



CHAPTER cxii.

An Act to confer further powers upon the mayor aldermen and burgesses of the borough of Morley in relation to their gas water and electricity undertakings and with respect to the disposal of trade refuse and to make further provision in regard to the health improvement and good government of the borough. A.D. 1913.

[15th August 1913.]

WHEREAS the borough of Morley in the West Riding of the county of York is under the management and local government of the mayor aldermen and burgesses of the borough of Morley (in this Act referred to as "the Corporation"):

And whereas the Corporation are the owners of waterworks and are supplying water in pursuance of provisions contained in the Public Health Act 1875 the Morley Corporation Water Act 1890 the Morley Corporation Act 1900 and the Morley Corporation Act 1905:

And whereas by the Morley Corporation (Gas &c.) Act 1898 the Corporation were empowered to purchase certain gas undertakings and to supply gas throughout the borough and the township of West Ardsley:

And whereas in pursuance of the Morley Corporation Electric Lighting Order 1897 (confirmed by the Electric Lighting Orders Confirmation (No. 1) Act 1897) the Corporation are supplying electrical energy for public and private purposes within the borough:

And whereas it is expedient to confer further powers upon the Corporation in regard to their water gas and electricity undertakings:

And whereas it is expedient that increased facilities be afforded to the owners and occupiers of mills factories and trade

A.D. 1913. premises within the borough for the removal and disposal of the trade refuse proceeding from such mills factories and trade premises by means of the sewers of the Corporation :

And whereas doubts have arisen as to the nature and extent of the statutory powers and obligations of the Corporation with regard to the removal and disposal of trade refuse within the borough by means of the sewers and it is expedient that powers should be conferred on the Corporation and the traders in reference thereto :

And whereas the construction of a system of railless traction from Farnley Top in the city of Leeds through the urban districts of Drighlington and Gildersome the borough and the urban districts of East and West Ardsley would be of public advantage :

And whereas it is expedient that further powers should be conferred upon the Corporation with reference to streets buildings sewers and sanitary matters and further provision made for the health local government and improvement of the borough :

And whereas estimates have been prepared by the Corporation for the execution of the overhead equipment for railless traction by this Act authorised and such estimates amount to seven thousand two hundred and fifty pounds :

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

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

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

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.

Short title. **1.** This Act may be cited as the *Morley Corporation Act 1913.*

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

A.D. 1913.

- Part I.—Preliminary.
- Part II.—Water.
- Part III.—Gas.
- Part IV.—Electricity.
- Part V.—Trade Refuse.
- Part VI.—Railless Traction.
- Part VII.—Recreation Grounds &c.
- Part VIII.—Streets and Buildings.
- Part IX.—Sewers and Drains.
- Part X.—Sanitary Provisions.
- Part XI.—Common Lodging-houses.
- Part XII.—Police.
- Part XIII.—Finance and Rating.
- Part XIV.—Miscellaneous.

Division of
Act into
Parts.

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

Interpreta-
tion.

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

“The borough” means the borough of Morley;

“The council” means the council of the borough;

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

“The town clerk” “the surveyor” “the medical officer” and “the inspector of nuisances” mean respectively the town clerk the surveyor the medical officer of health and the inspector of nuisances appointed by the council in pursuance of any public Act and “medical officer” includes any deputy medical officer of health duly appointed;

A.D. 1913.

“Trade refuse” means any liquid either with or without particles of matter in suspension or solution therein which proceeds or results from or has been used in or in connexion with any industry or trade within the borough;

“Sewer” means a sewer of the Corporation;

“The Morley Corporation Acts” means the Acts and Orders set forth in the First Schedule to this Act;

“Trader” means an owner or occupier of trade premises as defined by this Act or any person carrying on any business thereon or on any part thereof and discharging trade refuse therefrom and shall include a company corporation or firm owning or occupying any such trade premises or carrying on any such business;

“Trade premises” means any mill factory or premises situate within the borough from which any trade refuse shall for the time being be directly or indirectly discharged into the sewers under this Act or in respect of which notice of intention to so discharge shall have been given to the Corporation;

“Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 and any Act amending the same applies for the time being within the borough.

Act to be cited with former Acts.

4. This Act and the Morley Corporation Acts may be cited as the Morley Corporation Acts 1890 to 1913 and each of such Acts and Orders is in this Act referred to as an Act or Order of the year in which the same was passed or made.

Limits of Act.

5. The limits of this Act for gas purposes shall be the borough and the parish of West Ardsley and for all other purposes shall be the borough unless otherwise expressed.

PART II.

WATER.

Supply of water by hose pipe to stables &c.

6. When water supplied for domestic purposes is used for washing horses carriages or motor cars or for other purposes in stables or premises where horses carriages or motor cars are kept the Corporation may if a hose pipe or other similar apparatus is used charge such additional sum not exceeding twenty

shillings per annum as they may prescribe and any sum charged under this section shall be recoverable in the same manner as water rates. A.D. 1913.

7. Notwithstanding anything contained in the Morley Corporation Acts or this Act the Corporation may with the sanction of the Local Government Board and after local inquiry if required by such Board at any time increase the water rates leviable by them by such amount as may be considered necessary in order to meet the estimated expenditure of the water undertaking of the Corporation. Revision of water rates.

8. It shall be lawful for the Corporation if they think fit to charge the owner or owners of property of which the rateable value does not exceed the sum of ten pounds or which is let to weekly or monthly tenants or in separate apartments or for which the rent becomes payable or is collected at any shorter period than quarterly instead of charging the occupier or occupiers of such property and every such owner so charged shall pay such water rates and charges instead of the occupier but in every such case the Corporation shall make to such owner any allowance they think reasonable not exceeding ten pounds per centum by way of compensation. Provided that the owner shall in such case be bound to pay the water rates and charges whether the premises are occupied or not. Provided also that the Corporation shall not be bound to make any allowance as provided by this section where the amounts due in respect of water rates and charges are not paid within the time prescribed by the Corporation such time to be endorsed upon every demand note in respect of such water rates and charges. Section 44 (Rate payable by owners for small houses) of the Act of 1890 is hereby repealed. Water rate in respect of property rated at £10 or under to be paid by owner.

9.—(1) The Corporation shall not be bound to supply with water otherwise than by measure any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required or any club hotel public-house or inn. Supply to houses partly used for trade.

(2) Where a supply of water to a farmhouse is used for farming purposes the Corporation may require that the supply for farming purposes shall be taken by meter but nothing in this section shall authorise the Corporation to refuse a supply of water for domestic purposes to a farmhouse at the ordinary rate calculated on the rateable value thereof.

A.D. 1913.

(3) Provided that the price to be charged for a supply of water by measure under this section shall not exceed one shilling per thousand gallons.

Power to
remove
meters and
fittings.

10. The Corporation by their agents or workmen after forty-eight hours' notice in writing under the hand of the town clerk has been served by delivering the same to the occupier or if there is no occupier then to the owner or lessee of any house building or land in which any pipe meter or fitting belonging to the Corporation is laid or fixed and through or in which the supply of water is from any cause other than the default of the Corporation discontinued for the space of forty-eight hours may enter such house building or land between the hours of nine in the morning and four in the afternoon or at any other time with the authority in writing of a justice for the purpose of removing and may remove every such pipe meter and fitting repairing all damage caused by such entry or removal.

Occupation
of houses
without
proper water
supply.

11. The owner of any dwelling-house which is not provided with a proper and sufficient water supply who shall occupy or allow to be occupied such dwelling-house shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings unless the dwelling-house was erected before the passing of this Act and such supply is not available.

Power to
close pol-
luted wells.

12.—(1) On the representation of any person to the Corporation that the water in any well tank or cistern within the borough whether public or private or supplied from any public pump is used or likely to be used by man for drinking or domestic purposes or for manufacturing drink for the use of man and is so polluted or is likely to be so polluted as to be injurious or dangerous to health a petty sessional court on complaint by the Corporation and after notice to the person who is the owner or occupier of the premises to which the well tank or cistern belongs if it be private or in the case of a public well tank cistern or pump is alleged in the complaint to be interested in the same or after giving him an opportunity of being heard may by summary order direct the well tank cistern or pump to be permanently or temporarily closed or make such other order as appears to the court requisite to prevent injury or danger to the health of persons drinking the water.

(2) The court may if they see fit cause the water complained of to be analysed at the cost of the Corporation.

A.D. 1913.

(3) If the person on whom the order is made fails to comply therewith he shall be liable to a fine not exceeding twenty pounds and a petty sessional court on complaint by the Corporation may authorise the Corporation to execute the order and any expenses incurred by them in so doing may be recovered in a summary manner from the said person.

(4) Nothing in this section shall apply to any well tank or cistern belonging to the Great Northern Railway Company the water in which is not used by that company for drinking or domestic purposes or for manufacturing drink for the use of man.

13. If it should appear to the Corporation that by reason of any injury to or defect in any communication pipe which is situate in a highway and which the Corporation are not under obligation to maintain there is any waste or risk of waste of water or injury or risk of injury to person or property it shall be lawful for the Corporation to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the expense incurred by the Corporation in executing such repairs shall be recoverable by the Corporation from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier.

Power to repair communication pipes.

PART III.

GAS.

14. Within six months from the passing of this Act the Corporation shall provide at the prescribed testing place within the borough apparatus for testing the calorific value of the gas supplied by them at such testing place similar to the apparatus for the time being prescribed by the Metropolitan Gas Referees for testing the calorific value of the gas supplied by the companies referred to in the London Gas Act 1905.

Corporation to provide apparatus for testing calorific value.

15. As from the passing of this Act—

(a) Every enactment in force immediately before that date whereby or by virtue whereof the gas supplied by the Corporation is required to be of a prescribed illuminating power shall cease to apply with respect to such gas:

Substituting standard calorific value for prescribed illuminating power.

(b) The Corporation shall cease to be under any liability or obligation to provide or maintain at any testing

A.D. 1913.

place within the gas limits any apparatus for testing the illuminating power of such gas but shall be at liberty to remove from any testing place any such apparatus which they have provided thereat :

(c) The Corporation shall not be liable to any penalty in respect of any deficiency in the illuminating power of the gas supplied by them :

(d) The gas supplied by the Corporation shall when tested in the mode and under the conditions for the time being prescribed by the Metropolitan Gas Referees for testing the calorific value of gas be of a standard calorific value of five hundred and forty British thermal units gross per cubic foot (the expression "British thermal units" being used in this Part of this Act as meaning British thermal units gross per cubic foot) Provided that the Corporation shall not be liable to any penalty or proceedings for or in respect of deficient calorific value of the gas so supplied by them except in accordance with the provisions herein-after contained :

(e) Section 34 of the Act of 1898 of which the marginal note is "No penalty in case of unavoidable cause" shall be read and have effect as if the words "defect of illuminating power" were omitted therefrom.

Provisions
as to testing
for calorific
value.

16. The following provisions shall apply with respect to the testing for calorific value of the gas supplied by the Corporation :—

- (1) The gas examiner may at any testing place test at any hour of the day or night the calorific value of such gas at that testing place :
- (2) The Corporation may if they think fit on each occasion of the testing of gas under the provisions of this section be represented by some officer (who shall not interfere in the testing):
- (3) Not more than one testing for calorific value shall be made at any testing place on any one day (reckoned from midnight to midnight) except that in the event of the calorific value being on any testing ascertained

to be below four hundred and forty-seven British thermal units a second testing shall be made on the same day but at an interval of not less than one hour from the time of making the first testing at that testing place and the average of the two testings shall be deemed to be the calorific value of the gas at such testing place on that day :

(4) If on any one day the gas supplied by the Corporation at any such testing place is of less calorific value than four hundred and seventy-five British thermal units to an extent not exceeding twenty-eight British thermal units the gas examiner shall make at such testing place a testing of the calorific value of such gas on each of the two following days and the average of the three testings so made shall be deemed to represent the calorific value of the gas on such one day at such testing place :

(5) The gas examiner shall forthwith give notice to the Corporation at their office of any defect of calorific value ascertained by him on any testing made under this section :

(6) Section 33 of the Gasworks Clauses Act 1871 in its application to the Corporation shall be construed as if calorific value were therein referred to in lieu of illuminating power.

17. Where the calorific value on any day of the gas supplied by the Corporation is less than four hundred and seventy-five British thermal units they shall be liable to the following penalties in respect of such deficiency (that is to say) :—

Penalties
for deficient
calorific
value.

Where the deficiency does not exceed fourteen British thermal units two pounds ;

Where the deficiency exceeds fourteen British thermal units but does not amount to twenty-eight British thermal units a sum not exceeding five pounds ;

For each complete twenty-eight British thermal units of defective value a sum not exceeding ten pounds :

Provided that the Corporation shall not be liable to any penalty in any case in respect of which it is proved before the justices that the defect of calorific value was occasioned by unavoidable cause or accident.

A.D. 1913.
Power to re-
quire use of
anti-fluctua-
tors for gas
engines.

18.—(1) Every consumer of gas supplied by the Corporation who uses a gas engine shall if required to do so by the Corporation use an effective anti-fluctuator and shall at all times at his own expense keep such anti-fluctuator in proper order and if any consumer shall make default in complying with the provisions of this section the Corporation may cease to supply him with gas.

(2) The Corporation shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator at all reasonable times such taking off removal testing inspecting and replacing to be done at the expense of the Corporation if the anti-fluctuator be found in proper order but otherwise at the expense of such consumer.

PART IV.

ELECTRICITY.

Discounts on
charges for
electricity.

19. The Corporation may if they think fit make such allowance by way of discount on all sums of money due to the Corporation for the supply of electrical energy as the Corporation think fit to prescribe in that behalf and notice to this effect shall be endorsed on every demand note in respect of such charges Provided that the Corporation shall make the same allowance to all consumers under similar circumstances.

Period of
error in
defective
meters.

20. In the event of a meter of a construction and pattern approved by the Board of Trade used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter The amount of the allowance to be paid to or the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and shall be recoverable in the like manner as charges for electricity are recoverable by the Corporation.

Power to
construct
electrical
substations
under
streets.

21.—(1) The Corporation may subject to the provisions of the Electric Lighting Acts 1882 to 1909 and the provisions of the Morley Electric Lighting Order 1897 which are hereby incorporated with this Act construct and maintain in or under any street repairable by the inhabitants at large or dedicated to public use substations transforming stations and other works

in connexion with their electricity undertaking and may in any such street provide and maintain all such means of access and approach to such substations transforming stations and works as may be necessary or convenient. A.D. 1913.

(2) Provided that no such substations transforming stations or other works connected therewith shall be constructed within a distance of twenty-five yards of any property of any railway company except with the consent of that company.

22. Any expenses incurred by the Corporation in carrying into effect the provisions of this Part of this Act and for which no other provision is made by this Act shall be deemed to be expenses incurred by the Corporation under the Electric Lighting Act 1882 and not otherwise provided for and the provisions of section 7 (Expenses of local authority) and section 8 (Power of local authority to borrow money) of that Act shall extend and apply accordingly to such expenses. As to expenses.

PART V.

TRADE REFUSE.

23. The Corporation shall for the purposes and subject to the provisions of this Part of this Act have the like powers and duties with respect to the construction and maintenance of sewers and the removal treatment and disposal of trade refuse and the purchase and taking of lands by agreement or otherwise than by agreement and the borrowing and expenditure of money and execution of works as they have for the construction and maintenance of sewers and the removal and disposal of sewage under the Public Health Act 1875 and all the provisions of that Act and of any Act incorporated therewith so far as applicable and not inconsistent with this Part of this Act shall apply accordingly. Powers of Public Health Act to apply.

24.—(1) Subject to the provisions of this Part of this Act any trader may require the Corporation to receive and dispose of the trade refuse produced on his trade premises and shall be entitled to discharge or continue to discharge such trade refuse through any drains communicating with a sewer and for such purpose shall be entitled subject to the delivery to the Corporation of plans and sections thereof and to the approval of the Corporation of the same to enlarge or alter such drains or construct new drains and cause the same to empty into such sewers subject nevertheless to the provisions of section 21 of the Public Health Act 1875. Traders may discharge trade refuse into sewers.

A.D. 1913.

(2) Any trader requiring the Corporation to receive and dispose of any trade refuse from his trade premises as aforesaid or intending to discharge trade refuse into a sewer by any drain not used for such purpose at the date of the passing of this Act or proposing to enlarge or alter any drain used for the purpose of discharging any trade refuse into any sewer shall at least one month before so requiring or commencing to discharge enlarge or alter any such drain serve the Corporation with notice of his requirement or intention or proposal as aforesaid and stating the branch of industry or trade carried on by him on the trade premises affected thereby and whether he occupies such premises or any part thereof as owner or tenant and in the latter case shall state the name and postal address of the owner.

(3) The provisions of this section shall not come into force until the expiration of twelve months after the passing of this Act or until the regulations to be made as herein-after provided shall come into operation whichever shall first happen. Provided also that in the meantime the existing rights of the Corporation and the traders respectively shall remain unaffected.

Production
of plans.

25. The owner and occupier of any lands on in through or under which any sewer drain pipe channel or outlet is situate by means whereof any trade refuse flows or is or may be discharged into any sewer or the Corporation as the case may be shall upon application in writing by the other of them requiring the same produce for inspection by such owner or occupier or Corporation as the case may be or his or their officers or agents all such plans of such sewer drain pipe channel or outlet as he or they possess and if required shall furnish to him or them at reasonable charges copies of all such plans and shall also give all such information as he or they are able to afford and in case of default shall be liable for every such offence to a penalty not exceeding five pounds and to a further penalty not exceeding forty shillings for every day during which such default shall continue.

Power to
make separate or
combined
systems or
schemes.

26. The Corporation may construct or provide any separate sewers or other works for receiving and disposing of any trade refuse as aforesaid or by means of a combined scheme or schemes with all necessary sewers and works may receive and dispose of the trade refuse from two or more trade premises as aforesaid apart or separately from the general sewerage system or disposal works of the Corporation.

27. The Corporation may combine with the local authority of any other district for the purpose of the exercise and performance of the powers and duties of the Corporation under this Part of this Act and may enter into and carry into effect any agreements for such purpose.

A.D. 1913.
Power to Corporation to combine with other local authorities.

28. The Corporation may at the request and cost of any trader or other person for the time being interested in any trade premises remove and dispose of any sludge or deposit or other substance which may have been produced in the course of the treatment of trade refuse upon or in connexion with such trade premises.

Disposal of sludge or deposit.

29.—(1) The Corporation may subject as herein-after in this Part of this Act mentioned make general regulations which shall be conformed to by traders who at the passing of this Act discharge or shall thereafter discharge trade refuse into the sewers of the Corporation.

Corporation may make general regulations.

(2) Such general regulations shall provide for (inter alia) the following operations by and at the cost of the trader:—

(a) The exclusion where practicable from trade refuse discharged from his trade premises into any sewer of all surface and condensing water springs of water and the overflow from reservoirs of such water Provided that nothing contained in the provisions of this subsection shall be deemed or construed to entitle any trader or the Corporation to cause to fall or flow or knowingly to permit to fall or flow or to be carried into any river or stream any liquid which is poisonous noxious or polluting within the meaning of the Rivers Pollution Prevention Act 1876:

(b) The removal (where the same can be effected at a reasonable cost) from trade refuse discharged from his trade premises into any sewer of grease and all or any particular kind of solid or suspended matter or matter in solution:

(c) The regulation (where the same can be effected at a reasonable cost) by the trader of the volume of flow of trade refuse discharged from his trade premises into any sewer so as to ensure an uniform rate of discharge thereof into the sewers during the working hours of each working day (including overtime) for the time being obtaining at such premises.

A.D. 1913.

(3) Such general regulations shall also make satisfactory provision for the inspection of trade effluents and taking of samples thereof by the Corporation.

(4) Such general regulations shall also provide in any case where the exclusion removal or regulation referred to in this section is not practicable or cannot be satisfactorily effected at a reasonable cost or for any other reason wholly or partially as an alternative to such exclusion removal or regulation and may provide where there shall be exceptional circumstances as regards volume quality or otherwise and in any case for the payment by the trader either by means of fixed charges per thousand gallons or otherwise for all trade refuse surface water and condensing water discharged into a sewer and the method to be adopted for ascertaining the quantity and flow of the same.

(5) Such general regulations and charges shall subject as herein-after in this Part of this Act provided be settled by agreement between the Corporation and a majority of the traders' representatives duly appointed at a general meeting of traders held for that purpose as herein-after provided or failing such agreement in manner provided by the section of this Act the marginal note whereof is "Reference of questions in dispute."

(6) Such general regulations shall be settled with due regard to the circumstances connected with the respective branches of industry or trade in the borough so as to ensure that no unnecessary injury will be inflicted by such regulations on the interests of such industries or trades and shall make all reasonable distinctions between such respective branches of industry or trade.

(7) The Corporation shall serve a copy of such general regulations on the traders who shall be affected thereby.

(8) The period within which such general regulations shall be served as aforesaid shall in the case of traders for the time being discharging trade refuse from their trade premises into the sewers be not less than two months before the same shall come into operation and in the case of other traders within one month after receipt by the Corporation of notice of intention to discharge trade refuse into the sewers.

(9) A meeting of the traders for the purpose of this section shall be summoned by not less than seven clear days' notice by advertisement in a newspaper circulating in the borough and such meeting shall be convened by the mayor or

town clerk for the time being of the Corporation and shall be held within three months from the passing of this Act. Such meeting shall elect traders' representatives not exceeding twelve in number and shall act by a majority of the traders present and in the event of such representatives not being appointed at such meeting the said regulations shall be settled by the Corporation alone. A certificate of the chairman of the meeting at which such representatives are appointed stating the names of the traders' representatives shall be conclusive evidence of their appointment.

(10) A list of traders who shall have been served with any general regulations under this section shall within fourteen days from such service and also a print or copy of any general regulations for the time being in force shall within fourteen days after the same come into operation be filed and kept by the Corporation at the Town Hall and such list shall be classified in the respective branches of industry or trade carried on within the borough so far as reasonably practicable and shall in each case state the name of the trader the situation of and nature of trade carried on at the trade premises of such trader and whether such trader is interested therein as owner or occupier and any trader shall be entitled at all reasonable times during office hours at the Town Hall to inspection of any such list or regulations on payment of a fee of one shilling for each such inspection and shall be at liberty to take copies thereof at his own expense and to be furnished with copies by the Corporation certified to be correct by an official of the Corporation on payment for the same at the rate of fourpence per folio of seventy-two words and any such certified copy may be received as evidence in all legal proceedings.

30. Either the Corporation or any trader affected may from time to time serve on the other of them two months notice of their or his desire to modify vary or rescind any regulations which may be deemed to have become unnecessary or undesirable so far as such trader is concerned and substitute further or other regulations but such modification variation rescission or substitution shall be settled with due regard to all and every the matters mentioned or referred to in the section of this Act the marginal note of which is "Corporation may make general regulations" and shall be settled in manner provided by the section of this Act the marginal note whereof is "Reference of questions in dispute."

Right to call for modification of regulations.

A.D. 1913.
Reference of
questions in
dispute.

31. Until Parliament otherwise provides any question arising under this Part of this Act shall be referred to the Local Government Board (for determination otherwise than as arbitrator) and thereupon that Board may make such order in the matter and as to the costs of the reference and of all parties as to the Board may seem equitable and the order so made shall be binding and conclusive on all parties.

Penalty for
default.

32. Any trader who shall discharge any trade refuse into any sewer in the borough except in accordance with the provisions of this Part of this Act or of any regulations for the time being in force thereunder or who shall otherwise infringe such provisions or regulations shall be liable on the application of the Corporation to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

Evidence of
regulations.

33. The production of a written copy of any regulations with respect to the disposal of trade refuse made in pursuance of this Act if authenticated by the seal of the Corporation shall until the contrary is proved be sufficient evidence of the due making settlement and existence of such regulations.

Power to
enter and
inspect.

34. Any person duly appointed for the purpose by the Corporation and exhibiting his appointment if required so to do may at all reasonable hours of the day or night enter any trade premises for the purpose of ascertaining whether any trade refuse or effluent is being discharged into a sewer the volume of the same the capacity of the drains pipes or sewers to carry the same and the nature of the trade refuse or effluent so being discharged and if such person at any such time be refused admittance into such premises for the purposes aforesaid or be prevented from making such examination the occupier of such premises shall for every such offence be liable to a penalty not exceeding forty shillings.

Reservation
of rights of
riparian
owners.

35. Nothing in this Part of this Act shall prejudice or affect the rights of any riparian owner or justify any infringement of such rights Provided that if pursuant to this Part of this Act any trade refuse is received into the sewers in contravention of any such riparian rights the remedy for such contravention shall be against the trader and not against the Corporation.

Agreements
for reception
and disposal
of trade
refuse.

36. Subject to the provisions of this Part of this Act the Corporation may enter into agreements with the owners lessees or occupiers of any trade premises within the borough as to the terms and conditions upon which they will receive and

dispose of any trade refuse produced on such premises including the construction of all sewers or works whether for preliminary treatment or otherwise required therefor and the repayment of any expenses which they may incur in respect of the construction of sewers or works or on account or in respect of such reception and disposal but any such agreement made after the date of the passing of this Act shall be filed at the Town Hall with any regulations affecting trade premises in the same branch of industry or trade and be subject to the like rights of inspection as such regulations. A.D. 1913.

37.—(1) When under this Part of this Act it shall become necessary for any trader to execute works for the purpose of enabling him to comply with any regulations for the time being applicable to one or more trade premises as to preliminary treatment or otherwise for the purposes of this Part of this Act by such trader of the trade refuse proceeding from such trade premises such trader may either execute such works or the Corporation may if they think fit execute such works at the request and cost of such trader and the Corporation may if they think fit advance to the trader the cost of such works upon such security terms and conditions as may be agreed between such trader and the Corporation. Corporation may execute works and make advances.

(2) If the occupier of any trade premises shall not be the owner thereof or if more than one person shall be interested therein either as owner or occupier or if the said works relate to more than one trade premises the amount payable shall be apportioned between the interests or trade premises (as the case may be) affected in such manner and upon such terms as may be agreed between the parties interested or failing agreement in manner provided by the section of this Act the marginal note whereof is "Reference of questions in dispute."

38. In the assessment of the annual value of trade premises for rating purposes any expenditure under this Part of this Act required to be incurred by the trader to enable such trade premises to fulfil the requirements of any regulations for the time being in force with respect to such premises shall be deemed to be included in the words "other expenses" in the interpretation of the words "net annual value." Expenditure in relation to assessment of trade premises.

39. Where at the passing of this Act the trade refuse from any trade premises is already received into the sewers or works of or disposed of by the Corporation such owner Existing arrangements for disposal of trade refuse.

A.D. 1913. — lessee or occupier shall be deemed as at the passing of this Act and for the purposes thereof to have required the Corporation to receive and dispose of such trade refuse subject in all respects to the provisions of this Act.

Prohibiting discharge of certain liquids &c. into sewers.

40. Nothing in this Part of this Act contained shall entitle any trader to require the Corporation to receive or dispose of—

- (a) Any liquids which prejudicially affect the sewers;
- (b) Any waste steam condensing water heated water or other liquid (such water or other liquid being of a higher temperature than 110° Fahrenheit) which either alone or in combination with the sewage would cause a nuisance or be dangerous or injurious to health;
- (c) Any water grease or matter which by regulations made under the provisions of this Act shall be required to be excluded or removed from trade refuse;

or to discharge or continue to discharge the same through any drain communicating with a sewer.

Recovery summarily of any sum of money accruing under this Part of this Act.

41. Any sum of money other than a penalty due to the Corporation accruing under this Part of this Act may be recovered by the Corporation summarily as a civil debt and the remedy of the Corporation under this enactment shall be in addition to any other remedy of the Corporation for the recovery of any such sum of money.

PART VI.

RAILLESS TRACTION.

Incorporation of parts of Tramways Act 1870.

42. The following provisions of the Tramways Act 1870 are incorporated with this Act (namely):—

- Section 3 (Interpretation of terms);
- Part II. (Relating to the construction of tramways) (except sections 22 25 28 and 29);
- Section 45 (Tolls &c.);
- Section 46 (Byelaws by local authority Promoters may make certain regulations);
- Section 47 (Penalties may be imposed in byelaws);
- Section 48 (Power to local authority to license drivers conductors &c.);
- Section 49 (Penalty for obstruction of promoters in laying out tramway);

- Section 51 (Penalty on passengers practising frauds on the promoters); A.D. 1913.
- Section 52 (Transient offenders);
- Section 53 (Penalty for bringing dangerous goods on the tramway);
- Section 55 (Promoters or lessees to be responsible for all damages);
- Section 56 (Recovery of tolls penalties &c.);
- Section 61 (Power for local or police authorities to regulate traffic in roads):

Provided that the provisions of the Tramways Act 1870 incorporated with this Act shall be read and have effect as if the works to be constructed in the streets for moving trolley cars by electrical power were tramways and as if trolley cars were carriages used on tramways.

43. The Corporation may provide maintain and equip (but shall not manufacture) mechanically propelled vehicles adapted for use upon roads and moved by electrical power transmitted thereto from some external source (in this Act called "trolley cars") and may use the same upon the routes herein-after mentioned and may place erect and maintain in under and along the streets and roads forming such routes cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working trolley cars and may supply electrical energy by means of such apparatus and equipment outside the borough for that purpose.

Power to
work trolley
cars.

The routes herein-before referred to are—

Route No. 2 Wholly situate in the urban district of Drighlington and commencing in the road leading from Farnley to Drighlington at the boundary between the city of Leeds and the urban district of Drighlington and terminating in the road leading from Drighlington to Wakefield (herein referred to as the Wakefield Road) at the boundary between the urban districts of Drighlington and Gildersome:

Route No. 3 Wholly situate in the urban district of Gildersome and commencing by a junction with Route No. 2 at its termination and terminating in the Wakefield Road at the boundary between the urban district of Gildersome and the borough:

A.D. 1913.

Route No. 4 Wholly situate in the borough and commencing by a junction with Route No. 3 at its termination and terminating in the Wakefield Road at the boundary of the borough and the urban district of Ardsley East and West :

Route No. 5 Wholly situate in the parish of West Ardsley in the urban district of Ardsley East and West and commencing by a junction with Route No. 4 at its termination and terminating in the Wakefield Road at the boundary of the parishes of West Ardsley and East Ardsley :

Route No. 6 Wholly situate in the parish of East Ardsley in the urban district of Ardsley East and West and commencing by a junction with Route No. 5 at its termination and terminating in the Wakefield Road at or near the Bay Horse Inn near the junction of Main Street with the Wakefield Road.

Power to lease and make agreements for construction and working &c. of tramways and for running powers.

44.—(1) Subject to the provisions of this Act the Corporation may with the consent of the Board of Trade enter into and carry into effect contracts and arrangements with any local authority company or person owning or leasing any tramway light railway or railless traction system with respect to the running over working use management and maintenance by the contracting parties of all or any of their respective tramways light railways or railless traction system and works connected therewith or any part or parts thereof respectively the supply by the working party under and during the continuance of any such agreement for all or any of the respective tramways light railways or railless traction system of the contracting parties or for any tramways light railways or railless traction system leased to either of such parties of rolling stock plant and machinery necessary for the purposes of such agreement the appointment and removal of officers and servants the payments to be made and the conditions to be performed in respect of such working use management and maintenance the interchange accommodation conveyance transmission and delivery of traffic coming from or destined for the respective undertakings of the contracting parties and the division and apportionment of the revenue arising from such traffic and the payment of any moneys by way of fixed or contingent rent or in a lump sum or otherwise.

(2) The Corporation and every local authority company or person working or using any tramway light railway or railless traction system under the powers of this section shall be subject to all the regulations and restrictions so far as the same are applicable to which the working and user of such tramway light railway or railless traction system by or in the hands of the promoters of the same is subjected by the Act or Order authorising the construction thereof or by any byelaw or regulation made under such Act or Order. A.D. 1913.

(3) No contract or agreement under this section shall extend for a period beyond thirty years from the making thereof. On the termination of any such agreement a new contract or agreement with or without modification for such limited period as aforesaid may be entered into between the parties and so on from time to time as occasion may arise.

(4) Any difference or dispute as to the construction of or in any way arising out of any such contract or agreement between the parties thereto shall be referred to arbitration and section 33 of the Tramways Act 1870 shall apply to any such arbitration.

45.—(1) The agreement dated the fourth day of July 1913 and made between the Corporation of the one part and the Leeds Corporation of the other part as set forth in the First Part of the Third Schedule to this Act and the agreement dated the fifth day of July 1913 and made between the Corporation of the first part the Leeds Corporation of the second part and the urban district council of Ardsley East and West (in this Act referred to as “the Ardsley Council”) of the third part as set forth in the Second Part of the Third Schedule to this Act are hereby confirmed and the parties thereto are hereby empowered to carry the same into effect and the Ardsley Council may with the sanction of the Board of Trade for the purposes of the said agreement borrow such moneys as may be necessary and such borrowing shall be subject to the provisions of the Tramways Act 1870 as if the purposes of the agreement were a purpose of that Act. Confirmation of agreements with Leeds Corporation and urban district council of Ardsley East and West.

(2) During the continuance of any lease granted in pursuance of either of the said agreements the Leeds Corporation shall have and may exercise the powers contained in this Act with reference to the working and user of the trolley car system referred to in such lease.

A.D. 1913.

(3) Any trolley car system leased to the Leeds Corporation in pursuance of this section and of either of the said agreements shall be deemed to form part of the undertaking authorised by Part II. (Trolley Vehicles) of the Leeds Corporation Act 1910 for the purposes of subsection (2) of section 9 (Application of provisions of Consolidation Act 1905) of that Act and the purposes thereof shall be deemed to be purposes of that Part of the said Act within the meaning of section 16 (Power to borrow) of that Act.

Charges for traffic conveyed partly on railless traction systems of Corporation and other parties.

46. During the continuance of any agreement or lease entered into or to be entered into under the provisions of this Act for the working owning running over or leasing of any tramways light railways or railless traction system the tramways light railways or railless traction systems of the contracting parties shall for the purpose of calculating the fares rates and charges to be taken in respect of traffic conveyed thereon be deemed to be one undertaking.

For protection of West Riding County Council.

47. The following provisions for the protection of the county council of the West Riding of Yorkshire (in this section called "the county council") shall notwithstanding anything in this Act and unless otherwise agreed in writing apply and have effect with respect to the use of the trolley cars on any main road maintained by or at the expense of the county council (that is to say) :—

(1) The county council may require that at the commencement and termini of the trolley car routes on any such main road the road shall be paved with granite or other sett paving for the full width of the carriage-way and for such length (not exceeding thirty feet) as the surveyor of the county council may reasonably require and in such case the Corporation shall carry out such paving :

(2) (A) All posts and apparatus erected by the Corporation under the powers of this Act in any main road shall be of such size and shall be placed in such position as the county council may reasonably direct Provided that no such direction shall be given as will prevent such posts or apparatus from being used for the purpose of working any tramway system which may be authorised in substitution for the trolley cars of the Corporation or as will conflict with any requirements of the Board of Trade ;

(B) If any post standard box or other mechanical power work interfere with the construction of any new road or footpath or the improvement of any road or footpath or the reconstruction or alteration of any county or main road bridge or become an obstruction the Corporation shall alter the position thereof in such manner as the county council may (subject as in this subsection provided) reasonably direct but if any difference arises under this section such question may be determined by arbitration as herein-after provided : A.D. 1913.

(3) If the Corporation in the execution of any works in or affecting any main road shall cause any damage injury or disturbance to such main road and shall fail to properly make good all such damage injury or disturbance then it shall be lawful for the county council after reasonable notice to the Corporation of the alleged failure and of the works which they propose to execute to do all works necessary for making good all damage injury or disturbance and the Corporation shall repay to the county council all costs charges and expenses which the county council shall reasonably and properly incur in carrying out such works including all reasonable expense of superintendence :

(4) (A) The Corporation shall subject as herein-after provided pay to the county council an annual sum equal to three eighths of one penny per car mile run by the trolley cars over any main road towards the cost of the maintenance by the county council of such roads ;

All sums of money payable to the county council under the provisions of this section shall be deemed to be a debt due to the county council and recoverable from the Corporation accordingly ;

(B) The Corporation shall keep statements for the purposes of this subsection showing in proper detail the mileage run by each trolley car on any such main road and shall furnish copies of such statements annually to the county council and the Corporation shall allow any person duly authorised by the county council in that behalf at all reasonable times to

A.D. 1913.

inspect and take copies of all such statements and any accounts kept by the Corporation relating to the running of all such trolley cars:

- (5) In consideration of the payments to be made by the Corporation to the county council under the last preceding subsection of this section the county council shall not under section 23 of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 of the Locomotives Act 1898 or otherwise make any claim against the Corporation in respect of extraordinary traffic by reason of the user of any main road by the trolley vehicles of the Corporation by this Act authorised:
- (6) The provisions of section 28 of the Town Police Clauses Act 1847 with respect to the side of the road at which a carriage or other vehicle is to be kept when meeting or passing any other carriage or vehicle shall apply to the driver of a trolley car and for the purposes of this section the said provisions shall be read as though horses and other beasts of burden were included therein:
- (7) For the purpose of the section of this Act the marginal note whereof is "Shelters or waiting rooms" the county council shall be deemed to be the road authority in the case of any main road:
- (8) Any difference at any time arising between the county council and the Corporation which is required by this section to be determined by arbitration shall be settled by an arbitrator to be agreed upon between the county council and the Corporation or failing such agreement to be appointed on the application of either party by the Board of Trade and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

Trolley cars not to be deemed light locomotives or motor cars.

48. Trolley cars shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 or of the byelaws and regulations made thereunder nor shall they be deemed to be motor cars within the meaning of any provisions of the Motor Car Act 1903 (except subsection (1) of section 1 of that Act and the provisions necessary for enforcing that subsection) and subject to that exception neither the

regulations made under that Act nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to trolley cars. A.D. 1913.

49. Nothing in this Act shall in any way affect the duties of excise now payable by law on licences to be taken out for trolley cars as carriages or light locomotives or hackney carriages. Saving of excise duties.

50. Trolley cars shall be of such form construction dimensions and weight as the Board of Trade may approve and no trolley car shall be used by the Corporation which does not comply with the requirements of the Board of Trade or until the overhead equipment for working the trolley cars has been approved by the Board of Trade and no trailer shall be used in connexion with any trolley car. Approval of trolley cars and overhead equipment by Board of Trade.

51. All posts and apparatus erected by the Corporation or the Ardsley Council under the powers of this Act in any street or road shall be of such design and shall be placed in such position as may be approved by the local authority Provided that no post or other apparatus shall be erected upon the carriageway of any public street or road except with the consent of the Board of Trade. Design and position of posts and apparatus.

52. If the overhead equipment by this Act authorised is not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed. Period for completion of overhead equipment.

53. The Corporation may demand and take for every passenger travelling upon the trolley cars including every expense incidental to such conveyance a fare not exceeding one penny per mile and in computing the said fare the fraction of a mile shall be deemed a mile. Fares for passengers.

54.—(1) The Corporation at all times after the opening of the railless traction system for public traffic shall and they are hereby required to run a proper and sufficient service of trolley cars for artisans mechanics and daily labourers each way every morning and every evening (Sundays Christmas Day and Good Friday and other public holidays always excepted) at such hours not being later than eight in the morning or earlier than five in the evening respectively as may be most convenient for such Cheap fares for labouring classes.

A.D. 1913. workmen going to and returning from their work at fares not exceeding one halfpenny for every mile or fraction of that distance but in no case shall the Corporation be bound to charge a less sum than one penny On Saturdays the Corporation in lieu of running such carriages after five o'clock in the evening shall run the same at such hours between noon and two o'clock in the afternoon as may be most convenient for the said purposes.

(2) If complaint is made to the Board of Trade that such proper and sufficient service is not provided the Board after considering the circumstances of the locality may by order direct the Corporation to provide such service as may appear to the Board to be reasonable.

(3) The Corporation shall be liable to a penalty not exceeding five pounds for every day during which they fail to comply with any order under this section.

Rates for parcels.

55. The Corporation may demand and take in respect of parcels conveyed by them on trolley cars including every expense incidental to such conveyance any rates or charges not exceeding the following (that is to say):—

	Any distance.
	s. d.
For any parcel not exceeding seven pounds in weight - - - - -	0 3
For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight - -	0 5
For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight -	0 7
For any parcel exceeding twenty-eight pounds and not exceeding fifty-six pounds in weight -	0 9

Lists of fares &c. to be exhibited.

56. A list of the fares rates and charges authorised to be taken shall be exhibited in a conspicuous place inside and outside each of the trolley cars of the Corporation.

Payment of fares rates and charges.

57. The fares rates and charges by this Act authorised shall be paid to such persons and at such places upon or near to the trolley cars and in such manner and under such regulations as the Corporation may by notice to be annexed to the list of fares rates and charges appoint.

Conveyance of mails.

58. The Corporation shall perform in respect of trolley cars all the services in regard to the conveyance of mails which are

prescribed by the Conveyance of Mails Act 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated. A.D. 1913.

59. The Corporation on the one hand and any local authority company or person authorised by any Act or Order to supply electrical energy on the other hand may notwithstanding the provisions of section 7 of the Act of 1900 from time to time enter into and carry into effect agreements for or with respect to all or any of the following purposes and all matters incidental thereto (that is to say):—

Agreements with local authorities as to supply of electrical energy.

(1) The supply to the Corporation by such local authority company or person of electrical energy for working and lighting the trolley cars for the time being worked under the foregoing provisions of this Act whether such working and lighting is or is not situate wholly or partly beyond the district of such authority company or person :

(2) The payments to be made or other consideration to be given in respect of any such supply of electrical energy.

For the purpose of such supply any such local authority company or person may lay pipes tubes and wires from any generating station of such local authority company or person from or to the overhead equipment in over or across or along any street or road (including the footpaths thereof) bridge footpath or public places in any borough district or parish in which overhead equipment will be situate Provided always that the laying by such local authority company or person of such pipes tubes and wires and the supply of electrical energy under this section shall be carried out only in accordance with and subject to the provisions of the Act or Order authorising such local authority company or person to supply electrical energy.

60. The following provisions shall apply to the use of electrical energy under this Act unless such energy is entirely contained in and carried along with the trolley cars :—

Special provisions as to use of electrical energy.

(1) The Corporation or the Ardsley Council as the case may be shall employ either insulated returns or uninsulated metallic returns of low resistance :

(2) The Corporation or the Ardsley Council as the case may be shall take all reasonable precautions in

A.D. 1913.

constructing placing and maintaining their electrical lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical energy or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus :

- (3) The electrical energy shall be used only in accordance with the regulations of the Board of Trade and in such regulations provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return :
- (4) The Corporation or the Ardsley Council as the case may be shall be deemed to take all reasonable precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Corporation or the Ardsley Council as the case may be either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric lines and apparatus of other parties and the currents therein as may be prescribed by the Board of Trade regulations and in prescribing such means the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking :
- (5) At the expiration of two years from the passing of this Act the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electrical wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line

and apparatus all reasonable precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents: A.D. 1913.

- (6) If any difference arises between the Corporation or the Ardsley Council as the case may be and any other party with respect to anything herein-before in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be.

61. The trolley car system shall not be opened for public traffic until it has been inspected and certified to be fit for traffic by the Board of Trade. Inspection
by Board of
Trade.

62. Whereas by the Bill for this Act the Corporation sought powers to construct the necessary equipment for running and to run a service of trolley cars along the routes therein specified extending from Farnley Top to Drighlington and thence viâ Morley and East Ardsley to Wakefield And whereas the Great Northern Railway Company petitioned against the said Bill and the Corporation agreed with the Great Northern Railway Company to withdraw the said powers so far as they related to any route to the south of the urban district of Ardsley East and West The following provision for the protection of the Great Northern Railway Company shall apply and have effect:— Restriction
as to further
routes.

The Corporation shall not construct any equipment for running or run any trolley cars on any route to the south of the Bay Horse Inn at the junction of Main Street with the Bradford and Wakefield Road in the urban district of Ardsley East and West.

63. For the further protection of the Great Northern Railway Company (herein-after in this section referred to as "the company") the following provisions shall unless otherwise agreed between the Corporation and the company be observed and have effect in relation to the exercise of the powers of this Part of this Act (that is to say):— For protec-
tion of
Great
Northern
Railway
Company.

- (1) The trolley cars by this Act authorised shall not be used for the carriage of animals minerals or goods

A.D. 1913.

other than parcels not exceeding fifty-six pounds in weight and personal luggage carried by passengers not exceeding the like weight :

- (2) In this section the expression "apparatus of the Corporation" means and includes cables wires posts poles and all other apparatus and equipment for the purpose of working the trolley cars by this Act authorised :
- (3) All works and apparatus of the Corporation by this Act authorised where the same will be made upon across under or over any tunnel bridge (or the approaches thereto) or other work belonging to or maintainable by the company or will otherwise affect the same shall be executed and constructed so as not to injuriously affect the structure of any such tunnel bridge approaches or other work and as to the said works according to plans sections and specifications to be previously submitted to and reasonably approved by the company or in case of difference between them and the Corporation by an arbitrator to be appointed as herein-after provided Provided that if the company do not within twenty-eight days after such submission specify their disapproval of such plans sections and specifications they shall be deemed to have approved thereof All such works of the Corporation shall be executed and constructed according to the plans sections and specifications approved by the company or by an arbitrator as aforesaid and under the superintendence (if the same be given) and to the reasonable satisfaction of the company The Corporation shall so maintain and use the works and apparatus of the Corporation as not to injuriously affect any tunnel bridge approaches or other work or property of the company and in the event of any injury being occasioned to any such tunnel bridge approaches work or property by the construction maintenance user or removal of the works and apparatus of the Corporation the company may make good the injury and may recover from the Corporation the reasonable expenses of so doing :
- (4) The Corporation shall on demand pay to the company the expense reasonably incurred by the company of

lighting and watching the works and apparatus of the Corporation during the execution construction or repair by the Corporation of any work or apparatus of the Corporation affecting any railway belonging to the company and for preventing all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Corporation or their contractors or any person in the employ of either of them :

- (5) The Corporation shall not in any manner in the execution maintenance user or repair of any of the works or apparatus of the Corporation by this Act authorised obstruct or interfere with the free uninterrupted and safe user of any railway belonging to the company or any traffic thereon :
- (6) The Corporation shall be responsible for and make good to the company all losses damages and expenses which may be occasioned to the company or any of their works or property or to the traffic on their railways or to any company or person using the same by or by reason of the execution or failure of any of the works or apparatus authorised by or to be provided under this Act or by reason of any act default or omission of the Corporation or of any person in their employ or of any contractors for the said works or apparatus of the Corporation or any part thereof and the Corporation shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of such execution or failure or of any such act default or omission :
- (7) If in consequence of the working or intended working of the trolley cars by this Act authorised it becomes necessary that any tunnel or bridge belonging to the company over which the trolley cars by this Act authorised are or will be worked should be strengthened the company may at the expense of the Corporation execute all such works as may be requisite for that purpose :
- (8) If the company shall hereafter in the exercise of their existing powers require to widen lengthen strengthen reconstruct alter or repair any tunnel or bridge under or upon which the works or apparatus of the

A.D. 1913.

Corporation are laid or the approaches to any such bridge or to widen or alter any railway thereunder or thereover and it shall be necessary for such purpose that the working or user of any works and apparatus of the Corporation by this Act authorised under or upon such tunnel bridge or approaches be wholly or in part stopped or delayed or that any of the said apparatus and works of the Corporation be temporarily taken up diverted or removed and if the company accordingly give to the Corporation twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such stoppage delay taking up diversion or removal then the working or user of such works and apparatus of the Corporation shall be stopped or delayed or such works and apparatus of the Corporation shall be taken up diverted or removed as stated in such notice at the reasonable expense of the Corporation and under their superintendence (if they shall give such superintendence) but no such working or user shall be stopped or delayed for a longer period than may be absolutely necessary for effecting such purpose as aforesaid and such works and apparatus of the Corporation shall be restored with all practicable dispatch but the company shall not be liable to pay compensation in respect of such stoppage delay or taking up diversion or removal:

- (9) The Corporation shall from time to time pay to the company any additional expense which the company may reasonably incur in effecting such widening lengthening reconstructing altering or repairing as is mentioned in the last preceding subsection or (except so far as such strengthening is effected under subsection (7) hereof) any such strengthening as is mentioned in the last preceding subsection or in the maintenance of any tunnel bridge approach or other work of the company by reason of the existence or user of the works and apparatus of the Corporation by this Act authorised:
- (10) If and when the company shall require to reconstruct alter repair or paint any bridge under which any electric wire of the Corporation has been placed the

Corporation shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridges at such times as shall be agreed between the Corporation and the engineer of the company or as failing agreement may be determined by arbitration under this section unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been reasonably approved by the said engineer :

- (11) If having regard to the proposed position of any works and apparatus of the Corporation by this Act authorised when considered in relation to the position of the works of the company at any point where any works and apparatus will be constructed over or under the railway or other works of the company it becomes necessary in order to avoid danger from the breaking or falling of wires that the electric telegraphic telephonic or signal wires or apparatus of the company shall be altered the company may execute any works reasonably necessary for such alteration and the reasonable expense of executing such works shall be repaid to the company by the Corporation :
- (12) The Corporation shall not for the purposes of this Act make attachments to any part of the tunnels or bridges of the company without the consent in writing of the company which consent shall not be unreasonably withheld such attachments if allowed to be in all respects subject to the approval of the said engineer and to be temporarily removed at any time when required by him in connexion with the maintenance and reconstruction or alteration of the said bridges :
- (13) If any difference arises under this section between the Corporation and the company the same shall unless otherwise agreed be settled by arbitration under the provisions of the Arbitration Act 1889 by an engineer to be appointed by the Board of Trade at the request of either party.

64.—(A) Notwithstanding anything in this Act contained if any of the works by this Act authorised involves or is likely

A.D. 1913.

For protection of
Postmaster-
General.

A.D. 1913. — to involve any alteration of any telegraphic line belonging to or used by His Majesty's Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

(B) In the event of the trolley car system being worked or lighted by electrical energy the following provisions shall have effect:—

(1) The Corporation shall construct their electric lines and other works of all descriptions and shall work the undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by the Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of the undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein Any difference which arises between the Postmaster-General and the Corporation as to compliance with this subsection shall be referred to arbitration:

(2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Corporation of their electric lines and works or by the working of the undertaking the Corporation shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection:

(3) Before any electric line is laid down or any act or work for working or lighting the trolley car system by electrical energy is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Corporation or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Corporation and their agents shall conform with such reasonable requirements (either general or special) as may be made by the Postmaster-General for the purpose of preventing

any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work
Any difference which arises between the Postmaster-General and the Corporation as to any requirement so made shall be referred to arbitration:

A.D. 1913.

- (4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works by this Act authorised is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of any such works or to the working of the undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated for the purposes of this Act at any works of the Corporation enter thereon for the purpose of inspecting the plant and the working of the same and the Corporation shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Corporation pursuant to the Board of Trade regulations:
- (5) In the event of any contravention of or wilful non-compliance with this section by the Corporation or their agents the Corporation shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues:
- (6) Provided that nothing in this section shall subject the Corporation or their agents to a fine under this section if they satisfy the court having cognisance of the case that the immediate doing of any act or the execution of any work in respect of which the penalty is claimed was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice:

A.D. 1913.

- (7) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work :
- (8) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Act :
- (9) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882 :
- (10) Any question or difference arising under this section which is directed to be referred to arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Corporation or their agents were a company within the meaning of that Act :
- (11) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Corporation by indictment action or otherwise in relation to any of the matters aforesaid :
- (12) In this section the expression "the Corporation" includes their lessees and any person owning working or running trolley cars on the trolley car system.

Use of
posts by
Postmaster-
General.

65.—(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Corporation in connexion with the trolley car system and to lengthen adapt alter or replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions :—

- (A) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the trolley car system :

(B) The Postmaster-General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as herein-after provided :

(c) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expense of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the trolley car system or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster-General of the powers conferred by this section :

(D) Unless otherwise agreed or in case of difference determined as herein-after provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as herein-after provided :

(E) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road :

(F) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair :

A.D. 1913.

- (G) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants :
- (H) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as herein-after provided :
- (I) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the trolley car system or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants :
- (J) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same Provided that if the Corporation or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as herein-after provided.

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus in connexion with the trolley car system or other undertakings or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connexion with the lighting of the streets or otherwise. Provided that any difference between the Postmaster-General and such company or person in relation to the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as herein-after provided.

A.D. 1913.

(3) All differences arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

(4) In this section the expression "Corporation" includes their lessees or any person owning working or running trolley cars on the trolley car system the expression "telegraph" has the same meaning as in the Telegraph Act 1869 and other expressions have the same meaning as in the Telegraph Act 1878.

66. The Corporation may subject to the provisions of this Act enter into agreements with any local authority company or person being the owners or lessees of any tramways which may connect with cross or adjoin the streets and roads forming the railless traction routes by this Act authorised with respect to the through working crossing of or connexion with such tramways and to the receiving from or forwarding to any such local authority company or person any passengers or parcels and the fixing collecting and apportionment of tolls charges or other receipts arising in respect of such traffic.

Agreements with tramway companies and others.

67. The trolley cars used by the Corporation may be moved by electrical energy subject to the following provisions (that is to say):—

Provisions for safety of public.

- (1) The electrical energy shall not be used except according to a system approved by the Board of Trade:
- (2) The Board of Trade shall make regulations (in this Act referred to as "the Board of Trade regulations") for securing to the public all reasonable protection against danger arising from the use under this Act of electrical energy for propelling the trolley cars and for regulating the use of electrical energy:

A.D. 1913.
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(3) The Corporation using any electrical energy contrary to the provisions of this Act or of the Board of Trade regulations shall for every offence be liable to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence is continued after conviction thereof:

(4) The Board of Trade if they are of opinion—

(A) That the Corporation have made default in complying with the provisions of this Act or of the Board of Trade regulations whether a penalty in respect of such non-compliance has or has not been recovered; or

(B) That the use of electrical energy as authorised under this Act is a danger to the passengers or the public;

may by order either direct the Corporation to cease to use such electrical energy or permit the same to be continued only subject to such conditions as the Board of Trade may impose and the Corporation shall comply with every such order. In every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Attachment
of brackets
to buildings.

68. The Corporation may with the consent of the owner of any building wall or bridge attach to such structure such brackets wires and apparatus as may be required for the working of the trolley cars by electrical energy. Provided that—

(1) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a petty sessional court who shall have power having regard to the character of the structure 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:

(2) Any consent of an owner and any order of a petty sessional court under this section shall not have effect after that owner ceases to be in possession of the structure 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 petty sessional court shall have the same powers as under proviso (1):

A.D. 1913.

- (3) The owner may require the Corporation to temporarily remove the attachments where necessary during any reconstruction or repair of the structure and the Corporation shall comply with such requirement at their own expense.

For the purpose of this section any occupier whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rackrent shall be deemed to be the owner.

69. Subject to the provisions of this Act the Corporation shall have the exclusive right of using any apparatus provided erected or maintained by them for the purpose of working trolley cars and any person except by agreement with the Corporation using the said apparatus shall for every offence be liable to a penalty not exceeding twenty pounds.

Corporation to have exclusive use of overhead equipment.

70. The Corporation may appoint stages upon any of the railless traction routes and may demand and take for every passenger travelling upon any such stage such reasonable fares rates and charges not exceeding the fares rates and charges authorised to be taken by this Act as may be determined by the Corporation.

Power to appoint stages.

71. The Corporation may appoint the stations and places from which the trolley cars used by the Corporation shall start or at which they may stop for the purpose of taking up or setting down passengers and may make regulations for fixing the time during which such trolley cars shall be allowed to remain at any such place:

Corporation may appoint stopping and starting places.

Provided always that the Corporation shall not appoint any such stations or places so as to interfere with or render less convenient the access to or exit from any station belonging to the Great Northern Railway Company.

72. The Corporation may erect and maintain shelters or waiting rooms for the accommodation of passengers and of the servants of the Corporation and may with the consent of the local

Shelters or waiting rooms.

A.D. 1913. authority and the road authority use for that purpose portions of any public street or road within the district of such authority:

Provided that no shelter or waiting room shall be erected or maintained in any street or road so as to interfere with or render less convenient the access to or exit from any station of any railway company. Any differences arising under this section between the Corporation and any railway company shall be determined by an arbitrator to be agreed upon by both parties or failing such agreement to be appointed by the Board of Trade on the application of either party.

Byelaws.

73. Subject to the provisions of this Act the Board of Trade may make byelaws with regard to the trolley cars for all or any of the following purposes (that is to say):--

For regulating the use of any bell whistle or other warning apparatus fixed to the trolley cars;

For providing that trolley cars shall be brought to a stand at such places as the Board of Trade may deem proper for securing safety;

For regulating the entrance to exit from and accommodation in the trolley cars and the protection of passengers from any apparatus used for drawing or propelling such trolley cars;

For providing for the due publicity of all byelaws and Board of Trade regulations in force for the time being in relation to the trolley cars by exhibition of the same in some conspicuous place on the trolley cars and elsewhere.

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Act shall be liable to a penalty not exceeding forty shillings.

Orders of Board of Trade.

74. All orders regulations and byelaws made by the Board of Trade under the authority of this Act shall be signed by a secretary or an assistant secretary of the Board.

Penalty for malicious damage.

75. If any person wilfully does or causes to be done with respect to any apparatus used for or in connexion with the working of the trolley cars anything which is calculated to obstruct or interfere with the working of such trolley cars or to cause injury to any person he shall (without prejudice to any proceedings by way of indictment or otherwise to which

he may be subject) be guilty of an offence punishable on summary conviction and every person convicted of such offence shall be liable to a penalty not exceeding twenty pounds. A.D. 1913.

76. Where under this Part of this Act any question or dispute is to be referred to arbitration then unless other provision is made the reference shall be to an arbitrator appointed by the Board of Trade and the provisions of the Arbitration Act 1889 shall apply thereto. Provisions as to arbitration.

77. Notwithstanding anything in this Act contained the following provisions shall apply and have effect for the protection and benefit of the Yorkshire Electric Power Company (in this section called "the power company") unless otherwise agreed in writing between the Corporation and the power company (that is to say):— For protection of Yorkshire Electric Power Company.

(A) The Corporation shall not without the consent in writing of the power company supply electrical energy for working or lighting the trolley cars upon any of the railless traction routes situate outside the borough :

(B) No electrical energy shall without the consent in writing of the power company be supplied or continue to be supplied for or in connexion with any tramway light railway or railless traction route of the Corporation by this Act authorised by any local authority company or person unless such local authority company or person is supplying electrical energy for public and private purposes under the authority of Parliament within the area in which such tramway light railway or railless traction route is situate and then only to such part of such tramway light railway or railless traction route as is within such area :

(c) Nothing in this Act shall extend to or authorise any interference with any works of the power company to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section and the provisions of that section shall be deemed to extend to and include any electric lines or works of the power company constructed or placed upon or above the level of the ground.

A.D. 1913.

PART VII.

RECREATION GROUNDS &c.

Bands and
concerts.

78.—(1) The Corporation may pay or contribute towards the payment of bands of music or vocal choirs and may provide or arrange for the provision of concerts in any recreation ground or public building for the time being vested in the Corporation and suitable for the purpose or in any building which the Corporation may hire for the purpose.

(2) The Corporation may in any recreation ground vested in them enclose an area for the purpose of any such concert as aforesaid or for any performances by such bands or choirs.

(3) The Corporation may make such charges as they think fit for admission to any such building or enclosure as aforesaid in connexion with any such concert or performance and may make regulations for securing good and orderly conduct during any such concert or performance.

(4) The Corporation may provide and sell or authorise any person or persons to provide and sell programmes of any concert or performance given in pursuance of this section.

(5) The Corporation may pay or contribute towards the cost of providing and maintaining at public places in the borough and in newspapers published in the borough advertisements of any concerts or performances given in pursuance of this section.

(6) Any moneys received by the Corporation in pursuance of this section shall be credited to the district fund and any expenses incurred by the Corporation in pursuance of this section may be paid out of the same fund.

(7) Provided always that the net amount of any payments or contributions made by the Corporation for the purposes of this section after deducting any moneys received by them in pursuance of this section shall not in respect of any one year exceed a sum equal to a rate of one halfpenny in the pound on the assessable value of the borough for the purposes of the general district rate.

(8) Provided also that no payment or contribution shall be made under this section unless incurred in pursuance of a resolution of an absolute majority of the whole number of the council at a meeting of the council after seven clear days' notice of such meeting and of the intention to propose such resolution.

(9) Section 15 (Public bands) of the Act of 1900 is hereby repealed. A.D. 1913.

79. The Corporation may during the winter months from first November to first April 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 free from any restriction contained in the Baths and Washhouses Acts 1849 to 1899 or any Act amending the same. Use of swimming baths during winter.

PART VIII.

STREETS AND BUILDINGS.

80.—(1) When a road or lane is about to become a new street within the meaning of the Public Health Act 1875 but the land on only one side of such street has been or is about to be built on the Corporation may instead of requiring the owner of such land to widen such road or lane to a width prescribed by the byelaws in force in the borough require such owner to widen such road or lane so as to give a width not less than one half of such prescribed width from the old centre line of such road or lane to the boundary thereof adjoining such land. Further provision as to new streets.

(2) Provided that when the land on the opposite side of such road or lane is about to be built on the owner of such land shall complete the widening of such road or lane so as to comply in all respects with the byelaws of the Corporation.

(3) The provisions of this section shall not extend or apply to any building (not being a dwelling-house) belonging to and used and occupied by a railway company as a part of or in connexion with their railway under any Act of Parliament nor to any land upon which any such building is erected or is in course of being erected.

81. Where premises abutting upon any street are so situate that the surface water from such premises flows on to the footpath of such street the owner of such premises shall within one month after service of a notice by the Corporation for that purpose execute such works as may be necessary to prevent the water from such premises from flowing over the footpath and in default of compliance with such notice within the period aforesaid such owner shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings. For preventing water flowing on footpaths.

82.—(1) Whenever any person erecting any building shall be desirous of leaving an opening which may be a source Forecourts to be fenced off from streets.

A.D. 1913. — of danger to the public or of placing any steps or other projection in any forecourt area or space left in front of such building such forecourt area or space shall if required by the Corporation be well and sufficiently fenced off from the footpath or street.

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

Street
orderly bins.

83. The Corporation may provide and maintain bins for sand and gravel and other materials and orderly bins or other receptacles for the collection and temporary deposit of street refuse and waste paper in upon or under the streets of the borough of such dimensions and in such positions as they may from time to time determine.

Courts to be
flagged and
drained.

84.—(1) The owner or owners of premises the occupiers of which use in common any court yard or passage (not being a highway repairable by the inhabitants at large) or any part of such court yard or passage shall flag asphalt concrete or pave such court yard or passage or any part thereof and make a drain through or along the same or such part thereof as the Corporation require and provide and maintain in suitable positions and at proper levels such gullies and grids as the Corporation require and keep such flagging asphalt concrete or paving and drain gullies and grids in good repair.

(2) If such owner or owners shall for one month after notice in writing from the Corporation fail in any respect to comply with the provisions of subsection (1) of this section he or they shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may themselves if they think fit do the work and recover the expense incurred by them in that behalf from such owner or owners.

Extension
of section 75
of Towns
Improvement
Clauses
Act 1847.

85. Section 75 of the Towns Improvement Clauses Act 1847 in its application to the borough shall be extended so as to include any building which shall be reported to the Corporation by their surveyor as dangerous to the inmates thereof or persons working therein.

Restrictions
on placing
rails beams
&c. over
streets.

86.—(1) It shall not be lawful for any person to fix or place any overhead rail or beam or other similar apparatus (other than apparatus for telegraphic telephonic or railway signalling

purposes) over across or along any street without the consent of the Corporation which consent shall be in writing under the hand of the town clerk and may contain such terms and conditions as the Corporation think fit Any person acting in contravention of the provisions of this section and of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings Provided that nothing in this section shall extend to any works of any undertakers within the meaning of the Electric Lighting Act 1882 to which the provisions of the said Act apply.

A.D. 1913.

(2) Nothing in this section shall extend to any apparatus belonging to His Majesty's Postmaster-General.

87. The Corporation may make byelaws with respect to the materials with which new buildings shall be constructed and the manner in which and the materials with which grates stoves and fireplaces shall be set in new buildings the ventilation of gas stoves and flues and the thickness and construction of the walls of all ovens and furnaces wholly or partially built after the passing of this Act.

Byelaws as to building materials.

88. Notwithstanding any provisions contained in any public or local Act or byelaw in force within the borough regulating the construction of buildings the Corporation shall have power to relax or modify such provisions in the following cases and subject to the following provisions (that is to say):—

Buildings of iron steel or reinforced concrete.

(1) Where a person is desirous of erecting an iron steel or reinforced concrete building or structure he shall make an application to the Corporation accompanied by complete plans sections and elevations of the proposed buildings with such details and other particulars as to the construction thereof as may be required by the Corporation:

(2) The Corporation if satisfied with such plans sections elevations details and particulars shall signify their approval of the same in writing and thereupon the building or structure may be constructed according to such plans sections elevations details and particulars:

(3) The Corporation may for the purpose of regulating the procedure in relation to such applications and in reference to the excavations for or foundations of or the erection of such building or structure make and

A.D. 1913.

issue such general rules as they think fit as to the place time and manner of making applications and as to the plans sections elevations details and particulars to be deposited with the Corporation and as to the precautions to be taken in connexion with any such excavation foundation or erection for safeguarding the stability of the street and the property therein and the public safety and convenience and otherwise and as to any other matter or thing connected therewith respectively.

Firing places in mills not to open on to streets.

89. When the plans of any new mill factory or building are submitted to the Corporation for approval the Corporation may require that no firing place shall be constructed so as to open directly on to any street or road.

Area of habitable rooms.

90.—(1) Every new dwelling-house shall be provided with at least one living room with a floor area of not less than one hundred and thirty-two square feet and one bedroom with a floor area of not less than one hundred and ten square feet.

(2) No bedroom or other habitable room in any such dwelling-house shall have less floor area than sixty-four square feet.

(3) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Food storage accommodation to be provided in new houses.

91. The owner of any dwelling-house the erection of which is commenced after the passing of this Act which is not provided with sufficient and suitable food storage accommodation who shall occupy or allow to be occupied such dwelling-house shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Erection of buildings to greater height than adjoining buildings.

92.—(1) In case any building is at any time after the passing of this Act erected or raised to a greater height than the adjoining building and any flues or chimneys of such adjoining building are in the outer or party wall or against the building so erected or raised the person erecting or raising such building shall at his own expense build up those flues and chimneys so that the top thereof may be of the same height as the top of the chimneys of the building so erected or raised and the same shall be carried out in all respects in accordance with the byelaws for the time being in force in the borough.

(2) Any person who shall offend against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings. A.D. 1913.

93.—(1) Every new building exceeding thirty-five feet in height used or intended to be used as an inn hotel restaurant hospital boarding-house common lodging-house or school shall be provided on the storeys the upper surface of the floor whereof is above twenty feet from the street level with such means of escape in the case of fire for the persons dwelling or employed therein or resorting thereto as may be reasonably required under the circumstances of the case and no such building shall be occupied until the Corporation shall have issued a certificate that the provisions of this section have been complied with in relation thereto. Means of escape from buildings in case of fire.

(2) The means of escape in case of fire provided in any building in pursuance of this section shall be maintained by the owner and occupier of such inn hotel restaurant hospital boarding-house common lodging-house or school in good and efficient condition and free from obstruction.

(3) Nothing in this section contained shall be deemed to interfere with the operation of section 14 (Provision of means of escape in case of fire) and section 15 (Byelaws for means of escape from fire) of the Factory and Workshop Act 1901 or of any Act amending the same.

(4) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

94. Any building in respect of which expenses have been incurred and are recoverable by the Corporation under section 39 (Conversion of existing closet accommodation into waterclosets) of the Act of 1905 and all estates and interests therein shall stand and remain charged to the like extent and effect as under section 257 of the Public Health Act 1875 with the amount of such expenses together with interest thereon at the rate of five pounds per centum per annum from the date of service of a demand for the same till payment thereof. Expenses of providing waterclosets and inspecting drains to be a charge on building.

95.—(1) The soil-pipe of any watercloset within a house or building shall be properly ventilated by means of a pipe carried up therefrom or (subject to the provisions of section 37 (Water or stack pipes not to be used as ventilating shafts) of Soil-pipes to be ventilated.

A.D. 1913. the Public Health Acts Amendment Act 1907) by such other method as the Corporation shall direct.

(2) Any owner or occupier of such house or building who shall neglect or fail to comply with any requirement of the Corporation under this section for a period of twenty-eight days after notice in writing of such requirement and the mode in which the same is to be complied with shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Watercourse
not to be
covered in
except in
accordance
with ap-
proved plan.

96.—(1) Before the owner of any land shall culvert or cover over any watercourse thereon forming part of the natural drainage of the area involved he shall submit for the approval of the Corporation plans sections and specifications of such watercourse and the method of culverting or covering over the same and the Corporation may subject as herein-after provided require such owner to so construct any such culvert or so to cover over any such watercourse as to secure the free and uninterrupted passage of the water flowing in any such watercourse :

Provided that—

(a) No requirement of the Corporation under this section shall operate to compel any such owner to receive upon his land or to make provision for the passage of a greater quantity of water than he would have been obliged to receive or to permit to pass if this section had not been enacted ;

(b) If with the consent of such owner the Corporation shall require him to make provision for the passage of a larger quantity of water than he is obliged to permit to pass at the time of the commencement of any work under this section any additional cost occasioned by such requirement shall be borne by the Corporation.

(2) If any difference shall arise between the Corporation and such owner as to the expediency or necessity of the works required by the Corporation to be executed or otherwise under this section such difference shall be referred to arbitration and the provisions of the Arbitration Act 1889 shall apply thereto.

(3) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

97. The provisions of this Part of this Act shall not extend A.D. 1913.
 or apply to any building (not being a dwelling house) belonging Exemption
 to and used and occupied by a railway company as a part of or of railway
 in connexion with their railway under any Act of Parliament. company.

PART IX.

SEWERS AND DRAINS.

98. If in any street not repairable by the inhabitants at Corporation
 large the Corporation for the purpose of main drainage or may require
 otherwise shall require a larger sewer to be made than they enlarged
 consider necessary for the ordinary sewerage of such street the sewer.
 person laying out such street shall construct such enlarged
 sewer in accordance with the requirements of the Corporation
 and the additional cost thereof as ascertained by the surveyor
 shall be paid by the Corporation.

99. The Corporation may on the application and at the Power to lay
 expense of any person owning or occupying premises abutting drains in
 or fronting on any street not repairable by the inhabitants at private
 large wherein a sewer has been laid lay down take up alter streets.
 relay or renew in across or along such street such drains as
 may be requisite or proper for connecting such premises with
 the sewer doing as little damage as may be in the execution
 of the powers hereby granted and making compensation for
 any damage which may be done in the execution of such
 powers such compensation failing agreement to be ascertained
 by and recoverable before a court of summary jurisdiction.

100. The powers given by section 19 of the Public Health Amendment
 Acts Amendment Act 1890 in relation to two or more houses of section 19
 belonging to different owners shall extend and apply to two or of Public
 more houses belonging to the same owner. Health Acts
Amendment
Act 1890.

101.—(1) If it appears to the Corporation that two or more Corporation
 houses may be drained more economically or advantageously in may order
 combination than separately and a sewer of sufficient size houses to be
 already exists or is about to be constructed within one hundred drained by a
 feet of any part of the premises the Corporation may when the combined
 drains of such houses are first laid order that such houses be drain.
 drained by a combined drain to be constructed either by the
 Corporation if they so decide or by the owners in such manner
 as the Corporation shall direct and the costs and expenses of
 such combined drain and the repair and maintenance thereof
 shall be apportioned between the owners of such houses in such

A.D. 1913. — manner as the Corporation shall determine and if such drain is constructed by the Corporation such costs and expenses may be recovered by the Corporation from such owners.

(2) Any combined drain constructed in pursuance of this section shall for the purposes of the Public Health Acts be deemed to be a drain and not a sewer.

(3) Provided that the Corporation shall not exercise the powers conferred by this section in respect of any house plans for the drainage of which shall have been previously approved by them.

Notice of
intention to
repair drains.

102.—(1) It shall not be lawful for any person to repair any drain communicating with any sewer of the Corporation without giving to the Corporation or to the surveyor twenty-four hours' previous notice in writing of his intention to do so except in case of emergency and in that case it shall not be lawful for any person to cover over the drain without giving the like notice of his intention to do so.

(2) Free access to such drain or work of repair shall be afforded to the surveyor or to any officer of the Corporation authorised in writing by the town clerk for the purpose of inspection.

(3) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds.

Ejection of
steam and
waste gas to
annoyance of
public.

103. All steam or waste gas ejected from any fixed engine or the boiler or condensers thereof and all condensing water above a temperature of one hundred and ten degrees Fahrenheit so ejected and all spent and ejected steam arising or produced in any trade business or manufacture shall be so discharged as not to be an annoyance to the public but nothing in this section shall apply to steam ejected from any locomotive boiler or engine now or hereafter belonging to any railway company Any person who shall offend against this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Boilers &c.
not to be
tapped or
blown off
direct into
sewer.

104. From and after the date of the passing of this Act it shall not be lawful for any person to tap or blow off any steam boiler in connexion with any premises where any trade or manufacture is carried on at a greater pressure than twenty pounds or to discharge the water from any dye-pan or other receptacle into any sewer of the Corporation unless the water in such boiler or dye-pan or receptacle shall have been so cooled as

to effectually prevent any steam from such water being emitted from any street manhole gully or other drain opening in connexion with such sewer Any person who shall offend against this section shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding twenty shillings. A.D. 1913.

105. If the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Corporation under this Part of this Act or under any byelaw made thereunder then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding two pounds and during the continuance of his refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works. Penalty on occupier refusing execution of Act.

106. The provisions of section 102 (Power of entry of local authority) and section 103 (Penalty for disobedience of order) of the Public Health Act 1875 shall extend and apply to the purposes of this Part of this Act as if those purposes had been mentioned in the said section 102. Power of entry.

107. Nothing in Parts VIII. or IX. of this Act shall apply to any building (not being a dwelling-house) or work constructed or to be constructed by the Great Northern Railway Company as a part of or in connexion with their railway under any statutory powers or to any lands held or acquired or which may hereafter be held or acquired by that company and used for the purposes of their undertaking with the authority of Parliament. Saving for: Great Northern Railway Company.

PART X.

SANITARY PROVISIONS.

108.—(1) No room shop or other part of a building in which any food is sold or exposed for sale or deposited for the purpose of sale or of preparation for sale or with a view to future sale shall be used as a sleeping place but no penalty shall be imposed for an offence against this subsection if in the opinion No place used for storage of food to be used as a sleeping place.

A.D. 1913. of the court the occupation of such room shop or other part of a building in contravention of this section has not caused risk of infection or of contamination of food.

(2) If any person occupies or lets or knowingly suffers to be occupied any such room shop or other part of a building as a sleeping place in contravention of this section he shall be liable to a penalty not exceeding for a first offence twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings.

(3) The Corporation or any of their officers shall have the like right of entry into any such room shop or other part of a building as they would have had under section 102 (Power of entry of local authority) of the Public Health Act 1875 if there had been a nuisance arising in respect of any business carried on therein.

(4) Any person refusing entry into or inspection of such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings.

Provisions
as to retailers
of milk.

109. The provisions of section 34 (Power for Privy Council to make Orders relative to dairies cowsheds and milkshops) of the Contagious Diseases (Animals) Act 1878 and of the Dairies Cowsheds and Milkshops Order 1885 made thereunder and of any other Order made or to be made under the said section or relating to dairies cowsheds and milkshops and of any regulations made or to be made by the council under any such Order for securing the cleanliness of milk vessels used for containing milk for sale shall apply to all vessels used within the borough for the reception measurement storage or delivery of milk by persons selling milk by retail in the streets.

Sanitary
conveniences
for workmen
engaged on
buildings.

110.—(1) The contractor or builder engaged in or upon the construction reconstruction or alteration of any building shall where practicable provide to the reasonable satisfaction of the Corporation and until the completion of any such work or operation such water or other closets and urinals in or in connexion with such building as may be sufficient for the accommodation of the workmen employed.

(2) Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

111. It shall not be lawful to blow or inflate the carcase or any part of the carcase of any animal slaughtered within or brought into the borough and any person offending against this enactment or exposing or depositing for sale within the borough a carcase so blown or inflated or any part thereof shall be liable to a penalty not exceeding twenty shillings.

A.D. 1913.
Prohibition
of blowing or
inflating of
carcases.

112.—(1) The power of the Corporation to make and enforce byelaws with respect to slaughter-houses shall extend to the making and enforcement of byelaws for preventing the slaughter of animals elsewhere than in a slaughter-house for preventing the slaughter of any animal within public view or within the view of any other animal and for preventing the carcase of any slaughtered animal intended for the food of man from being contaminated during such time as the same shall be hung or remain in any slaughter-house.

Byelaws as
to slaughter-
houses.

(2) Nothing in this section shall interfere with the operation or effect of the Diseases of Animals Act 1894 or of any order or regulation of the Board of Agriculture and Fisheries or of any local authority made thereunder.

113.—(1) For the purposes of section 112 (Restriction on establishment of offensive trade in urban district) of the Public Health Act 1875 a trade business or manufacture shall be deemed to be established not only if it is established anew but also if it is removed from any one set of premises to any other premises or if it is renewed on the same set of premises after having been discontinued for a period of six months or upwards or if any premises on which it is for the time being carried on are enlarged without the consent in writing of the Corporation but a trade business or manufacture shall not be deemed to be established anew on any premises by reason only that the ownership of such premises is wholly or partially changed or that the building in which it is established having been wholly or partially pulled down or burnt down has been reconstructed without any extension of its area.

Defining the
establishing
of a new
business.

(2) Any consent of the Corporation to the establishment of any offensive trade or to the enlargement of any premises on which any offensive trade is carried on may be given so as to continue in force for such period only as the Corporation may think fit by such consent and section 112 of the Public Health Act 1875 and this section shall be construed accordingly.

A.D. 1913.

(3) If any person shall carry on any offensive trade beyond the period aforesaid he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(4) The expression "offensive trade" in this section means any trade which is for the time being an offensive trade within the meaning of section 112 of the Public Health Act 1875 as extended by section 51 of the Public Health Acts Amendment Act 1907.

(5) Section 70 (Defining the establishing of a new business) of the Act of 1905 is hereby repealed.

Discontinu-
ance of
offensive
trades.

114.—(1) In any case where premises are being used for the carrying on of an offensive trade within the meaning of section 112 of the Public Health Act 1875 as extended by section 51 of the Public Health Acts Amendment Act 1907 and in the opinion of the Corporation it is inexpedient in the interests of public health that such trade should be carried on in such premises the owner or occupier of the same may be required after six months' notice in writing by the Corporation under the hand of the town clerk to cease to use such premises for the carrying on of any offensive trades.

(2) Any person who fails or neglects to comply with the provisions of subsection (1) of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) If the Corporation require any person to cease to use such premises for the carrying on of an offensive trade they shall pay compensation to such person for any loss sustained by him in consequence of the action of the Corporation.

(4) The powers of this section shall be in addition to and not in derogation of the existing powers of the Corporation with reference to offensive trades.

To prevent
spread of
infectious
disease
amongst
children.

115.—(1) No person being the parent or having the care or charge of a child who is or has been attending any school or any part thereof which for the time being is closed by order of the Corporation or of the education committee of the council with the view of preventing the spread of infectious disease or of a child who is suffering from an infectious disease or who with the view of preventing the spread of infectious disease has been prohibited from attending school by the medical officer or school medical officer shall permit such child to attend any Sunday

school or place of public entertainment or assembly in the borough without having procured from the medical officer a certificate (which shall be granted free of charge upon application) that in his opinion such child may attend such Sunday school or place of public entertainment or assembly without undue risk of communicating disease to others. A.D. 1913.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding forty shillings.

116.—(1) If the medical officer has reasonable cause to suppose that any house is infested with vermin he or any inspector of nuisances may enter into such house and may inspect and examine the same and any articles therein for the purpose of ascertaining whether such house is infested with vermin. Houses infested with vermin to be cleansed.

(2) Where on the certificate of the medical officer it appears to the Corporation that any house is infested with vermin the Corporation shall give notice in writing to the occupier of such house or if the same be vacant to the owner thereof requiring him within a period to be specified in such notice to cleanse such house or the portion thereof specified in the notice and any articles therein and if so required in the notice to remove the wall paper from the walls of such house or the portion thereof specified in the notice and to take such other steps for the purpose of destroying and removing vermin as the case may require.

(3) If the person to whom such notice is given fails to comply therewith within the time therein specified he shall be liable on summary conviction to a penalty not exceeding ten shillings for every day during which he makes default in complying with the requirements of such notice and the Corporation may if they think fit at any time after the expiration of the period specified in the notice themselves do any work required by the notice to be done and all reasonable costs and expenses incurred by the Corporation in so doing shall (subject as herein-after provided) be recoverable summarily as a civil debt from the person making the default.

(4) Every person who shall wilfully obstruct any authorised officer or servant of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(5) Upon any proceedings under this section the court may inquire as to whether any requirement contained in any notice given or any work done by the Corporation was reasonable and

A.D. 1913. — as to whether the costs and expenses incurred by the Corporation in doing such work or any part thereof ought to be borne wholly or in part by the person to whom the notice was given and the court may make such order concerning such costs and expenses or their apportionment as appears to the court to be just and equitable under the circumstances of the case.

Cleansing of
verminous
persons.

117.—(1) The Corporation may from time to time provide free of charge temporary shelter or house accommodation with any necessary attendants and apparatus for cleansing and freeing from vermin the person and clothes of any person who shall be certified by the medical officer to be infested with vermin or in a foul or filthy condition or suffering from any contagious or infectious disease of the skin and may on the certificate of the medical officer cause any such person who consents to leave his house or whose parent or guardian (where the person is a child) consents to his leaving the house to be removed therefrom to such temporary shelter or house accommodation for the purpose of disinfecting and cleansing his person and clothing and in the like case and on the like certificate may cause any such person who does not consent or whose parent or guardian (where the person is a child) does not consent to be removed therefrom to any such temporary shelter or house accommodation where two justices on the application of the Corporation and on being satisfied of the necessity of the removal make an order for the removal subject to such conditions (if any) as are imposed by the order. The Corporation shall in every case cause the removal to be effected and the conditions of any order satisfied without charge to the person removed or to the parent or guardian of that person.

(2) Any person who wilfully disobeys or obstructs the execution of an order under this section shall be liable to a penalty not exceeding five pounds.

(3) If any person at the request of the Corporation or under an order of such justices shall cease his employment in order to comply with such request or order the Corporation may make compensation to him for any loss he may suffer thereby.

(4) For the purpose of this section the word "house" includes any tent van shed or similar structure used for human habitation.

Overcrowd-
ing of small
houses.

118.—(1) The medical officer or an inspector of nuisances may at any time between the hours of nine o'clock in the morning and six o'clock in the evening if he has reason to

believe overcrowding to exist therein enter any dwelling-house which consists of not more than four rooms (which expression means living rooms and bedrooms) for the purpose of measuring in cubic feet the space contained therein (exclusive of lobbies closets and presses and of recesses not exceeding four feet in depth and not having a separate window therein and not perfectly clear from floor to ceiling and from wall to wall and exclusive also of recesses in which there is any fixture whatever) and if the cubic contents thereof do not exceed two thousand six hundred feet may affix in some prominent position within the dwelling-house a plate or a ticket on which shall be marked the number of such cubic feet and the number of persons exceeding the age of eight years who without a breach of the provision of subsection (2) of this section may sleep therein and any person who obliterates defaces removes or alters such marking or ticket shall be liable to a penalty not exceeding ten shillings Provided that if entry to any such dwelling-house under the provisions of this section is refused by the person having the custody of such dwelling-house or any person acting in his behalf any justice may upon the application of the Corporation or the medical officer or an inspector of nuisances grant a warrant to the medical officer or an inspector of nuisances to enter such dwelling-house during the hours aforesaid for the purposes of this section and any person who obstructs the medical officer or an inspector of nuisances in the performance of his duty under such warrant and this section shall be liable to a penalty not exceeding five pounds.

(2) If any dwelling-house is used for the purposes of sleeping in by a greater number of persons than in the proportion of one person of the age of eight years or upwards for every four hundred cubic feet of space or of one person of an age less than eight years for every two hundred cubic feet of space contained therein (exclusive of lobbies closets and presses and of recesses not exceeding four feet in depth and not having a separate window therein and not perfectly clear from floor to ceiling and from wall to wall and exclusive also of recesses in which there is any fixture whatever) or by a greater number of persons than is marked on the plate or ticket affixed therein in pursuance of subsection (1) of this section every person being an occupier of such dwelling-house and so using it or suffering it to be used shall be liable to a penalty not exceeding twenty shillings for every day or part of a day during which it is used

A.D. 1913. — or suffered to be used and the medical officer or an inspector of nuisances may between the hours of nine o'clock in the morning and nine o'clock in the evening enter such dwelling-house if he believes that the provisions of this section are being contravened.

Appliances to be provided for shaking of rags.

119. Any person who carries on the shaking or cleansing of rags by way of or in connexion with his trade or business shall provide and maintain in good working order suitable appliances and receptacles for collecting the dust or filth from such rags and preventing the escape of such dust or filth into the air of the room in which the process is carried on or into the open air.

Any person offending against this section shall be liable to a penalty not exceeding five pounds and also to a daily penalty not exceeding forty shillings.

Penalty for throwing rubbish into streams.

120. Every person who throws casts deposits or by any other means conveys or causes to be conveyed any solid matter whatsoever into any stream or brook within the borough so as to interfere with the due flow of such watercourse shall be liable to a penalty not exceeding forty shillings.

Watercourse: choked up to be a nuisance under Public Health Act 1875.

121. Any river stream or watercourse or any part or parts thereof respectively so choked or silted up as to obstruct or impede the proper flow of water along the same and thereby to cause or render probable an overflow of such river stream or watercourse on to or into the land and property adjacent thereto shall be deemed to be a nuisance within the meaning of section 91 (Definition of nuisances) of the Public Health Act 1875 and all the provisions of that Act relating to nuisances shall apply to every such river stream or watercourse notwithstanding that the same may not be injurious to health.

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

122.—(1) Public notice of the foregoing provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the borough and by a notice affixed outside the Town Hall and by the distribution of handbills amongst persons affected or likely to be affected so far as such persons can reasonably be ascertained.

(2) Copies of the newspapers containing the advertisements shall be sufficient evidence that the provisions of this section have been complied with.

123. Any expenses of the execution by the Corporation of this Part of this Act shall be defrayed out of the district fund and general district rate.

A.D. 1913.
Expenses of
this Part
of Act.

PART XI.

COMMON LODGING-HOUSES.

124. Whenever the medical officer shall report in writing to the Corporation that there is a prevalence of dangerous infectious disease in the borough or in any place or district near thereto and that there are reasonable grounds to apprehend the spread or communication of such disease to persons within the borough by persons resorting to common lodging-houses the Corporation may by resolution declare that by reason of the prevalence of the dangerous infectious disease named in the resolution it is expedient that the medical officer should be entrusted with the special powers herein-after mentioned and subject as herein-after provided the following provisions shall thereupon be in force within the borough for such period as the Corporation having regard to the circumstances of the case shall in the resolution determine (that is to say):—

Power medi-
cally to exa-
mine inmates
of common
lodging-
houses where
infectious
disease is
supposed to
exist.

- (1) The medical officer may when authorised by warrant granted by any justice on complaint on oath by the medical officer that he has reason to believe that the dangerous infectious disease named in the resolution of the Corporation may exist or has recently existed in any common lodging-house in the borough medically examine any person found in any common lodging-house in the borough with a view to ascertaining whether such person is suffering or has recently suffered from such disease Any person obstructing the medical officer in making the examination afore-said shall be liable to a penalty not exceeding forty shillings:
- (2) A copy of every such resolution shall forthwith be sent by the Corporation to every keeper of a registered common lodging-house in the borough and to the Local Government Board:
- (3) Unless approved by the Local Government Board any such resolution shall cease to be in force at the expiration of fourteen days after it is passed or any earlier date fixed by the Local Government Board:

A.D. 1913.

(4) A warrant granted under this section may authorise the medical officer to exercise the powers of examination herein-before conferred during such period not exceeding the period during which the provisions aforesaid shall be in force as may be specified in such warrant.

Power to close infectious common lodging-houses.

125. If the Corporation deem it necessary on account of the existence or recent existence therein of infectious disease to close a common lodging-house they may make an application to a justice for an order to close the same and the justice if satisfied of the necessity of such closing may make an order for the closing of such house until the same shall have been disinfected to the satisfaction of and certified to be free from infection by the medical officer and any keeper of a common lodging-house who shall receive any lodger or suffer or permit any lodger to remain in such house after an order has been made to close the same and during the continuance of such order shall be liable to a penalty of five pounds for every day during which the offence continues.

The Corporation shall make compensation to the keeper of any such lodging-house for any loss he may sustain by reason of such closing.

Notice to common lodging-house keepers.

126.—(1) Notice of the provisions of this Part of this Act shall be served upon the keeper of every common lodging-house within the borough either personally or by leaving the same at or sending the same to the common lodging-house.

(2) A copy of a notice endorsed with a certificate purporting to be signed by the town clerk that such notice has been served in accordance with the requirements of the last preceding subsection shall be sufficient evidence that the provisions of such subsection have been complied with.

PART XII.

POLICE.

Regulation of hawking of coke in streets.

127.—(1) Every person who shall sell or offer for sale coke from any vehicle in any street shall sell the same or offer the same for sale in sacks with a metal label affixed to the top of every such sack indicating the correct legal weight or measure of coke therein.

(2) Any purchaser of coke from any vehicle in any street and any inspector of weights and measures or other officer

appointed by the Corporation may require that any coke sold or offered for sale as aforesaid be weighed or re-weighed or measured or re-measured by any instrument or measure stamped by an inspector of weights and measures. No seller of coke or person in charge of a vehicle in which coke is carried shall be required under this section to carry coke beyond such distance not exceeding half a mile as may be prescribed in that behalf by the Corporation. Provided that where any such coke has at the instance of the purchaser been weighed or re-weighed or measured or re-measured in pursuance of this section and found to be of the weight or measure indicated on the metal label affixed as aforesaid the purchaser shall be liable to the payment of all reasonable costs actually incurred of and incidental to the weighing or re-weighing or measuring or re-measuring. A.D. 1913.

(3) If the owner or any person in charge of any vehicle from which coke is being sold or offered for sale in any street wilfully makes any false statement as to the weight or measure of the coke in any sack or wilfully increases such weight by damping such coke or wilfully does any other act by which the purchaser of the coke shall be defrauded or fails to comply with the other provisions of this section or obstructs any weighing or re-weighing or measuring or re-measuring authorised by this section he shall be liable for every such offence to a penalty not exceeding five pounds.

(4) Public notice of the provisions of this section shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the borough and by a notice affixed outside the Town Hall and by the distribution of handbills amongst persons affected or likely to be affected as far as such persons can be reasonably ascertained. A printed copy of the notice affixed outside the Town Hall sealed with the corporate seal shall be sufficient evidence that the provisions of this section have been complied with.

PART XIII.

FINANCE AND RATING.

128.—(1) The Corporation may independently of any other borrowing power borrow at interest money for the following purposes (that is to say):— Power to borrow.

(A) For the provision of electrical equipment and the construction of other works necessary for working

A.D. 1913

trolley cars the sum of seven thousand two hundred and fifty pounds ;

- (B) For paying the costs charges and expenses of this Act as herein-after provided the sum requisite for those purposes ;

and with the consent of the Board of Trade such further money as may be necessary for the railless traction purposes of this Act and with the consent of the Local Government Board such further money as may be necessary for any of the other purposes of this Act or of the gas or water undertaking of the Corporation.

(2) In order to secure the repayment of the money borrowed under this section and the payment of the interest thereon the Corporation may mortgage or charge—

As regards money borrowed for the purposes (A) referred to in this section the revenue of the tramway and railless traction undertaking and the district fund and general district rate ;

As regards money borrowed for the purpose (B) referred to in this section the -borough fund and borough rate ;

As regards money borrowed for the purposes of the gas or water undertaking of the Corporation the revenue of that undertaking and the district fund and the general district rate or either of those securities ;

As regards money borrowed for any other purpose the borough fund and the borough rate the district fund and the general district rate or either of them according to the purposes for which the money is borrowed.

(3) The Corporation shall pay off all money borrowed by them under this section within the respective periods (in this Act referred to as “the prescribed periods”) following (that is to say) :—

As to money borrowed for the purposes (A) referred to in this section within twenty-eight years from the first day of January 1914 ;

As to money borrowed for the purpose (B) referred to in this section within five years from the date of the passing of this Act ;

And as to money borrowed with the consent of the Board of Trade or the Local Government Board within such period as the Board granting such consent may sanction.

129. The following sections of the Act of 1898 shall apply to the purposes of this Act as if the same were re-enacted therein (namely) :—

A.D. 1913.
Application
of financial
provisions of
Act of 1898.

Section 44 (Certain regulations of Public Health Act as to borrowing not to apply);

Section 45 (Mode of raising money);

Section 46 (Provisions of Public Health Act as to mortgages to apply);

Section 49 (Sinking Fund) (omitting the words "or the mortgage or debenture debts of the Morley Gas Company");

Section 50 (Protection of lender from inquiry);

Section 51 (Corporation not to regard trusts);

Section 52 (Appointment of receiver);

Section 54 (Annual return to Local Government Board);

Section 55 (Application of money borrowed);

Section 56 (Proceeds of sale of surplus lands);

Section 62 (Audit of accounts);

Section 63 (Inquiries by Local Government Board).

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

Power to
re-borrow.

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

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

(2) Any moneys borrowed under this section shall for the purpose of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying

A.D. 1913. — any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

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

(a) By instalments or annual payments; or

(b) By means of a sinking fund; or

(c) Out of moneys derived from the sale of land; or

(d) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

(5) Section 53 (Power to re-borrow) of the Act of 1898 is hereby repealed.

Repayment
of scheduled
loans.

131. Notwithstanding anything contained in any Act order or sanction authorising the borrowing or raising by the Corporation of the several loans mentioned or referred to in the Second Schedule to this Act the following provisions shall apply thereto :—

The amounts outstanding on the thirty-first day of March one thousand nine hundred and thirteen in respect of the loans mentioned in column five of the said schedule shall be repaid within the periods set opposite such several loans in the eleventh column of the said schedule. The provisions of the Morley Corporation Acts shall mutatis mutandis apply to all the said loans in like manner as if they had been raised under the said Acts and the said periods specified in the eleventh column of the said schedule shall be the prescribed period for the purposes of those provisions. Provided that for the purposes of the repayment of the said loans and the application of any sinking fund set aside before or after the passing of this Act in respect thereof the said loans contained in each separate part of the said schedule may be consolidated and deemed to form one loan.

Power to
amend rates
to accord
with new
valuation
list.

132. The powers of section 221 (Rates may be amended) of the Public Health Act 1875 shall extend to enable the Corporation to amend any rate made by them in pursuance of such Act so as to make the assessment to such rate accord with any new or supplementary valuation list made during the currency of such rate.

133.—(1) The Corporation may if they think fit in lieu of themselves making assessing and levying any general district rate order such rate to be made assessed and levied in the same manner as a borough rate and may enforce the payment thereof from the overseers in the same manner as in the case of the borough rate and if any such order be made by the Corporation the general district rate shall be made assessed and levied by the overseers in the same manner and under the same provisions (including the provisions as to appeals) as in the case of the poor rate but subject to the exemptions (partial or otherwise) for the time being applicable to such general district rate in respect of any property in the borough and such rate may be assessed and levied either separately or together with the poor rate assessed and levied in respect of the hereditaments rateable to such rate:

A.D. 1913.
General district rate may be assessed as borough rate.

Provided that the demand note served upon any railway company for any such rate shall show distinctly on the face of it the respective assessments as well as the actual rates proposed in each case to be levied.

(2) In the event of the Corporation making any order in pursuance of this section—

(A) Any other rate for the time being leviable by the Corporation and any water rate rent or charge payable to the Corporation may be included with the poor rate (but distinguished therefrom) in any book or books of assessments and in one demand note. The demand note shall be in such form as the Local Government Board may approve:

(B) The overseers shall recover and enforce the poor rate in the same manner as the general district rate is recoverable and enforceable under the Public Health Act 1875 and the provisions of section 2 (In default of distress for non-payment of rates justices may issue warrant of commitment) of the Distress for Rates Act 1849 with respect to the recovery and enforcement of the poor rate shall cease to apply. Provided that any provisions limiting the period within which proceedings must be commenced for the recovery of the general district rate in a court of summary jurisdiction shall not apply to the poor rate:

A.D. 1913.

(c) Within the first financial year after the making of such an order the Corporation may notwithstanding anything to the contrary contained in the Waterworks Clauses Act 1847 alter and adjust the dates for the payment and recovery of water rates to correspond as nearly as practicable with the dates and periods for the levying and collection of the poor rate and for the purpose of bringing into operation such adjustment and thereafter it shall be lawful for the Corporation to recover water rates for one or more quarters of any such financial year at the same time as the overseers are entitled to recover the poor rate but so that such water rates shall not in any case be recoverable in advance for more than one quarter of any year.

(3) If any assistant overseer or collector of poor rates is required to perform duties in pursuance of any order made by the Corporation under this section which are an addition to those which he is required to perform at the date of the passing of this Act the Corporation shall pay him such additional remuneration as in the opinion of the Corporation the circumstances merit or as the Local Government Board may in the event of difference between the Corporation and the officer determine.

(4) Nothing in this section shall deprive the Great Northern Railway Company of the benefit of any differential rating to which but for the provisions of this section they would be entitled.

Audit of
accounts.

134.—(1) In the event of the Corporation making an order in pursuance of the last preceding section of this Act the accounts of the overseers and collectors of poor and other rates relating to the general district rate shall be submitted to and be audited by the district auditor in the manner provided by section 37 (Rates made by overseers not now audited made subject to the audit of district auditor) of the Divided Parishes and Poor Law Amendment Act 1876 and that rate shall be deemed to be a rate within the meaning of that section.

(2) The expenses of the overseers in connexion with the assessment levying and collection of the general district rate shall be paid out of the district fund.

(3) The overseers shall prepare and submit to the district auditor at every audit of their accounts a financial statement

in duplicate in the form and containing the particulars from time to time prescribed by the Local Government Board in respect of the general district rate One of such duplicates shall have the stamp duty chargeable according to the scale contained in the District Auditors Act 1879 affixed thereon and calculated according to the total of the sums paid to the Corporation during the period to which the statement relates and the provisions of the District Auditors Act 1879 as to the duties of the auditor with reference to such duplicates shall apply as if the said duplicates were prepared and submitted under that Act. A.D. 1913.

(4) The Corporation shall repay to the said overseers the amount of any stamp duty which may be paid by them upon any financial statement pursuant to the provisions of this Act.

(5) The provisions of section 5 (Regulations as to audit) and section 6 (Stamp duties under Inland Revenue) of the District Auditors Act 1879 shall apply to the accounts of the overseers and collectors and to the stamp duty on such financial statements as aforesaid and any overseer who shall fail to comply with the provisions of this Act with respect to a financial statement shall be liable to the penalty provided in section 7 (Failure to submit financial statement) of the last-mentioned Act.

135. On an order being made by the Corporation in pursuance of the section of this Act whereof the marginal note is "General district rate may be assessed as borough rate" the following provisions shall apply and have effect (that is to say):— Owner may be rated instead of occupier in certain cases.

(1) The owner instead of the occupier may from time to time at the option of the Corporation be rated to the poor borough and general district rates leviable within the borough—

(A) Where the rateable value of the property does not exceed ten pounds; or

(B) Where the premises are let in separate apartments; or

(C) Where the rents are collected weekly:

Provided that the owner so rated shall be bound to pay the rates whether the premises are occupied or not and shall be entitled to a deduction of

A.D. 1913.

twenty per centum from the amount of the rates when paid by him if he shall pay the same within three months after the rate shall have been made or within two months after the same shall have been demanded whichever shall be the later :

(2) When the Corporation exercise the option under this section of causing the owner to be rated instead of the occupier they shall forthwith give notice thereof to the overseers and the overseers shall rate the owner accordingly and the provisions of this section shall apply within the borough in substitution for the provisions of sections 3 4 and 5 of the Poor Rate Assessment and Collection Act 1869 and subject to and with such substitution as aforesaid the provisions of such Act as amended by the Local Government Act 1894 shall remain in operation and shall extend and apply to the general district rate (in substitution for the provisions of section 211 of the Public Health Act 1875) in like manner as to the poor rate :

(3) Unless and until the Corporation exercise the option given to them by this section the provisions of sections 3 4 and 5 of the Poor Rate Assessment and Collection Act 1869 as amended by the Local Government Act 1894 shall remain in operation and the provisions of such first-named Act as amended as aforesaid shall extend and apply to the general district rate (in substitution for the provisions of section 211 of the Public Health Act 1875) in like manner as to the poor rate.

Cesser of powers and duties of assistant overseers and poor rate collectors and of powers of authorities to appoint such officers and compensation to existing officers.

136.—(1) From and after the passing of a resolution in that behalf by the Corporation the powers and duties of any collector of poor rates for any parish or township within the borough and the power of the guardians of the Dewsbury Union and of any and every authority to appoint collectors of poor rates in respect of any such parish or township shall cease.

(2) The Corporation shall as from the date of the passing of such resolution take into their service or employment and shall appoint as an assistant overseer any person who on the date of such resolution is in the occupation of the office of collector of poor rates for any parish or township within the borough and shall consent to be so taken over and in such case such person (subject to the terms of any agreement between

him and the Corporation) shall hold office under the Corporation by the same tenure and on the same terms and conditions with respect to salary pension and in every other respect as nearly as may be as those upon which he held his said office on the date of such resolution and the Poor Law Officers' Superannuation Act 1896 shall apply to such person as nearly as may be as if the Corporation were the guardians of the Dewsbury Union and the borough fund were the common fund of that union and he shall not be liable to be removed from his office under the Corporation without the consent of the Local Government Board Provided that any such person may be required to collect the general district rate and any other rates rents or charges leviable by the Corporation in the borough. A.D. 1913.

(3) Any collector of poor rates for any parish or township within the borough who shall not consent to be taken over by the Corporation and shall not be entitled to a pension or superannuation allowance shall be entitled to have compensation paid to him by the Corporation and in determining such compensation regard shall be had to the conditions and other circumstances required by subsection (1) of section 120 of the Local Government Act 1888 in regard to cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and the expression in subsection (1) of that section "The acts and rules relating to Her Majesty's Civil Service" shall mean the acts and rules relating to His Majesty's Civil Service which were in operation at the date of the passing of the Local Government Act 1888 and the provisions of subsections (2) to (7) of section 120 of that Act shall apply with such modifications (including the substitution of the "Local Government Board" for the "Treasury") as may be required Provided that the non-acceptance of any office offered shall not be a bar to the right of any officer to compensation and any compensation payable by the Corporation under this subsection shall be paid out of the borough fund.

137. The Corporation may appoint and remove such officers as they deem necessary to assist the overseers of any parish or township in the borough in the discharge of their duties and fix the remuneration to be paid to such officers. Appointment of officers.

138.—(1) All officers appointed or to be appointed by the Corporation to assist in the discharge of the duties of the overseers of any parish or township within the borough and any assistant overseer appointed by the Corporation shall give Assistant overseer and others to give security to Corporation.

A.D. 1913. such security to the Corporation for the due performance of their duties as may be required by the Corporation and the district auditor appointed by the Local Government Board shall report thereon annually to the Corporation and such securities shall be deposited with the Corporation and not with the board of guardians.

(2) Assistant overseers appointed by the Corporation shall not be required to give security to the guardians of the union under section 61 of the Poor Law Amendment Act 1844.

Extension of limit of library rate.

139. For the better and more effectually carrying into execution the powers and duties of the Corporation under the Public Libraries Acts 1892 to 1901 those Acts shall be read and have effect as if the limit thereby imposed on the amount authorised to be levied by or added to a rate were extended so as not to exceed the sum of three halfpence in the pound.

PART XIV.

MISCELLANEOUS.

As to breach of conditions of consent of Corporation.

140. Where under this Act or under any general or local Act for the time being in force in the borough the Corporation give their consent to the execution of any work or the doing of any act or thing subject to any terms or conditions which they are authorised to impose any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required consent.

Confirmation of byelaws.

141. The provisions of the following sections of the Public Health Act 1875 (namely):—

Section 182 (Authentication and alteration of byelaws);

Section 183 (Power to impose penalties on breach of byelaws);

Section 184 (Confirmation of byelaws); and

Section 185 (Byelaws to be printed &c.);

so far as they relate to byelaws made by an urban sanitary authority shall apply to all byelaws made by the Corporation under the powers of this Act.

Recovery of penalties &c.

142. Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or any

byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts. A.D. 1913.

143. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence consent or approval of or by the Corporation or of or by any officer of the Corporation or by any conviction or order by a court of summary jurisdiction under any provision of this Act may appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts. As to appeal.

144. The following sections of the Act of 1900 shall apply to the purposes of this Act as if the same were re-enacted therein (namely):— Application of provisions of Act of 1900.

Section 51 (Compensation how to be determined);

Section 54 (Informations by whom to be laid);

Section 55 (Penalties to be paid over to treasurer).

145. All consents given by the Corporation under the provisions of this Act shall be given in writing and unless otherwise prescribed may be given under the hand of the town clerk. Consent of Corporation to be in writing.

146. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate and section 56 (Judges not disqualified) of the Act of 1900 is hereby repealed. Judges not disqualified.

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

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

A.D. 1913. The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

ACTS AND PROVISIONAL ORDERS RELATING TO THE
BOROUGH OF MORLEY.

Short title.	Referred to in this Act under following title.
Morley Corporation Act 1890 - - -	Act of 1890.
Morley Order 1891 - - - - -	Order of 1891.
Morley Order 1892 - - - - -	Order of 1892.
Morley Electric Lighting Order 1897	Order of 1897.
Morley Corporation (Gas &c.) Act 1898	Act of 1898.
Morley Corporation Act 1900 - - -	Act of 1900.
Morley Corporation Act 1905 - - -	Act of 1905.

THE SECOND SCHEDULE.

PART I.

BOROUGH FUND.

Purpose. 1.	Authority. 2.	Term. 3.	Amount sanctioned. 4.	Amount of Loan raised. 5.	Amount paid into Sinking Fund. 6.	Amount repaid. 7.	Amount in Sinking Fund 31st March 1913. 8.	Net Debt. 9.	Term unexpired. 10.	Equated Period. 11.	
Town Hall	Local Government Board Sanctions 15th March 1893 4th February 1897.	40*	£ 41,123	£ 41,120	£ s. d. 12,413 11 4	£ 4,500	£ s. d. 7,913 11 4	£ s. d. 28,706 8 8	25	} 25 years.	
Cemetery	H.M. Treasury to Burial Board	40*	6,700	6,300	£ s. d. 4,420 15 5	1,020	£ s. d. 3,400 15 5	£ s. d. 1,879 4 7	25		
Ditto	Local Government Board Sanction 6th March 1911	60	520	520	£ s. d. 6 9 8		£ s. d. 6 9 8	£ s. d. 513 10 4	59		
Public baths	Ditto 23rd February 1898	30	8,000	8,000	£ s. d. 3,147 18 7	1,130	£ s. d. 2,017 18 7	£ s. d. 4,852 1 5	15		
Ditto	Ditto 24th June 1903	30	1,130	1,130	£ s. d. 272 7 8		£ s. d. 272 7 8	£ s. d. 857 12 4	20		
Inspector's house	Morley Corporation Act 1900	50	2,500	1,000	£ s. d. 125 16 5		£ s. d. 125 16 5	£ s. d. 874 3 7	38		
Ditto	Ditto	50		1,200	£ s. d. 136 4 11		£ s. d. 136 4 11	£ s. d. 1,063 15 1	39		
Ditto	Ditto	50		100	£ s. d. 10 3 6		£ s. d. 10 3 6	£ s. d. 89 16 6	40		
			£ 59,973	£ 59,370	£ s. d. 20,533 7 6	£ 6,650	£ s. d. 13,883 7 6	£ s. d. 38,836 12 6			

* Loans marked with an asterisk were consolidated by the Morley Corporation (Gas &c.) Act 1898 and the period for repayment was fixed at 40 years from March 31st 1898.

A.D. 1913.

PART II.
GENERAL DISTRICT FUND.

Purpose. 1.	Authority. 2.	Term. 3.	Amount sanctioned. 4.	Amount of Loan raised. 5.	Amount paid into Sinking Fund. 6.	Amount repaid. 7.	Amount in Sinking Fund 31st March 1913. 8.	Net Debt. 9.	Term unexpired. 10.	Equated Period. 11.
Street Improvements Wide Lane - - -	Local Government Board Sanction 24th January 1879.	40*	£ 3,800	£ 3,800						
Town End - - -	Ditto	40*	477	427	6,141 8 5	6,100	41 8 5	1,935 11 7	25	} 27 years.
Fountain Street - - -	Ditto	40*	1,733	1,500						
Bottoms - - -	Ditto	40*	4,710	1,000						
Ditto - - -	22nd September 1893	40*	1,468	1,350						
Church Street - - -	Ditto	40*	827	700						
Corporation Street - - -	7th May 1895	50	450	450						
Ackroyd Street - - -	10th February 1898	20	19,898	5,100						
	29th June 1901	20		4,957		1,470				
				650						
				156						
				143						
				75						
Queen Street - - -	18th December 1901	20	8,793	8,800		2,000				
Ditto - - -	Ditto	60	23,692	23,520						
Fountain Street - - -	Ditto	20	2,400							
Ditto - - -	27th June 1904	20								
Cross Street - - -	16th August 1911	20	1,983	4,293	324 8 3		324 8 3	3,968 11 9	18	
Gildersome Road - - -	24th December 1909	15	280	280	46 8 4		46 8 4	233 11 8	13	
Ditto - - -	23rd August 1889	40*	2,200	2,000	1,546 18 8	1,300	246 18 8	453 1 4	25	
Ditto - - -	30th October 1893	40*	1,500	1,400				1,400 0 0	25	
Ditto - - -	16th January 1890	40*	300	300				300 0 0	25	
Ditto - - -	Ditto	25		250	69 13 7		69 13 7	180 6 5	16	
Artisans dwellings - - -	18th December 1901	40	2,600	2,600	441 11 3		441 11 3	2,158 8 9	29	
Ditto - - -	1st April 1903	40	462	400	60 16 0		60 16 0	339 4 0	31	
	Carried forward - - -	-	77,573	64,151	19,956 11 6	10,870	9,086 11 6	44,194 8 6		

PART II.—continued.

Purpose. 1.	Authority. 2.	Term. 3.	Amount sanctioned. 4.	Amount of Loan raised. 5.	Amount paid into Sinking Fund. 6.	Amount repaid. 7.	Amount in Sinking Fund 31st March 1913. 8.	Net Debt. 9.	Term unexpired. 10.	Equated Period. 11.
Sewerage (Main Sewers).	Brought forward	-	£ 77,573	£ 64,151	£ s. d. 19,956 11 6	£ 10,870	£ s. d. 9,086 11 6	£ s. d. 44,194 8 6	25	} 27 years.
Corporation Street	Various Sanctions Local Government Board.	40*	16,800	15,800	14,131 0 8	13,400	731 0 8	1,668 19 4	25	
Victoria Road	Local Government Board Sanction 10th February 1898	30	100	100	32 18 2		32 18 2	67 1 10	17	
Ditto	Ditto 26th August 1898	30	500	500	164 17 4		164 17 4	335 2 8	17	
Ditto	Ditto 21st October 1908	30	370	370	24 0 7		24 0 7	345 19 5	27	
Elland Road	Ditto 28th January 1910	30	122	122	7 18 8		7 18 8	114 1 4	27	
Wide Lane	Ditto 15th November 1905	28	1,215	1,200	214 4 9		214 4 9	935 15 3	22	
Rein Road	Ditto 15th November 1905	28	120	120	11 13 11		11 13 11	108 6 1	24	
Fountain Street	Ditto 15th November 1910	30	1,381	1,100	46 18 10		46 18 10	1,053 1 2	28	
Ditto	Ditto 21st October 1911	60	480	423	18 6 4		18 6 4	404 13 8	59	
Parks	Ditto 2nd October 1888	40	5,000	4,950	3,289 7 2	1,100	2,189 7 2	1,660 12 10	25	
Ditto	Ditto 3rd November 1903	44	2,000	1,800	231 14 2		231 14 2	1,568 5 10	35	
Hospital	Ditto 1st March 1893	40	3,000	3,000	961 16 11	500	461 16 11	2,038 3 1	25	
Ditto	Ditto 5th July 1905	21	1,058	1,050	280 9 8		280 9 8	769 10 4	15	
Ditto	Ditto 15th August 1910	30	270	270	11 11 3		11 11 3	258 8 9	28	
Depôts	Ditto 7th May 1895	40	2,400	3,000	804 16 1	200	604 16 1	2,195 3 11	25	
Ditto	Ditto 2nd September 1897	40	1,000	1,000	567 14 3		567 14 3	432 5 9	25	
Ditto	Ditto 14th June 1901	21	3,586	2,000	799 12 1		799 12 1	1,200 7 11	11	
Churwell	Local Government Board Sanction to Churwell Local Board.	40	7,000	5,700	36 1 3	800	139 0 7	363 18 9	41	
	Carried forward	-	123,975	107,056	42,530 14 2	26,870	15,660 14 2	64,525 5 10	25	

A.D. 1913.

PART II.—continued.

Purpose. 1.	Authority. 2.	Term. 3.	Amount sanctioned. 4.	Amount of Loan raised. 5.	Amount paid into Sinking Fund. 6.	Amount repaid. 7.	Amount in Sinking Fund 31st March 1913. 8.	Net Debt. 9.	Term unexpired. 10.	Equated Period. 11.
Sewage disposal	Brought forward	-	£ 123,975	£ 107,056	£ s. d. 42,530 14 2	£ 26,870	£ s. d. 15,660 14 2	£ s. d. 64,525 5 10		
Ditto	Local Government Board Sanction 31st January 1898	50	16,500	16,500	2,720 8 6	2,000	720 8 6	13,779 11 6	35	} 27 years.
Ditto	Ditto 31st January 1898	30	25,630	15,400	5,996 9 4	4,500	1,496 9 4	9,403 10 8	15	
Ditto	Ditto 31st January 1898	30		10,000	3,283 5 1	2,402	881 5 1	6,716 14 11	17	
Ditto	Ditto 15th November 1905	30		220	65 13 0		65 13 0	154 7 0	18	
Ditto	Ditto	28	16,512	7,360	1,108 4 8		1,108 4 8	6,251 15 4	22	
Widening Fountain Street.	Ditto 21st October 1911	60	480	5,750	710 16 5		710 16 5	5,039 3 7	23	
Fire station	Ditto 28th February 1911	30	400	3,402	244 18 6		244 18 6	3,157 1 6	25	
			183,427	166,568	56,660 9 8	35,772	20,888 9 8	109,907 10 4	29	

A.D. 1913.

PART III.

WATERWORKS.

Purpose. 1.	Authority. 2.	Term. 3.	Amount sanctioned. 4.	Amount of Loan raised. 5.	Amount paid into Sinking Fund. 6.	Amount repaid. 7.	Amount in Sinking Fund 31st March 1913. 8.	Net Debt. 9.	Term unexpired. 10.	Equated Period. 11.	
Waterworks	Various Sanctions of the Local Government Board. Ditto Morley Corporation Act 1890 Local Government Board Sanction under Morley Corporation Act 1890 21st December 1895 Ditto - - - Ditto - - - Local Government Board Sanction under Public Health Act 1875 7th May 1895. Local Government Board Sanction under Morley Corporation Act 1890 26th July 1901 Ditto 27th June 1904 Morley Corporation Act 1890 30th June 1905. Ditto - - - Ditto - - -	40*	£ 24,325	£ .	£ s. d.	£	£ s. d.	£ s. d.	£ s. d.		27 years.
		40*	100,000	166,345	62,710 16 2	41,825	20,885 16 2	105,634 3 10	25		
		40*	6,000								
		40*	27,500								
		40*	8,500								
		40*	2,000	2,000							
		25	8,241	5,500	2,140 18 7			2,140 18 7	3,359 1 5	13	
		30	1,080	500	43 19 8			43 19 8	456 0 4	26	
		50	20,000	11,500	781 3 5			781 3 5	10,718 16 7	43	
				4,700	269 10 5			269 10 5	4,430 9 7	44	
				3,800	178 17 1			178 17 1	3,621 2 11	45	
		197,646	194,345	66,125 5 4	41,825	24,300 5 4	128,219 14 8				

A.D. 1913.

PART IV.
GASWORKS.

Purpose. 1.	Authority. 2.	Term. 3.	Amount sanctioned. 4.	Amount of Loan raised. 5.	Amount paid into Sinking Fund. 6.	Amount repaid. 7.	Amount in Sinking Fund 31st March 1913. 8.	Net Debt. 9.	Term unexpired. 10.	Equated Period. 11.
Purchase of Gasworks	Morley Corporation (Gas &c.) Act 1898 23rd May 1898	40	£ 125,367	£ 2,800	£ s. d. 619 5 2	£ 619	£ s. d. 619 5 2	£ s. d. 2,180 14 10	25	} 26 years.
	Ditto - - - - -	40		70,000	£ s. d. 15,773 4 3	£ 5,400	£ s. d. 10,373 4 3	£ s. d. 54,226 15 9	26	
	Ditto - - - - -	40		32,660	£ s. d. 7,060 5 11	£ 2,900	£ s. d. 4,160 5 11	£ s. d. 25,599 14 1	26	
	Ditto - - - - -	40		14,480	£ s. d. 3,002 18 5		£ s. d. 3,002 18 5	£ s. d. 11,477 1 7	27	
	Ditto - - - - -	40		702	£ s. d. 156 10 4		£ s. d. 156 10 4	£ s. d. 543 9 8	28	
Extensions - - -	Ditto - - - - -	40	£ 45,000	£ 17,600	£ s. d. 3,983 14 3		£ s. d. 3,983 14 3	£ s. d. 13,616 5 9	27	
			170,367	138,240	£ s. d. 30,595 18 4	£ 8,300	£ s. d. 22,295 18 4	£ s. d. 107,644 1 8		

THE THIRD SCHEDULE.

.D. 1913.

PART I.

THIS INDENTURE made the fourth day of July one thousand nine hundred and thirteen between THE MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF MORLEY (herein-after called "the Morley Corporation") of the one part and THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF LEEDS (herein-after called "the Leeds Corporation") of the other part witnesseth and it is hereby agreed and declared as follows (that is to say):—

1. The Morley Corporation shall use their best endeavours at their own expense (A) to secure with or without modification the passing into an Act of Parliament (herein-after referred to as "the special Act") of the Bill being promoted in the present session of Parliament by the Morley Corporation with the title "A Bill to confer further powers upon the Mayor Aldermen and Burgesses of the Borough of Morley in relation to their gas water and electricity undertakings and with respect to the disposal of trade refuse and to make further provision in regard to the health improvement and good government of the borough" so far as such Bill relates to the provision construction placing equipment and working of a trolley-car system upon the routes described in the First Schedule hereto and confers powers in connexion therewith and (B) after the passing of the special Act from time to time to obtain all such extensions of time for the completion of any works authorised by the special Act as may be necessary in order to give effect to these presents.

2. If before the first day of January 1915 the special Act shall have been passed the Morley Corporation shall construct place and equip a trolley-car system including wires posts poles and any other necessary or convenient apparatus and overhead equipment other than cables for the purpose of working trolley cars upon the said routes respectively described in the said First Schedule Provided that nothing in this clause contained shall impose upon the Morley Corporation any obligation to provide any cables or any trolley cars or other loose or movable plant in connexion with the said trolley-car system.

3. All the works to be executed under the last preceding clause of these presents shall be executed in manner required or authorised by

A.D. 1913. the special Act so far as applicable and in accordance with specifications to be agreed between the Morley Corporation and the Leeds Corporation which shall be generally on the lines of the present railless trolley system in the city of Leeds.

4. Provided always that—

- (A) If the urban district council of East and West Ardsley shall under any power which may be conferred upon them by the special Act elect to construct a trolley-car system upon the said routes described in Part II. of the said First Schedule these presents shall as from the date when such election shall have been duly exercised in accordance with the provisions of the special Act be thenceforth read and take effect as if both of such last-mentioned routes were not included in or affected by either of the last two preceding clauses of these presents :
- (B) If the Leeds Corporation shall within six calendar months after the passing of the special Act serve upon the Morley Corporation a notice intimating that they do not desire to have a trolley-car system upon such portion of the route in the said First Schedule referred to as Route No. 4 as lies between the Angel Inn at Bruntcliffe and Bridge Street in Morley these presents shall as from the date of the receipt by the Morley Corporation of such notice be read and take effect as if that portion of Route No. 4 did not include such last-mentioned portion :
- (C) If at any time during the first 14 years of the lease of the trolley-car system to be granted as herein-after provided the Leeds Corporation shall desire to acquire the portion of the route which lies between the Leeds boundary and the Bradford and Wakefield Road at Drighlington and shall obtain the necessary legal powers for such acquisition and to free the Morley Corporation from all liability in respect thereof the Morley Corporation shall sell and the Leeds Corporation shall purchase the said portion of the route on terms that the Leeds Corporation shall repay to the Morley Corporation a fair proportion of the costs of obtaining the special Act apportioned to the length so purchased and also repay to the Morley Corporation rent as aforesaid up to the date of purchase and such amount as shall be then owing in respect of any outstanding loans in respect of the said length and it shall be a condition of the said purchase that the Morley Corporation shall be effectually indemnified against any further liability of any kind in connexion with the said length but that during the

residue of the said lease the said length shall be worked in connexion with the other routes included in the lease generally in the same manner as under the lease. A.D. 1913.

5. All the works to be executed under these presents shall be commenced as soon after the passing of the special Act as is reasonably practicable and shall be proceeded with and completed with due diligence in such order and manner and in all respects as shall be agreed between the Morley Corporation and the Leeds Corporation or as in default of agreement shall be determined by arbitration under the provisions herein-after contained.

6. So soon as the whole of the trolley-car system to be constructed under these presents (herein-after called "the said trolley-car system") shall have been certified to be fit for traffic by the Board of Trade the Morley Corporation shall grant and the Leeds Corporation shall accept a lease (herein-after referred to as "the lease") of the said trolley-car system. The lease shall be a lease for a term commencing as from the date of the granting of the certificate of the Board of Trade herein-before referred to and expiring on the same day as the lease of the light railways in Morley now being worked by the Leeds Corporation as the lessees of the Morley Corporation and there shall be reserved by the lease an annual rent payable quarterly in advance of an amount to be ascertained in each year or broken part of a year of the currency of the lease by adding together—

- (i) Such an amount as shall be equal to the sum required in such year or broken part of a year to provide the interest and sinking fund payable by the Morley Corporation in such year or broken part of a year in respect of the capital sum or sums borrowed by the Morley Corporation for the purpose of carrying out the works to be executed under these presents:
- (ii) An amount equal to interest for such year or broken part of a year at the rate of three pounds fifteen shillings per centum per annum upon such part of the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of the special Act as the Morley Corporation and the Leeds Corporation shall mutually agree to be or which in default of this agreement shall upon a reference to arbitration as herein-after provided be determined to be the proportion of the said costs charges and expenses properly attributable to that part of the special Act which relates to the trolley-car system upon the routes described in the First Schedule:

And there shall also be reserved in respect of the last year or broken part of a year of the currency of the lease whether the same determines by effluxion of time or otherwise a further rent equal to such sum if any

A.D. 1913. — as shall be equal to the sum required upon the determination of the lease to pay off or redeem all unpaid instalments of the capital sum or sums borrowed by the Morley Corporation for the purpose of carrying out the works to be executed under these presents. Provided always that for the purposes of this clause no capital sum borrowed by the Morley Corporation shall be taken into account in calculating the amount of the said rent to be reserved by the lease unless such capital sum shall have been certified by the consulting engineer for the time being for the Morley Corporation or in the event of any dispute arising as to the correctness of any certificate given by such consulting engineer shall have been held upon a reference to arbitration as herein-after provided to have been properly expended by the Morley Corporation in carrying out the works to be executed under these presents.

7. The Leeds Corporation shall upon the granting of the lease pay to the Morley Corporation the costs of the Morley Corporation of and incidental to the preparation and execution of the lease and the counterpart thereof and shall also repay to the Morley Corporation all sums which prior to the granting of the lease shall have been actually paid by the Morley Corporation in respect of interest and sinking fund upon the capital sum or sums borrowed by them for the purpose of carrying out the said works and so certified or determined as aforesaid but so that the Leeds Corporation shall be entitled to deduct from any sums repayable to the Morley Corporation by the Leeds Corporation as last aforesaid all sums actually paid by them before the granting of the lease in respect of rent by reason of the Leeds Corporation having been let into possession of any part of the said trolley-car system prior to the granting of the lease under the provisions in that behalf herein-after contained.

8. The lease shall as far as circumstances will admit be in the form set forth in the Second Schedule hereto and any dispute as to the form of the lease shall be settled by the arbitrament of the senior conveyancing counsel to the court for the time being.

9. As and when the certificate of the Board of Trade herein-before referred to shall have been given in respect of any of the railless traction routes the works upon which are to be constructed by the Morley Corporation under these presents other than the route the works upon which shall be in point of time the last to be certified as aforesaid the Leeds Corporation shall be let into possession of so much of the said trolley-car system as runs over such route as tenant thereof to the Morley Corporation until the grant of the lease and shall so far as circumstances will admit be liable in respect thereof to such covenants conditions and provisions as the Leeds Corporation would be subject to if a lease thereof had been actually granted in the terms *mutatis mutandis* of the form of the lease set forth in the said Second Schedule and so that the Morley Corporation shall be entitled to all such remedies

by distress action or otherwise for recovering rent in arrear and for breach of any such covenants conditions and provisions on the part of the Leeds Corporation as if a lease had actually been granted in the terms aforesaid. Provided always that in ascertaining the rent payable under any tenancy to which this present clause applies regard shall be had only to the capital sum or sums borrowed by the Morley Corporation and expended upon the works comprised in such tenancy and the certificate in writing of the consulting engineer for the time being of the Morley Corporation shall be conclusive as to the amount of such capital sum or sums and the whole of such part of the rent as is ascertainable under the lease by reference to the interest on the said costs charges and expenses of the Morley Corporation herein-before mentioned shall become payable as part of the rent under the first of such tenancies to be created.

10. The following further provisions shall have effect:—

- (A) If during the currency of the lease the Leeds Corporation shall at any time before the thirty-first day of December 1925 by notice in writing under the hand of their town clerk given to the Morley Corporation so require the Morley Corporation shall forthwith use their best endeavours at their own expense to obtain statutory powers which shall (i) authorise the Morley Corporation to convert the said trolley-car system into a light railway or system of light railways (herein-after referred to as "the new light railways") and (ii) contain all such provisions as shall enable effect to be given to this clause:
- (B) If the statutory powers lastly herein-before referred to and any necessary sanction to the exercise of borrowing powers or other sanction or consent which may in the circumstances be required shall be obtained by the Morley Corporation at any time before the expiration of two years from the date of such notice the Morley Corporation shall as soon as is reasonably practicable after such statutory powers and sanctions and consents as aforesaid have respectively been obtained commence and with due diligence complete in manner required or authorised by the special Act or Order conferring such statutory powers and to the reasonable satisfaction of the Leeds Corporation the work of converting the said trolley-car system into the new light railways such work to include the provision and laying of the permanent way of such railways and the general completion and equipment thereof but not the provision of any cables rolling stock or other loose or movable plant:
- (C) So soon as the new light railways shall have been certified by the Board of Trade or other competent authority as

A.D. 1913.
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fit for traffic the Morley Corporation shall grant and the Leeds Corporation shall accept a lease (herein-after called "the railway lease") of the permanent way of the new light railways and of all other works which may have been executed for the purpose of effecting the conversion of the said trolley-car system into the new light railways :

- (D) The railway lease shall be a lease for a term commencing as from the date of the granting of the certificate of the Board of Trade or other competent authority lastly herein-before referred to and expiring on the same date as the lease of the light railways in Morley now being worked by the Leeds Corporation as the lessees of the Morley Corporation and there shall be reserved by the railway lease an annual rent payable quarterly in advance of an amount equal to the sum required annually during the currency of the railway lease to provide the interest and the sinking fund upon an aggregate sum ascertained by adding together (i) the costs charges and expenses to be incurred by the Morley Corporation in connexion with the obtaining of any special Act or Order authorising the conversion of the said trolley-car system into the new light railways and (ii) the sum which shall have been expended by the Morley Corporation in carrying out the said work of conversion such interest and sinking fund being respectively calculated upon the basis of a borrowing by the Morley Corporation of the said aggregate sum for a period of 30 years at the rate of interest upon which the said loan may be obtained principal and interest being kept down by equal half-yearly payments over that number of years Provided that the sum mentioned in head (ii) shall be certified in writing under the hand of the consulting engineer for the time being of the Morley Corporation :
- (E) The granting of the railway lease shall not operate so as to cause a surrender or otherwise to prejudice or affect the validity of the lease which shall continue to subsist concurrently with the railway lease and accordingly during the currency of the railway lease the rent reserved by the lease shall continue to be payable in addition to the rent reserved by the railway lease and all the covenants conditions and provisions of the lease shall continue in force so far as circumstances will admit and the railway lease shall contain a provision under which the lease and the railway lease shall be read and construed as a single lease the proviso for re-entry contained in the lease being made

applicable to the breach of any covenant condition or agreement contained in the railway lease and vice versâ :

- (F) The railway lease shall also if necessary contain provisions for the apportionment of the annual rent thereby reserved to the date of the expiration thereof in the event of such apportionment being required by reason of the fact that the term granted by the railway lease includes a broken period of less than a complete year :
- (G) As regards any matter or thing not hereby expressly provided for the railway lease shall as far as circumstances will admit be in the same form as the form in the Second Schedule to the agreement dated the 24th day of December 1910 under which the Leeds Corporation now hold certain existing tramways of the Morley Corporation Provided always that any dispute as to the form of the railway lease shall be settled by the arbitrament of the senior conveyancing counsel to the court for the time being :
- (H) If the railway lease shall be granted the Leeds Corporation shall upon the granting of the railway lease pay to the Morley Corporation the costs of the Morley Corporation of and incidental to the preparation and execution of the railway lease and the counterpart thereof and shall also repay to the Morley Corporation all sums which prior to the granting of the railway lease shall have been actually paid by the Morley Corporation in respect of interest and sinking fund upon the capital sum or sums borrowed by them for the purpose of carrying out the said work of conversion but so that any moneys payable under this clause shall not in any event exceed the amount which would have been payable had the instalments actually paid been instalments of interest and sinking fund paid under a loan for a period of 30 years at the rate aforesaid principal and interest being kept down by equally half-yearly payments over that number of years.

11. The Leeds Corporation shall at their own expense provide all cables and trolley cars and if the new light railways shall be constructed all light railway cars and other rolling stock and all loose or movable plant of every description which may be necessary or convenient for the working of the said trolley-car system or the new light railways as the case may be All such trolley-cars and light railway cars shall be of such form construction and dimensions as the Board of Trade or other competent authority may approve and shall conform with all provisions which may be prescribed with regard to their construction by any special Act or Order which may in the circumstances be applicable The Leeds Corporation shall also at their own expense provide all

A.D. 1913. — electrical energy required for working the said trolley-car system and if the new light railways shall be constructed the new light railways Provided that if the Leeds Corporation shall so require the Morley Corporation shall provide at their electrical works at Morley a convenient space for a rotary converter to be provided at the expense of the Leeds Corporation and to be used for the purposes of the said trolley-car system and if the new light railways shall be constructed the new light railways and the Morley Corporation shall permit such rotary converter to remain and shall operate the same at their said electrical works during the currency of the lease and shall permit the Leeds Corporation by their proper officers and servants to have such access to the said rotary converter as may be necessary or proper to secure the efficient working thereof The rent to be paid for this space and cost of operation shall be 10*l.* per annum.

12. Upon the expiration or sooner determination of the lease the Leeds Corporation shall sell and the Morley Corporation shall purchase the hereditaments and buildings landlord's fixtures and cables particulars whereof are contained in the Third Schedule hereto and such of the rolling stock and apparatus particulars whereof are also contained in the said Third Schedule as may then be actually in use for the working of the said trolley-car system or the new light railways as the case may be at such a sum as may be agreed upon or as failing agreement shall be determined by arbitration in manner herein-after provided to be the fair value thereof as part of a going concern The Morley Corporation shall be entitled to set off against such purchase money all moneys which shall be owing to or recoverable by them from the Leeds Corporation for rent or breach of covenant or on any other account under or in connexion with the lease and if the same shall have been granted the railway lease or either of them Pending the ascertainment of the said purchase price the Morley Corporation shall be entitled as from such expiration or sooner determination as aforesaid to the possession and use of the said premises to be acquired by them under this present clause as if such purchase price had been ascertained and paid Provided always that when such purchase price shall have been ascertained the Morley Corporation shall pay to the Leeds Corporation in addition to the said purchase price interest thereon calculated at the rate of 4*l.* per cent. per annum from the date of the taking possession by the Morley Corporation of the said last-mentioned premises down to the date when the said purchase money is actually paid over to the Leeds Corporation.

13. During the currency of the lease the Morley Corporation shall be entitled to have and to exercise all such facilities in respect of rights of entry and doing work upon the premises for the time being in lease to the Leeds Corporation as may be necessary or proper to enable the Morley Corporation immediately upon the expiration or sooner

determination of the lease effectively to work the said trolley-car system or the new light railways as the case may be Provided always that no exercise of any of the said last-mentioned facilities and rights shall entitle the Morley Corporation to do any act or thing which shall unduly interfere with the proper working by the Leeds Corporation of the said trolley-car system or the new light railways as the case may be. A.D. 1913.

14. Provided that the Morley Corporation shall have fulfilled their obligations under clause 1 of these presents any default of the Morley Corporation arising only from their failure to obtain any extension of the period which may be prescribed by the special Act for the completion of the overhead equipment of the said trolley-car system shall not give rise to any claim for damage compensation or otherwise.

15. If the Morley Corporation shall fail to obtain the passing of the special Act on or before the first day of January 1915 or if the special Act as passed shall in the opinion of the Leeds Corporation differ materially in its terms from the terms of the said Bill as deposited so far as the same relates to the matters mentioned in clause 1 hereof and the Leeds Corporation shall by notice in writing under the hand of their town clerk given to the Morley Corporation within three calendar months after the Royal Assent shall have been given to the special Act signify their desire to terminate this agreement then this agreement shall be void save and except that the following provisions shall have effect that is to say the costs charges and expenses of the Morley Corporation properly attributable to their attempting to obtain or obtaining as the case may be such part of the special Act as shall relate to the trolley-car system in connexion with the routes specified in the First Schedule hereto shall be borne by the Morley Corporation and the Leeds Corporation in such proportions as may be agreed upon between the borough solicitor of the Morley Corporation and the town clerk of the Leeds Corporation or in default of such agreement in such proportions as shall be determined by arbitration under the provisions herein-after contained and the proportion of the said costs charges and expenses which under this present clause is to be borne by the Leeds Corporation shall be paid by the Leeds Corporation to the Morley Corporation Provided also that if and whenever after this agreement shall have been determined by the Leeds Corporation under the provisions of this clause a trolley-car system shall within the time limited by the special Act or any extension thereof be constructed and completed under the powers conferred by the special Act on the said routes specified in the First Schedule hereto or any of them or any part thereof respectively the Morley Corporation shall upon the completion of the same repay to the Leeds Corporation a sum equal to that proportion of the costs charges and expenses paid by the Leeds Corporation under this clause which the length of the route or

A.D. 1913

routes on which such trolley-car system shall be constructed as last aforesaid shall bear to the total lengths of all the said routes.

16. Except as herein otherwise provided any dispute difference or question which shall at any time arise between the Morley Corporation on the one hand and the Leeds Corporation on the other hand touching the construction meaning or effect of these presents or any clause or thing herein contained or the respective rights and liabilities of the said parties hereto or either of them under these presents or otherwise howsoever in relation to the premises shall be referred to an arbitrator to be appointed by the Board of Trade and this shall be deemed to be a submission to arbitration within the meaning of the Arbitration Act 1889 or any statutory modification or re-enactment thereof for the time being in force.

17. The Leeds Corporation shall pay to the Morley Corporation in addition to the costs of the lease and counterpart mentioned in clause 7 hereof the reasonable costs of the Morley Corporation of and incidental to these presents.

18. These presents are conditional upon the same being confirmed by the said special Act and shall become absolute only upon the sanction of the Board of Trade or other competent authority being obtained to the borrowing by the Morley Corporation of the sums requisite for the construction of the said trolley-car system and unless these presents shall become absolute on or before the first day of January 1916 these presents shall become and be void and of no effect.

19. This agreement is intended to be scheduled to and confirmed by the said special Act and is made subject to such alterations as Parliament may think fit to make therein but if the committee on the Bill to whom the same shall be referred make any material alteration in this agreement it shall be competent for either party to withdraw the same.

In witness whereof the Morley Corporation and the Leeds Corporation have caused their respective corporate common seals to be hereto affixed the day and year first before written.

The FIRST SCHEDULE before referred to.

PART 1.

The routes herein-before referred to are--

Route No. 2 wholly situate in the urban district of Drighlington and commencing in the road leading from Farnley to Drighlington at the boundary between the city of Leeds and

the urban district of Drighlington and terminating in the road leading from Drighlington to Wakefield (herein referred to as the Wakefield Road) at the boundary between the urban districts of Drighlington and Gildersome:

Route No. 3 wholly situate in the urban district of Gildersome and commencing by a junction with Route No. 2 at its termination and terminating in the Wakefield Road at the boundary between the urban district of Gildersome and the borough of Morley:

Route No. 4 wholly situate in the borough of Morley and commencing by a junction with Route No. 3 at its termination and terminating in the Wakefield Road at the boundary of the borough and the urban district of East and West Ardsley.

PART 2.

Route No. 5 wholly situate in the parish of Ardsley West in the urban district of East and West Ardsley and commencing by a junction with Route No. 4 at its termination and terminating in the Wakefield Road at the boundary of the parishes of Ardsley West and East Ardsley:

Route No. 6 wholly situate in the parish of East Ardsley in the urban district of East and West Ardsley and commencing by a junction with Route No. 5 at its termination and terminating in the Wakefield Road at the junction of Main Street with the Wakefield Road in the urban district of East and West Ardsley.

The SECOND SCHEDULE before referred to.

THIS INDENTURE made the _____ day of _____ 19____ between THE MAYOR ALDERMEN and BURGESSES of the BOROUGH OF MORLEY (herein-after called "the lessors" which expression shall include their successors and assigns where the context so admits) of the one part and THE LORD MAYOR ALDERMEN and CITIZENS of the CITY OF LEEDS (herein-after called "the lessees" which expression shall include their successors and permitted assigns where the context so admits) of the other part witnesseth:—

1. That in consideration of the rents and covenants on the part of the lessees herein-after reserved and contained the lessors in exercise of every or any power enabling them in this behalf hereby grant and

A.D. 1913. demise all and singular the trolley-car system and property described in the First Schedule hereto and for the purposes of identification and so far as the same are capable of delineation delineated upon the plan drawn in the margin of these presents and thereon shown by lines of red colour together with all such powers of working and using the said trolley-car system and premises as are vested in the lessors under the (herein-after called the special Act) but subject nevertheless and without prejudice to and reserving unto the lessors in respect of the demised premises all rights powers and privileges vested in the lessors as the local and road authority or urban authority of the borough of Morley (herein-after called "the borough") And also all such rights powers and privileges as under these presents the lessors are entitled to exercise over or in relation to the demised premises or any part thereof and subject also to the rights of the public over the roads upon which the said trolley-car system operates and all other rights reserved by the special Act and reserving also unto the lessors without prejudice to the generality of the reservations herein-before contained (but only with the consent of the Leeds Corporation which consent the latter may in their absolute and unfettered discretion withhold or may give upon such terms and conditions (including the payment of rent) as they shall think fit which terms and conditions the Morley Corporation shall in the event of their exercising the liberty next herein-after mentioned observe and perform in addition to the conditions herein-after set forth) full and free right and liberty at all times to affix to and maintain upon any post standard or bracket which is included in the demised premises all such lamps and other apparatus as the lessors may from time to time think proper for the purposes of street lighting subject to the following conditions:—

- (A) In affixing or maintaining such lamps and other apparatus no obstruction shall be caused to the traffic along or the working or user of the said trolley-car system:
- (B) The lessors shall give to the lessees not less than 28 days' notice in writing of their intention to exercise any of their powers in relation to street lighting and shall in such notice specify the streets or roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards or brackets:
- (C) The lessors shall pay the expense of lengthening adapting altering or replacing under the said last-mentioned powers any post standard or bracket and the expenses of providing and maintaining any lamps or other apparatus or of making any alteration rendered necessary in consequence of the exercise of the said powers for the protection of the public or the unobstructed working or user of the said trolley-car

system or to prevent injurious affection to the Postmaster General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the lessees or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the lessors of the said powers :

- (D) The lessors shall cause all lamps and other apparatus affixed by them to be regularly inspected from time to time so as to satisfy themselves that the same are in a proper state as to condition and repair :
- (E) The lessors shall make good to the lessees and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the lessors of the said powers in relation to street lighting :
- (F) The lessors shall make such reasonable contribution to cover any increase in the annual cost in the maintenance and renewal of any post standard or bracket used by them as aforesaid occasioned by reason of such user as may be mutually agreed or failing agreement may be settled by arbitration as herein-after provided :

Provided that nothing in this clause contained shall prevent the lessees from using the posts standards and brackets herein before referred to for the support of any electric wires and apparatus that may be necessary for the proper and convenient user or working of the said trolley-car system and reserving unto the lessors all such powers of entry upon the demised premises and all such other powers as are necessary to enable effect to be given to the provisions herein-after contained.

2. To have and to hold the said premises hereby demised unto the lessees from the fourth day of July 1913 until the day of
19 .

3. Yielding and paying therefor (1) during each year (or broken part of a year) of the term hereby granted the rents specified opposite such year (or broken part of a year) in the Second Schedule hereto without any deduction except landlord's property tax the rent in each such year (or broken part of a year) to be paid in advance (as to each complete year) by quarterly payments on the day of
the day of the day of and the
 day of in such year the first of such payments
to be made on the day 19 (and as to the said
broken part of a year by one payment on the day
19) and (2) at the expiration or sooner determination of the said
term a further rent equal to such sum if any as shall be equal to the
sum required upon such expiration or sooner determination to pay off

A.D. 1913. or redeem all unpaid instalments of the capital sum or sums borrowed by the lessors for the purpose of constructing the demised premises.

4. And the lessees do hereby for themselves their successors and assigns covenant with the lessors in manner following (that is to say) :—

- (A) That the lessees will during the continuance of the said term hereby granted pay the rents herein-before reserved at the time and in the manner at and in which the same are reserved and made payable without any deduction (except as aforesaid) :
- (B) And also will from time to time and at all times during the term hereby granted pay and discharge all rates taxes charges duties assessments and outgoings whatsoever whether parliamentary parochial or of any other description which are now or may at any time hereafter be assessed charged or imposed upon the said demised premises or any part thereof or the owner or occupier thereof the landlord's property tax only excepted :
- (C) And will at all times during the said term hereby granted keep in good and efficient repair order and working condition maintain uphold replace and renew as occasion may require the trolley-car system equipment and property hereby demised including all electrical and other equipment fixtures and fittings connected therewith and the same in good and efficient repair order and working condition and so maintained replaced and renewed will deliver up to the lessors at the expiration or sooner determination of the said term :
- (D) And will at all times during the said term hereby granted (subject to any byelaws or regulations which may from time to time be made by the Board of Trade) work and use the said trolley-car system in an efficient and proper manner for the regular and punctual conveyance of passengers and passengers' personal luggage and small parcels to the reasonable satisfaction of the lessors :
- (E) And will not without the previous consent in writing of the lessors under their common seal discontinue the working of the said trolley-car system or any part thereof except during such times as they may be prevented from working the said trolley-car system or any part thereof owing to fire storm tempest or other unavoidable cause and except so far as may be necessary for the purpose of executing repairs or renewals or of making any alterations in the demised premises or any part thereof :

- (f) And also will at all times during the said term provide use and maintain in good and efficient repair and working order and properly cleaned and lighted all such trolley-cars and rolling stock as may be required from time to time for the efficient conveyance of passengers passengers' luggage and small parcels upon the said trolley-car system. Provided that the lessees shall be deemed to have complied with this provision so long as they shall from time to time provide use and maintain such trolley-cars and rolling stock in a state of repair and working order not in any respect inferior to that of the general average state of repair and condition of the trolley-cars and rolling stock provided and used in connexion with the existing railless traction undertaking of the lessees : A.D. 1913.
- (g) And also will at all times during the said term unless otherwise agreed between the lessors and lessees work the said trolley-car system and every part thereof upon the overhead trolley system unless otherwise mutually agreed between the lessors and the lessees with electrical energy :
- (h) And also will at all times observe perform and discharge all the statutory duties and obligations for the time being imposed by the special Act upon the company or Corporation for the time being working the trolley-car system thereby authorised and in all respects comply with the provisions of the special Act and any other Act of Parliament or byelaw or regulation of the Board of Trade for the time being in force and imposing any duty or obligation upon the body or person owning or working the said demised premises or any part thereof and will indemnify the lessors against all liability in respect of any non-observance non-performance or breach of or non-compliance with any such duty obligation provision byelaw or regulation :
- (i) And also will save harmless and keep effectually indemnified the lessors from all actions damages costs charges or expenses in respect of any damage or injury done or occasioned to the said demised premises or any part thereof by the lessees or any of the officers servants workmen agents or carriages engines or other rolling stock of the lessees :
- (j) And will at all time save harmless and keep effectually indemnified the lessors from all actions proceedings claims and demands on the part of any person or corporation whatsoever in respect of all accidents damages and injuries caused or happening through or by reason of any act or omission or default of the lessees or any officers servants workmen or agents of the lessees or through or by reason

A.D. 1913.

of the neglect default or omission of the lessees to observe and perform any of the several covenants stipulations or conditions herein contained and on their part to be observed and performed :

(k) And will not assign underlet or part with the possession of the said premises hereby demised or any part thereof without the previous consent in writing of the lessors under their common seal but such consent shall not be unreasonably withheld Provided that nothing in this indenture shall prohibit the lessees from entering into and carrying into effect and the lessees may accordingly without obtaining such consent as aforesaid enter into and carry into effect any agreement with any local authority company body or person owning or working any trolley-car system connecting either directly or by means of any other trolley-car system with the demised trolley-car system for the running over and using by such local authority company body or person of any part of the demised trolley-car system :

(l) And that without prejudice to the generality of any of the provisions of these presents or to any of the rights and privileges of the lessors under these presents or otherwise and so far as not inconsistent with the express terms of these presents the lessees at all times during the said term shall have and be entitled to exercise all such rights and privileges and the lessees shall discharge observe and perform all such duties obligations and things as under the special Act or any other Act of Parliament for the time being in force would respectively belong to and be exercisable by the lessors.

5. Provided always and it is hereby agreed and declared that if any part of the said yearly rent hereby reserved shall be in arrear for three calendar months whether legally demanded or not it shall be lawful for the lessors into or upon the said demised premises to enter and distrain and the distress or distresses then and there found to dispose of in due course of law and to apply the produce thereof in or towards payment of the rent so in arrear and all costs charges and expenses occasioned by the non-payment thereof.

6. Provided also and it is hereby agreed and declared that these presents are upon this condition that if the said yearly rents hereby reserved or any part thereof shall at any time be in arrear or unpaid for three calendar months after the same shall have become due (whether any formal or legal demand thereof shall have been made or not) or if the lessees shall at any time fail or neglect to perform

or observe any of the covenants and conditions or agreements herein contained whether affirmative or negative and on their part to be performed or observed or if the assigns of the lessees being a company shall enter into liquidation whether compulsory or voluntary then and in any such case it shall be lawful for the lessors or any person or persons duly authorised by them in that behalf into or upon the said hereby demised premises or any part thereof in the name of the whole to re-enter and the same premises peaceably to hold and enjoy thenceforth as if these presents had not been made without prejudice to any right of action or remedy of the lessors in respect of any antecedent breach of any of the covenants by the lessees herein-before contained.

A.D. 1913.

7. And the lessors do hereby for themselves their successors and assigns covenant with the lessees that the lessees paying the said yearly rent herein-before reserved and performing and observing all the covenants conditions and agreements herein contained and on their part to be performed and observed may quietly hold the demised premises during the term hereby granted without any lawful interruption by the lessors or any body or persons claiming lawfully under them.

8. And it is hereby further agreed and declared by and between the said parties hereto that if at any time hereafter any dispute doubt or question shall arise between the lessors and lessees touching the construction meaning or effect of these presents or any clause or thing herein contained or their respective rights or liabilities under these presents or otherwise in relation to the premises then every such dispute doubt or question shall be referred to the Board of Trade if willing to act or failing the said Board to the arbitration or decision of a single arbitrator to be appointed by the said Board and these presents shall be deemed to be a submission to arbitration within the Arbitration Act 1889 or any statutory modification or re-enactment thereof for the time being in force.

In witness whereof the lessors and lessees have caused their respective corporate common seals to be hereto affixed the day and year first before written.

The FIRST SCHEDULE to the above-written lease.

The trolley-car system and the wires posts poles and other apparatus and overhead equipment which have been constructed placed and equipped by the lessors under the powers conferred upon them by the special Act referred to in the above-written lease.

The SECOND SCHEDULE to the above-written lease.

(This schedule will contain a rent table showing the rents payable in each year under subclause (1) of the clause reserving rent.)

A.D. 1913.

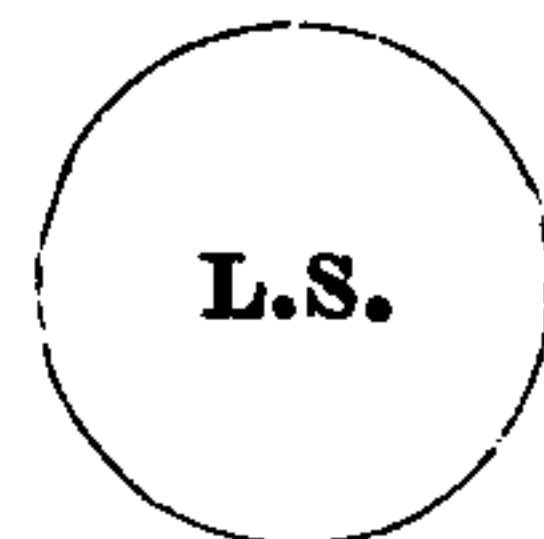
The THIRD SCHEDULE before referred to.

Any depôt including both the site of such depôt and the structure erected thereon and the landlord's fixtures therein which the Leeds Corporation may build exclusively for the purposes of the trolley-car system or the new light railways respectively referred to in the above-written indenture including the routes described in Part II. of the First Schedule thereto whether the trolley-car system therein shall have been constructed by the Morley Corporation or by the East and West Ardsley Urban District Council.

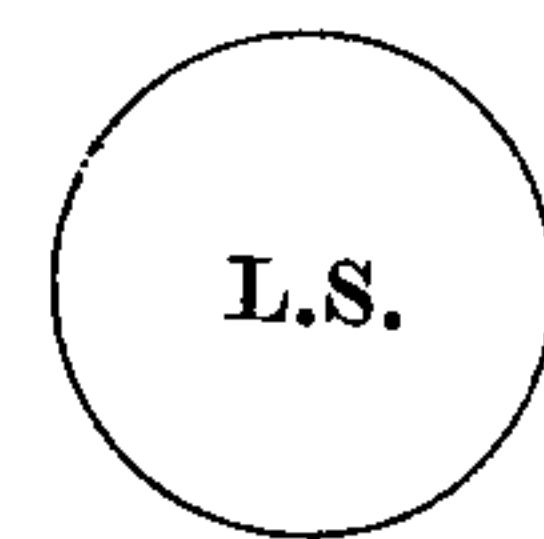
Any cables provided by the lessees under the provisions of this indenture including those in respect of the routes described in Part II. of the First Schedule thereto.

Such part of the rolling stock used upon the said trolley-car system or the new light railways as the case may be as is reasonable having regard to the length of such system or of such railways as the case may be at the end of the lease and the service thereover.

The corporate common seal of the mayor
aldermen and burgesses of the borough of
Morley was affixed hereto in the presence of
W. L. INGLE Mayor.
FRED THACKRAY Town Clerk.



The corporate common seal of the lord mayor
aldermen and citizens of the city of Leeds
was affixed hereto in the presence of
CHARLES H. WILSON Chairman of
the Finance Committee.
WM. DERRY City Treasurer.



PART II.

THIS INDENTURE made the fifth day of July one thousand nine hundred and thirteen between THE MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF MORLEY (herein-after called "the Morley Corporation") of the first part THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF LEEDS (herein-after called "the Leeds Corporation") of the second part and THE EAST AND WEST ARDSLEY URBAN DISTRICT COUNCIL (herein-after called "the Council") of the third part witnesseth that it is hereby agreed and declared by and between the said parties hereto as follows:—

1. These presents are supplemental to an indenture (herein-after called "the principal indenture") dated the fourth day of July one thousand nine hundred and thirteen and made between the Morley Corporation of the one part and the Leeds Corporation of the other part.

2. The Morley Corporation shall use their best endeavours to procure the passing of the Bill referred to in the principal indenture so far as such Bill relates to the provision construction placing equipment and working of a railless traction system upon the routes described in the First Schedule to the principal indenture. A.D. 1913.

3. If at any time before the first day of January 1915 such Bill shall be passed and shall contain provisions enabling the Council to construct the railless traction system in their district described in the said Bill and in Part II. of the First Schedule to the principal indenture and the principal indenture shall not become void under the provisions thereof the Council shall so soon as practicable after the principal indenture shall become absolute take all such steps as may be necessary and proper effectively to exercise and shall exercise in accordance with the provisions in that behalf of the special Act the right of electing to construct the overhead equipment authorised by the special Act to be constructed over the routes authorised within their districts.

4. So soon as the Council shall have effectively exercised in manner aforesaid the said right of electing the Council shall commence and with all due diligence complete in accordance with the provisions of the special Act and the principal agreement the said overhead equipment over the said routes so that the same may be ready for working at the same time as the overhead equipment in the borough of Morley.

5. So soon as the said overhead equipment over the said routes shall have been certified to be fit for traffic by the Board of Trade the Council shall grant and the Morley Corporation shall consent to the granting of and the Leeds Corporation shall accept a lease of such overhead equipment for a term commencing as from the date of such certificate and expiring on the same day as the lease of the light railways in Morley now being worked by the Leeds Corporation as the lessees of the Morley Corporation and such lease shall mutatis mutandis and as far as circumstances will admit be in the form provided for by the principal indenture in the case of the lease of the trolley-car system therein referred to and shall receive rents calculated after the same footing as the rents to be reserved under the said last-mentioned lease substituting the Council for the Morley Corporation the consulting engineer for the time being of the Council for the consulting engineer for the time being of the Morley Corporation and the sum or sums to be borrowed by the Council for the purpose of constructing the said overhead equipment for the sum or sums borrowed by the Morley Corporation for the construction of the trolley-car system mentioned in the principal indenture excluding the provisions as to rent contained by reference to interest on costs charges and expenses Such lease shall in addition contain

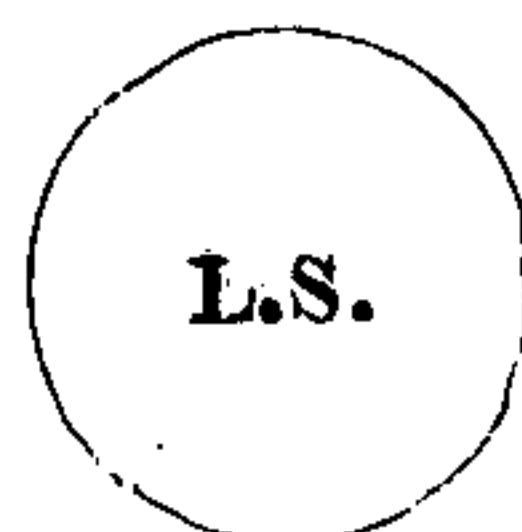
A.D. 1913. — a covenant by the Leeds Corporation to work the railless system in the district of the Council in connexion with the railless system within the borough of Morley.

6. So far as the same shall be applicable clauses 3 5 7 8 9 10 11 12 13 15 16 17 18 and 19 of the principal indenture having effect between the Morley Corporation and the Leeds Corporation shall as between the Council and the Leeds Corporation have effect mutatis mutandis with regard to the subject-matter of these presents as though the same were herein set out with the substitution of the Council for the Morley Corporation wherever the name of the Morley Corporation appears.

In witness whereof the Morley Corporation the Leeds Corporation and the Council have caused their respective common seals to be hereunto affixed the day and year first before written.

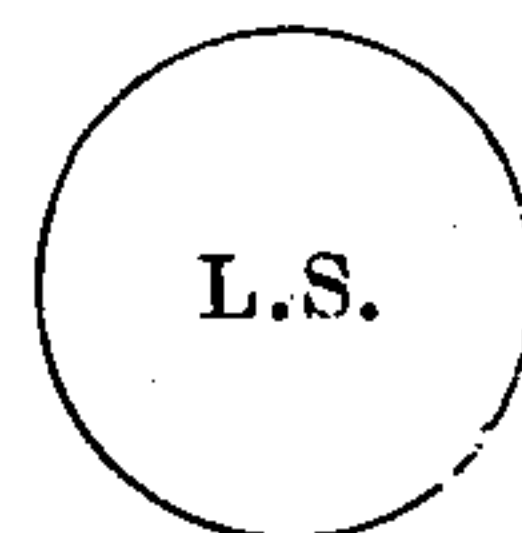
The common seal of the East and West Ardsley Urban District Council was affixed hereto in the presence of

HERBERT HARROP AUDSLY Chairman.
EDWIN H. MIDDLEBROOK Clerk.



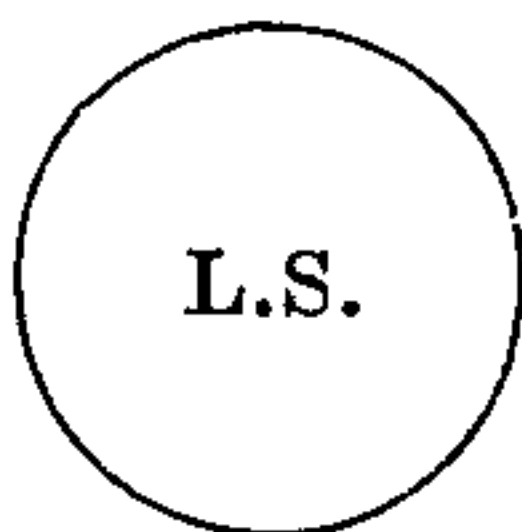
The corporate common seal of the mayor aldermen and burgesses of the borough of Morley was affixed hereto in the presence of

W. L. INGLE Mayor.
FRED THACKRAY Town Clerk.



The corporate common seal of the lord mayor aldermen and citizens of the city of Leeds was affixed hereto in the presence of

CHARLES H. WILSON Chairman of
the Finance Committee.
WM. DERRY City Treasurer.



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