



## CHAPTER xxix.

An Act to empower the corporation of Halifax A.D. 1926.  
to execute street improvements and to confer  
further powers on them with respect to their  
several undertakings and for other purposes.

[30th June 1926.]

**W**'HEREAS the county borough of Halifax in the  
west riding of the county of York (hereinafter  
in this Act referred to as "the borough") is a municipal  
borough under the government of the mayor aldermen  
and burgesses thereof (in this Act referred to as "the  
Corporation"):

And whereas it is expedient that the Corporation  
should be authorised to make and maintain the street  
improvements and works in this Act authorised and to  
acquire lands for the purposes thereof:

And whereas the Corporation have under the  
authority of Parliament constructed and are working  
tramways and omnibuses within and beyond the borough  
and trolley vehicles within the borough and it is expedient  
that further powers should be conferred upon them with  
respect to their said tramways trolley vehicles and  
omnibuses and in connection with their tramway under-  
taking:

And whereas the Corporation have under the  
authority of Parliament constructed gasworks and are  
supplying gas within the borough and adjoining districts

[Ch. xxix.] *Halifax Corporation* [16 & 17 GEO. 5.]  
*Act, 1926.*

A.D. 1926. — and it is expedient that further powers be conferred upon them in connection with their gas undertaking :

And whereas under the authority of Parliament the Corporation are the undertakers for supplying electrical energy within the borough and it is expedient that further powers be conferred upon them in connection with their electricity undertaking :

And whereas the Corporation have under the authority of Parliament constructed waterworks and are supplying water within the borough and adjoining districts and it is expedient that they be empowered to acquire additional lands for the purposes of preventing the contamination of and ensuring the continued purity of the water supplied by them and that further powers be conferred upon them in connection with their water undertaking :

And whereas it is expedient to make further and better provision with regard to the health local government and improvement of the borough and that the powers of the Corporation with regard thereto should be enlarged as is provided in this Act :

And whereas it is expedient to make further provisions with regard to the finances of the Corporation :

And whereas it is expedient that the other provisions contained in this Act be enacted :

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

And whereas estimates have been prepared by the Corporation in relation to the following purposes and such estimates are as follow :—

For the purchase of lands and for the construction of the street improvements and works by this Act authorised fifteen thousand nine hundred and thirty-six pounds ;

For the purchase of lands for waterworks purposes seven thousand three hundred and forty-eight pounds :

And whereas the several works and purposes mentioned in such estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years as by this Act provided :

And whereas it is expedient that the Corporation should be authorised to raise moneys for the purposes aforesaid :

And whereas plans and sections showing the lines and levels of the works authorised by this Act and plans of the lands which the Corporation may acquire under this Act and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required and which may be taken under the powers of this Act have been deposited with the clerk of the peace for the west riding of the county of York which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference :

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

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

## PART I.

### PRELIMINARY.

1. This Act may be cited for all purposes as the *Halifax Corporation Act 1926.* Short title.

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

Act divided  
into Parts.

Part I.—Preliminary.

Part II.—Street works.

Part III.—Lands.

Part IV.—Tramways trolley vehicles and omnibuses.

Part V.—Gas.

Part VI.—Electricity.

Part VII.—Maternity homes.

Part VIII.—Finance and rating

Part IX.—Miscellaneous.



[Ch. xxix.] *Halifax Corporation* [16 & 17 GEO. 5:]  
Act, 1926.

A.D. 1926.

Provisions  
of Lands  
Clauses  
Acts incor-  
porated.

3. The following Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act namely:—

The Lands Clauses Acts with the following exceptions and modifications:—

(a) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act;

(b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section.

Interpre-  
tation.

4. In this Act unless the subject or context otherwise requires:—

“The borough” means the borough of Halifax;

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

“The town clerk” and “the treasurer” mean respectively the town clerk and the treasurer for the borough and respectively include any person duly authorised to discharge temporarily the duties of those offices;

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

“Statutory borrowing power” and “statutory security” have the same respective meanings as those assigned to them by the Act of 1900;

“Revenues of the Corporation” includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and rates or contributions leviable by or on the order or precept of the Corporation;

“The tramway undertaking” means and includes the tramway and omnibus undertakings of the Corporation as from time to time authorised;

“The gas undertaking” means the gas undertaking of the Corporation as from time to time authorised; A.D. 1926.

“The water undertaking” means the water undertaking of the Corporation as from time to time authorised;

“The electricity undertaking” means the electricity undertaking of the Corporation as from time to time authorised;

“The electricity limits” means the area within which the Corporation are for the time being authorised to supply and distribute electricity;

“The markets undertaking” means the markets undertaking of the Corporation as from time to time authorised;

“The gas limits” means the area within which the Corporation are for the time being authorised to supply gas;

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

“The tribunal” means the tribunal to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919;

“The street works” means the street widenings and improvements and the works in connection therewith respectively by this Act authorised;

“The Corporation Acts and Orders” means the unrepealed provisions of the local Acts specified in the First Schedule to the Halifax Corporation Act 1924 and of the Provisional Orders relating to the borough confirmed by the Acts also specified in the same schedule (each of which Acts and Orders when referred to in this Act is separately referred to as the Act or Order of the year in which it was passed or confirmed) the said Act of 1924 and this Act;

Words and expressions to which meanings are assigned in enactments incorporated with this



A.D. 1926.

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

PART II.

STREET WORKS.

Power to  
make street  
works.

5. 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 widenings and improvements and other works hereinafter described together with all necessary works approaches embankments retaining walls and conveniences connected therewith or incident thereto The street works hereinbefore referred to will be situate wholly in the borough and are :—

Work No. 3 The widening and improvement of the north-east corner of Arden Road commencing in Arden Road at a distance of 18 yards south of Swires Road and terminating in Swires Road at a distance of 18 yards from Arden Road;

Work No. 4 The widening and improvement on the south side of Haugh Shaw Road and the north-west side of Savile Park Road commencing in Savile Park Road at a point about 27 yards from the south-east corner of Haugh Shaw Road and proceeding in a northerly direction to Haugh Shaw Road and thence in a westerly direction to and terminating at Emscote Place;

Work No. 5 The widening and improvement of the south-west corner of Arden Road commencing in Haugh Shaw Road at a distance of 14 yards from Arden Road and terminating in Arden Road at a distance of 14 yards from Haugh Shaw Road;

Work No. 6 The widening and improvement of the south-east corner of Arden Road commencing in Arden Road at a point 13 yards from Savile Park Road and terminating in Savile Park Road at a point 13 yards from Arden Road;

Work No. 7 The widening and improvement on the southerly side of New Road commencing in Clare Road and proceeding in a south-easterly

A.D. 1926.

- direction to and terminating in New Road at a point 22 yards or thereabouts from Clare Road;
- Work No. 8 The widening and improvement on the west side of Ovenden Road commencing in Wheatley Lane at a point about 13 yards west of Ovenden Road and terminating in Ovenden Road at a point about 39 yards north of Wheatley Lane;
- Work No. 9 The widening and improvement on the north side of Blackwall commencing at a point about 42 yards east of Bull Close Lane and proceeding in an easterly direction to and terminating in Ferguson Street at a point about 10 yards north of Blackwall;
- Work No. 10 The widening and improvement of Old Cock Yard commencing in Southgate at a point about 5 yards south of Old Cock Yard and proceeding in a westerly direction to and terminating in Old Cock Yard at a point about 12 yards from Southgate.

6.—(1) The Corporation during and for the purpose of the execution of the street works may break up and also temporarily stop up divert and interfere with any street and may for any reasonable time prevent all persons other than those bonâ fide going to or from any house in the street from passing along and using the same.

Temporary  
stoppage  
of streets.

(2) The Corporation shall provide reasonable access for foot passengers bonâ fide going to or from any such house.

7. Subject to the provisions of this Act the Corporation may—

Carriageway  
footway  
sewers  
and other  
works.

- (a) cause such parts of the street works to be laid out for carriageway and such parts thereof for footway as they may think proper;
- (b) lay out enclose and maintain as gardens or open spaces any lands for the time being belonging to them (including the site of any portion of an existing street stopped up under the powers of this Act) adjacent to any of the street works; and
- (c) upon the lands acquired by or vested in them under the powers of this Act and within the



A.D. 1926.

limits of deviation defined on the deposited plans construct erect and provide such vaults cellars arches sewers drains subways and other works and conveniences as they may think proper for the purposes of or in connection with the street works.

Applying certain provisions of local Acts to street works.

8. The following sections of the following Acts shall so far as the same are applicable in that behalf and are not inconsistent with the provisions of this Act extend and apply mutatis mutandis to and in relation to the street works by this Act authorised:—

THE ACT OF 1900.

Section 95 (Limits of lateral and vertical deviation for street works);

Section 96 (Power to make subsidiary works);

Section 97 (Power to alter steps areas pipes &c.); and

Section 98 (Lands laid into new streets to be public highways).

THE ACT OF 1905.

Section 63 (Corporation empowered or may be required to underpin or otherwise strengthen houses near works):

Provided that the Corporation shall not under any provision applied by this section raise sink alter or otherwise interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except under and subject to the provisions of the said Act.

PART III.

LANDS.

Power to acquire lands for street works &c.

9.—(1) Subject to the provisions of this Act the Corporation may enter upon take and use for the street works and for the providing of space for the erection of buildings adjoining or near to the street works all or any of the lands delineated on the deposited plans and described in the deposited book of reference relating to those works respectively.



(2) The powers of the Corporation of purchasing lands by agreement shall be deemed to extend to and to authorise the purchase by the Corporation by agreement of any other lands in the borough which they may think it desirable to purchase in order to provide substituted sites or facilities for any persons whose lands may be required by them for the purposes of or in connection with the street works. A.D. 1926.

10. Subject to the provisions of this Act the Corporation may enter upon take and use for the purpose of preventing the contamination of any waters which can or may be collected impounded taken used diverted and appropriated by means of the Mixenden reservoir and the Ogden reservoir of the Corporation respectively or any works connected with those reservoirs respectively and for ensuring the continued purity of such waters the lands hereinafter described so far as those lands are delineated on the deposited plans and described in the deposited book of reference and may hold and use the same for the purposes of and in connection with the water undertaking The lands above referred to are situate in the borough and are :— Power to acquire lands for protection of water-works.

- (a) The enclosures numbered 4172 (part) 4174 to 4179 4232 4234 to 4237A 4238 4241 to 4243 4247 (part) 4248 (part) 4250 to 4254 4254A 4254B 4255 4256 4258 to 4266 4305 to 4325 4327 to 4330 4356 4357 4361 4362 and 4363 (part) on the 1/2500 Ordnance map Yorkshire (West Riding) (sheet No. 215.15) (Edition 1919);
- (b) The enclosures numbered 4254 4254B 4254C 4356 4357 4358 4361 4362 4676 4677 4679 4680 4682 to 4684 4813 (part) 4814 and 4815 on the said map (sheet No. 215.16);
- (c) The enclosures numbered 5763 5765 5637 and 5638 on the said map (sheet No. 215.7);
- (d) The enclosures numbered 5765 5637 and 5638 on the said map (sheet No. 215.8);
- (e) The enclosure numbered 5638 on the said map (sheet No. 215.12);
- (f) The enclosure numbered 5638 on the said map (sheet No. 215.11).

A.D. 1926.

Further  
powers for  
acquisition  
of lands.

**11.**—(1) The Corporation notwithstanding that the same may not be immediately required may by agreement purchase or acquire or take on lease and hold any lands which in their opinion it is desirable the Corporation should acquire for or connected with the purposes of any of their undertakings powers or duties or for the benefit improvement or development of the borough and with the consent of the Minister of Health may borrow money for the purchase or acquisition of such lands or for the payment of any capital sum payable under a lease thereof Any moneys so borrowed shall be repaid within such period as may be prescribed by the Minister of Health.

(2) When any lands purchased or acquired or taken on lease by the Corporation under this section shall be appropriated to any undertaking or to any of their powers or duties a transfer of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this section shall be payable out of the borough fund and borough rate.

Power to  
enter upon  
property  
for survey  
and  
valuation.

**12.** The Corporation and their surveyors officers contractors and workmen may from time to time at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards from time to time twelve hours' previous notice enter upon and into the lands houses and buildings by this Act authorised to be taken and used as aforesaid or any of them for the purpose of surveying and valuing the said lands houses and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands houses and buildings.

Benefits to  
be set off  
against  
compensa-  
tion.

**13.** In estimating the amount of compensation or purchase money to be paid by the Corporation in respect of the acquisition under the section of this Act of which the marginal note is "Power to acquire lands for street works &c." of any part of the lands of any person the enhancement in value of the adjoining lands of such person not so acquired or of any other lands of such person which are continuous with such adjoining lands



arising out of the widening or improvement of any existing street or arising through such adjoining lands becoming lands fronting on any such existing street shall be fairly estimated and shall be set off against the said compensation or purchase money. A.D. 1926.

**14.** For the purpose of determining any question of disputed compensation payable in respect of lands taken under the powers of this Act the following provisions shall apply and have effect (that is to say):— Compensation in case of recently created interest.

(1) The tribunal shall not take into account any building erected or any improvement or alteration made or any interest in land created after the eighteenth day of November one thousand nine hundred and twenty-five and before the date of the passing of this Act if in the opinion of the tribunal the erection of the building or the making of the improvement or alteration or the creation of the interest in respect of which the claim is made was not reasonably necessary and was carried out with a view to obtaining or increasing compensation under this Act:

(2) Subject as is hereinafter in this section provided the tribunal shall not take into account—

(a) any building erected after the date of the passing of this Act or any improvement or alteration of any premises (other than any improvement or alteration reasonably necessary for properly maintaining such premises) made after that date which in the opinion of the tribunal materially enhances the value of such premises; or

(b) any interest in land greater than that of a quarterly tenant created after the date of the passing of this Act:

3) If at any time after the date of the passing of this Act and before the expiration of the period limited by this Act for the compulsory purchase of lands any person being the owner of or having any estate or interest in any premises which are liable to be acquired compulsorily under the powers of this Act gives notice in writing to the Corporation of his intention to



A.D. 1926.

erect any building upon or to make any improvement or alteration of or to create any such new interest as aforesaid in those premises (such intended building improvement alteration or new interest being specifically described in the notice) and the Corporation do not within one month after receiving any such notice serve upon such person notice to sell and convey or release his estate or interest in the said premises but serve such notice at any time after the expiration of the said period of one month—

(a) subsection (2) of this section shall not apply with respect to the building improvement alteration or new interest described as aforesaid; and

(b) subsection (1) of this section shall apply with respect to the said building improvement alteration or new interest as if the same had been erected made or created after the said eighteenth day of November and before the date of the passing of this Act :

- (4) The Corporation shall forthwith after the passing of this Act send by post or deliver a copy of this section to all persons named in the deposited book of reference having an interest greater than that of a yearly tenant in any lands which are liable to be acquired compulsorily under the powers of this Act.

Power to  
pay com-  
pensation  
to yearly  
tenants  
and others.

**15.** In any case in which any lands acquired by the Corporation under the powers of this Act are in the possession of any person having no greater interest therein than as tenant for a year or from year to year and the Corporation do not under the powers of compulsory acquisition conferred by this Act require such person to give up possession of any lands so occupied by him before the expiration of his term or interest therein but terminate such term or interest by the giving of notice otherwise than under such last-mentioned powers the Corporation may if they think fit pay to such person upon the termination of his term or interest such sum of money as they may determine by way of compensation for any loss or injury which in the opinion

of the Corporation such person may sustain in consequence of the giving of such notice but the Corporation shall not be under any liability to make any such payment as aforesaid in any case in which they do not think fit so to do nor (in any case in which they think fit to make any such payment) to pay any greater sum than they shall in their discretion determine. Nothing in this section shall exonerate the Corporation from any obligation imposed upon them by law to pay compensation in respect of lands to which the enactments relating to agricultural holdings allotments or market gardens apply.

A.D. 1926.

**16.** The powers of the Corporation for the compulsory purchase of lands for the purposes of the street works shall cease on the thirty-first day of October one thousand nine hundred and thirty-one and for the purposes of the protection of waterworks on the thirty-first day of October one thousand nine hundred and twenty-nine.

Limit of time for compulsory purchase of lands.

**17.** The Corporation may subject to the provisions of this Act enter into and carry into effect agreements with any person being the owner of or interested in any lands houses or property abutting on any portion of the street works or of the lands which the Corporation may acquire under the powers of this Act with respect to the sale by the Corporation to such person of any lands or property (including any part of a street or thoroughfare appropriated by the Corporation under the powers of this Act and not required for the street works) for such consideration as may be agreed upon between the Corporation and such person and the Corporation may accept as satisfaction of the whole or any part of such consideration the grant by such person of any lands or property required by the Corporation for the purposes of this Act.

Power to Corporation to make agreements with owners of property &c.

**18.** The Corporation may enter into and carry into effect agreements and arrangements with the owners of or other persons interested in any lands or buildings which may be acquired under the provisions of this Act or which may be in the neighbourhood of the street works or any of them with respect to the reinstatement of any such owners or other persons and with respect

Power to reinstate owners of property.



A.D. 1926. — to the exchange of lands for that purpose and the Corporation may pay or receive money for equality of exchange.

Powers with reference to leases of surplus lands.

**19.**—(1) The Corporation may accept a surrender of any lease or letting granted by them of lands acquired under the powers of this Act and in their discretion grant either to the lessee or tenant under the surrendered lease or letting or to any other person a new lease or letting of all or any of the lands leased or let by the surrendered lease or letting and may grant reversionary leases of all or any of such lands as aforesaid.

(2) The Corporation may enter into and carry into effect any agreement for or with respect to the surrender or grant of any such lease or letting and may in any such lease letting or agreement give to the lessee or tenant or intended lessee or tenant an option or right to purchase the fee simple in reversion or other the reversionary interest of the Corporation of or in all or any of the lands leased or let or agreed to be leased or let at such time and on such terms and conditions as may be determined by the Corporation in their discretion.

Applying certain provisions of local Acts as to lands.

**20.** The following sections of the following Acts shall so far as the same are applicable in that behalf and are not inconsistent with the provisions of this Act extend and apply mutatis mutandis to and in relation to the lands by this Act authorised to be acquired (that is to say):—

THE ACT OF 1900.

- Section 58 (Persons empowered by Lands Clauses Acts to sell lands may grant easements &c.);
- Section 59 (Power to appropriate lands);
- Section 61 (Consideration for such acquisition);
- Section 62 (Correction of errors &c. in deposited plans and books of reference);
- Section 64 (Owners may be required to sell parts only of certain lands and buildings);
- Section 65 (Power to retain sell &c. lands);
- Section 66 (Proceeds of sale &c. of surplus lands);
- Section 68 (Reservation of water rights &c. on sale).



THE ACT OF 1922.

A.D. 1926.

Section 10 (Extinction of private rights of way);

Section 11 (Saving of common rights) :

Provided that the provisions of the said section 59 of the Act of 1900 shall not apply to any lands acquired by the Corporation for the purposes of the Education Acts 1921 and 1923 or taken over by them as successors of a school board except with the consent of the Board of Education and in any such case the consent of the Minister of Health shall not be necessary :

Provided also that the said section 64 of the Act of 1900 shall apply in respect of the houses buildings or manufactories described or referred to in the schedule to this Act :

Provided further that in the exercise of the powers of the said section 65 of the Act of 1900 as applied to the lands by this Act authorised to be acquired the Corporation shall not without the consent of the Minister of Health sell lease exchange or otherwise dispose of any such lands or any interests therein at a price or rent or for a consideration of a value less than the current market value of such lands or interests but a purchaser or lessee shall not be concerned to inquire whether the consent of the Minister is necessary or has been obtained.

PART IV.

TRAMWAYS TROLLEY VEHICLES AND OMNIBUSES.

21. Section 90 (Cheap fares for labouring classes) of the Act of 1900 is hereby repealed and from and after the passing of this Act every artizan mechanic or daily labourer travelling on the Corporation's tramways or trolley vehicles for the purpose of going to his work before 8 a.m. on any day of the week except Sunday Christmas Day and Good Friday and returning therefrom not earlier than 12 noon on the same day shall for each such double journey be charged a fare not exceeding the fare which the Corporation for the time being charge for each such single journey.

Reduced fares for labouring classes.

A.D. 1926.

As to  
fares and  
charges on  
motor  
omnibuses.

**22.**—(1) The provision contained in subsection (1) of section 25 (Power to provide and run omnibuses) of the Act of 1911 with respect to the fares and charges which the Corporation may demand and take for the conveyance of passengers in their motor omnibuses shall be and the same is hereby repealed and from and after the passing of this Act the Corporation may demand and take for the conveyance of passengers upon their motor omnibuses fares rates and charges not exceeding the fares rates and charges which they are authorised to demand and take for the conveyance of passengers upon their tramcars.

(2) Every passenger travelling upon the motor omnibuses of the Corporation may take with him personal luggage not exceeding twenty-eight pounds in weight without extra charge but all such luggage shall be carried by hand and shall not occupy any part of a seat required for a passenger nor be of a form or description to annoy or inconvenience other passengers.

(3) The Corporation may if they think fit convey on the motor omnibuses small parcels not exceeding fifty-six pounds in weight and may charge therefor rates and charges not exceeding the rates and charges which they are authorised to take for the conveyance of small packages on their tramcars and trolley vehicles.

Periodical  
revision of  
fares and  
charges.

**23.**—(1) If at any time after three years from the passing of this Act or after three years from the date of any order made in pursuance of this section in respect of the tramways trolley vehicles and motor omnibuses of the Corporation it is represented in writing to the Minister of Transport by the local authority of any district in which any tramways trolley vehicles or motor omnibuses of the Corporation are worked or run or by twenty inhabitant ratepayers of that district or by the Corporation that under the circumstances then existing all or any of the fares or other charges demanded and taken on such tramways trolley vehicles or motor omnibuses should be revised the Minister of Transport may (if he thinks fit) direct an inquiry and if the person holding the inquiry reports that it has been proved to his satisfaction that all or any of the fares or charges should be revised the Minister may (subject to the



maximum fares and charges which the Corporation are authorised to demand and take) by order in writing alter modify reduce or increase all or any of the fares or charges to be taken on the said tramways trolley vehicles and motor omnibuses and thenceforth such order shall be observed until the same is revoked or modified by an order of the Minister of Transport made in pursuance of this section. A.D. 1926.

(2) Section 14 (Revision of rates and charges) of the Act of 1920 is hereby repealed.

24. Section 42 (Prohibiting the raising of fares on Sundays and holidays) of the Act of 1897 is hereby repealed and from and after the passing of this Act the Corporation may take and demand on their tramcars trolley vehicles and motor omnibuses on Sunday or on any bank or public holiday higher tolls fares rates and charges than those levied by them on ordinary weekdays but not exceeding the maximum tolls fares rates and charges authorised to be levied upon those tramcars trolley vehicles and motor omnibuses. Repeal of section 42 of Act of 1897.

25. The Corporation may if they think fit convey on their tramcars trolley vehicles and motor omnibuses dogs in the care of passengers the charge for any such dog to be a sum not exceeding the fare payable by the passenger. As to charges for dogs on tramcars &c.

26. The Corporation may run through motor omnibuses along any of their omnibus routes or any specified portion thereof and such omnibuses shall be distinguished from other omnibuses in such manner as may be directed by the Corporation and they may demand and take for every passenger by such omnibuses a toll fare or charge not exceeding the maximum toll fare or charge authorised or charged for and in respect of the whole of such route or the whole of the portion thereof traversed by any such omnibus Provided that while such through omnibuses are being run the Corporation shall maintain a reasonably sufficient ordinary service. Through motor omnibuses.

27. The Corporation may for the purpose of regulating and facilitating the traffic on market or fair days or for the execution of any works by the Corporation or during the time of any public meeting procession or Power to Corporation to suspend running of cars &c.



A.D. 1926. — demonstration or for any other purpose which the Corporation having regard to the good government of the borough or the safety of the public may deem necessary order that the working of any tramcars trolley vehicles and motor omnibuses for the time being belonging to or worked by the Corporation shall be stopped delayed or suspended but so that such stoppage delay or suspension shall continue only so long as may reasonably be necessary for the purposes aforesaid or any of them and the Corporation shall not be liable to pay compensation for damage in respect thereof :

Provided that the Corporation shall not for the purpose of executing any works wholly stop the working of tramcars trolley vehicles and motor omnibuses on any route wholly outside the borough or on so much of any route partly within and partly outside the borough as is outside the borough or delay or suspend the working of tramcars trolley vehicles and motor omnibuses for any greater length on any such route or part of a route aforesaid than shall be actually necessary in connection with such works.

Removal of  
obstruc-  
tions.

**28.** If any obstruction to the traffic on any of the tramways of the Corporation is caused by any vehicle breaking down or any load falling from a vehicle the person in charge of the vehicle shall forthwith remove the vehicle or load so as to prevent the continuance of the obstruction and if he fail to do so the Corporation may so remove the vehicle or load and may remove any other obstruction of the like character to such traffic and may provide and use all necessary plant and apparatus and take all necessary steps to remove any such obstruction and may recover the reasonable cost of so doing from the owner of the vehicle.

Working  
agreements  
as to  
omnibuses.

**29.**—(1) The Corporation and any local authority empowered to run omnibuses in any borough or urban or rural district adjacent to the borough or adjacent to any borough or urban or rural district in which any route over which the Corporation are for the time being empowered to run omnibuses is situate may enter into and carry into effect agreements for the working user management and maintenance of all or any of the omnibus services which the contracting parties are empowered

to provide subject to the provisions of the respective Acts under which such omnibus services are authorised. A.D. 1926.

(2) The Corporation and any company body or person may enter into and carry into effect agreements for the working user management and maintenance subject to the provisions of this Act of any omnibus services within the borough or on any route over which the Corporation are for the time being empowered to run omnibuses.

(3) The Corporation and any such local authority company body or person as aforesaid may also enter into and carry into effect agreements for all or any of the following purposes (that is to say):—

- (a) The working user management and maintenance of any omnibuses lands depots buildings sheds and property provided in connection with any such omnibus services as aforesaid by either of the contracting parties and the right to provide and use the same and to demand and take the fares and charges authorised in respect of such services;
- (b) The supply by any of the contracting parties under and during the continuance of any such agreement of omnibuses and conveniences in connection therewith necessary for the purposes of such agreement and the employment of officers and servants;
- (c) The interchange accommodation conveyance transmission and delivery of traffic arising on or coming from or destined for any omnibus service of the contracting parties;
- (d) The payment collection and apportionment of the fares and charges and other receipts arising from any such omnibus service as aforesaid.

(4) The Corporation shall not enter into or carry into effect any agreement under the provisions of this section in relation to any omnibus service lands depots buildings sheds or property beyond the borough otherwise than with the consent of the local authority of the district within which such omnibus service lands depots buildings sheds or property are situate Provided that



A.D. 1926. on complaint being made to the Minister of Transport that such consent is unreasonably withheld the Minister may if he thinks fit by order dispense with such consent.

(5) Notwithstanding anything contained in this section the Corporation shall not without the consent in writing in each case of the lord mayor aldermen and citizens of the city of Bradford (in this subsection referred to as "the Bradford Corporation") enter into or carry into effect any agreement with any local authority company body or person to run omnibuses along any road outside the borough over which the Bradford Corporation are at the date on which such agreement is entered into or proposed to be entered into authorised to work or run tramways omnibuses or trolley vehicles or in competition with such tramways omnibuses or trolley vehicles.

Byelaws as to motor omnibuses.

**30.**—(1) The Corporation may make byelaws for regulating the travelling in or upon their motor omnibuses and for the prevention of nuisances in or upon the same or in or against any premises held by the Corporation in connection therewith.

(2) Any byelaws made by the Corporation under the provisions of this section shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

(3) Subsection (3) of section 25 (Power to provide and run omnibuses) of the Act of 1911 is hereby repealed.

Accounts to be furnished to Minister of Transport.

**31.** The Corporation shall in every year within three months after the close of their financial year or such longer period as the Minister of Transport may allow furnish to the Minister of Transport a copy of the annual accounts of the tramway undertaking.

## PART V.

### GAS.

Date of commencement of certain

**32.** The sections of this Act the marginal notes of which are in this section set forth shall come into operation from and after the final reading of the gas consumers' meters in the quarter ending the thirty-first day of



March one thousand nine hundred and twenty-seven A.D. 1926.  
(namely) :—

- (Limit of price of gas);
- (Charge for gas supplied by means of prepayment meters);
- (Revision of price of gas);
- (Measure of therms supplied);
- (Quality of gas);
- (Variation of declared calorific value);
- (Consumers' burners);
- (Pressure of gas);
- (Application of Gas Regulation Act 1920); and
- (Repeal of certain sections of local Acts).

sections of  
this Part  
of Act.

**33.** The price to be charged by the Corporation for gas supplied by them to persons who shall burn the same by meter shall not at any time exceed one shilling and threepence per therm.

Limit of  
price of  
gas.

**34.—(1)** The Corporation may demand for any gas supplied through a prepayment meter a not greater charge than for gas supplied to private consumers within the gas limits through any other kind of meter or by any other method of supply.

Charge  
for gas  
supplied  
by means  
of prepay-  
ment  
meters.

(2) The charge for the hire of any prepayment meter and fittings to be used therewith shall be a sum of money calculated according to the number of therms supplied and the maximum charge shall be threepence per therm if a cooking stove is included and two decimal fivepence per therm if a cooking stove is not included.

(3) The charge for the hire of any prepayment meter without fittings shall be a sum of money calculated according to the number of therms supplied (when the maximum rate of charge shall be one decimal fivepence per therm) or at the rate of ten per centum per annum on the cost of the meter whichever shall be the higher.

(4) The said charges shall include the providing letting fixing repairing and maintenance of the meters and fittings or of the meters (as the case may be) and the cost of collection and other costs incurred by the Corporation in connection therewith.

A.D. 1926.

(5) For the purpose of this section the expression "prepayment meter" means any meter or appliance by which the quantity of gas supplied is regulated according to the amount of money prepaid therefor.

Revision  
of price  
of gas.

**35.** If at any time the Corporation or any local authority within the gas limits or twenty consumers in those limits represent to the Board of Trade that the costs and charges of and incidental to the manufacture and supply of gas by the Corporation shall have substantially altered from circumstances beyond the control of or which could not reasonably have been avoided by the Corporation the Board of Trade may after such inquiry as they think fit by order vary the maximum price for the time being in force for the supply of gas by the Corporation either by way of increase or decrease and this Act shall have effect on and after such date as may be prescribed in the order as if the maximum price for gas supplied by the Corporation were the price prescribed by the order.

Measure of  
therms  
supplied.

**36.** The number of therms supplied to any consumer shall be ascertained by multiplying the number of cubic feet of gas registered by the consumer's meter by the number of British thermal units comprised in the declared calorific value and dividing the product by one hundred thousand.

Quality of  
gas.

**37.** Subject as hereinafter provided the gas supplied by the Corporation shall when tested in accordance with the provisions of the Gas Regulation Act 1920 be of a calorific value of not less than four hundred British thermal units and such value (unless and until altered in accordance with the provisions of the section of this Act of which the marginal note is "Variation of declared calorific value" and thereafter such altered value) shall for the purposes of the Gas Regulation Act 1920 be deemed to be and is in this Act referred to as "the declared calorific value."

Variation  
of declared  
calorific  
value.

**38.** If at any time the Corporation intend to alter the declared calorific value they shall give notice of their intention to supply as from a date to be therein specified and being not less than three months from the date of such notice gas of such calorific value as may be declared in the notice and the calorific value so declared



shall as from the date so specified be the declared calorific value for the purposes of this Act. The notice required by this section shall be published by advertisement in the London Gazette and a copy thereof shall be sent to the Board of Trade and to each of the local authorities whose respective districts are within or partly within the gas limits and to every consumer.

A.D. 1926.

**39.** If and so often as the Corporation shall alter the declared calorific value of the gas they shall at their own expense effect such alteration adjustment or replacement of the burners in consumers' appliances as may be necessary to secure that the gas can be burned with safety and efficiency except in the case of any consumer who objects to such alteration adjustment or replacement as aforesaid.

Consumers'  
burners.

**40.—(1)** Subject as in this section provided the minimum permissible pressure at which the gas may be supplied by the Corporation shall be such as in any main or in any pipe laid between the main and the meter having an internal diameter of two inches and upwards to balance a column of water not less than two inches in height.

Pressure  
of gas.

(2) If the Corporation shall at any time declare a calorific value less than three hundred and fifty British thermal units the minimum permissible pressure at which the gas may be supplied shall be as follows :—

Where the declared calorific value is below three hundred and fifty British thermal units and not below three hundred British thermal units the minimum permissible pressure shall be two and a half inches; and

Where the declared calorific value is below three hundred British thermal units the minimum permissible pressure shall be such pressure (not being less than three inches) as shall be prescribed by the gas referees appointed under section 4 of the Gas Regulation Act 1920.

**41.** The following sections or parts of sections of the Gas Regulation Act 1920 shall apply to the Corporation and the gas undertaking as if the provisions of this Act with respect to price quality and pressure of the gas supplied by the Corporation were an order made

Application  
of Gas  
Regulation  
Act 1920.

[Ch. xxix.] *Halifax Corporation* [16 & 17 GEO. 5.]  
*Act, 1926.*

A.D. 1926. — under section 1 of that Act in relation to the Corporation in respect of the gas undertaking namely :—

Subsection (7) of section 1 (Power to substitute new basis of charge);

Subsections (1) and (2) of section 2 (Composition and pressure of gas to be supplied);

Section 4 (Appointment of gas referees and examiners);

Section 5 (Power to prescribe tests);

Section 6 (Appeals to chief gas examiner);

Subsections (3) and (4) of section 7 (Remuneration and expenses of gas referees);

Section 8 (Penalties for failure to comply with prescription of gas referees);

Section 9 (Forfeiture for deficient calorific value &c.);

Section 18 (Definitions); and

Section 20 (Expenses of local authorities).

Repeal of certain sections of local Acts.

42. The following sections or parts of section of the following Acts are hereby repealed :—

THE ACT OF 1855.

Section 11 (Limiting charge for supply of gas by meter);

Section 12 (Quality of gas);

Section 13 (Experimental meter);

Section 14 (Consumption of gas by meter);

Section 15 (Penalty for injuring meters);

Section 16 (Recovery of gas rents before justices);

Section 17 (As to recovery of gas rent under 20*l.*)

THE ACT OF 1865.

Section 100 (As to quality of gas supplied by the Corporation);

Section 101 (Corporation to provide an experimental meter);

Section 102 (Power to consumers to test the purity of the gas);

Section 103 (Cost of testing gas to abide the event).



THE ACT OF 1876.

A.D. 1926.

Subsections (4) (5) (6) and (7) of section 28 (Application of Gasworks Clauses Act 1871).

THE ACT OF 1898.

Section 34 (As to inspection of gas fittings in new buildings).

THE ACT OF 1920.

Section 34 (Price of gas);

Section 38 (Charge for gas supplied by means of prepayment meters).

**43.**—(1) Any gas stoves gas engines and other apparatus fittings or appliances (all of which are in this section referred to as “fittings”) let for hire by the Corporation shall notwithstanding that they be fixed or fastened to any part of the premises in which they may be situate or to the soil under any such premises at all times continue to be the property of and removable by the Corporation and shall not be subject to distress or to the landlord’s remedy for rent or be liable to be taken in execution under process of any court or proceedings in bankruptcy against the person in whose possession the same may be. Provided that such fittings are marked or impressed with a sufficient mark or brand indicating the Corporation as the actual owners thereof.

Gas fittings let for hire to continue property of Corporation.

(2) For the purposes of this section fittings disposed of by the Corporation on terms of payment by instalments shall until the whole of the instalments have been paid be deemed to be fittings let on hire by the Corporation.

(3) Nothing in this section shall affect the amount of assessment for rating of any premises upon which any such fittings are or shall be fixed.

**44.** Section 13 of the Gasworks Clauses Act 1847 in its application to the Corporation shall be read as if the words “ Provided that every such contract entered into by the undertakers shall be alike in terms and amount to all consumers of gas supplied in like

Amendment of section 13 of Gasworks Clauses Act 1847.

[Ch. xxix.] *Halifax Corporation* [16 & 17 GEO. 5.]  
Act, 1926.

A.D. 1926. " circumstances and for the same purposes " were  
— added at the end of that section.

Supply of  
gas where  
consumer  
has a  
separate  
supply.

45. Notwithstanding anything contained in the Gasworks Clauses Act 1871 or any other Act a person shall not be entitled to demand or continue to receive only for the purposes of a stand-by supply from the Corporation a supply of gas for any premises having a separate supply of gas or a supply (in use or ready for use for the purposes for which the stand-by supply of gas is required) of electricity steam or other form of energy unless he has agreed to pay to the Corporation such minimum annual sum as will give them a reasonable return on the capital expenditure incurred by them in providing such stand-by supply and will cover other standing charges incurred by them in order to meet the possible maximum demand for those premises and the sum so to be paid shall be determined in default of agreement by arbitration in manner provided by the Arbitration Act 1889.

Power to  
lay pipes  
&c. for  
ancillary  
purposes.

46. The Corporation may within the gas limits lay down and repair take up relay or renew mains pipes and culverts for the purpose of procuring conducting or disposing of any oil or other materials used by them in or resulting from the manufacture of gas or any residual products thereof or for any purpose connected with the gas undertaking and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid so far as applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

As to mode  
of cutting  
off supplies.

47.—(1) In any case in which the Corporation are by virtue of any enactment relating to the gas undertaking authorised to cut off and discontinue the supply of gas to any premises in consequence of any default on the part of the occupier of the premises it shall be lawful for the Corporation without prejudice to any other remedy which may be lawfully available to them to disconnect at the meter the service pipe (whether belonging to the consumer or to the Corporation) and any person who shall re-connect such service pipe with the meter without the consent of the Corporation



shall be deemed to commit an offence within the meaning of section 18 of the Gasworks Clauses Act 1847 : A.D. 1926.

Provided that if and so soon as the matter complained of shall have been remedied nothing in this section shall prejudice or interfere with any rights vested in any person by virtue of section 11 of the Gasworks Clauses Act 1871.

(2) For the purposes of this section the Corporation subject to the provisions of section 22 of the Gasworks Clauses Act 1871 shall have and may exercise the like powers of entry as are exerciseable under that section.

48. In any case in which in consequence of any default on the part of the occupier of any premises the Corporation have cut off the supply of gas to such premises and the occupier so in default shall desire to resume such supply he shall pay to the Corporation the expenses of cutting off and re-connecting the supply and the Corporation shall not be under any obligation to supply gas to such occupier until he shall have made good the default and paid such expenses. Expenses of re-connecting discontinued gas supply.

49.—(1) The power to enter premises and remove pipes meters and fittings or apparatus conferred upon the Corporation by section 22 of the Gasworks Clauses Act 1871 shall extend to all cases in which any person entering into occupation of any premises previously supplied with gas by the Corporation shall not require to take a supply of gas from the Corporation or to hire all or any of the pipes meters fittings or apparatus belonging to the Corporation. Further powers to enter premises and to remove fittings.

(2) Any person having control of the premises which the Corporation are authorised by the Gasworks Clauses Act 1871 or this Act to enter who does not permit of such entry shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) Where any premises which the Corporation are entitled to enter in pursuance of the said section 22 or this section are unoccupied the Corporation may after giving not less than forty-eight hours' notice to the owner thereof or if he is unknown to the Corporation and cannot be ascertained after diligent inquiry after affixing such notice upon a conspicuous part of the

A.D. 1926. — premises forcibly enter the same doing no unnecessary damage.

As to  
construction  
and placing  
of pipes &c.

50. In order to enable the Corporation to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect :—

(1) The Corporation may if they think fit make a specification or specifications with regard to the minimum size and the material of the pipes (with the fittings thereof) which are to be laid by the owner or occupier of any premises on those premises either in the first instance or on the occasion of any renewal and different specifications may be made for different classes of premises or for particular premises having regard to the probable maximum consumption of gas thereon at any one time but a specification shall have no force or effect until it has been approved by the Board of Trade who before giving such approval may refer the matter to an independent gas engineer and may if they think fit direct such engineer to hold a public inquiry into any proposed specification and to have regard to any representations made to the Board by any persons who appear to the Board to be affected by the specification and who attend such inquiry :

(2) (a) The Corporation shall publish once in the London Gazette and once in each of two newspapers circulating within the gas limits a notice of any application made by them to the Board of Trade for approval of any specification together with a copy of the proposed specification and an intimation in a form to be approved by the Board of Trade that any person affected by such proposed specification may make representations in writing to the Board of Trade within a period to be specified in the notice ;

(b) As soon as practicable after the Board of Trade have approved any specification the Corporation shall comply with any directions given to them by the Board of Trade as to the publication or service of copies of the



specification as approved or of notice of the giving of such approval; A.D. 1926.

(c) A copy of every specification approved by the Board of Trade under this section shall be kept for public inspection at the gas engineer's office of the Corporation and copies of every such specification shall be purchasable by any person at the said office at the price of sixpence for each copy :

- (3) When any such pipe or fittings as aforesaid is or are about to be laid or placed notice thereof shall be given to the Corporation accompanied by a description of the size and materials of the proposed pipe or fittings and of the purposes for which the gas to be supplied through the same is intended to be used :
- (4) The Corporation shall as soon as practicable after receiving such notice (after making such inspection if any of the said pipe or fittings and of the premises in which the same is or are proposed to be laid or placed as they may deem necessary) intimate in writing to the person giving the notice their approval or disapproval of the pipe or fittings as complying or not complying with the appropriate specification :
- (5) No such pipe or fittings as aforesaid shall be laid or placed unless or until the same shall have been approved as aforesaid and when any such pipe or fittings has or have been laid or placed notice thereof shall be given to the Corporation and the pipe or fittings shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Corporation or until the pipe or fittings as laid or placed has or have been inspected and approved by the Corporation whichever shall first happen :
- (6) Any officer of the Corporation duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend for the purpose of any such inspection as aforesaid and if the officer is not permitted to make the

A.D. 1926.

inspection or if the pipe or fittings is or are not according to the appropriate specification of the Corporation the Corporation may refuse to supply gas to the premises until the provisions of this section have been complied with :

- (7) Every meter to be used in a new building or a building not previously supplied with gas or in connection with a new or substituted pipe laid between the main and the meter shall be placed as near as practicable to the Corporation's main but within the outside wall of the building and when any such meter has been placed the person placing the same shall give to the Corporation the like notice and the Corporation shall have the like right of inspection as are respectively referred to in subsections (5) and (6) of this section and if the meter is not placed as required by this section the Corporation may refuse to supply gas to the premises until the provisions of this section have been complied with :

Provided that in the case of any building in connection with which there is provided outside the building accommodation reasonably approved by the Corporation for the meter or a separate meter house such meter may be placed in such accommodation or meter house instead of within the outside wall of the building :

- (8) The provisions of this section relating to pipes and the fittings thereof shall not apply to any pipes or fittings belonging to a railway company and laid or placed or intended to be laid or placed in any premises (not being a dwelling-house or premises appurtenant to a dwelling-house) of the railway company—

(a) elsewhere than between the main of the Corporation and the meter ; or

(b) between such main and the meter unless and except so far as such pipes or fittings are covered over or intended to be covered over :



(9) In and for the purposes of this section the expression "fittings" includes only the joints angles and connections used in placing or laying pipes and the valves and cocks in connection therewith.

A.D. 1926.  
—

Section 36 (As to construction and placing of pipes &c. between mains and meters) of the Act of 1920 is hereby repealed.

**51.**—(1) If the Corporation shall at any time serve notice upon any consumer to the effect that an officer or servant of the Corporation has reported after inspection of any internal piping or gas consuming appliance or fitting on such consumer's premises that he is of opinion that any such internal piping or gas consuming appliance or fitting is in such a condition as to be dangerous to the occupiers of the premises such consumer shall forthwith carry out such works as may be necessary to remove the cause of danger. If the consumer shall fail forthwith to carry out such works as aforesaid the Corporation may stop the gas from entering the premises of such consumer by cutting off the service pipe or by such other means as the Corporation shall think fit. Any expenses incurred by the Corporation in cutting off the gas from such premises may be recovered by the Corporation summarily as a civil debt.

Power to compel repairs of piping or appliances &c. in dangerous condition.

(2) For the purposes of this section the Corporation shall subject to the provisions of section 21 (Power to enter buildings for ascertaining quantities of gas consumed) of the Gasworks Clauses Act 1871 have and may exercise the like powers of entry as are exerciseable under that section.

(3) Nothing in this section shall apply to any internal piping gas consuming appliance or fitting on the premises other than a dwelling-house of any railway company nor shall the powers of this section be exerciseable in respect of such premises.

**52.** Unless at the date of the demand for any such new or increased supply of gas as is hereinafter referred to the capacity of the distribution works of the Corporation is in the opinion of an arbitrator appointed as hereinafter provided insufficient to meet (with a reasonable margin) the requirements (as existing immediately

Relief from obligation to supply.

[Ch. xxix.] *Halifax Corporation* [16 & 17 GEO. 5.]  
Act, 1926.

A.D. 1926. before that date) of the consumers in the portion of the gas limits for which such works have been provided (so far as such requirements could reasonably have been foreseen) the Corporation notwithstanding anything contained in any other enactment shall not be obliged to give for any purpose other than lighting or domestic use—

- (a) a new supply of gas for the premises of any person demanding such supply at any time after the passing of this Act; or
- (b) an increased supply of gas (other than an increased supply necessitated by any reduction of the declared calorific value of the gas);

where the giving of such new or increased supply would render necessary the laying of a new main or the making (as an alternative to the laying of a new main) of any enlargement or alteration of or addition to the distribution works of the Corporation. Provided that the foregoing provisions of this section shall not apply in any case in which the person demanding the new or increased supply (in this section referred to as "the applicant") shall enter into a written contract with the Corporation—

- (i) to receive and pay for a supply of gas of such minimum quantity and for such minimum period as the Corporation may reasonably require; or
- (ii) to make such payment or payments to the Corporation (in addition to any payments to be made from time to time for gas supplied to the applicant) as the Corporation may reasonably require

(according as the Corporation may in their discretion determine) in consideration of or by way of contribution towards the expenses to be incurred by the Corporation in laying such new main or making such enlargement alteration or addition as aforesaid and shall give such security for the payment of all moneys which may become due under the contract as the Corporation may reasonably demand :

Provided also that if any question shall arise under the provisions of this section between the Corporation and the applicant as to the sufficiency of the distribution



works of the Corporation or as to whether such new or increased supply would necessitate the laying of a new main or the making of any such enlargement alteration or addition as aforesaid or as to the reasonableness of the minimum quantity or period or of the payments (in addition to payments for gas supplied) required by the Corporation or as to the nature or amount of the security demanded by the Corporation such question shall be referred to and determined by an arbitrator to be appointed (failing agreement between the Corporation and the applicant) by the Board of Trade on the application of either party after notice in writing to the other of them and the decision of such arbitrator shall be final and binding : A.D. 1926.

Provided also that in determining any such question as aforesaid the arbitrator shall have regard to the following among other considerations (that is to say):—

- (a) the total annual quantity of gas required by the applicant the maximum quantity required per hour and the hours of the day during which the Corporation may be called upon to supply gas to the applicant;
- (b) the capital expenditure which the Corporation would have to incur in the laying of a new main or the making of any enlargement or alteration of or addition to their distribution works as aforesaid in connection with the giving of such new or increased supply; and
- (c) how far such capital expenditure may become unproductive to the Corporation in the event of the cesser of the new or increased supply.

Subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any arbitration under this section.

**53.**—(1) The Corporation may with the consent of the owner of any building or bridge attach thereto (but in the case of a bridge only to the underside thereof) such brackets pipes and attachments as may be required for lighting any street within the gas limits. Attach-  
ment of  
brackets  
&c. to  
buildings.

(2) Provided that—

- (a) Where in the opinion of the Corporation any consent under this section is unreasonably

A.D. 1926.

refused they may appeal to a court of summary jurisdiction who shall have power having regard to the character of the building or bridge and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid;

(b) Any consent of an owner and any order of a court of summary jurisdiction under this section shall not have effect after the owner ceases to be in possession of the building or bridge but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed. Where such notice is given the preceding provisions of this section shall apply and the court of summary jurisdiction shall have the same powers as under proviso (a);

(c) The owner may require the Corporation temporarily to remove the attachments where necessary during any reconstruction or repair of the building or bridge.

(3) For the purposes of this section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rack rent shall be deemed to be the owner.

(4) Notwithstanding anything contained in this section no brackets pipes or attachments shall be attached to any bridge or building belonging to or forming part of the undertaking of a railway or canal company without the previous consent in writing of that company or if in the opinion of an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers such consent is unreasonably withheld the consent of such engineer.



54.—(1) Every consumer of gas supplied by the Corporation who uses for or in connection with the consumption of such gas air at high pressure or any gas not supplied by the Corporation (in this section referred to as "high-pressure air or other gas") shall if required to do so by the Corporation provide and fix in a suitable position and use an efficient valve or other appliance for preventing the admission of such high-pressure air or other gas into the service pipe or any main through which gas is supplied by the Corporation and shall at all times at his own expense keep in proper order and repair any such valve or other appliance as aforesaid which shall have been provided and fixed whether upon such requirement or otherwise.

A.D. 1926.  
—  
Provision  
of valve  
where high-  
pressure air  
or other gas  
is used.

(2) It shall not be lawful for any person at any time after the passing of this Act to commence to use high-pressure air or other gas unless and until he shall have given to the Corporation not less than fourteen days' previous notice in writing of his intention to do so.

(3) Every person who at the date of the receipt by him of any such demand note as is referred to in paragraph (a) of subsection (5) of this section is using high-pressure air or other gas shall within one month after that date give to the Corporation notice in writing of such use and if within one month after the giving of such notice the Corporation require the consumer giving the same to provide and fix such a valve or other appliance as aforesaid it shall not be lawful for him after the expiration of fourteen days from the receipt of the requirement to continue to use high-pressure air or other gas unless before such expiration he shall have complied with the requirement.

(4) If any consumer shall fail to comply with any requirement or obligation under this section the Corporation may cease to supply gas to him and shall not be under any obligation to resume such supply until the default shall have been remedied to their satisfaction.

(5) The Corporation shall give notice of the effect of the foregoing provisions of this section—

(a) (In the case of all persons who at the date of the passing of this Act are consumers of gas supplied by the Corporation) with the demand notes for

A.D. 1926.

gas charges payable to the Corporation issued next after that date; and

(b) (In the case of any person becoming after the passing of this Act a consumer of gas supplied by the Corporation) with the first of such demand notes delivered to such person after he shall have become a consumer.

(6) The Corporation shall have access at all reasonable times to all premises supplied by them with gas in or upon which high-pressure air or other gas is used or the Corporation have reason to believe that high-pressure air or other gas is or may at the time be used in order to ascertain whether any such valve or appliance as aforesaid is efficient or is in proper order and repair or whether such a valve or appliance is provided and fixed where necessary.

(7) The Corporation shall be at liberty to take off remove test inspect and replace any such valve or other appliance as aforesaid such taking off removing testing inspecting and replacing to be done at the expense of the Corporation if the valve or other appliance be found in proper order but otherwise at the expense of the consumer.

Corporation may refuse to supply gas in certain cases.

**55.** The Corporation may cut off and refuse to supply gas to any person whose payments for the supply of either gas or electrical energy or meter rent in respect of the supply of gas or electrical energy are for the time being in arrear whether any such payments be due to the Corporation in respect of a supply to the premises in respect of which such supply is demanded or in respect of other premises.

As to offices and show-rooms.

**56.** The Corporation may in connection with and for the purposes of the gas undertaking provide fit up and maintain show-rooms and offices and exhibit specimen installations machinery fittings and other apparatus appliances articles and things used in connection with the manufacture and consumption of gas and resulting from the manufacture of gas and give demonstrations of the uses to which gas can be put and may appoint and pay persons for the purposes aforesaid and may by public advertisement or otherwise publish and make known any matters connected with or affecting the sale of gas and may do all such other acts as they may deem expedient to assist develop or promote the use of gas.



57. The following provisions for the protection of the London Midland and Scottish Railway Company and the London and North Eastern Railway Company (each of whom are hereinafter in this section referred to as "the railway company") shall unless otherwise agreed between the Corporation and the railway company be in force and have effect:—

A.D. 1926.  
—  
For protec-  
tion of  
London  
Midland and  
Scottish  
Railway  
Company  
&c.

(1) In laying down or executing or in effecting the repairs and renewals of any mains pipes or other works which the Corporation are authorised to lay down repair or renew under the provisions of the section of this Act of which the marginal note is "Power to lay pipes &c. for ancillary purposes" upon across over under or in any way affecting the railways lands or property belonging to the railway company or used or occupied by them for the purposes of their undertaking or the bridges approaches viaducts stations or other works or any level crossings over the railways of the railway company the same shall be done under the superintendence if the same be given and, to the reasonable satisfaction of the principal engineer of the railway company according to plans to be submitted to and in such manner as shall be previously reasonably approved by him and in all things by and at the expense of the Corporation Provided that if the said engineer shall not express his disapproval of such plans within twenty-one days from the submission thereof he shall be deemed to have approved thereof:

(2) The Corporation shall restore and make good the roads over any bridges level crossings and approaches which the railway company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Corporation under the provisions of the said section and all the works matters and things aforesaid shall be constructed executed and done so as not to cause any injury to the railways bridges level crossings approaches viaducts stations works lands or property of the railway company or interruption to the

A.D. 1926.

passage or conduct of traffic over such railways or at any station thereon :

- (3) If any such injury or interruption as aforesaid shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes or works the Corporation shall make compensation in respect thereof to the railway company :
- (4) Any dispute or difference which may arise between the railway company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall failing agreement be settled by arbitration by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject thereto the Arbitration Act 1889 shall apply to any such arbitration.

## PART VI.

### ELECTRICITY.

As to  
charges for  
electric  
fittings  
&c.

**58.** Any payment due to the Corporation for the sale or hire of lamps meters electric lines fittings apparatus and things for lighting and motive power or in respect of the provision of materials or for executing works under the provisions of section 105 (Power to supply electric fittings &c.) of the Act of 1900 may be recovered summarily as a civil debt but any such payment shall only be so recoverable when the sum due to the Corporation comprises in addition charges for current supplied or is an inclusive amount comprising charges for current as well as in respect of the other matters and things referred to in this section.

As to  
limits of  
supply of  
electricity  
by Cor-  
poration.

**59.** Where under the provisions of any Act or Order relating to the Corporation or the electricity undertaking the electricity limits are bounded by or abut upon any road such limits shall be deemed to extend to the centre of the road :

Provided that nothing in this section shall be deemed to confer upon the Corporation any powers of using



electricity in any such road or of supplying electricity for use therein which would not have been exerciseable by them if the provisions of this section had not been enacted : A.D. 1926.

Provided further that where any area of supply for the time being of Electrical Distribution of Yorkshire Limited is bounded by or abuts upon any road the whole width of which is comprised within the electricity limits such area of supply shall be deemed to extend to the centre of such road to the like extent for the like purposes and subject to the like conditions as those to for and subject to which the electricity limits are by virtue of this section to be deemed to be extended.

**60.** The Corporation may cut off and refuse to supply electrical energy to any person whose payments for the supply of either electrical energy or gas or meter rent in respect of the supply of electrical energy or gas are for the time being in arrear whether any such payments be due to the Corporation in respect of a supply to the premises in respect of which such supply is demanded or in respect of other premises. Corporation may refuse to supply electrical energy in certain cases.

**61.**—(1) In any case in which in consequence of any default on the part of any occupier of any premises the Corporation have cut off the supply of electricity to such premises and the occupier so in default shall desire to resume such supply he shall pay to the Corporation the expenses of cutting off and of re-connecting the supply and the Corporation shall not be under any obligation to supply electricity to such occupier until he shall have made good the default and paid such expenses. Expenses of reconnecting discontinued electricity supply.

(2) Section 31 (Power to recover charge for re-connection) of the Act of 1920 is hereby repealed.

**62.** In order to remove doubts it is hereby declared that no right of way exists or is vested in any person other than the Corporation over or through any portion of the site of the electricity works of the Corporation and being all that piece of land with the electric power station cooling towers and other buildings erected thereon comprising ten thousand one hundred and seventy-five square yards or thereabouts situate in the borough and bounded on the north and north-east by the London Midland and Scottish Railway and the London and North Eastern Railway Companies' joint goods yard on the As to rights of way over Corporation's electricity works.

A.D. 1926. east by Jonas Well Lane on the south partly by land belonging to Clayton Metcalfe and Company Limited and partly by Wade Street and on the west partly by Lower Cross Street Victoria Street East land belonging to J. Bancroft and Sons Lister Street land belonging to the church of the Good Shepherd land belonging to the executors of Betsy Ingle Back Foundry Street land belonging to J. Walker's trustees and Foundry Street.

PART VII.

MATERNITY HOMES.

Registra-  
tion of  
maternity  
homes.

**63.**—(1) On and after the first day of January one thousand nine hundred and twenty-seven (which date is in this Part of this Act referred to as "the prescribed date") it shall not be lawful for any person to carry on a maternity home unless the name of such person and the premises used or represented as being or intended to be used for the purpose of such home are registered with the Corporation.

(2) Any person requiring registration in respect of any such home shall make application in writing to the Corporation and shall in such application state—

- (a) his full name;
- (b) his age nationality and technical qualifications (if any);
- (c) his private address or in the case of an application by or on behalf of a company society association or body the registered or principal office (if any) of such company society association or body and so far as may reasonably be required the names and private addresses of the persons directly or indirectly responsible for the management of such company society association or body;
- (d) the name under which and the address at which such home is carried on or proposed to be carried on; and
- (e) such further information (if any) as the Corporation may reasonably require with respect to the person or premises to be registered or the number of patients to be accommodated at any one time and the equipment in such premises;



and when making such application shall pay to the Corporation such fee as they may fix not exceeding five shillings. A.D. 1926.

(3) Every person carrying on any such home at the passing of this Act and requiring registration in respect thereof shall make application for such registration within one month after the date or (if more than one) the latest date of publication of the advertisements with regard to this Part of this Act referred to in the section of this Act whereof the marginal note is "Public notice to be given of provisions of Part VII. of Act."

(4) Subject as in this section provided the Corporation shall as soon as reasonably practicable after the receipt of an application under the provisions of this section (and not later in the case of an application under subsection (3) of this section than the prescribed date) register the name of the applicant and the premises specified in his application.

(5) The Corporation by order to be served on the person carrying on or proposing to carry on any such home may refuse to register the name of such person or the premises used or represented as being or intended to be used for the purposes of such home or may cancel the registration of such person or premises on the ground that—

- (a) such person is under the age of twenty-one years; or
- (b) such person is unsuitable to carry on such home; or
- (c) the premises or their equipment are or is unsuitable for the purposes of a maternity home; or
- (d) the premises are used or intended to be used for the accommodation at any one time of an excessive number of patients; or
- (e) the premises or any other premises used for any purpose in connection with such first-mentioned premises or with any business or occupation carried on therein are being used for any immoral purpose.

(6) Before making any such order the Corporation shall give to the person proposed to be served therewith

A.D. 1926. not less than seven days' previous notice in writing stating their intention to make the order and the grounds on which the order is proposed to be made and on written application made to them by such person within seven days after the giving of such notice they shall afford to such person an opportunity of being heard against the order.

(7) Any such order cancelling any registration shall take effect at the time specified in the order not being less than fourteen days after the service thereof but in the event of an appeal against any such order the order shall not come into operation unless and until it has been confirmed on appeal or the appeal has been abandoned.

(8) Any person aggrieved by any such order may appeal to a court of summary jurisdiction provided that such appeal is made within fourteen days after the order has been served upon him.

The court after considering any representations made on behalf of the Corporation may if it thinks fit confirm such order or direct the Corporation to withdraw such order and as soon as reasonably practicable the Corporation shall give effect to such direction.

Byelaws  
as to  
homes.

**64.**—(1) The Corporation may make byelaws prescribing the records to be kept with respect to the patients received the children born and the business carried on at a maternity home and requiring the notification to the Corporation of any death occurring thereat the cause of death and whether an inquest was held.

(2) Every person carrying on a maternity home shall keep exhibited in a suitable place (to be approved by the Corporation) in such home a copy of the byelaws in force under this Part of this Act.

Powers as  
to entry  
and  
inspection.

**65.** Any officer duly authorised by the Corporation in that behalf may subject to such regulations (if any) as may be made by the Corporation at all reasonable times enter and inspect any premises which are used or which such officer has reasonable cause to believe are used for the purposes of a maternity home and the entries in any records required to be kept in connection therewith.



66. Subject to the provisions of this Part of this Act— A.D. 1926.

- (1) Every person who carries on a maternity home in contravention of the provisions of this Part of this Act shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding twenty pounds and in respect of a second or subsequent offence the court may in lieu of or in addition to inflicting a penalty impose any period of imprisonment not exceeding three months :

Penalties for offences in respect of homes.

- (2) Every person who—

(a) refuses to permit any officer of the Corporation to enter or inspect any premises which such officer is authorised under the provisions of this Part of this Act to enter and inspect or the records to be kept pursuant to any byelaw made under the said provisions or obstructs any such officer in the execution of his duty under such provisions or under the provisions of any such byelaw as aforesaid ;  
or

(b) carries on a maternity home in contravention of the provisions of any such byelaw ;  
or

(c) issues publishes or displays or causes to be issued published or displayed any advertisement relating to a maternity home which is not registered in accordance with the provisions of this Part of this Act after the expiration of a period of seven days after the Corporation have given him written notice that the registration of such home has been refused or cancelled under the provisions of this Part of this Act

shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds :

- (3) The court may in addition to imposing a penalty under this section order the cancellation of the registration :

A.D. 1926.

Provided that a person who has appealed to a court of summary jurisdiction in accordance with the provisions of this Part of this Act against an order made by the Corporation thereunder cancelling registration shall not until such order has been confirmed on appeal or has been abandoned be liable to any proceedings under this section for the offence of carrying on a maternity home in contravention of the provisions of this Part of this Act or of any byelaw made thereunder.

Directors of companies to be personally liable for penalties.

**67.** Where any company registered under the Companies Acts 1862 to 1907 or under the Companies Acts 1908 to 1917 or any Act amending the same commits any offence for which a penalty is provided by this Part of this Act proceedings may be taken in respect of such offence against all or any of the directors and managers of such company as well as or instead of against the company and each such director or manager shall be liable on conviction to the like penalty as if he were the person committing the offence unless he proves to the satisfaction of the court—

- (1) that the act which constituted the offence took place without his knowledge consent or connivance; and
- (2) that he was not guilty of any negligence in regard to securing the proper execution of this Part of this Act.

Saving for homes carried on by medical practitioners.

**68.**—(1) Subject as hereinafter provided the provisions of this Part of this Act shall not apply in the case of a maternity home carried on by a duly registered medical practitioner with respect to which there has been lodged with the Corporation a certificate in a form to be approved by them and signed by two duly registered medical practitioners practising or residing in the borough not being in partnership with such first-mentioned medical practitioner or with each other and not having any financial or other interest in such home to the effect that the premises used or represented as being or intended to be used for such home and the equipment provided at such premises are in all respects suitable for the purpose and that the medical practitioner carrying on or proposing to carry on such home is a suitable person to carry on the same.



(2) Any such certificate shall not be valid—

A.D. 1926.

(a) with respect to any person or premises other than the person or premises specified therein;  
or

(b) for a period extending beyond the thirty-first day of January next following the date of the certificate.

**69.**—(1) Notwithstanding anything contained in this Part of this Act the foregoing provisions thereof shall not apply in the case of—

Saving for certain premises.

(a) any hospital infirmary institution or other establishment maintained or controlled by any Government department or local authority or any other authority or body constituted by Parliament or incorporated by Royal Charter; or

(b) any hospital or home towards the maintenance of which any grant is made from the Exchequer; or

(c) any hospital for the time being recognised by any committee or body administering either of the publicly subscribed funds known respectively as the Hospital Sunday Fund and the Hospital Saturday Fund as a hospital to which grants from either of such funds may be made; or

(d) any institution or home for the training of persons desirous of becoming midwives which is for the time being approved by the Central Midwives Board constituted under the Midwives Acts 1902 and 1918; or

(e) any maternity home in which only relatives of the person carrying on such home are received for the purposes of childbirth.

(2) For the purposes of this section the expression "relatives" means sisters daughters grand-daughters nieces aunts or mothers by consanguinity or affinity and in the case of persons of illegitimate birth persons who would be so related if legitimate.

**70.** Public notice of the short effect of the provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement at least twice in a newspaper published or circulating in the borough.

Public notice to be given of provisions of Part VII. of Act.

A.D. 1926.

—  
Saving for  
future  
general  
legislation.

**71.** Nothing in the foregoing provisions of this Part of this Act shall prejudice or prevent the operation of any general Act which may be passed by Parliament in the present or any future session and which deals with matters referred to in those provisions or any of them and if and so soon as such general Act is passed the foregoing provisions of this Part of this Act shall cease to have effect.

PART VIII.

FINANCE AND RATING.

Power to  
borrow.

**72.**—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest on the security of the revenues of the Corporation and for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they shall pay off all money so borrowed within the respective periods mentioned in the third column of the said table (namely):—

Purpose.	Amount.	Period for Repayment.
(a) For the purchase of land for the street works.	£ 7,750	Sixty years from the date or dates of borrowing.
(b) For the construction of street works	8,186	Thirty years from the date or dates of borrowing.
(c) For the purchase of lands in connection with the water undertaking.	7,348	Sixty years from the date or dates of borrowing.
(d) For paying the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) The Corporation may also with the sanction of the Minister of Transport borrow such further moneys as may be necessary for any purpose of the tramway undertaking including the provision of a fund for working capital.

(3) The Corporation may also with the sanction of the Electricity Commissioners borrow such further moneys as may be necessary for any purpose of the



electricity undertaking including the provision of a fund for working capital. A.D. 1926.

(4) The Corporation may also with the sanction of the Minister of Health borrow such further moneys as may be necessary (a) for any purpose of the water and gas undertakings respectively including the provision of funds for working capital (b) for the purpose of providing a working balance for the payment of current expenses that may be incurred by the Corporation in the exercise or performance of their powers and duties the cost of which is from time to time charged on the borough fund and (c) for any other of the purposes of this Act.

(5) Any moneys borrowed under the powers of subsections (2) (3) and (4) of this section shall be repaid within such periods not exceeding sixty years as may be prescribed by the authority with whose sanction such moneys are borrowed.

(6) In order to secure the repayment of any money borrowed under the powers of subsections (2) (3) and (4) of this section and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation.

**73.** The following sections of the following Acts shall (with the necessary modifications and subject to the provisions of this Act) extend and apply mutatis mutandis to the moneys borrowed by the Corporation under this Act (namely):— Application of sections of local Acts as to borrowing.

THE ACT OF 1888.

- Section 34 (Mode of raising moneys);
- Section 39 (Protection of lender from inquiry).

THE ACT OF 1898.

- Section 42 (Application of money borrowed);
- Section 44 (Sinking fund).

THE ACT OF 1902.

- Section 94 (Provisions as to mortgages);
- Section 95 (Mode of payment off of money borrowed).

A.D. 1926.

THE ACT OF 1911.

Section 104 (Corporation not to regard trusts).

Provided that in the application of the said section 44 (Sinking fund) of the Act of 1898 to the purposes of this Act that section shall be read and have effect as though three and a half per centum or such other rate as the Minister of Health may from time to time approve were therein mentioned instead of three per centum per annum.

Reserve  
funds.

74. The provisions of section 98 (Power to create reserve funds in connection with tramways gas and electricity undertakings) of the Act of 1902 with respect to the reserve funds respectively referred to in that section shall be amended so as to provide that the amount of the reserve funds set aside in connection with the gas undertaking and the electricity undertaking respectively shall not exceed in each case a sum equal to one fifth of the aggregate capital expenditure on the undertaking instead of one tenth of such capital expenditure as mentioned in the said section and in the case of the reserve fund set aside in connection with the tramways undertaking the limitation of one tenth of the capital expenditure on that undertaking in the said section mentioned shall no longer apply Any reserve fund provided by the Corporation in pursuance of the said section as amended by this section shall be applicable from time to time for the purpose of meeting expenses incurred in the replacement renewal and repair of buildings plant or apparatus forming part of the undertaking in connection with which the fund has been created and for the purpose of extending and improving such buildings plant and apparatus.

Returns  
with respect  
to repay-  
ment of  
debt.

75.—(1) The town clerk shall if and when he is requested by the Minister of Health so to do transmit to the said Minister a return showing the provision made for the repayment of any loans raised by the Corporation under any statutory borrowing power.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister of Health may require and shall if so required by him be verified by statutory declaration of the town clerk or other the chief accounting officer of the Corporation and



shall be transmitted within one month after the making of the request and in the event of his failing to make such return the town clerk or other officer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

A.D. 1926.  
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(3) If it appear to the Minister of Health by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by the Act in pursuance of which the moneys are raised or by the said Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Corporation shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(4) The foregoing provisions of this section shall be substituted for any provisions of the Corporation Acts and Orders now in force in the borough requiring an annual return to be made to the Minister with regard to the repayment of debt.

**76.**—(1) Notwithstanding anything contained in the Public Health Acts Amendment Act 1890 or in any other Act or any Order as from the thirty-first day of March one thousand nine hundred and twenty-seven or as from any succeeding thirty-first day of March the Corporation may if they think fit establish a fund to be called "the consolidated loans fund" to which shall be paid as and when they are received—

Consolidated  
loans fund.

(a) all moneys borrowed by the Corporation whether by issue of stock or other security together

[Ch. xxix.] *Halifax Corporation* [16 & 17 GEO. 5.]  
*Act, 1926.*

A.D. 1926.

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

And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys borrowed or received except of such moneys as have been borrowed from the Public Works Loan Commissioners and of all sums provided by the Corporation as aforesaid before the thirty-first day of March as from which the consolidated loans fund shall be established.

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

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

And any moneys of the consolidated loans fund pending use or application as aforesaid may be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund.

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

(4) The powers conferred by this section shall not be put into operation by the Corporation except in accordance with a scheme to be approved by the Minister of Health and such scheme may make provision for any



matters incidental to the establishment and administration of the consolidated loans fund. A.D. 1926.

**77.** When under the provisions of this Act or of any other Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a sinking fund or loans fund the following provisions shall have effect with respect to the appropriate yearly sums and accumulations thereof required to be set apart for or paid into such sinking fund or loans fund for the purpose of providing for the repayment of moneys borrowed by the Corporation (that is to say) :—

Investment of and payments into sinking fund.

(1) The Corporation may (in addition to any other powers for the time being vested in them) invest the said yearly sums and accumulations in statutory securities :

(2) The said yearly sums and accumulations shall be paid and provided out of the borough fund and borough rate and any interest dividends and annual proceeds arising from the investment thereof or of any moneys standing to the credit of any sinking or loans fund as aforesaid at or after the passing of this Act shall be paid into and form part of the revenue for the year of the borough fund.

**78.** When under the provisions of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a reserve or renewals fund they may (in addition to any other powers for the time being vested in them) invest the moneys forming such reserve or renewals fund and the interest on the investments of such moneys in statutory securities.

Power to invest certain funds in statutory securities.

**79.** Notwithstanding anything contained in this or any other Act the Corporation may use for the purpose of any statutory borrowing power possessed by them any moneys forming part of any sinking fund loans fund redemption fund or reserve fund of the Corporation (in this section respectively referred to as "the lending funds

Use of moneys forming part of sinking and other funds.

A.D. 1926. fund ") and not for the time being required subject to the following conditions :—

(a) The moneys so used shall be repaid by the borrowing fund to the lending fund as and when required for meeting the obligations for which the said fund was established and if and so far as they are not so required within the periods by the methods and out of the fund rate or revenue within by and out of which a loan raised under the statutory borrowing power would be payable :

Provided that the Corporation may if they so determine repay to the lending fund the money so used at any time within the period aforesaid ;

(b) Interest shall be paid by the borrowing fund to the lending fund on any moneys so used and for the time being not repaid to the fund. Such interest shall be calculated at a rate per centum per annum to be determined by the Corporation and to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and shall be paid out of the fund rate or revenue of the Corporation which would be applicable to the payment of interest on a loan raised under the statutory borrowing power ;

(c) The statutory borrowing power for the purpose of which the moneys are so used shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactment as to the re-borrowing of sums raised under the statutory borrowing power shall apply thereto.

Section 107 (Power to use sinking fund instead of borrowing) of the Act of 1911 is hereby repealed.

Evidence  
of transfer  
or trans-  
mission of  
securities.

80. It shall not be obligatory on the Corporation to receive or register any transfer assignment certificate of death burial bankruptcy or marriage probate letters of administration or other document evidencing a transmission of any authorised security (not being securities



issued under the Local Loans Act 1875 and securities to which regulations made under section 52 of the Public Health Acts Amendment Act 1890 apply) except upon the production to and temporary deposit with the town clerk of the security or the certificate thereof for the purpose of the endorsement thereon of a memorandum of such transmission or the issue of a new security or certificate thereof and in case of the issue of a new security or certificate for the purpose of cancellation of the security or certificate so deposited. A.D. 1926.

**81.** Where more persons than one are registered as joint holders of any mortgage annuity or stock of the Corporation any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Corporation or the treasurer by any other of them. Interest on mortgages &c. held jointly.

**82.** Notwithstanding anything contained in the Municipal Corporations Act 1882 any money borrowed or to be borrowed by the Corporation in pursuance of that Act shall be repaid within such period not exceeding sixty years as the Minister of Health shall in each case prescribe. Period for repayment of loans under Municipal Corporations Act 1882.

**83.** In calculating under subsection (2) of section 234 of the Public Health Act 1875 the amount which the Corporation may borrow the amount of any sinking fund or redemption fund accumulated for the purpose of providing for the repayment of loans contracted by the Corporation under the Sanitary Acts and the Public Health Act 1875 shall be deducted from the total debt of the Corporation under those Acts. As to section 234 of Public Health Act 1875.

**84.** As from the first day of April one thousand nine hundred and twenty-seven all money received by the Corporation on account of the revenue of the following undertakings (namely) :— Revenue and expenses of trading undertakings.

- (1) the tramway undertaking;
- (2) the gas undertaking;
- (3) the electricity undertaking; and
- (4) the markets undertaking;

shall be carried to and shall form part of the borough fund and all payments and expenses made and incurred in

A.D. 1926. respect of those undertakings shall be paid out of that fund.

Accounts of tramway undertaking.

**85.** The Corporation shall keep the accounts in respect of the tramway undertaking so as to show separately (so far as may be reasonably practicable) the receipts and expenditure in regard to their tramways trolley vehicles and omnibuses and in such accounts capital shall be distinguished from revenue.

Apportionment of items.

**86.** In all cases in which the Corporation keep separate accounts for separate purposes they shall so far as reasonably practicable apportion between those accounts or carry to either of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

Expenses of execution of Act.

**87.** All expenses incurred by the Corporation in carrying into execution the provisions of this Act shall be defrayed out of the borough fund and borough rate.

Borough rate may include working balance.

**88.** The purposes to which the borough fund is applicable shall include the provision of a working balance for the payment of current expenses that may be incurred by the Corporation in the exercise or performance of the powers and duties the cost of which is charged on the borough fund or after the date when the first new valuation list made under Part II. of the Rating and Valuation Act 1925 comes into force the general rate fund of the borough and the Corporation may (in estimating the amount sufficient for those purposes and in ordering the borough rate to be made) include such a sum as they may consider to be necessary for the provision of such working balance.

Discount on water rates.

**89.—(1)** The Corporation may from time to time if they think fit make an allowance by way of discount not exceeding five per centum on the amount due in respect of any water rate rent or charge to any consumer of water who pays the same within such time after demand therefor as the Corporation shall prescribe.

(2) The same rate of discount shall be allowed to every water consumer in similar circumstances.

(3) Notice of this enactment shall be endorsed on every demand note for water rates.



90.—(1) The Corporation may from time to time appoint and pay one or more members of the Institute of Chartered Accountants or of the Society of Incorporated Accountants and Auditors to act as auditor or auditors of the accounts of the Corporation in such manner as the Corporation direct in lieu of the auditors appointed under the Municipal Corporations Acts Any auditor or auditors appointed by the Corporation under the provisions of this section and for the time being holding office is or are in this section referred to as “the appointed auditor.”

A.D. 1926.  
—  
Audit of  
accounts of  
Corpora-  
tion by  
appointed  
auditor.

(2) If and while the Corporation exercise the powers of subsection (1) of this section section 25 of the Municipal Corporations Act 1882 and section 101 (Appointment of auditors) of the Act of 1902 shall not apply within the borough.

(3) Every appointment of an auditor or auditors under this section shall be in writing under the seal of the Corporation and may be for such term and subject to such conditions as the Corporation may think fit.

(4) Subsection (1) of section 27 of the Municipal Corporations Act 1882 shall apply and have effect as if the appointed auditor had been referred to therein instead of the borough auditors and in addition the appointed auditor shall be entitled to require from any officer of the Corporation all such papers books accounts vouchers sanctions for loans information and explanations as may be necessary for the performance of his duties.

(5) The appointed auditor shall include in or append to any certificate given by him with reference to the accounts of the Corporation such observations and recommendations (if any) as he may deem necessary or expedient with respect to the accounts and any matter arising thereout or in connection therewith.

## PART IX.

### MISCELLANEOUS.

91. Section 98 of the Public Health Act 1875 shall in its application to the borough in relation to the abatement of nuisance arising from smoke be read and have effect as if the sum of five pounds were referred

As to  
penalties  
for smoke  
nuisance.

A.D. 1926. to therein instead of the sums of ten shillings and twenty shillings.

Elevations  
of new  
buildings  
fronting  
street.

92.—(1) Any person intending to erect any new building in a street within the borough shall submit to the Corporation together with any plans required to be submitted to them with respect to such intended new building drawings of the elevations of such building (in this section called "elevations") and the said intended building shall only be erected with such elevations as shall have been approved by the Corporation in accordance with the provisions in this section hereinafter contained.

(2) For the purpose of assisting the Corporation in the exercise of the power of approving or disapproving elevations hereinafter conferred a standing advisory committee of three members (in this section called "the advisory committee") shall be constituted for the borough of whom one member shall be a chartered architect to be nominated by the President of the Royal Institute of British Architects one member shall be a chartered surveyor to be nominated by the President of the Surveyors' Institution and one member shall be a justice of the peace to be nominated by the council:

Provided that a member of the council shall be disqualified from being a member of the advisory committee.

(3) Subject as aforesaid the members of the advisory committee shall be appointed by the council and any vacancy occurring on the advisory committee shall be filled by the council on the nomination of the person or body by whom the member causing the vacancy was nominated. The Corporation shall pay the members of the advisory committee such reasonable fees and expenses as the Corporation think fit.

(4) Where the elevations of any building proposed to be constructed in any street are required to be submitted to the Corporation under the provisions of this section the Corporation shall within one month after the delivery of the elevations—

- (a) approve the elevations; or
- (b) if they shall consider that having regard to the general character of the existing buildings in the street or of the buildings proposed therein



to be erected the building to which the elevations relate would seriously disfigure the street whether by reason of the height of the building or its design or the materials proposed to be used in its construction refer the question of the approval of the elevations to the advisory committee for their decision thereon and the reference shall be accompanied by a statement of the grounds on which the proposed building is considered to be objectionable.

(5) The Corporation shall forthwith send notice in writing to the person by whom the elevations were deposited of their approval thereof or if the building is considered to be objectionable on any of the grounds mentioned in this section of the reference of the elevations to the advisory committee and the notice shall be accompanied by a statement of the objections to the building.

(6) (a) The person by whom the elevations were deposited shall be entitled to send to the advisory committee a statement of his answers to the objections of the Corporation and if he does so he shall at the same time send a copy thereof to the town clerk.

(b) The advisory committee may determine the reference in such manner as they in their discretion shall think fit and they shall within one month after the receipt of the reference decide whether in their opinion the elevations should be approved or disapproved and any such decision shall have effect as if it were an approval or disapproval (as the case may be) of the elevations by the Corporation and in the latter case shall contain a statement of the grounds on which the proposed building is considered to be objectionable.

(7) Every such decision shall forthwith be reported to the Corporation and upon receipt thereof by the Corporation a copy shall forthwith be sent by the Corporation to the person by whom the elevations were deposited.

(8) In the event of a division of opinion among the members of the advisory committee upon reference to them the matter shall be decided by a majority of votes of the members of the committee but save as aforesaid the advisory committee shall act by their whole number.

A.D. 1926.

(9) Where the elevations of a building have been disapproved under this section it shall not be lawful to erect the building until the elevations thereof have been approved by the Corporation and any person who acts in contravention of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds.

(10) The costs of any reference to the advisory committee shall be paid as the advisory committee may direct. Where such costs or part thereof shall be payable to the person depositing the elevations they shall be recoverable by that person and where such costs or part thereof shall be payable to the Corporation they shall be recoverable by the Corporation and in both cases summarily as a civil debt.

(11) The provisions of this section shall not apply to a building (not being a dwelling-house) belonging to any person or body of persons authorised by virtue of any Act of Parliament or any Order having the force of an Act of Parliament to manufacture gas or to supply electricity or water or to navigate on or use any river canal dock harbour or basin or to demand any tolls or dues in respect of such river canal dock harbour or basin and used or intended to be used exclusively for such purposes under the provisions of such Act of Parliament or Order nor to a building (not being a dwelling-house) belonging to any railway company and used or intended to be used for the purposes of that company with the authority of Parliament.

(12) Section 157 (Power to make byelaws respecting new buildings &c.) of the Public Health Act 1875 is hereby extended so as to enable the Corporation to make byelaws providing in such manner as they may think necessary for the deposit of elevations but pending the making and confirmation of any such byelaws the provisions hereinbefore contained in this section shall be of full force and effect.

(13) The provisions of this section shall cease to have effect if within a period of twelve months after the passing of this Act or such further period as the Minister of Health may prescribe no byelaws have been made by the Corporation and confirmed by the Minister of Health as hereinbefore provided for.



**93.**—(1) Any premises used or proposed to be used for— A.D. 1926.

- (a) the preparation or manufacture of potted or preserved meat fish or other food intended for the purposes of sale; or
- (b) the manufacture or sale of ice-cream;

—  
Registration  
of premises  
used for  
manufac-  
ture &c. of  
potted  
meats and  
ice-cream.

shall be registered by the owner or occupier thereof with the Corporation from time to time and no premises shall be used for the purposes aforesaid or any of them unless the same are registered as aforesaid.

(2) Any person offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(3) Provided that the provisions of this section shall have no application to any premises occupied as a factory or workshop respecting which notice is required by subsection (1) of section 127 (Notice of occupation of factory or workshop) of the Factory and Workshop Act 1901 to be given and shall not in any way affect the operation of that Act.

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

**94.**—(1) The Corporation may from time to time make regulations prescribing within the central area defined in subsection (9) of this section—

Regulations  
for con-  
trolling  
traffic.

- (a) the streets which are not to be used for traffic by vehicles of any specified class or classes either generally or during specified times;
- (b) the streets along which vehicular traffic shall pass in one specified direction only;
- (c) the places at which by reason of danger to the public or congestion of traffic omnibuses shall not stop to take up or set down passengers :

Provided that no regulations made under paragraphs (a) or (b) of this subsection shall apply to any vehicle ordinarily engaged in the delivery or collection of goods at or from any premises within the central area whilst so engaged.

(2) Before any regulations made under this section shall come into force the Corporation shall submit the

A.D. 1926. — same to the Minister for his approval and shall give notice of the subject-matters of the regulations by advertisement in a local newspaper circulating in the borough and in the London Gazette and in such other manner (if any) as the Minister may direct. The said notice shall name a place where copies of the regulations can be obtained free of charge and shall state a date (not being less than twenty-one days from the date of the notice) by which and the manner in which any person aggrieved by the regulations may make representations thereon to the Minister and that any such person shall at the same time send a copy of his representations to the town clerk.

(3) The Minister shall consider any regulations submitted to him by the Corporation and any representations thereon which may be duly made and may approve the regulations with or without modifications or may disapprove the same.

(4) Before approving any regulations the Minister may and if any representation is duly made and is not withdrawn shall (unless the representation appears to him to be frivolous) direct a local inquiry to be held in accordance with the provisions of section 20 of the Ministry of Transport Act 1919 and the Corporation shall pay to the Minister any expenses incurred by him in relation to any such inquiry including the expenses of any witnesses summoned by the person holding the inquiry and a sum to be fixed by the Minister for the services of such person.

(5) The Corporation shall give at least fourteen days notice of the intention to hold such local inquiry with particulars of any proposed regulations by advertisement in a local newspaper circulating in the borough and shall also give similar notice in writing to each person who has duly made any representation and has not withdrawn the same.

(6) The regulations shall take effect as approved by the Minister and shall come into force on a date to be fixed by him.

(7) The Corporation shall cause notice to be given of all regulations approved under this section by advertisement in a local newspaper circulating in the borough and otherwise in such manner as may be prescribed by the Minister.



(8) Any person who shall wilfully contravene any regulations made and approved under this section shall be liable to a penalty not exceeding forty shillings. A.D. 1926.

(9) In this section—

(a) "The central area" means Church Street South Parade Shaw Syke Huddersfield Road Dryclough Lane Skircoat Moor Road King Cross Warley Road Spring Hall Lane Brackenbed Lane Hebble Lane Shroggs Road Lee Mount Road Wheatley Lane Ovenden Road Broad Tree Road Mill Lane Boothtown Road Claremount Road Thomas Street Godley Beacon Hill Road Old Bank Clark Bridge and Church Street;

(b) "The Minister" means the Minister of Transport;

(c) "Specified" means specified in any regulations made or approved under this section.

(10) Any company body or person running omnibuses in the borough may at any time apply to the Minister to modify any regulation made under this section on the ground that such regulation as in force for the time being has been found to be or has become unsuitable for the traffic requirements of the borough or has been unfairly enforced and upon any such application the Minister after considering any representations made to him by the Corporation may modify the regulation to which the application relates.

**95.**—(1) The Corporation may make regulations prescribing within the borough—

(a) as respects omnibuses in general or omnibuses of any particular class or used on any particular route or running according to a published timetable the stands which may be occupied exclusively by them and the places where they may stop for longer than is necessary for the purpose of picking up and setting down passengers; and

(b) the time during which any omnibus shall be allowed to remain at a prescribed stand or stopping place;

Regulations as to stands or stopping places of omnibuses.

[Ch. xxix.] *Halifax Corporation* [16 & 17 GEO. 5.]  
Act, 1926.

A.D. 1926. — and any omnibus standing upon any such stand or stopping place in accordance with regulations made under this section shall be deemed to be within the exception in the ninth paragraph of section 28 of the Town Police Clauses Act 1847.

(2) Upon the coming into force of the regulations first made under this section the sixth paragraph of section 6 of the Town Police Clauses Act 1889 shall cease to extend to the borough and any byelaws made by the Corporation under that paragraph shall be repealed.

(3) Where the Corporation propose to make regulations under this section they shall cause notice of their proposal and a statement of the effect of the proposed regulations to be published in at least one newspaper circulating within the borough and shall serve a copy of the notice upon the proprietor of every omnibus licensed to ply for hire within the borough.

(4) Every such notice shall indicate the date (which shall not be less than twenty-eight days) within which any objection to the regulations shall be sent in writing to the Corporation and shall contain a notification of the place at which copies of the proposed regulations may be obtained free of charge.

(5) The Corporation shall consider and determine any objection to the proposed regulations which is sent to them in writing within the time fixed in that behalf and shall send notice of their decision to the objector who if he is dissatisfied with their decision may within fourteen days after the receipt of the notice appeal to the Minister of Transport (in this section referred to as "the Minister").

(6) A notification of the right of appeal under this section shall be included in any notice sent by the Corporation of their decision on an objection to the regulations and upon any appeal being made to the Minister notice in writing of the appeal and of the grounds thereof shall be given by the appellant to the Corporation.

(7) The Minister shall consider any appeal duly made to him and may make such order in the matter as he thinks fit and his decision shall be final.

(8) Before making any order under this section the Minister may and if an appeal duly made is not withdrawn



shall (unless the appeal appears to him to be frivolous) direct a local inquiry to be held in accordance with the provisions of section 20 of the Ministry of Transport Act 1919 and the provisions in subsections (4) and (5) of the section of this Act the marginal note whereof is "Regulations for controlling traffic" as to expenses and notices of local inquiries shall extend to any local inquiry so directed by the Minister. A.D. 1926.

(9) Where an objection has been made to regulations proposed by the Corporation under this section the regulations shall not be sealed by the Corporation until after the expiration of the time within which an appeal may be made by the objector to the Minister or if an appeal to the Minister has been made by the objector until after the determination or withdrawal of the appeal.

(10) Any company body or person running omnibuses in the borough may at any time apply to the Minister to modify any regulation made under this section on the ground that such regulation as in force for the time being has been found to be or has become unsuitable for the traffic requirements of the borough or has been unfairly enforced and upon any such application the Minister after considering any representations made to him by the Corporation may modify the regulation to which the application relates.

**96.** Section 24 of the Municipal Corporations Act 1882 which relates to the proof of byelaws shall extend to regulations made by the Corporation as that section extends to byelaws so made. Evidence of regulations made by Corporation.

**97.**—(1) Where a refuge is placed in any street for the purpose of dividing and regulating the traffic in such street and a notice bearing the words "Keep to the Left" is placed upon or above such refuge in such a conspicuous position as to be visible to the traffic on both sides every driver or person in charge of any vehicle shall approach and pass such refuge on the left or near side thereof. Traffic to pass street refuges on left or near side.

(2) Every person (unless he shows it was necessary to do so) who offends against the provisions of this section shall be liable to a penalty not exceeding five pounds.

[Ch. xxix.] *Halifax Corporation* [16 & 17 GEO. 5.]  
Act, 1926.

A.D. 1926.

(3) The provisions of this section shall cease to have effect upon the coming into operation of any general Act passed by Parliament in any future session dealing with the subject matter of this section.

Repeal of Second Schedule and partial repeal of section 101 of Act of 1858.

**98.** The Second Schedule to the Act of 1858 and so much of section 101 (Charges for use of baths and wash-houses) of that Act as refers to such schedule is hereby repealed.

Use of baths in winter.

**99.** The Corporation may from the first day of October to the first day of May in any year close and cover over any swimming bath belonging to them and utilise or from time to time let the same for meetings or entertainments of any description or for any other purposes.

Use of baths for exhibitions and entertainments.

**100.**—(1) The Corporation may close to the public and may reserve the exclusive use of any swimming bath or open bathing place belonging to them and may grant the use thereof either gratuitously or for payment for swimming contests practices aquatic exercises or for any other entertainment or exhibition or for meetings and may demand and take or authorise to be demanded and taken at the door or entrance of such swimming bath or open bathing place such sums for the exclusive use of such bath or place or for admission of persons thereto as they may think fit.

(2) Section 176 (Power to close baths and charge for exclusive use thereof) of the Act of 1900 is hereby repealed.

Byelaws as to use of baths &c.

**101.** The power of the Corporation to make byelaws under section 98 (Byelaws and regulations for management of and charges at baths and washhouses) of the Act of 1858 shall include power to make byelaws for the regulation management and use of any swimming bath or bathing place when used for any purposes authorised by the two immediately preceding sections of this Act and the Corporation may appoint such officers and servants as are necessary for the management and superintendence of the bath or bathing place when used for any of the said purposes and may pay reasonable salaries wages and allowances to those officers and servants.

Use of baths for music and dancing.

**102.** Any swimming bath of the Corporation when closed under the provisions of this Act and any portion thereof may although a licence is granted in respect



thereof for music or dancing be let otherwise than occasionally and money for admission thereto may be taken at the doors. A.D. 1926.

**103.** In the exercise of the powers conferred by the sections of this Act the marginal notes of which are respectively "Use of baths in winter" and "Use of baths for music and dancing" the Corporation shall be subject to the restrictions imposed by Part. VI. of the Public Health Act 1925 with respect to the character of any concert or other entertainment which may be provided by them. Restricting nature of entertainments provided by Corporation.

**104.** Section 97 (Market and fair days) of the Act of 1853 as amended by section 49 (Amendment of section 97 of Act of 1853) of the Act of 1911 shall cease to have effect in so far as it prohibits the holding of markets and fairs on Good Friday. Amendment of section 97 of Act of 1853.

**105.** The Corporation may by notice in writing require the owner of any hoarding to maintain the same in good order and condition and if any paper or other material affixed thereto for advertising purposes becomes detached forthwith to remove and clear away such paper or other material and if any owner shall neglect or refuse to comply with any such notice the Corporation may carry out the requirements thereof and recover from the owner any expense incurred by them in so doing. As to repair of hoardings.

**106.** Where the payment of more than one sum by any person is due under any enactment from time to time in force within the borough any summons or warrant issued for the purposes of any such enactment in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him. Summons or warrant may contain several sums.

**107.** Notwithstanding anything contained in the Second Schedule to the Municipal Corporations Act 1882 the summons to members of the council may be delivered at the usual place of abode of every member of the council by post by prepaid letter at the ordinary rate of postage. Service of summons on members of council.

**108.** In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under this Act or any Inquiries by Minister of Transport.

[Ch. xxix.] *Halifax Corporation* [16 & 17 GEO. 5.]  
Act, 1926.

A.D. 1926. existing Act or Order of the Corporation the provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board."

Application  
of section 265  
of Public  
Health Act  
1875.

**109.** Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall extend and apply to the purposes of this Act as if the same were re-enacted herein.

Incorporation  
of certain  
sections of  
local Acts.

**110.** The following sections of the following Acts are incorporated with this Act and shall subject to the provisions of this Act apply as if the same with the necessary modifications were set out in this Act namely:—

THE ACT OF 1902.

Section 119 (Inquiries by Local Government Board) as amended by section 37 of the Act of 1924;

Section 121 (Authentication and service of notices &c.);

Section 122 (Powers of Act cumulative);

Section 123 (Informations by whom to be laid);

Section 124 (As to committees);

Section 125 (Compensation how to be determined);

Section 126 (As to appeal);

Section 127 (Recovery of penalties &c.);

Section 129 (Damages and charges to be settled by justices).

THE ACT OF 1905.

Section 65 (As to breach of conditions of consent of Corporation);

Section 67 (Crown rights).



THE ACT OF 1911.

A.D. 1926.

- Section 116 (Evidence of appointments authority &c.);  
Section 118 (Consent of Corporation to be in writing);  
Section 120 (Recovery of demands);  
Section 121 (Saving for indictments &c.);  
Section 122 (Confirmation of byelaws); and  
Section 124 (Judges not disqualified).

**111.** The following sections of the following Acts Repeals  
are hereby repealed (that is to say):—

- Section 128 (Penalties to be paid over to treasurer) of the Act of 1902;  
Sections 23 (Accounts) and 26 (Separate accounts of omnibus undertaking to be kept) of the Act of 1911; and  
Section 28 (As to control of traffic by police) of the Act of 1924.

**112.** The costs charges and expenses preliminary and of and incidental to preparing obtaining and passing this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation. Costs of Act.

A.D. 1926.

The SCHEDULE referred to in the  
foregoing Act.

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PREMISES OF WHICH PARTS ONLY ARE REQUIRED.

Borough or District.	Number on Deposited Plans.
	Street Works.
Halifax	64 72 74 77 to 79 81 to 84A 85 to 89 111 117.

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