



### CHAP. xi.

An Act to authorize the Mayor, Aldermen, and Burgesses of the borough of Leeds to improve the streets and becks, and to make other improvements in the said borough ; and for other purposes. A.D. 1869.  
[13th May 1869.]

**W**HEREAS the Local Acts following, or parts thereof respectively, are in operation in the borough of Leeds ; (that is to say,)

- (1.) An Act of the session of the 5th and 6th years of Her present Majesty, chapter 103, intituled "An Act for providing additional burial grounds in the parish of Leeds in the west riding of the county of York :"
- (2.) An Act of the same session, chapter 104, intituled "An Act for better lighting, cleansing, sewerage, and improving the borough of Leeds in the county of York," the short title of which is "The Leeds Improvement Act, 1842," in this Act called "the Act of 1842 :"
- (3.) An Act of the session of the 11th and 12th years of Her present Majesty, chapter 102, intituled "An Act to amend, extend, and enlarge the powers of an Act passed in the session of Parliament held in the fifth and sixth years of the reign of Her present Majesty, intituled 'An Act for better lighting, cleansing, sewerage, and improving the borough of Leeds in the county of York,' and to give to the mayor, aldermen, and burgesses of the said borough further and more effectual powers for draining and sewerage the said borough," in this Act called "the Act of 1848 :"
- (4.) An Act of the session of the 19th and 20th years of Her present Majesty, chapter 115, intituled "An Act for granting further powers for lighting, cleansing, sewerage, and improving the borough of Leeds, and for other purposes," the short title of which is "The Leeds Im-

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“provement Amendment Act, 1856,” in this Act called  
“the Act of 1856:”

(5.) An Act of the 29th and 30th years of Her present Majesty, chapter 151, intituled “An Act for authorizing the corporation of the borough of Leeds to make certain cuts and drains for the improvement of the borough, and for other purposes,” the short title of which is “The Leeds Improvement of Becks Act, 1866,” in this Act called “The Becks Act of 1866:”

(6.) An Act of the same session, chapter 157, intituled “An Act for amending the Acts for the improvement of the borough of Leeds, and for conferring further powers on the corporation of Leeds for the improvement of the borough, and for other purposes,” the short title of which is “The Leeds Improvement Act, 1866,” in this Act called “the Act of 1866:”

And it is expedient that the said Acts, which are herein-after referred to as “the recited Acts,” be in some respects amended:

And whereas it is expedient that the said mayor, aldermen, and burgesses of the borough of Leeds, in this Act called “the corporation,” be authorized to make the new streets and bridges and to widen certain existing streets and bridges in Leeds, and to make the cuts and drains and to execute the other works which are by this Act authorized:

Whereas the bridge over the river Aire in Leeds known as Leeds Bridge is a riding bridge, repaired and repairable by law by the inhabitants of the west riding of the county of York, and it has been found that, from the increased and increasing traffic over the said bridge, the same is entirely inadequate to its present purposes, and it is expedient therefore that the existing bridge should be removed, and that a new bridge should be constructed at or near the site thereof, and that the provisions herein-after contained should be made with respect to the said bridge:

And whereas it is expedient that the corporation should be authorized to purchase lands and buildings and easements in, over, and with respect to the same, for the foregoing purposes, and for securing the erection of suitable buildings to the front of the streets authorized to be made, improved, and widened under this and the recited Acts, or some of them, and for the same purpose to demise, sell, or otherwise dispose of such parts of the said lands and of other lands acquired by them as may not be required for the foot and carriage ways of the street:

And whereas it is expedient that the powers which the corporation at present possess of raising monies should, as to sums to be hereafter borrowed, be amended:

And whereas it is expedient that the power of the corporation to make and levy highway rates should be amended, and that the making, levying, and compounding for the various rates leviable by the corporation should be amended, and, as far as practicable, be made uniform, and that the power of the corporation to charge owners of certain properties with such rates should be amended, and that owners having only a limited interest in certain properties should have power to charge such properties with the sums payable in respect thereof for paving, flagging, levelling, sewerage, or draining, or any of them, and that the terms "owner" and "highway" under the Act of 1842 should be defined, and that the powers granted to the corporation with respect to the elevation of buildings to the front of new streets should be enlarged:

And whereas it is expedient to enable the corporation to make byelaws with respect to the traffic of the streets in Leeds, and for the regulation and management of hackney carriages and omnibuses, and the drivers and conductors thereof, and the public stands for such hackney carriages and omnibuses, and otherwise in relation thereto:

And whereas it is also expedient that the provisions herein-after contained should be made touching the government and the conduct of business in the said borough, and to extend and make applicable to the election of councillors for Leeds the provisions of the "12th section of the Act 15th and 16th Victoria, cap. 79," and to extend to the elections of auditors and assessors of Leeds the provisions of the Act 22nd Victoria, cap. 35:

And whereas plans and sections showing the lines and levels of the works authorized by this Act, and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken under the powers of this Act, have been deposited with the clerk of the peace for the west riding of Yorkshire, and are hereinafter respectively referred to as the deposited plans, sections, and books of reference:

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

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

1. This Act may for all purposes be cited "The Leeds Improvement Act, 1869." Short title.

2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and the following sections of the Act of 1866, namely,

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- Section 4. Interpretation of terms ;  
 Section 5. Limits of Act ;  
 Section 7. Corporation may appoint committees ;  
 Section 8. Minutes of proceedings of council ;  
 Section 15. Power to make new streets, &c. ;  
 Section 17. Errors and omissions in plans may be corrected by justices, &c. ;  
 Section 18. Clerk of the peace to receive, &c. ;  
 Section 19. Copies of plans, &c. to be evidence ;  
 Section 20. Lateral and vertical deviations ;  
 Section 25. Power to remove gas and water pipes ;  
 Section 26. If gas pipes removed others to be substituted ;  
 Section 27. Corporation may make compensation for damage ;  
 Section 28. Notice to be given of taking houses of labouring classes ;  
 Section 30. New streets, &c. to be paved, &c. by corporation, and to be public highways ;  
 Section 107. Differential rating in respect of canals or railways, except where expressly varied by this Act, are incorporated with and form part of this Act.

Interpretation of terms.

**3.** The several words and expressions to which by the recited Acts and the Acts incorporated with this Act meanings are assigned have in this Act the same respective meanings, unless excluded by the subject or context, and for the purposes of this Act ; and the expression "the undertakers," or "the promoters of the undertaking," or "the company," or "the local board of health," when used in the incorporated Acts, shall mean the corporation ; and the expression "the undertaking" shall mean the intended new streets and widenings, the improvements of streets, the improvements of becks, and other works by this Act or the recited Acts authorized, or any part thereof :

The expression "Leeds" shall mean the borough of Leeds :

The expression "buildings" shall include dwelling houses and warehouses :

And the expression "hackney carriages" shall include omnibuses and any kind of carriage for the conveyance of passengers plying for hire in Leeds.

Act to be executed by corporation.

**4.** This Act shall be carried into execution by the corporation acting by the council of Leeds.

Street to be made according to deposited plans.

**5.** Subject to the provisions of this Act and of the Acts incorporated herewith, the corporation may make the new street, improvement and other works herein-after described in or upon the lands delineated on the deposited plans and described in the deposited book of reference, and according to the levels defined on

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the said sections; and the corporation may, at their discretion, for all or any of the said purposes, and also for the purpose of providing space for the erection of houses and buildings adjoining and near such new streets and other improvements, enter upon, take, use, and hold all and every part of the lands delineated on the deposited plans, and therein described as "lands proposed to be taken."

6. The several works by this Act authorized comprise the works following; (that is to say,)

Works  
authorized  
by Act.

1. The improvement of Cross Belgrave Street, and its extension from its junction with Merrion Street to Wesley Street at a point opposite or nearly opposite Brunswick Rooms:
2. The widening and improving of Upperhead Row from the junction therewith of Guildford Street and Woodhouse Lane on the west to Briggate on the east:
3. The widening of Woodhouse Lane, and its improvement on the western side thereof between Rossington Street and a point to the south of Great George Street adjoining an intended new street authorized by "The Leeds Improvement Act, 1866," and the widening and improving of Woodhouse Lane, commencing at a point near the south end of Woodhouse Moor, and terminating in Woodhouse Lane about fifty yards in a southwardly direction:
4. The widening and improving of West Bar and Boar Lane, commencing at Park Row and terminating at Briggate:
5. The widening and improving of Leeds Bridge and the approaches thereto on the north and south sides thereof, commencing at a point near the foot of Briggate, and terminating at the junction of Bridge End, Dock Street, Hunslet Lane, and Water Lane:
6. The widening and improving of Call Lane on the north-west side, and the construction of a new street from Kirkgate at a point opposite the west end of Vicar Lane to Duncan Street:

Provided that with respect to the works herein-before numbered 1 the corporation shall not take any more of the lands of Joseph Hartley than are required for the foot and carriage ways of the new street, inasmuch as he has agreed to give to the corporation the land necessary for the said improvement; and with respect to the work numbered 2 the corporation shall not take any more of the lands of John Williams than are required for the foot and carriage ways of the improved street, inasmuch as he has agreed with the corporation to sell to them the land required for the work as vacant land, and to re-erect and set back at his own expense his buildings to the line of the proposed improvement of Upperhead Row: Pro-

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vided always, that nothing in this Act contained shall empower the corporation to enter upon, purchase, take, or use, except by agreement with the owner thereof for the time being, any of the lands and buildings now belonging to John Kendall or the trustees of the will of Thomas Skelton, deceased, in the township and parish of Leeds, or to deprive the owners of the said lands and buildings of any rights or easements belonging or appertaining to the same.

All the foregoing works will be in the township and parish of Leeds in the county of York.

7. Hol-Beck improvement.—A cut commencing in Low Beck at or near Low Hall Bridge, thence continuing in an easterly direction to the Hol-Beck at or near the north side of Hol-Beck Bridge, and the diverting of the waters or some of the waters of the Low Beck into the said new cut, and the construction over the said new cut of a bridge and other works in continuation of Hol-Beck Lane and Water Lane :

The covering of the Low Beck between Low Hall Bridge aforesaid and Sheepfoot Bridge :

The filling in of Low Beck between the last-mentioned bridge and Hol-Beck Bridge, and the widening and improving of Bridge Road, being a continuation of Hol-Beck Lane towards Sweet Street West :

8. The removal of the weir at Sheepfoot Bridge, and the construction of a new weir at or near Low Hall Bridge aforesaid.

The foregoing works will be in the township of Holbeck in the parish of Leeds in the said county.

9. Sheepscar Beck improvement.—A cut commencing in the Timble Beck at or near the properties numbered 306, 312, 313, and 319 in the township and parish of Leeds upon the plans deposited with the clerk of the peace for the west riding of the county of York, with respect to "The Leeds (Improvement of Becks) Act, 1866," and terminating by a junction with the same beck at or near the property numbered on the said plans 325 in the said parish and township :

10. The widening, straightening, and improving of East Street down to and north-westward of its junction with Crown Point Road, and the removal or improvement of the bridge carrying East Street over the said beck, and the improvement or removal of the bridges or culverts carrying the roads over the beck leading to lands and buildings north-east of the said beck.

These works will be in the township and parish of Leeds in the said county. A.D. 1869.

11. Mill Green Goit improvement.—A new cut commencing at or near the property numbered 44 in the township of Wortley on the plans deposited as aforesaid, and terminating by a junction with the Mill Green Goit at or near the properties numbered respectively 74 and 75 in the township of Holbeck upon the same plans, and the filling up of a portion of the goit north of the said new cut :

12. The construction of a new street in continuation of Domestic Street into Wortley Lane or Holbeck Lane at or near the boundary between the townships of Wortley and Holbeck and near the end of Spence Lane.

These works will be in the townships of Wortley and of Holbeck in the parish of Leeds in the said county.

7. The following provisions shall be for the protection of the undertakers of Aire and Calder Navigation in relation to the Beck improvement:

Provisions for protection of Aire and Calder Navigation in relation to the Beck improvement.

1. In making the Sheepscar Beck improvement the corporation shall allow the water of the said beck to flow as freely as it at present does under and on the west side of East Street, for the supply of the river Aire above Nether Mill Dam, either in its present open channel or in a culvert not less than fifteen feet wide and five feet high, such culvert to be at all times after construction maintained by the corporation in good repair; and the said undertakers, their agents and workmen, to have access at all times thereto for the purpose of inspecting and cleansing the same; and the corporation shall construct and maintain across the proposed diversion of the beck a weir at least as high as the present weir on the west side of East Street, shown on the deposited plans, such weir to be in the direction from north to south across the property numbered 261 on the said plan :

2. In making the several improvements of becks hereby authorized the corporation shall construct and maintain proper, sufficient, and watertight channels and culverts for conveying the water of the several becks so that the whole of the waters thereof shall continue to fall into the river Aire at the same places and levels as at present; and the sections of the Act of 1848 numbered respectively 16, 17, 18, 19, 20, and 21 shall apply to the works hereby authorized as fully as to the sewerage and works authorized by the said Act of 1848.

8. Nothing in this Act contained shall take away, lessen, prejudice, alter, or affect any of the rights, privileges, property, powers,

Saving rights of undertakers of

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Aire and  
Calder Navi-  
gation.

As to lands  
of Elizabeth  
Allison.

Justices of  
West Riding  
and corpora-  
tion may  
agree as to  
rebuilding  
Leeds  
Bridge.

As to con-  
struction of  
Leeds  
Bridge.

or authorities of the undertakers of the Aire and Calder Navigation, except as by this Act expressly authorized.

9. The corporation shall purchase from Elizabeth Allison, and she shall sell to the corporation, all her land, buildings, wharves, and appurtenances referred to in the said book of reference, and shown on said plans, and also all her property adjoining and near thereto which lies between Water Lane and the river Aire and on the west side of Bridge End.

10. The justices of the peace for the west riding of the county of York, for and on behalf of the inhabitants of the said riding, and the corporation, may enter into any agreement for the purpose of rebuilding Leeds Bridge, and reconstructing such portions of the approaches thereto as the inhabitants of the said riding are liable to keep in repair, in such manner and to such extent as the justices and the council may mutually think expedient, and they may settle and determine the proportion of the cost and expense thereof which shall be borne and defrayed by the inhabitants of the said riding and the corporation, and for that purpose the justices at any general quarter sessions of the peace for the said riding may exercise and use any of the powers or authorities which by law are vested in them with respect to the rebuilding county or riding bridges, and repairing the approaches thereto; and upon payment by the justices to the corporation of the sum agreed upon to be paid by the said justices the common law liability of the inhabitants of the said riding to rebuild, maintain, and repair the bridge and approaches shall, notwithstanding anything contained in the said Acts of 1842 and 1866, thenceforth cease, and the duty of rebuilding, maintaining, and keeping in repair the said bridge and approaches shall thenceforth be borne by the corporation: Provided that during the rebuilding of the bridge the corporation shall maintain as convenient means of crossing the river Aire as the circumstances permit.

11. The following provisions shall apply to the rebuilding of Leeds Bridge:

1. The bridge shall be substantially constructed of stone, brick, or iron, or of those materials or some of them combined, and shall have one arch, the span of which shall be not less than one hundred feet, the height of the said arch at the soffit thereof being not less than thirteen feet above the top of the deals on the dam at Nether Mills in Leeds, which shall be deemed to be the height of the surface water, and the height from the surface water to the springing of the arch shall be three feet and six inches. The abutments shall be perpendicular, without any projection under water.



And the corporation shall remove the existing piers in the waterway to a depth of not less than eight feet six inches below the surface water, and shall after the completion of the bridge remove and take from the bed of the river all obstructions caused by the execution of the works :

The face of the south abutment of the bridge shall be distant from the face of the present river wall nineteen feet six inches on the west side thereof and twenty-one feet nine inches on the east side thereof, and the corporation shall construct through the same abutment a culvert of not less diameter than ten feet, the bottom whereof shall not be less than five feet below the level of the top of the aforesaid deals :

At the back of the intended abutment on the north side of the new bridge there shall be a culvert parallel with such abutment not less than seven feet in diameter, and placed as near the face thereof as shall be safe and reasonably convenient :

2. The corporation shall at all times during the removal of the present bridge and the works connected therewith, and during the construction and repair of the substituted bridge, keep open and uninterrupted a navigable waterway not less than twenty-five feet in width, and not less in height than eleven feet from the surface water to the centreing, and not less in depth than eight feet throughout below the surface water ; and such waterway shall be at all times provided with proper dolphins up stream and down stream, and shall be properly lighted every night from sunset to sunrise ; and the corporation shall at all times after the completion of the new bridge keep open and uninterrupted a headway of not less height and width than is provided by the first sub-section of this section :
3. The corporation shall not commence the construction of the said bridge and of the approaches thereto, nor shall they interfere with the existing bridge and approaches, until they have submitted plans and sections of the intended new bridge, and of the temporary bridge and the works connected therewith, to the surveyor of bridges of the west riding of Yorkshire, for the approval of him and of the justices, and until they have obtained such approval in writing under the hand of the said surveyor :
4. When the said plans and sections have been approved as aforesaid notice thereof in writing shall be given by the corporation under the hand of the town clerk to the undertakers of the navigation of the rivers Aire and Calder, with

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an intimation that the said plans and sections will be open for two months for the inspection of the engineer or other person appointed by the said undertakers, and such plans and sections shall be open to the inspection of such engineer or person for two months after the receipt of such notice; and the said undertakers may, if they disapprove of the said plans and sections, present within one month after the time limited for such inspection a memorial to the Board of Trade, specifying their objections to such plans and sections; and the Board of Trade may, after hearing the parties, decide upon the said objections, and the works shall be executed in compliance with the directions of the Board in respect to the matters objected to.

Powers for compulsory purchases limited.

**12.** The powers of the corporation for the compulsory purchase of lands under this Act shall not be exercised after the expiration of five years from the passing of this Act.

Power to sell and demise, &c. lands not required.

**13.** The corporation from time to time may sell, demise, or otherwise dispose of any lands which are now vested in the corporation, or which are contracted for by them, and have been paid for or are payable out of and charged or chargeable upon the improvement rates, or which may be acquired by them under the provisions of this Act, and which may not be wanted for the foot and and carriage ways of any street; and upon payment of any monies which shall arise by or from the sale, demise, or other disposal of such lands the treasurer for the time being of the borough may sign and give a receipt for the monies to be paid for the same, or the rents to be received in respect of the same, which receipt shall sufficiently discharge any person for the money thereby acknowledged to be received: Provided that the produce of any such sale or other disposition thereof shall be applied by the corporation in the reduction of the principal monies from time to time owing by them and borrowed under the authority of the Acts of 1842, 1856, and 1866, or any or either of them.

As to purchase of lands by agreement.

**14.** The corporation may from time to time agree with the owners of any lands within the borough for the absolute purchase thereof, or of any easement therein, for the purpose of widening and improving any streets in the borough, and for securing the erection of suitable buildings in front of such streets when widened and improved.

Lands to vest in corporation.

**15.** All rents and profits derived from lands and property from time to time purchased or otherwise acquired by the corporation under the recited Acts or this Act, the purchase money whereof is charged upon or to be paid out of the improvement rate, shall be applied by the corporation in relief of the improvement rate.

**16.** The corporation shall complete the rebuilding of Leeds Bridge, and constructing the approaches thereto, within two years after the commencement of any work which will interfere with the waterway, and they shall complete the several works shown on the deposited plans and sections, which they undertake, within ten years next after the passing of this Act; and on the expiration of those respective periods their powers under this Act for making the same works respectively shall cease.

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 Period for completion of works.

**17.** All expenses incurred under this Act by the corporation in or about the removing, displacing, and relaying of any water mains, pipes, or apparatus shall be defrayed out of monies applicable under the recited Act to street improvements, and shall not be charged to the water account.

Expense of removing water pipes to be paid out of monies applicable to street improvements.

**18.** The corporation shall, for the purposes of this or "The Becks Act, 1866," have power to enter upon any part of the said becks, as well for the purpose of inspection as for the purpose of executing any work authorized to be executed by them under this Act, or "The Becks Act, 1866," without being liable to any legal proceedings on account thereof: Provided always, that, except when herein or in any Act incorporated therewith it is otherwise provided, the corporation or their officers shall not make any such entry, unless with the consent of the occupier, until after the expiration of twenty-four hours' notice for that purpose given to the occupier; and the corporation shall pay compensation for any damage or loss such occupier or owner may sustain by reason of such works, such compensation to be ascertained, if the parties cannot agree, under the provisions of "The Lands Clauses Consolidation Act, 1845," as in cases of disputed compensation for lands.

Power to enter on becks.

**19.** Every person who shall at any time obstruct the corporation, or any person employed by them, in the performance of anything which they are respectively empowered or required to do by this or "The Becks Act, 1866," or any Act incorporated therewith, shall be liable to a penalty not exceeding five pounds.

Persons obstructing corporation subject to fine.

**20.** Before any buildings or parts of buildings are commenced upon land which in consequence of any improvement made by the corporation will become frontage land a design of such building shall be submitted to the corporation for their approval, and the said building shall be erected of such height and according to such design as to the elevations thereof as the corporation shall require: Provided always, that in case the corporation shall for the space of two months after such design shall have been submitted to them neglect to notify their determination in writing with reference thereto, then the corporation shall be deemed to have approved such design: Provided also, that if the design required by the corporation shall appear

As to elevations of buildings on front lands.

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to the owner of the land on which the building shall be erected to involve unreasonable and excessive expense, and the corporation refuse to compensate the owner for such excess of expense, or in case the parties shall not agree on the amount of such compensation, the question shall be referred to arbitration in the manner provided by "The Lands Clauses Consolidation Act, 1845," with respect to questions of disputed compensation, and the award shall determine whether any and what compensation for erecting such building shall be borne by the corporation.

Corporation  
may pre-  
scribe line of  
building.

**21.** The corporation, before the commencement of any building, may prescribe the line in which any such building fronting on or towards any street shall be erected, and the same shall be erected only in accordance with the line so prescribed; and where the corporation require all or any part of the land between the line so prescribed and the street to be added to the street, or if the owner or any other person interested in the building sustain any loss or damage by reason of the building being erected in accordance with the line so prescribed, or by any of his land being so added to the street, the corporation shall make compensation in that behalf, and failing agreement the compensation shall be ascertained, apportioned, and recovered under "The Lands Clauses Consolidation Act, 1845," as in cases of disputed compensation for lands.

Order for  
demolition of  
building  
erected  
without re-  
quisite  
consent of  
corpora-  
tion, &c.

**22.** In case any building be made or begun without or not in accordance with the consent of the corporation, where their consent is by this or any of the recited Acts required, or contrary to any requirement by the corporation, made in accordance with the provisions of such Acts, the corporation may make complaint thereof before a justice, who shall thereupon issue a summons requiring the owner or occupier of the premises, or the builder or person engaged on the work, to appear at a place and time stated in the summons, to answer the complaint; and if at the time and place appointed in the summons, and whether the persons summoned appear or not, the complaint be proved to the satisfaction of the justice before whom it is heard, the justice shall make an order in writing on the person summoned directing the demolition, within such time as the justice deems reasonable, of the house, building, erection, or addition, or so much thereof as is made otherwise than in accordance with the consent or contrary to the requirement of the corporation, and also directing payment of the costs up to and including the costs of the order.

Precautions  
during de-  
molition.

**23.** During the demolition of any building directed by a justice to be demolished the owner or occupier of the premises, or the builder or person engaged on the work, shall take all such precautions as the corporation shall direct for preventing all avoidable in-

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jury or damage being occasioned by or in consequence of the demolition to any adjoining premises; and where any such owner, occupier, builder, or person shall fail to comply with the requirements in that behalf of the corporation or their borough surveyor, every person so offending shall for every such offence forfeit not exceeding five pounds, and an additional penalty not exceeding forty shillings for every day the offence continues after notice thereof from the corporation, and shall also be liable to make full compensation to any person who shall sustain damage or injury.

**24.** If any building so ordered to be demolished be not demolished within the time limited by the order the corporation may forthwith enter the premises to which the order relates, and demolish the building, and do whatever is necessary for that purpose, and may remove the materials to a convenient place, and afterwards sell the same, as they think fit, and all expenses incurred by the corporation therein, and in removing, depositing, and selling the materials, may be recovered in a summary way before a justice from the person against whom the order is made: Provided that the corporation shall apply the proceeds of the sale in or towards payment of their expenses, and if there be any surplus shall, on demand, pay it to the person against whom the order is made.

Demolition by corporation of such buildings.

**25.** Any land which may be purchased or taken by the corporation and laid into any street shall for ever thereafter form part of such street and of the public highways, and shall be sewerred, levelled, flagged, paved, or otherwise completed out of any monies applicable to improvements in the township within which the same may be situate; and any street or part of a street which in consequence of any improvement made by the corporation shall be no longer required for public use or for approach to any property adjoining the same, and not belonging to the corporation, shall be and the same is hereby vested in the corporation, freed and discharged from the public use thereof, and shall be sold, demised, or otherwise disposed of by the corporation, and the proceeds thereof shall be applied to the payment of monies borrowed on the security of the improvement rates of the township within which the same may be situate, or otherwise be applied in making improvements in the same township.

Land thrown into streets to be public highways, and parts of streets disused to be sold.

**26.** So far as may be necessary for the purposes of the intended new streets, and widenings and improvements of streets and bridges, and other works hereby authorized, the corporation may alter or otherwise interfere with, temporarily or permanently, and may appropriate, the whole or any part of the streets shown on the deposited plans, so far as they respectively extend in, over, or upon any of the lands which the corporation are by this Act authorized to purchase compulsorily.

Powers to alter, &c. certain streets for purposes of making and widening streets.

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 ———  
 Future mort-  
 gages to be  
 according to  
 Companies  
 Clauses Acts.

**27.** As regards all monies which may be hereafter borrowed by the corporation, sections 19, 20, 25, 26, 27, 28, 29, 30, and 31 of the Act of 1842, section 13 of the Act of 1856, and section 117 of the Act of 1866, are hereby repealed, so far as they relate to mortgages; and the provisions of "The Companies Clauses Consolidation Act, 1845," as altered by this Act, "with respect to the borrowing of money by the company on mortgage," shall extend and apply to the corporation and their mortgagees under the said recited Acts; and the expression "the company" in those provisions shall for the purposes of the said Acts mean the corporation: Provided that neither the repeal of the said sections nor anything contained in this Act shall impair, vary, or invalidate any bond, mortgage, or other security already granted or issued by the corporation, or the rights or remedies of the holders thereof.

Notice of  
 rate to be  
 given.

**28.** Section 341 of the Act of 1842 is hereby repealed, and notice of the intention of making every rate authorized to be made under the provisions of the recited Acts, and of the time at which the same is intended to be made, shall hereafter be given by the corporation by advertisement three times in each daily newspaper published in Leeds immediately previous to such rate being made, or as nearly so as may be, and no other notice of the intention to make such rates, or of the same having been made, shall hereafter be necessary: Provided always, that it shall not be necessary in any proceedings to levy and recover such rate to prove that such notice as aforesaid was given.

On what  
 assessment  
 rate to be  
 levied.

**29.** Section 345 of the Act of 1842 is hereby repealed. The annual value of all property rateable under the said recited Acts shall be ascertained according to the last preceding assessment for the relief of the poor within the limits of the said Acts, when signed by the overseers, except in such cases as are herein and in the recited Acts mentioned; and when the assessment of any property to the relief of the poor shall have been amended on appeal all rates laid upon such property under the said recited Acts or any of them or this Act shall be amended accordingly, notwithstanding that there shall have been no appeal against such last-mentioned rates.

Unoccupied  
 premises  
 may be in-  
 cluded in  
 improvement  
 rates, but the  
 rates are not  
 to be col-  
 lected unless  
 the premises  
 are after-  
 wards occu-  
 pied.

**30.** When any premises in respect of which any occupier would be liable to be assessed under the provisions of the Acts of 1842, 1856, and 1866, shall at the time of making any rate be unoccupied, then and in every such case it shall be lawful for the corporation to include such premises in the rate, describing them accordingly in the column of the rate-book appropriated to the name of the occupier as being "void;" and if any person shall afterwards occupy such property during any part of the period for which such rate shall have been incurred it shall be lawful for the corporation to insert in such rate the name of such occupier, and to collect from such occupier

such a portion of the said rate as shall be proportioned to the time during which he shall so occupy such property, and every such person shall thereupon be deemed to all intents and purposes to be properly rated, and such proportion of the rate may be collected, and, after demand, recovered from such person: Provided always, that any such person whose name shall be so inserted in such rate may appeal against the same to the justices at special sessions, or to the general quarter sessions, which shall be available next after such demand.

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**31.** Section 11 of the Act of 1848 is hereby repealed. The council, in addition to the rates by the said Acts of 1842, 1856, and 1866 authorized to be levied once in every year, may make, assess, levy, and collect, in the manner herein and in those Acts directed, an equal and separate rate, to be called the "main sewer rate," upon the occupiers of tenements within each separate drainage district which may be formed in pursuance of the Act of 1848, not exceeding one shilling and sixpence in the pound in any one year, such rate to be applied as in the Act of 1848 directed: Provided that the repeal of the said section shall not invalidate any rate already made by virtue of the said Act of 1848, or any remedies of the corporation for the recovery thereof.

Main sewer rate to be levied.

**32.** The corporation may make any rate for the purposes of the said recited Acts to raise money to pay charges and expenses incurred within the six months preceding the time of the making of the rate, and to be incurred thereafter.

Rates may be for past and future expenditure.

**33.** When any property in respect of which the occupier would be liable to be rated to the main sewer rate made under the provisions of the Act of 1848 is unoccupied at the time of making such rate, the corporation shall rate and assess the owner of such unoccupied premises to such rate, and every such owner shall pay the amount of such rate: Provided always, that nothing herein contained shall affect the right reserved under the Act to recover any arrears of such rates from any future occupier of such premises.

Owners of property unoccupied to be assessed to the main sewer rate.

**34.** The owners of all rateable property the full net annual value of which shall not exceed the sum of seven pounds ten shillings shall be rated to and shall pay the rates by the Act of 1848 authorized to be made, instead of the occupiers of such property.

Owners of property to pay main sewer rates instead of occupiers.

**35.** Section 104 of the Act of 1866 is by this Act repealed; and the corporation, as surveyors of highways, may, for the purpose of defraying their expenses as such surveyors, or the expenses which by the Act of 1866 are charged on the highway rates, may levy an equal highway rate in the same manner, on the same persons, and in respect of the same properties (except arable land, and minerals, railways, and canals, which shall be assessed at the same value at which they are now assessed to the highway rate,) as they may levy

Highway rate to be levied as other rates.

A.D. 1869.

rates under and in respect of the Acts of 1842, 1856, and 1866, as altered by this Act, but the rate for such expenditure shall not exceed in any one year the sum of two shillings and sixpence in the pound: Provided that the repeal of the said section shall not invalidate any highway rate already made by virtue of the said Act of 1866, or any remedies of the corporation for the recovery thereof.

Composition for rates on property not exceeding the annual value of six pounds.

**36.** Section 38 of the Act of 1856 is by this Act repealed, and instead thereof the owner, not being also the occupier, of every tenement the yearly value whereof shall not exceed six pounds, shall be assessed to all rates leviable by the corporation (except the main sewer rate) in respect of such tenement at three fourths of the amount at which such tenement would otherwise be liable to be rated in case no provision for a reduced rating had been made by this Act, and such owner shall be liable to pay the rate due in respect of such tenement whether the same shall be occupied or unoccupied.

Byelaws to be hereafter made according to Municipal Act.

**37.** Sections 326, 327, 328, 329, 330, 331, 332 of the Act of 1842, and the other provisions in the recited Acts as to the making, publication, and enforcing of byelaws, now or hereafter to be made, so far as they are inconsistent with this Act, are repealed. The corporation may from time to time, in the manner prescribed for making byelaws by the Act of the session of 5th and 6th years of William the Fourth, chapter seventy-six, "An Act to provide for the regulation of "municipal corporations in England and Wales," make, alter, and repeal all byelaws which the corporation are by this and the recited Acts authorized to make, but copies of such byelaws shall be published on a board in conspicuous letters in a convenient position near the buildings or place, if any, to which they may respectively have reference; and if any person shall pull down, destroy, damage, or deface any such board, he shall for every such offence be liable to a penalty of five pounds, and shall also be liable to pay for the damage done and expense occasioned thereby; and it shall not be necessary to publish any existing byelaws except as by this Act provided.

Regulating traffic in Leeds.

**38.** The corporation may from time to time, as they think expedient, in addition to the powers conferred upon them by the Act of 1842, make byelaws for the regulation of the traffic in and along all or any of the foot and carriage ways of the streets within the borough, and as to the number of passengers which hackney carriages and omnibuses shall be permitted to carry at one time, and as to the fares which may be charged for the use of hackney carriages other than omnibuses, and as to the state and condition of such hackney carriages.

Evidence of byelaws.

**39.** The production of a printed copy of the byelaws from time to time made by the corporation under the recited Acts and this Act, or any of them, purporting to be signed by the town clerk, shall



for all purposes be *prima facie* evidence of the existence and of the due making of such byelaws, without adducing proof of the signature of the town clerk.

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40. The corporation from time to time may grant licences to such persons as drivers and conductors of hackney carriages, and for such periods not exceeding one year as they think fit, and for every such licence may demand any sum not exceeding five shillings.

Regulations as to drivers of hackney carriages and omnibuses.

41. Every person to whom a licence as driver of a hackney carriage has already been granted by the corporation shall, within six months after the passing of this Act, deliver up his present licence to the town clerk of the borough, and shall in lieu thereof receive a licence under this Act without further charge, if the corporation shall consider such person fit to be licensed.

Existing licences to be given up.

42. After the expiration of six months from the passing of this Act, every person who shall without a licence under this Act drive or ply for hire with any hackney carriage or act as the conductor of any omnibus within Leeds or within five miles of the boundary of Leeds, provided such hackney carriage or omnibus is licensed to ply for hire or to carry passengers in Leeds, shall be liable to a penalty not exceeding forty shillings, and a further penalty not exceeding twenty shillings for every day during which such person shall so drive or ply for hire without such licence.

Penalty on driving without licence.

43. The corporation from time to time may fix and determine the stands for hackney carriages in the borough, and the number and description of hackney carriages which may stand thereat, and from time to time may vary and alter such stands and the number of carriages to be allowed at any stand: Provided always, that the corporation shall give such notice as they shall deem sufficient, to be distributed in the borough, and on the outside of the police station at the town hall, of every order or resolution under this enactment; and no such order or resolution shall take effect until after the expiration of one month from the publication thereof.

For regulating public stands for hackney carriages and omnibuses.

44. Every person who after the expiration of one month from such publication shall use any place as a stand for hackney carriages other than such as may have been fixed and published as aforesaid, or shall place on any stand so fixed and published any hackney carriage beyond the prescribed number, shall for every such offence be liable to a penalty not exceeding forty shillings, and a further penalty not exceeding twenty shillings for every day during which such offence shall be continued.

Penalty for using other places as stands for hackney carriages and omnibuses.

45. The corporation from time to time may appoint and remunerate such officers and servants as they think requisite for the purposes of this Act or the recited Acts, or any Acts in force for supplying Leeds with water, on such terms as they may think fit.

Power for corporation to appoint officers for the purposes of Act.

A.D. 1869.

Mayor may  
appoint sub-  
stitute for a  
deceased as-  
sessor.

**46.** If an extraordinary vacancy shall happen in the office of assessor for Leeds, within the meaning of the 16th and 17th Victoria, cap. 79, and at the same time there shall be a vacancy in the office of councillor, an election to fill whose office should take place before the vacant office of assessor can by law be filled, the election to supply the vacant office of councillor shall be held before the alderman of the ward in which there is a vacancy in the office of councillor, the continuing assessor, and such burgess (not being a burgess representing or enrolled on the burgess list for that ward) as the mayor shall by writing under his hand appoint.

Nomination  
of candidates  
for offices of  
auditor or  
assessor.

**47.** At any election of auditors or assessors for Leeds any person entitled to vote may nominate for the office of auditor or assessor in like manner as such person can nominate for the office of councillor, as prescribed by the Act 16 and 17 Victoria, cap. 79, and the proceedings in such nomination and election shall be the same as is prescribed in the said Act for the election of councillors which may be vacant.

Part of sect.  
147 of Act  
of 1842 re-  
pealed.

**48.** The 147th section of the Act of 1842 is hereby repealed so far as it enacts that the certificate and declaration therein mentioned shall be transcribed and recorded amongst the proceedings of the council, and as to a copy thereof being delivered to one of the surveyors of the highways, as therein mentioned.

Order for  
paving, &c.  
may include  
several  
streets.

**49.** The corporation, in execution of the powers contained in section 135 of the Act of 1842, may include several streets to be paved, flagged, levelled, sewered, or drained in one order; provided that appeals may be entered against any part of any such order exclusively of the remainder thereof, and the order may be quashed as to part and be held good as to the remainder.

Definition of  
the terms  
owner and  
highway  
under Act  
of 1842.

**50.** Where the corporation have a claim on an owner of a tenement for expenditure made in respect of paving, flagging, levelling, sewerage, or draining, or any of them, under the Act of 1842, the person who at the date of the order referred to in the 135th section of that Act is entitled to receive the rents from the occupiers of the tenement in that Act referred to, either on his own behalf or as trustee for any other person, shall be deemed to be the owner; and if any street which shall be ordered to be paved, flagged, levelled, sewered, or drained under the 135th section of the Act of 1842 shall not have been actually repaired by the surveyors of highways before the twentieth day of March one thousand eight hundred and thirty-six, the same shall not be deemed to be a highway within the meaning of that section.

Corporation  
may take  
rents.

**51.** Notwithstanding that such owner, as defined by the last preceding section, may have sold, mortgaged, or otherwise disposed of the said tenement, the corporation may receive, as they become due,

the rents or part of the rents from the occupier for the time being, in discharge of the amount due under the last preceding enactment, in which case the receipt of the collector of the corporation shall be a discharge pro tanto for the rent due to the owner.

A.D. 1869.

**52.** Where such owner shall have an interest in such tenement for life or for years only, or less than the absolute fee simple, it shall be competent for him, if the corporation agree thereto, to execute a charge on such tenement in favour of the corporation, to secure the amount so payable to the corporation in respect thereof, or such owner may execute a charge upon such tenement to secure the repayment of such sum to any person who will advance the same, either by way of repayment to such owner (if such owner has within three years before or at any time after the passing of this Act paid the same), or by way of payment to the corporation or other the party having executed the works; provided that such charge shall not secure interest at a rate exceeding five pounds per centum per annum, and shall secure repayment of the principal by half-yearly instalments not exceeding forty in number; and every such charge shall be as valid as against all persons entitled to such tenement for any interest to take effect after or in defeazance of the interest of the charging owner as if such interest had at the date of the charge belonged to the charging owner; but no person entitled in remainder to such tenement shall be liable to pay any instalment or interest accrued due before the determination of the prior estate: Provided also, that the certificate of the town clerk of the corporation of the amount paid or payable by such owner, and of the date when the same became payable by him, and of the premises included in the tenement on which it may be charged, shall be conclusive evidence thereof in favour of any person advancing money on any such charge as aforesaid, and the town clerk may issue such certificate, and may, at the expense of the party requiring the same, make such inquiries as he shall deem necessary for that purpose.

Owner with limited interest may charge property.

**53.** Whenever, in any proceeding under this or the recited Acts, whether written or otherwise, it shall become necessary to mention or refer to the owner or occupier of any premises, and such owner or occupier is unknown to the corporation after due inquiry, it shall be sufficient to designate him as the owner or occupier of such premises, without name or further description.

Owner, &c. need not to be named in proceedings.

**54.** Any summons or other document which under this or the recited Acts, or the Acts in force for the time being for the regulation of municipal boroughs, or any of them, may be required to be given to the town clerk of Leeds or served upon the corporation, shall be served by delivering the same to the town clerk, or by leaving the same at his office between the hours of ten o'clock in the forenoon and five o'clock in the afternoon except on Saturday,

Hours of attendance at town clerk's office.

A.D. 1869.

and then between ten o'clock in the forenoon and one o'clock in the afternoon; and such office shall only be open for the time named for the inspection of documents therein deposited, and shall not be open on Sunday, nor shall any such summons or document be delivered on Sunday.

Costs, charges, &c. to be taxed and settled by Masters of the Court of Queen's Bench.

**55.** All disputed questions as to any costs, charges, and expenses of and incident to any arbitration or award made under the provisions of the Lands Clauses Consolidation Act, 1845, or of this or any of the recited Acts, whether the question in dispute arise as to compensation to be made for lands required to be purchased and actually taken by the corporation, or in respect of the injurious affecting of other lands not taken, or otherwise in relation thereto, shall, if either party so requires, be taxed and settled as between the parties by one of the Masters of the Court of Queen's Bench; and it shall be lawful for such Master to receive and take in respect of each folio in length of every bill of costs so settled a fee of one shilling and no more, and such fee shall be taken in money and not in stamps, and may be retained by the said Master for his own use and benefit.

Service of notices on council.

**56.** Every summons or other document which, under the provisions of any Act for the regulation of municipal corporations, is ordered or required to be served upon or delivered at the place of abode of any member of the town council of Leeds may be served by forwarding the same through the post prepaid, addressed to him at his usual or last known place of abode; provided that such notice or document be posted in time for delivery according to the usual course of postal delivery on the day on which such summons or other document should by law be served.

Monies raised under Acts of 1866 to be applied to purposes of this Act.

**57.** All the expenses of and incident to the carrying into execution of the several purposes of this Act shall be charged upon and paid out of the improvement rates authorized to be levied by the Acts of 1842, 1856, 1866, and the Becks Act, 1866, or by any of those Acts, and shall be charged upon and paid out of the improvement rates to be levied in and for the several townships in the borough within which respectively such expenses shall arise or be incurred, in like manner as the improvement rates are, by section 335 of the Act of 1842, directed to be made and levied.

Expenses of Act.

**58.** All the expenses of applying for and obtaining this Act, and incidental thereto, shall be paid by the corporation.