the street mentioned in the order and in such proportions as shall be settled by the city engineer and all such charges and expenses or the said proportionate parts thereof including a commission not exceeding five pounds per centum (in addition to the actual cost) in respect of surveys superintendence and general expenses shall be payable by such owners respectively and may be recovered by the Corporation in a summary manner.

Apportionment to be conclusive after one month.

70. Every apportionment by the city engineer of charges and expenses for the repayment whereof the owner of the lands or premises in respect of which the same are incurred is made liable under the Corporation Acts and Orders and this Act shall be binding and conclusive on every owner in default unless within one month from service of notice on any such owner by the Corporation of the amount of such apportionment he shall by written notice object to and dispute the same and state the particulars and grounds of his objection and thereupon such amount shall unless otherwise agreed be settled and apportioned by the court before whom the same expenses are made recoverable. Notice of the effect of this section shall be given on every notice of the amount of apportionment.

Interest on such expenses.

71. Notwithstanding any such objection as in the last preceding section mentioned the charges and expenses incurred by the Corporation and apportioned as aforesaid shall if not paid within one month after demand thereof by the Corporation bear interest from the expiration of such month after the rate not exceeding five pounds per centum per annum and such interest shall be recoverable by the Corporation with the same expenses and in like manner as such expenses are hereby made recoverable and notice of the apportionment shall be deemed a sufficient demand for all purposes whatsoever.

Power to amend apportionments.

72. If at any time within three months from the time of notice being given by the Corporation of the apportionment by the city engineer of any such charges and expenses as aforesaid it be made to appear that such apportionment is inaccurate by reason of a miscalculation of or an error with reference to the frontage of the respective premises in the street or as to the ownership of such premises or otherwise the city engineer may revoke or alter or amend the apportionment and if revoked may make a new apportionment in lieu thereof or (if the inaccuracy affects certain only of the owners chargeable with such charges and expenses) the city engineer may by a supplemental apportionment rectify the inaccuracy in the

original apportionment so far as regards the last-mentioned owners. If a new apportionment be so made the original apportionment shall be null and void to all intents and purposes and the new apportionment shall be deemed to be the apportionment referred to in the Corporation Acts and Orders and in this Act. In the event of a supplemental apportionment being made as aforesaid the provisions of the Corporation Acts and Orders as amended by this Act shall *mutatis mutandis* apply to and in the case of the same as if it were an original apportionment. If in any case in which an apportionment is altered or amended or a new or supplemental apportionment is made the Corporation have received from any owner his proportion or any part of his proportion of such charges and expenses they shall give credit to such owner for the amount so received as against the amount due from him under the altered or new or supplemental apportionment or shall return any surplus to him (with interest at the rate of five pounds per centum per annum) as soon as the original apportionment has been altered or amended or the new or supplemental apportionment shall have become binding and conclusive.

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73. Where the Corporation widen alter or otherwise improve any street or part of a street not being a highway repairable by the inhabitants at large at or before the time such street or part of a street is sewered drained levelled paved metalled macadamised flagged kerbed channelled or otherwise completed the respective owners of the premises fronting adjoining or abutting on such street or part of a street shall not be exempt from payment of their proportionate parts of the charges and expenses of sewerage draining levelling paving metalling macadamising flagging kerbing channelling or otherwise completing such street or part of a street. Provided that no such owner shall be liable to pay any greater sum than he would have been liable to pay if such widening alteration or improvement had not taken place.

As to
owner's lia-
bility in case
of altered
street.

PART XV.—STREET AND OTHER POLICE OFFENCES.

74.—(1) Any householder may personally or by any member of his family or by his servant or by any constable require any street musician or singer to depart from the neighbourhood of the house of such householder.

Street musi-
cians to de-
part when
desired to do
so.

(2) Every person who sounds or plays upon any musical instrument or sings 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.

75. Section 41 of the Leeds Improvement Act 1872 shall be read and have effect as if after the words "station house" were inserted the words "or public library or other public building."

Amendment
of section
41 of Act of
1872.

PART XV.
STREET
AND OTHER
POLICE
OFFENCES.

Penalty on
persons ob-
structing
footway.

76. If two or more persons shall be assembled together in any street at any time of the day or night for the purpose of assaulting 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.

Prohibition
of persons
assembling
in streets for
purpose of
betting.

77. Any three or more persons assembled in 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.

Unfenced
land adjoining
street
deemed a
public place.

78. Any unfenced land adjoining or abutting upon any street shall for the purposes of the Vagrancy Act 1824 (5 Geo. 4. c. 83) and any Act for the time being in force altering or amending the same be deemed to be a public place.

Restriction
on advertis-
ing vehicles
and display
of advertise-
ments.

79. It shall not be lawful in any street in the city to use any vehicle exclusively or principally for the purpose of displaying advertisements without the consent of the Corporation which consent shall be in writing under the hand of the town clerk and may contain such terms and conditions as the Corporation think fit Any person acting in contravention of the provisions of this section or of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds.

Provisions
as to hoards
and other
structures
used for
advertising
purposes.

80.—(1) Every hoard or similar structure to be used for advertising purposes in or abutting on or adjoining any street shall be securely erected to the satisfaction of the Corporation or the surveyor.

(2) It shall not be lawful to erect any hoard or similar structure to be used for advertising purposes in or abutting on or adjoining any street to a greater height than twenty feet above the level of such street without the consent of the Corporation and such consent may be given subject to such conditions as to the submission of a plan and elevation and as to the dimensions and maintenance of such hoard as the Corporation may determine.

(3) The owner or other person using any hoard or similar structure for advertising purposes whether erected before or after the commencement of this Act shall at all times hereafter keep and maintain the same in proper and safe repair and condition to the satisfaction of the Corporation or the surveyor and in the event of any nuisance being created in any street by reason of the falling off of any papers affixed for advertising purposes to such hoard shall forthwith remove and clear away such nuisance.

(4) Any person who acts in contravention of any of the provisions of this section or who violates any condition or the terms of any consent given in pursuance of the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(5) Any consent or condition under this section may be under the hand of the town clerk or the surveyor.

Provided that this section shall not apply to any hoard or similar structure affixed to any railway station or premises of any railway company for the purposes of any such company.

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PART XVI.
TOWN HALL
LIBRARIES
MUSEUMS
&c.

PART XVI.—TOWN HALL LIBRARIES MUSEUMS &c.

81. The Corporation may grant or let with or without charge the use of the town hall either with or without the use of the organ provided therein by the Corporation for the purpose of any public meeting festival or entertainment or other purpose approved by the Corporation.

Power to
grant or let
use of town
hall.

82. It shall be lawful for the Corporation or any committee having the management of any museum or art gallery of the Corporation from time to time as regards the said institutions or any of them—

Powers of
the Corpo-
ration as to
museum art
gallery &c.

(a) To make rules and regulations for the use of the said institutions by students and others and for the admission of the public thereto;

(b) To provide in the art gallery suitable rooms for art exhibitions and to permit art exhibitions in such rooms and to let such rooms or make such reasonable charges for admission to such exhibitions as to the Corporation may seem fit and also to let or make reasonable charges for admission to lecture rooms;

(c) To fix and to demand and receive fees and charges for instruction admission to lectures and special exhibitions on such days and occasions and for such period as the Corporation may determine;

(d) To close any museum or art gallery against the general public on such occasions and for such period as they may think fit and to use the same during such time for any special purpose which the Corporation may deem proper with power to make a charge for the admission of persons visiting the same during such time but the days on which the public shall be admitted free of charge to any such museum or art gallery shall not be less than one hundred and fifty days in every year Any profits arising therefrom shall be applied to such public purpose as the Corporation or committee may direct;

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PART XVII.
BORROWING
POWERS AND
FINANCE.

Power to
borrow.

- (e) To do all other acts and things necessary or proper for maintaining the said institutions or any of them.

PART XVII.—BORROWING POWERS AND FINANCE.

83. The Corporation are hereby authorised independently of any other borrowing power to borrow at interest any sum or sums of money for the purposes herein-after mentioned not exceeding the respective sums following (that is to say):—

- (1) For gasworks purposes two hundred and fifty thousand pounds;
- (2) For waterworks purposes two hundred and fifty thousand pounds;
- (3) For the purchase of land for and the execution of the street improvements authorised by this Act four hundred and fifty thousand pounds;
- (4) For the purchase of land and the construction of works for the disposal and treatment of sewage thirty thousand pounds;
- (5) For the construction of sewers within and for the drainage of the city the sum of two hundred and ten thousand pounds;
- (6) For paying the costs charges and expenses preliminary to and of and incidental to preparing and obtaining this Act (including the costs of and incidental to the preparation of a Bill to be entitled the Leeds Corporation Consolidation Bill 1891) the sums requisite for that purpose;
- (7) For any other purposes of this Act which may require the expenditure of capital moneys such sums as in each case may from time to time be sanctioned by the Local Government Board.

In order to secure the repayment of moneys borrowed under this section and the payment of the interest thereon the Corporation may as regards purposes (1) herein-before mentioned mortgage or charge the revenue of the gas undertaking and the city fund and city rate as regards purposes (2) herein-before mentioned they may mortgage or charge the revenue of the water undertaking and the city fund and city rate as regards purposes (3) (4) and (5) herein-before mentioned they may mortgage or charge the consolidated rate and as regards purpose (6) they may mortgage or charge the city fund and city rate and as regards purpose (7) they may mortgage or charge the fund or rate which having regard to the objects of expenditure in each case they may consider to be properly applicable thereto And all moneys borrowed under this Act shall be applied only to the purposes for which they are

respectively authorised to be borrowed and to which capital is properly applicable and not otherwise Provided that the Corporation shall not borrow any money for the purposes (1) (2) and (5) herein-before mentioned except with the sanction of the Local Government Board.

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PART XVII.
BORROWING
POWERS AND
FINANCE.

84. The Corporation may raise all or any sums of money which they are authorised to borrow under this Act either by mortgage or by the creation and issue of adequate amounts of Leeds Corporation Stock subject and according to the provisions of the Corporation Acts and Orders and of this Act.

Mode of
raising
moneys.

85. Each power to issue stock 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 annuity mortgage bond debenture stock or other security granted or created by the Corporation.

Construction
of power to
issue stock.

86. The following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act (that is to say) :—

Provisions
as to mort-
gages.

Section 236. Form of mortgage.

Section 237. Register of mortgages.

Section 238. Transfer of mortgages.

Section 239. Appointment of receiver.

87. The Corporation shall pay off or make adequate provision for paying off all moneys borrowed by them under this Act within the respective periods (in this Act referred to as the prescribed periods) following (that is to say) :—

Period for
payment off
of moneys
borrowed.

Moneys borrowed for the payment of the costs charges and expenses preliminary to and of and incidental to preparing and obtaining this Act (including the costs of and incidental to the preparation of a Bill to be entitled the Leeds Corporation Consolidation Bill 1891) within five years from the date or dates of borrowing the same ;

Moneys borrowed for the purchase of land and the execution of street improvements within forty-five years from the date or dates of borrowing the same ;

Moneys borrowed for the purchase of land and the construction of works for the disposal and treatment of sewage within forty years from the date or dates of borrowing the same ;

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PART XVII.
BORROWING
POWERS AND
FINANCE.Mode of
payment off
of moneys
borrowed on
mortgage.

Moneys borrowed with the sanction of the Local Government Board within the respective periods sanctioned by that Board.

88. All moneys raised by the Corporation under this Act shall be paid off by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund created invested and applied in manner provided by the Local Loans Act 1875 and section 15 of that Act shall apply accordingly and is hereby incorporated with this Act but nothing in that Act or this Act shall authorise any investment by the Corporation in their own securities:

Provided that where any purchase money of land or money received by the Corporation for equality of exchange or out of fines or premiums on leases has been applied in discharge of any borrowed moneys under the powers of this Act the instalments or contributions to any sinking fund for the discharge of borrowed moneys may be reduced to such extent and in such manner and during such period as the Local Government Board on the application of the Corporation shall sanction.

Proceeds of
sale of sur-
plus lands.

89. So long as any properties remain to be acquired by the Corporation under the authority of this Act they may so far as they consider necessary apply moneys received by them on re-sale or by leasing as aforesaid in the purchase of properties so remaining to be acquired but as to moneys so received and not so applied the Corporation shall apply the same in extinguishment of any loan raised by them under the powers of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment by this Act provided except to such extent and upon such terms as may be approved by the Local Government Board. The borrowing powers of the Corporation by this Act authorised shall be reduced to the extent of the amounts applied in the purchase of properties under the provisions of this section.

Power to
re-borrow.

90.—(1) The Corporation may from time to time re-borrow any money necessary for repaying any principal moneys borrowed under this Act or under any of the Corporation Acts or Orders or under any public Act on the same becoming repayable and so from time to time but all moneys so re-borrowed shall be repaid within the prescribed period and shall for the purpose of repayment be deemed to form the same loan as the moneys originally borrowed and the obligations of the Corporation with respect to the repayment of the loan and to the provision to be made for such repayment shall not be diminished by reason of such re-borrowing.

(2) The Corporation shall not re-borrow any moneys paid off by means of instalments or a sinking fund or out of the proceeds of

the sale of land or other property or out of fines or premiums on leases or out of moneys received on capital account and not being borrowed moneys.

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FINANCE.

91. A person lending money to the Corporation under this Act shall not be bound to inquire as to the observance by them of any of the provisions of this Act or be bound to see to the application or be answerable for any loss or non-application of the money lent or of any part thereof.

Protection
of lender
from in-
quiry.

92. The city accountant 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 them 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 of such return and the description of the securities upon 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 invested at the end of the year and in the event of any wilful default in making such return the city accountant shall be liable to a penalty of not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in a summary manner.

Annual re-
turn to
Local Go-
vernment
Board with
respect to
sinking
fund.

If it appear to the Local Government Board by such return or otherwise that the Corporation have failed to pay any instalments or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government 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.

The city accountant shall be substituted for the town clerk in section 95 of the Leeds Improvement Act 1877.

93. Nothing in this Act shall prejudicially affect any charge on the revenues and rates or the estates and property of the Corporation subsisting at the commencement of this Act and every mortgagee or person for the time being entitled to the benefit of any such charge shall have the same priority of charge and all the like

Saving for
existing
charges.

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PART XVII.
BORROWING
POWERS AND
FINANCE.Purchase of
stock for
extinction.Appointment
of registrar.Closing of
transfer
books.Transmis-
sion on
death.

rights and remedies in respect of the revenues rates and property subject to his charge as if this Act had not been passed.

94. Where any mortgage bond stock funded debt annuities or other security granted or created before or after the commencement of this Act by the Corporation is paid off or redeemed by the Corporation or purchased by them for extinction such security shall be forthwith cancelled by the Corporation and become vested in them without any conveyance transfer or assignment from or by the persons registered as the holders thereof and entitled thereto and on such cancellation the said security and all dividends thereon (not already accrued) shall be and the same are by virtue of this Act extinguished.

95.—(1) The Corporation may if they think fit and on and subject to such terms and instructions 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 banker as registrar for all or any of the purposes of this part of this Act and the Corporation Acts and Orders.

(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.

96.—(1) The Corporation or the registrar with the approval of the Corporation may as regards any stock close the 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 stock are payable but so that the books be not at any time kept closed for more than fifteen days.

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

97.—(1) The interest in any Corporation stock of a deceased stockholder shall be transferable by his executors or administrators notwithstanding any specific bequest thereof.

(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 together with evidence by statutory declaration if the Corporation or the registrar so require of identity of the testator or intestate and of the executors or administrators which declaration shall be retained by the Corporation or the registrar who may require all the executors who have proved the will or all the administrators to join in the transfer.

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PART XVII.
BORROWING
POWERS AND
FINANCE.Transmis-
sion on mar-
riage &c.

98.—(1) If the interest in any Corporation stock has become transmitted by any lawful means other than a transfer or the death of a stockholder that transmission shall if required be authenticated by a statutory declaration of one or more competent persons or in such other manner as the Corporation or the registrar require.

(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 death of a joint stockholder the declaration shall if the Corporation or the registrar so require set forth a copy of the register of the death or burial of the deceased stockholder and declare the identity of the deceased person with the deceased stockholder.

(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.

(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.

99. The Corporation may pay by the registrar or other officer the dividends on Corporation stock and such dividends shall be paid upon the first day of January and first day of July in each year except when such days or either of them shall fall on a Saturday Sunday or day observed as a public holiday at the Bank of England and then upon the day next following such excepted day or days.

Payment of
dividends.

100. 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 and duly registered by the Corporation or the registrar and the Corporation or the registrar may require the identity of the testator or intestate and of the executors or administrators to be verified by statutory declaration to be retained by the Corporation.

Dividends
executors
&c.

101. 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

Evidence of
title.

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PART XVII.
BORROWING
POWERS AND
FINANCE.Dividends
to joint
holders.

declaration of a competent person or persons or of such other nature as the Corporation or the registrar may require.

102.—(1) 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.

(2)—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 of the person not under disability attested by a credible witness 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 infancy or unsoundness of mind by a statutory declaration of one or more competent persons.

Forgery.

103.—(1) Corporation stock shall be deemed capital stock of a body corporate within the Forgery Act 1861.

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

PART XVIII.—MISCELLANEOUS AND SUPPLEMENTAL
ENACTMENTS.Expenses of
execution of
Act.

104. All expenses incurred by the Corporation in the execution of this Act with respect to which no other provision is made may be defrayed by the Corporation out of the city fund and rate or out of the consolidated rate as the Corporation may in their discretion having regard to the object of the expenditure deem just.

Recovery of
penalties.

105. Offences against this Act and penalties forfeitures costs and expenses imposed incurred or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner under the provisions of the Summary Jurisdiction Acts.

Right of
appeal.

106. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate license or consent or approval of or by the Corporation or of or by any officer or valuer of the Corporation or by any conviction or order made by a court of summary jurisdiction under any provision of this Act or any byelaws made under this Act may appeal to the next practicable court of quarter sessions for the city

under and according to the provisions of the Summary Jurisdiction Acts and the said court may make such order in the matter as to the said court may appear just.

Section 383 (parties may appeal to quarter sessions on giving security) of the Leeds Improvement Act 1842 shall be read and have effect as if the words "two months" were inserted in that section in lieu of the words "four months."

107. All the provisions with respect to byelaws contained in sections 182 to 185 of the Public Health Act 1875 (except so much thereof as relates to byelaws of a rural sanitary authority) shall apply to all byelaws from time to time made by the Corporation under the powers of this Act and of the Corporation Acts and Orders.

108.—(1) Any notice summons or demand given made or served by or on the part of the Corporation under this Act or any other Act or byelaw may be either in print or in writing or partly in print and partly in writing and shall be sufficiently authenticated by the name of the town clerk treasurer city engineer city accountant or other appropriate officer (according to the subject of the particular instrument) being affixed thereto in print or in writing or by a stamp on behalf of the Corporation.

(2) Subject to the express provision of this or any other Act it shall be sufficient where any such notice summons or demand is required to be given to or served on the owner or occupier of any property to address the same 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 the same is given or served without further name or description.

(3) Any such notice summons or demand may be served on any owner occupier or other person either personally or by sending the same prepaid through the post by registered letter addressed to him by name at his last known or usual 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 such notice summons or demand shall be given or served or if the premises are unoccupied and the place of abode of the person to be served is unknown it shall be sufficient to affix such notice summons or demand or a copy thereof on some conspicuous part of the premises.

(4) Provided always that in the case of any railway or canal company any such notice or document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

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PART
XVIII.
MISCEL-
LANEOUS
AND SUPPLE-
MENTAL
ENACT-
MENTS.

General provisions as to
byelaws.

Service of
notices.

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XVIII.
MISCEL-
LANEOUS
AND SUPPLE-
MENTAL
ENACT-
MENTS.
—

(5) For the purpose of this Act "print" includes any mechanical mode of reproducing words.

(6) Service by 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.

(7) For the purposes of this section the expression "notice" shall include a copy of an order made by the Corporation for paving flagging levelling draining or sewerage a street or part of a street under the Corporation Acts and Orders.

Service of
notice on
the Corpo-
ration.

109. Any summons notice writ or other document required to be served on the Corporation may be lawfully served by delivering the same to the town clerk or leaving the same at his office with some person employed there by him or by being sent through the post in a registered letter directed to the town clerk in which latter case service shall be deemed to be effected on the Corporation on the day on which such letter would be delivered in the ordinary course of post.

Undertak-
ings &c. to
bind succes-
sive owners.

110. Every undertaking or agreement in writing given by or to the Corporation after the passing of this Act to or by or on behalf of any owner of property on the passing of plans or for the removal of obstructions or otherwise in connexion with the property of such owner shall be binding on the owner of the property for the time being and on his successors in title and on the Corporation and may be enforced by either party in any court of summary jurisdiction by a penalty not exceeding five pounds for each breach of such undertaking or agreement and a daily penalty not exceeding twenty shillings for each such breach and such owner shall be entitled to require from the Corporation a copy of such undertaking or agreement and every intending owner or lessee of property shall be entitled to information from the Corporation as to the existence of any such undertaking or agreement affecting the property and the terms of the undertaking or agreement if any such exist.

Power to
execute
works in de-
fault of per-
son liable.

111. Whenever default is made in the execution of any work act or thing required by any Act or byelaw in force within the borough to be done by any owner occupier or other person and default is made therein or if any such work act or thing is improperly or insufficiently done the Corporation may cause such work act or thing to be executed re-executed or done (as the case may require) and also whenever any work act or thing is by this Act or any such byelaw prohibited from being done and it nevertheless is done the Corporation may remove abate or alter the work act or thing so done and the expenses incurred by the Corporation in any such case or incidental thereto shall be repaid to them by the person making

default in the execution or doing of or improperly or insufficiently or unlawfully executing or doing such work act or thing as the case may be notwithstanding any penalty may be imposed on such person by any Act or byelaw.

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PART
XVIII.
MISCEL-
LANEOUS
AND SUPPLE-
MENTAL
ENACT-
MENTS.

Evidence of
appoint-
ments autho-
rity &c.

112. Where in any legal proceedings taken by or on behalf of the Corporation or the council whether under any general or local Act of Parliament and whether passed before or after the passing of this Act it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Corporation or of any committee of the council or to prove any resolution of the council or of any committee of the council a certificate of such appointment authority or resolution purporting to be authenticated by the signature of the mayor or the town clerk shall be *prima facie* evidence of such appointment authority or resolution and of the performance of all conditions precedent or necessary to the validity thereof without further proof of the holding of any meeting or the production of any minute book or other record or document.

113. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate payable to the Corporation.

Judges not
disqualified.

114. All powers given to the Corporation under this Act shall be deemed to be in addition to and not in derogation of any other powers conferred on them by the Public Health Act 1875 and the Municipal Corporations Act 1882 or any Act amending the same respectively and such other powers may be exercised in the same manner as if this Act had not been passed.

Powers of
Act cumu-
lative.

115.—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary for giving effect to any of the provisions of this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

Local in-
quiries and
costs of in-
spectors.

(2) The Corporation shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries under this Act including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

116. All the costs charges and expenses preliminary to and of and incidental to preparing and obtaining this Act (including all costs charges and expenses of or incidental to the preparation of a Bill to be entitled the Leeds Corporation Consolidation Bill 1891)

Costs of
Act.

A.D. 1893.

—
PART
XIX.
REPEAL.
—

as taxed by the Taxing Officer of the House of Lords or House of Commons shall be paid by the Corporation out of the city fund and rate or out of moneys to be borrowed on the security of that fund and rate.

PART XIX.—REPEAL.

Repeal.

117. The Acts specified in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule without prejudice to anything done or suffered thereunder before the commencement of this Act and all arrears of rates outstanding immediately before the said twenty-fifth day of March 1894 may and shall be recovered in all respects as if this Act had not been passed :

And notwithstanding any such repeal all existing byelaws regulations licenses and orders shall continue in force until repealed altered or revoked under the provisions of this Act or until their expiration.

SCHEDULES.

A.D. 1893.

THE FIRST SCHEDULE.

NEW GAS LANDS.

A piece or parcel of land in the township of Hunslet in the parish and city of Leeds containing ten thousand one hundred and fifteen square yards or thereabouts bounded on the easterly side by Kidacre Street on the southerly side by Hood Street on the westerly side by the Middleton Colliery Company's railway and on the northerly side by land belonging to the said Company.

A piece or parcel of land in the said township containing twenty-four thousand three hundred and sixty-eight square yards or thereabouts bounded on the easterly side partly by lands belonging to the Corporation and partly by the Middleton Colliery Company's railway on the southerly side by property now or lately belonging or reputed to belong to Messieurs Hathorn Davey and Company and known as the Sun Foundry on the westerly side partly by the said foundry partly by Potterdale Mills now or lately belonging or reputed to belong to Richard Wainwright and Walter Wainwright and partly by a street called or known as the Canons and on the northerly side by Holmes Street.

THE SECOND SCHEDULE.

BUILDINGS AND PREMISES OF WHICH PART ONLY MAY BE TAKEN.

No. of Improvement.	Parish.	Numbers on Deposited Plans all inclusive.
1	Leeds	84 85 86.
2	"	16 17.
4	"	2 3.
7	"	64 ^g 65 66 105.
9	"	22.
10	"	5 6.
11	"	3 to 10.
13	"	6 7 9 10 12 14 16 19 20 23 24 25 26 29 to 36 38 39 40 42 to 48.
15	"	11 47 48 49 62.
16	"	1 3 4 5 7 to 16 (including 13 ^a).
17	"	3 4 5 10 19.
18	"	4 40.
19	"	161.

A.D. 1893.

THE THIRD SCHEDULE.

CORPORATION ACTS AND ORDERS.

PART I.—IMPROVEMENT ACTS.

Session and Chapter.	Short Title.
5 & 6 Vict. c. ciii. - - -	The Leeds Burial Ground Act 1842.
5 & 6 Vict. c. civ. - - -	The Leeds Improvement Act 1842.
11 & 12 Vict. c. cii. - - -	The Leeds Improvement Amendment Act 1848.
19 & 20 Vict. c. cxv. - - -	The Leeds Improvement Amendment Act 1856.
29 & 30 Vict. c. cli. - - -	The Leeds Improvement of Becks Act 1866.
29 & 30 Vict. c. clvii. - - -	The Leeds Improvement Act 1866.
32 Vict. c. xi. - - -	The Leeds Improvement Act 1869.
33 & 34 Vict. c. xciii. - - -	The Leeds Corporation Gas and Improvements &c. Act 1870.
35 & 36 Vict. c. xcvii. - - -	Leeds Improvement Act 1872.
40 & 41 Vict. c. clxxviii. - - -	The Leeds Improvement Act 1877.
42 Vict. c. xxiii. - - -	Leeds Corporation Act 1879.
44 & 45 Vict. c. lxvi. - - -	Local Government Board's Provisional Orders Confirmation (Halifax, &c.) Act 1881.
46 & 47 Vict. c. xcix. - - -	Local Government Board's Provisional Orders Confirmation (No. 8) Act 1883.
46 & 47 Vict. c. xci. - - -	Local Government Board's Provisional Orders Confirmation (No. 10) Act 1883.
48 & 49 Vict. c. cvi. - - -	Local Government Board's Provisional Orders Confirmation (No. 3) Act 1885.
51 & 52 Vict. c. lxiv. - - -	The Tramways Orders Confirmation (No. 1) Act 1888.
51 & 52 Vict. c. cxxxiii. - - -	Local Government Board's Provisional Orders Confirmation (No. 8) Act 1888.
52 & 53 Vict. c. lxii. - - -	Local Government Board's Provisional Orders Confirmation (No. 10) Act 1889.
53 & 54 Vict. c. lxxxv. - - -	Local Government Board's Provisional Orders Confirmation (No. 7) Act 1890.
53 & 54 Vict. c. clxxvii. - - -	Local Government Board's Provisional Orders Confirmation (No. 8) Act 1890.

PART II.—GAS ACTS.

Session and Chapter.	Short Title.
16 Vict. c. xlv. - - -	The Leeds Gaslight Company's Act 1853.
17 Vict. c. iv. - - -	The Leeds New Gas Company's Act 1854.
25 Vict. c. xxviii. - - -	The Leeds New Gas Company's Act 1862.
26 Vict. c. xv. - - -	The Leeds Gas Light Company's Act 1863.
31 & 32 Vict. c. xlv. - - -	The Leeds New Gas Company's Act 1868.
33 & 34 Vict. c. lvi. - - -	The Leeds Corporation Gas Act 1870.

[56 & 57 VICT.]

Leeds Improvement Act, 1893.

[Ch. ccx.]

PART III.—WATER ACTS.

A.D. 1893.

Session and Chapter.	Short Title.
10 & 11 Vict. c. cclxii. - -	The Leeds Waterworks Act 1847.
15 & 16 Vict. c. cii. - -	The Leeds Waterworks' (Wharfe Supply) Act 1852.
19 & 20 Vict. c. lxxx. - -	The Leeds Waterworks (Wharfe Supply) Act 1856.
25 & 26 Vict. c. lii. - -	Leeds Waterworks Act 1862.
30 & 31 Vict. c. cxli. - -	The Leeds Waterworks Act 1867.
37 & 38 Vict. c. xxxiv. - -	The Leeds Corporation Water Act 1874.

THE FOURTH SCHEDULE.

PARTS OF IMPROVEMENT ACTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
5 & 6 Vict. c. civ. -	The Leeds Improvement Act 1842.	Sections 5 7 from "and in aid" to end of sections 8 136 141 231 282 283 333 to 365.
11 & 12 Vict. c. cii. -	The Leeds Improvement Amendment Act 1848.	So much of section 3 as incorporates any provisions of the Towns Improvement Clauses Act 1847 relating to rates and sections 6 7 9 and 11 to 14.
19 & 20 Vict. c. cxv. -	The Leeds Improvement Amendment Act 1856.	Sections 35 to 41.
29 & 30 Vict. c. cli. -	The Leeds Improvement of Becks Act 1866.	Section 50.
29 & 30 Vict. c. clvii.	The Leeds Improvement Act 1866.	Sections 51 and 104 to 111 and 119.
32 Vict. c. xi. - -	The Leeds Improvement Act 1869.	In section 2 the words "Section 107 (differential rating in respect of canals or railways)" and sections 28 to 36.
33 & 34 Vict. c. lvi. -	The Leeds Corporation Gas Act 1870.	Section 31.
33 & 34 Vict. c. xciii.	The Leeds Corporation Gas and Improvements &c. Act 1870.	Sections 38 to 40.

A.D. 1893.

Session and Chapter.	Short Title.	Extent of Repeal.
35 & 36 Vict. c. xvii.	Leeds Improvement Act 1872	In section 2 the words "Section 107 (differential rating in respect of canals or railways)." In section 4 the paragraph beginning "The erecting of" and ending with the word "rebuilding." In section 23 so much of paragraph (A) as commences with the words "and no building" to the end of that paragraph. Sections 54 58 and 64.
40 & 41 Vict. c. clxxviii.	The Leeds Improvement Act 1877.	In section 4 the words "Section 64 (regulations as to byelaws)" and sections 40 90 and 100.
42 Vict. c. xxiii.	Leeds Corporation Act 1879 -	In section 4 the words "Section 64 (regulations as to byelaws)" and the words "Section 107 (differential rating in respect of canals or railways)."

NOTE.—Enactments already repealed are in a few cases included in the above schedule so as to avoid the necessity of reference to the Acts repealing such enactments.

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