



## CHAPTER ccxviii.

An Act to extend the limits for the supply of Gas and Water by the Mayor Aldermen and Burgesses of the County Borough of Leicester and to make further and better provision in relation to the Local Government of the said Borough and for other purposes. A.D. 1897.

[6th August 1897.]

**W**HEREAS the county borough of Leicester (herein-after called "the borough") is subject to the Acts relating to municipal corporations and under the government of the mayor aldermen and burgesses of the borough (herein-after called "the Corporation") acting by the council :

And whereas the Corporation are the owners of the undertaking whereby the borough and various adjacent places are supplied with gas and they supply gas thereto under the provisions of the Acts set forth in Part I. of the First Schedule to this Act which Acts other than the Leicester Corporation Gas and Water Transfer Act 1878 and the provisions of that Act so far as they relate to the supply of gas are in this Act referred to collectively as "the Gas Acts" :

And whereas the Corporation are the owners of the undertaking whereby the borough and various adjacent places are supplied with water and they supply water under the provisions of the Acts set forth in Part II. of the First Schedule to this Act which Acts other than the Leicester Corporation Gas and Water Transfer Act 1878 and the provisions of that Act so far as they relate to the supply of water are in this Act referred to collectively as "the Water Acts" :

And whereas it is expedient that the limits of the Corporation for the supply of gas and water respectively should be extended :

And whereas under the powers of the Leicester Tramways Order 1873 the Leicester Tramways Act 1877 and the Leicester Tramways Order 1884 the Leicester Tramways Company have constructed various tramways in the said borough which tramways the Corporation are empowered by virtue of the said Act and Orders and the

A.D. 1897. — Tramways Act 1870 to purchase at any time within six months after the twenty-eighth day of July one thousand nine hundred and one and it is expedient that the Corporation if and when they purchase the said tramways should be empowered to run carriages thereon and demand and take tolls and charges in respect of the use of such carriages and to use on the said tramways mechanical or electrical motive power :

And whereas the Corporation are the owners of the cemeteries for the borough and it is expedient that the Corporation should be empowered to provide suitable buildings with all necessary and proper furnaces and appliances for the destruction of human remains by the application of heat (in this Act called a "crematorium") subject and according to the provisions of this Act :

42 & 43 Vict.  
c. cc.

And whereas by the Leicester Corporation Act 1879 provision is made for the notification to the Corporation of the existence in the borough of certain infectious diseases in that Act defined and it is expedient that further provision should be made for the prevention of the spreading of infectious diseases :

And whereas it is expedient that a fund be established for the encouragement of thrift among the officers and servants of the Corporation and that the Corporation be empowered to subscribe or contribute to such fund and that the other provisions should be made in reference thereto which are in this Act contained :

And whereas the Corporation under and by virtue of a lease bearing date the first day of November one thousand eight hundred and eighty-seven and made between Sir Robert Tempest Tempest of Tong Hall in the county of York baronet and Tristram Tempest Tempest his eldest son of the one part and the Corporation of the other part are the lessees for a term of thirty years from the twenty-fifth day of March one thousand eight hundred and eighty-six of certain lands in the parishes or extra-parochial places of Anstey Beaumont Leys Leicester (late Belgrave) and Birstall and under and by virtue of a lease bearing date the seventh day of April one thousand eight hundred and ninety-two and made between the Reverend Thomas Arthur Preston of Thurcaston in the county of Leicester clerk in holy orders of the first part the Ecclesiastical Commissioners for England of the second part the master fellows and scholars of Emmanuel College in the University of Cambridge of the third part and the Corporation of the fourth part are the lessees for a term of twenty-five years from the twenty-ninth day of September one thousand eight hundred and ninety-one of certain lands in the parishes of Anstey and Thurcaston which lands are used by them as a sewage farm for the said borough and it is expedient that the Corporation be empowered to acquire the fee

simple of the whole or part of the said lands and of certain plantations surrounded by parts of those lands : A.D. 1897.

And whereas it is expedient that the Corporation be empowered to acquire lands for improving certain streets within the borough :

And whereas it is expedient that the Corporation be empowered to borrow moneys for the purposes of this Act :

And whereas the Corporation have under the provisions of the Leicester Corporation Act 1884 and the Leicester Order 1893 respectively created and issued redeemable stock and established in respect of those respective stocks a Leicester Corporation Loans Fund and a Leicester Corporation Loans Fund Number 2 and the Corporation were by the Leicester Corporation Order 1896 authorised to create and issue a new class of redeemable stock and were by that Order required to establish and form in respect of that stock a separate loans fund to be called the Leicester Corporation Loans Fund Number 3 and the said several funds are in this Act referred to collectively as "loans funds" and separately as "Loans Fund Number 1" "Loans Fund No. 2" and "Loans Fund No. 3" : 47 Vict.  
c. xxxii.

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

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

And whereas estimates have been prepared by the Corporation of the moneys required for gasworks and waterworks purposes as by this Act authorised and such estimates are as follows :—

For gasworks purposes two hundred and fifty thousand pounds ;

For waterworks purposes one hundred thousand pounds :

And whereas an absolute majority of the whole number of the council at a meeting held on the twenty-fourth day of November one thousand eight hundred and ninety-six after ten clear days notice by public advertisement of such meeting and of the purposes thereof in the Leicester Daily Post a newspaper published and circulating in the borough (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on the district fund and general district rate of the borough :

And whereas such resolution was published twice in the said newspaper and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the fifth day of January one thousand eight

A.D. 1897. hundred and ninety-seven being not less than fourteen days after the deposit of the Bill in Parliament:

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

And whereas plans showing the land by this Act authorised to be acquired and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of and describing such lands have been deposited with the clerk of the peace for the county of Leicester and are in this Act referred to as the deposited plans sections and book of reference:

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

PART I.—PRELIMINARY.

Short title.

1. This Act may be cited as the Leicester Corporation Act 1897.

Act divided into parts.

2. This Act is divided into parts as follows (that is to say):—

Part I.—Preliminary.

Part II.—Extension of gas limits.

Part III.—Extension of water limits.

Part IV.—Streets buildings &c.

Part V.—Tramways.

Part VI.—Street advertisements &c.

Part VII.—Sanitary.

Part VIII.—Crematorium.

Part IX.—Public hall &c.

Part X.—Common lodging-houses.

Part XI.—Slaughter-houses.

Part XII.—Infectious diseases.

Part XIII.—Police.

Part XIV.—Thrift fund.

Part XV.—Lands.

Part XVI.—Finance.

Part XVII.—Miscellaneous.

Limits of Act.

3. This Act except where otherwise expressly provided shall apply exclusively to the borough.

Incorporation of Acts.

4. The Lands Clauses Acts the Gasworks Clauses Act 1847 and the Waterworks Clauses Act 1847 (except the words "with

“ the consent in writing of the owner or reputed owner of any such house or of the agent of such owner ” in the 44th section of that Act) and the Waterworks Clauses Act 1863 so far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are incorporated with and form part of this Act and the Gasworks Clauses Act 1871 shall subject to the provisions of this Act apply to the gas undertaking of the Corporation as if the same had been authorised by this Act.

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5. Subject to the provisions of this Act this Act shall be carried into execution by the Corporation acting by the council.

Act to be executed by the council.

6. In this Act unless the subject or context otherwise requires— Interpretation.

“ The borough ” means the county borough of Leicester ;

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

“ The council ” means the town council of the borough ;

“ The town clerk ” “ the treasurer ” “ the medical officer of health ” “ the surveyor ” “ the head constable ” and “ the inspector of nuisances ” respectively mean the town clerk the treasurer the medical officer of health (including any person duly authorised temporarily to act as medical officer of health) the surveyor the head constable and the inspector of nuisances of the borough ;

“ The town hall ” means the town hall of the borough ;

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

“ Tramway revenue ” means all revenue of the tramways ;

“ Gas revenue ” means all revenue of the gas undertaking ;

“ Water revenue ” means all revenue of the water undertaking ;

“ Corporation stock ” means Corporation redeemable stock ;

“ Loans funds ” means the loans funds established under the provisions of the Leicester Corporation Act 1884 and any provisional order amending the same ;

“ Statutory security ” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock Corporation stock or other security authorised by or under any Act of Parliament passed or to be passed of any municipal corporation in Great Britain (except the Corporation) or of any other local authority within section 34 of the Local Loans Act 1875 and not being a security transferable by delivery ;

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- “The tramways” means the tramways for the time being belonging to the Corporation and situate within the borough;
- “Mechanical power” includes steam electric and every other power not being animal power;
- “Dairy” includes any farm farmhouse cowshed milk store milk shop or other place from which milk is supplied or in which milk is kept for the purpose of sale;
- “Daily penalty” means a penalty to accrue for each day any offence shall continue after conviction thereof;
- “The Public Health Acts” means the Public Health Act 1875 and any Act amending the same;
- “The Municipal Corporations Acts” means the Municipal Corporations Act 1882 and any Act amending the same;
- “The Vagrancy Acts” means the Act 5 George IV. chapter 83 and any Act amending the same;
- “Carriage” means any vehicle used for the conveyance of persons or goods;
- “Sky sign” means any word letter model sign device or representation in the nature of an advertisement announcement or direction supported on or attached to any post pole standard framework or other support wholly or in part upon over or above any house building or structure which or any part of which sky sign shall be visible against the sky from any point in any street or public way and includes all and every part of any such post pole standard framework or other support. The expression “sky sign” shall also include any balloon parachute or similar device employed wholly or in part for the purposes of any advertisement or announcement on over or above any building structure or erection of any kind or on or over any street or public way but shall not be deemed to include (i.) any flagstaff or pole vane or weathercock unless adapted or used wholly or in part for the purposes of any advertisement or announcement (ii.) any sign on any board frame or other contrivance securely fixed to or on the top of the wall or parapet of any building on the cornice or blocking course of any wall or to the ridge of a roof provided that such board frame or other contrivance be of one continuous face and not open work and do not extend in height more than three feet above any part of the wall or parapet or ridge to against or on which it is fixed or supported (iii.) any such word letter model sign device or representation as aforesaid which relates exclusively to the business of a railway company and which is placed or may be placed wholly upon or over any railway station yard platform

or station approach belonging to a railway company and which is also so placed that it could not fall into any street or public place ;

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Words to which meanings are assigned in enactments incorporated with this Act or in the Public Health Act 1875 or which have therein special meanings have in this Act the same respective meanings unless there be something in the subject or context repugnant to such construction :

In this Act and for the purposes of this Act in the Acts incorporated with this Act—

The expression “court of competent jurisdiction” or other like expression shall have effect as if the debt or demand with respect to which that expression is used were a common simple contract debt and not a debt or demand created by statute and shall include any court of competent jurisdiction.

#### PART II.—EXTENSION OF GAS LIMITS.

7. The limits within which the Corporation may supply gas are hereby extended so as to include the following parishes townships and places in the county of Leicester herein-after referred to as “the additional gas limits” (that is to say) Glenfield Groby Anstey Ratby Lubbesthorpe Leicester Forest East Kirby Muxloe Kirby Frith Newtown Linford Cropston Thurcaston Scraptoft Thurnby Bushby and Stoughton and for the purposes of such supply and subject to the provisions of this Act the Corporation shall have and may exercise all the powers rights privileges and authorities and shall be subject to the same obligations as they now have and may exercise and are subject to under the provisions of the Gas Acts and those provisions so far as they are respectively in force at the passing of this Act shall subject to the provisions of this Act extend and apply to the additional gas limits and the supply of gas thereto.

Extension of gas limits.

8. If at any time after the passing of this Act any sanitary authority whose district is beyond the limits of the Corporation for the supply of gas as they exist at the passing of this Act but within the additional gas limits shall give not less than six months notice in writing to the Corporation of their desire to purchase such portion of the gasworks and plant of the Corporation as is contained within the district of any such sanitary authority and shall obtain the consent of the Local Government Board to such purchase and shall apply to Parliament or the Local Government Board for power to purchase such portion of the gasworks and plant of the Corporation (except the mains and pipes or other apparatus

Provision for sale of portion of gasworks and plant to other sanitary authorities.

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which shall be necessary for supplying with gas any other part of the limits of the Corporation for the supply of gas) and to supply gas within such district then it shall not be lawful for the Corporation to oppose such application (except as to the details thereof) and if such powers of purchase and supply be granted the Corporation shall sell and such sanitary authority shall purchase the portion of the gasworks and plant of the Corporation (except as aforesaid) within the district of such sanitary authority at such price (being a sum in gross) and upon such terms and conditions as shall be fixed in default of agreement by arbitration under the provisions of the Lands Clauses Acts and the Corporation shall apply the proceeds of any sale under this section in the same manner as they are required to apply money received from sales of land under this Act provided that after the completion of such purchase all obligations on the part of the Corporation to supply gas within such district shall cease and determine.

Any such purchase shall be deemed to be a purpose of the Public Health Act 1875 except so far as may be otherwise provided for by Parliament.

PART III.—EXTENSION OF WATER LIMITS.

Extension of water limits.

9. The limits within which the Corporation may supply water are hereby extended so as to include the following parishes townships and places in the county of Leicester herein-after referred to as "the additional water limits" (that is to say) Sileby Syston Mountsorrel Rothley Wanlip Swithland Cossington and Thurmaston North and for the purposes of such supply and subject to the provisions of this Act the Corporation shall have and may exercise all the powers rights privileges and authorities and shall be subject to the same obligations as they now have and may exercise and are subject to under the provisions of the Water Acts and those provisions so far as they are respectively in force at the passing of this Act shall subject to the provisions of this Act extend and apply to the additional water limits and the supply of water thereto:

Provided that if at the expiration of six years from the passing of this Act the Corporation are not affording or prepared to afford a sufficient supply of water throughout the said respective parishes townships and places the restriction imposed by section 52 of the Public Health Act 1875 on the construction of waterworks by the local authority as defined by that Act shall cease to apply within the parishes townships and places in respect of which such provision shall not have been so made.

Provisions for sale of waterworks

10. The provisions of the foregoing section of this Act the marginal note whereof is "Provision for sale of portion of gasworks



and plant to other sanitary authorities" shall extend and apply mutatis mutandis to the sale of portions of waterworks and plant of the Corporation to sanitary authorities whose districts are beyond the limits of the Corporation for the supply of water as they exist at the passing of this Act the word "water" being substituted for the word "gas" throughout the said section.

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—  
and plant  
to other  
sanitary  
authorities.

PART IV.—STREETS BUILDINGS &c.

11. The deposit with the Corporation of any plan of any new street or building shall be null and void if the execution of the work specified in such plan be not commenced within the following periods (that is to say):—

Deposit of  
plans to be  
void after  
certain  
intervals.

As to plans deposited after the passing of this Act within three years from the date of such deposit; and

As to plans deposited before the passing of this Act within three years from the passing of this Act:

And at the expiration of those respective periods fresh notices and deposits shall unless the Corporation otherwise determine be requisite.

The Corporation shall attach to the approval of plans deposited after the passing of this Act notice of this section.

12. No new street shall unless the Corporation otherwise allow be laid out more than one hundred and seventy-five yards in length without an intersecting street.

Intersecting  
streets.

This section shall not apply in the case of any street shown on two plans respectively marked A and B and signed in duplicate by William George Mount Esquire the chairman of the Committee of the House of Commons to whom the Bill for this Act was referred of which plans one copy is deposited in the Private Bill Office of the House of Commons and the other copy is deposited with the town clerk.

13. The Corporation may by order declare the limits at or within which any street is to be taken as beginning or ending.

Corporation  
may determine  
beginning and  
ending of street.

14. It shall not be lawful for any person without the consent of the Corporation first obtained (which consent shall not be unreasonably withheld) to lay any building materials rubbish or other thing or make any excavation on or in any street and when with such consent any person lays any building materials rubbish or other thing or makes any excavation on or in any street he shall at his own expense cause the same to be sufficiently fenced and a sufficient light to be fixed in a proper place on or near the same and to be continued every night from sunset to sunrise and shall remove such materials rubbish or thing or fill up any excavation (as

Deposits of  
building  
materials or  
excavations  
not to be  
placed  
without  
consent.

A.D. 1897. the case may be) when required by the Corporation and if any person fails to comply in any respect with the requirements of this enactment he shall be liable to a penalty not exceeding forty shillings and the Corporation may remove any such materials rubbish or thing or fill up such excavation (as the case may be) and recover the expenses from the offender summarily.

Dangerous places to be repaired or inclosed.

**15.** With respect to the repairing or inclosing of dangerous places the following provisions shall have effect namely :—

(1) If any building wall steps structure or other thing or any well excavation or reservoir pond river stream or dam or bank or any land or place is in the opinion of the Corporation for want of sufficient repair protection or inclosure dangerous to the occupiers thereof or to the neighbouring buildings or to the passengers along any street or footpath the Corporation may order the owner within the period specified in such order to repair remove protect or inclose the same so as to prevent any danger therefrom :

(2) If after service of the order on the owner he shall neglect to comply with the requirements thereof within the prescribed period the Corporation may cause such works as they think proper to be done for effecting such repair removal protection or inclosure and the expenses thereof shall be payable by the owner and may be recovered summarily unless the court shall be of opinion under the circumstances of the case that such expenses should be borne by the Corporation.

Trees or shrubs overhanging streets.

**16.** Where any tree hedge or shrub overhangs any public street so as to obstruct or interfere with the light from any public lamp or to interfere with the free passage of passengers along any footpath the Corporation may serve a notice on the owner of the tree hedge or shrub or on the occupier of the premises on which such tree hedge or shrub is growing requiring him within seven days after the service of the notice to lop the tree hedge or shrub so as to prevent such obstruction or interference and in default of compliance with the notice may themselves carry out its requisitions doing no unnecessary damage.

Erection of workshops fronting courts &c.

**17.—**(1) No workshop (including in that word for the purpose of this section a factory mill warehouse workshop or a livery stable) shall be erected except so as to front on a public street or on a court square or yard and which court square or yard—

(A) Shall be throughout the whole length thereof of not less depth from every part of the front of such workshop than twenty-five feet; and

(B) Shall be free from any erection thereon; and

(c) Shall have an entrance which shall be throughout not less than twelve feet in width and fourteen feet in height and shall communicate with a public carriageway.

(2) No building erected after the passing of this Act shall be used as a workshop unless it shall have in the rear thereof and adjoining thereto for the whole length of such workshop an open space free from any erection thereon and wholly independent of any open space appurtenant to or occupied with any other building and of not less than the following average depths in the following cases (that is to say):—

In the case of a one-storey workshop ten feet;

In the case of a two-storey workshop ten feet at the level of the ground floor and fifteen feet at the level of the first floor;

In the case of a workshop of more than two storeys ten feet at the level of the ground floor fifteen feet at the level of the first floor and twenty feet at the level of the third floor and the floors above that floor.

(3) This section shall not apply—

(A) To a workshop attached to a shop used for the purpose of selling the article made in such workshop; nor

(B) To a workshop where not more than twenty people are employed.

(4) This section shall be deemed to be a regulation of the Leicester Improvement Drainage and Markets Act 1868 and have effect as if it had been set forth in the schedule to that Act.

18. Notwithstanding anything in section 38 (Thickness of external and division walls) of the Leicester Improvement Act 1881 the Corporation may make byelaws prescribing the thickness of the walls of any buildings and from and after the confirmation of such byelaws the said section of the said Act shall be repealed.

Walls of buildings &c.

19. Without prejudice to any existing right of Her Majesty there shall be exempted from so much of the provisions of this Act as relates to buildings and structures every building structure or work vested in or in the occupation of Her Majesty either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or for public services also any building structure or work vested in or in the occupation of any department of Her Majesty's Government for public purposes or for the public service.

Exemption of Government property from building regulations.

#### PART V.—TRAMWAYS.

20.—(1) Notwithstanding anything in the Tramways Act 1870 to the contrary the Corporation if and when they acquire the tramways in the borough may place or run carriages on and may

Power to Corporation to work tramways.

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work and may demand and take tolls and charges in respect of the said tramways and in respect of the use of such carriages and may provide such stables buildings carriages trucks harness engines machinery apparatus horses steam cable electric and other plant appliances and conveniences as may be requisite or expedient for the convenient working or user of the said tramways by animal or mechanical power and may sell exchange or dispose of such of the before-mentioned articles and things as from time to time may no longer be required.

(2) The byelaws and regulations authorised by the Tramways Act 1870 to be made by the promoters of any tramway and their lessees may with respect to any tramways or portions of tramways for the time being belonging to and worked by the Corporation be made by the Corporation alone.

(3) Subject as aforesaid the provisions for the time being in force with respect to the working of the said tramways and the taking of tolls rates and charges therefor shall extend and apply to the tramways for the time being so worked by the Corporation and to the Corporation in relation thereto.

(4) Nothing in this Act shall empower the Corporation to construct any station for generating electric power nor to create or permit a nuisance.

Provisions as  
to motive  
power.

**21.** The carriages used on the tramways when acquired by the Corporation may be moved by animal power or subject to the following provisions by mechanical power (that is to say):—

(1) The mechanical power shall not be used except with the consent of and 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 mechanical power on the tramways and for regulating the use of electric power:

(3) The Corporation or any company or person using any mechanical power on the tramways contrary to the provisions of this Act or of the Board of Trade regulations shall for every such 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 or any company or person using mechanical power have or has 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 A.D. 1897.

(B) That the use of mechanical power 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 mechanical power 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.

**22.** Subject to the provisions of this Act the Board of Trade may make byelaws with regard to any of the tramways upon which mechanical power may be used under the authority of this Act for all or any of the following purposes (that is to say):— Byelaws.

For regulating the use of any bell whistle or other warning apparatus fixed to the engine or carriages ;

For regulating the emission of smoke or steam from engines used on the tramways ;

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets and at such places and in such cases of horses being frightened or of impending danger as the Board of Trade may deem proper for securing safety ;

For regulating the entrance to exit from and accommodation in the carriages used on the tramways and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages ;

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to the tramways by exhibition of the same in conspicuous places in the carriages and elsewhere.

**23.** 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. Penalty for breach of byelaws.

**24.** The provisions of the Tramways Act 1870 relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramways shall not authorise the local authority to make any byelaws sanctioning a higher rate of speed than that authorised by any regulation or byelaw made by the Board of Trade under the authority of this Act at which engines and carriages are to be driven or propelled on the tramways under the authority of this Act but the local authority may if they think fit make byelaws under the provisions of the Tramways Act 1870 for restricting the rate of speed to a lower rate than that so prescribed. Amendment of Tramways Act 1870 as to byelaws by local authority.

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Authentication  
of byelaws.

Regulations  
as to the use  
of electric  
power.

**25.** All orders 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.

**26.** The following provisions shall apply to the use of electric power under this Act unless such power is entirely contained in and carried along with the carriages:—

(1) The Corporation shall employ either insulated returns or uninsulated metallic returns of low resistance:

(2) The Corporation shall take all reasonable precautions in constructing placing and maintaining their electric lines circuits and other works of any description and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipe 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 electric power or for telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus:

(3) The Corporation 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 either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires 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:

(4) At the expiration of two years from the passing of this Act this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line and apparatus all reasonable and proper 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:

(5) If any difference arises between the Corporation and any other party with respect to anything 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:

(6) The electric power shall be used only in accordance with the Board of Trade regulations 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 :

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(7) The expression "Corporation" in this section shall include lessees and any person owning working or running carriages over any tramway of the Corporation.

**27.** In the event of any of the tramways of the Corporation being worked by electricity the following provisions shall have effect:—

Provisions  
for protection  
of Post-  
master-  
General.

(1) The Corporation shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's 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 their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein. If any question arises as to whether the Corporation have constructed their electric lines or other works or work their undertaking in contravention of this subsection such question shall be determined by arbitration and the Corporation shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator :

(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 of the Corporation 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) (A) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Corporation or their agents not more than twenty-eight or less than fourteen days before commencing the work shall give written notice to the Postmaster-

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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 from time to time 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;

(B) Any difference which arises between the Postmaster-General and the Corporation or their agents with respect to any requirements so made shall be determined by arbitration :

(4) 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 :

(5) 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 cognizance of the case that the immediate doing of the act or execution of the work 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 :

(6) 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 :

(7) For the purposes of this section and subject as therein provided sections 2 8 9 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Act as if the Corporation were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted and in particular nothing in this section shall be deemed to exclude the provisions of section 7 of the Telegraph Act 1878 in relation to the matters mentioned in that section :

(8) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882 :



- (9) Any question or difference arising under this section which is directed to be determined by 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: A.D. 1897.
- (10) 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:
- (11) In this section the expression "the Corporation" includes their lessees and any person owning working or running carriages on any of the tramways of the Corporation.

28. The Conveyance of Mails Act 1893 shall extend and apply to any tramways owned or worked by the Corporation as if such tramways had been authorised by an Act of Parliament passed after the first day of January one thousand eight hundred and ninety-three. Carrying of mails by Corporation.

29. It shall not be lawful for the Corporation or any person working or using the tramways to take or demand on Sunday or any bank or other public holiday any higher tolls or charges than those levied by them on ordinary working days. Fares on Sundays or public holidays not to be raised.

#### PART VI.—STREET ADVERTISEMENTS &c.

30.—(1) It shall not be lawful to erect or fix to upon or in connexion with any building or erection any sky sign and it shall not be lawful to retain any existing sky sign so erected or fixed for a longer period than three years after the passing of this Act nor during that period except with the licence of the Corporation and in the event of such licence being granted then only for such period not exceeding three years from the passing of this Act and under and subject to such terms and conditions as shall be therein prescribed: Sky signs.

Provided that in any of the following cases a licence of the Corporation under this subsection shall become void namely:—

(i) If any addition to any sky sign be made except for the purpose of making it secure under the direction of the surveyor; or

(ii) If any change be made in the sky sign or any part thereof;

(iii) If the sky sign or any part thereof fall either through accident decay or any other cause;

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(iv) If any addition or alteration be made to or in the house building or structure on over or to which any sky sign is placed or attached if such addition or alteration involves the disturbance of the sky sign or any part thereof ;

(v) If the house building or structure over on or to which the sky sign is placed or attached become unoccupied or be demolished or destroyed :

Provided also that if any sky sign be erected or retained contrary to the provisions of this Act or after the licence for the erection maintenance or retention thereof for any period shall have expired or become void it shall be lawful for the Corporation to take proceedings for the taking down and removal of the sky sign in the same manner and with the same consequence as to recovery of expenses and otherwise in all respects as if it were an obstruction within the meaning of section 69 of the Towns Improvement Clauses Act 1847.

(2) Any person acting in contravention of any of the provisions of this section or of the terms and conditions (if any) of any approval licence or consent under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Restriction  
on adver-  
tising  
vehicles &c.

**31.**—(1) It shall not be lawful in any street in the borough to use any vehicle exclusively or principally for the purpose of displaying advertisements without the consent of the Corporation which consent shall be in writing under the hand of the town clerk and may contain such terms and conditions as the Corporation think fit.

(2) Every hoarding or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street shall be securely erected to the satisfaction of the Corporation.

(3) It shall not be lawful after the commencement of this Act to erect any hoarding or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street without the consent of the Corporation and such consent may be given subject to such conditions as to the submission of a plan and elevation and as to the dimensions and maintenance of such hoarding as the Corporation may determine.

(4) The owner or other person using any hoarding wall or similar structure for advertising purposes whether erected before or after the commencement of this Act shall at all times hereafter keep and maintain the same in proper and safe repair and condition to the satisfaction of the Corporation and if any papers affixed for advertising purposes to such hoarding wall or other structure fall away or become detached shall forthwith remove and clear away such papers.

(5) This section shall not apply to any hoarding or similar structure affixed to any railway or railway station and used for the purpose of any railway company. A.D. 1897.

(6) Any person acting in contravention of this section or 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.

(7) Any person aggrieved by the refusal of the Corporation to grant such consent may appeal to a court of summary jurisdiction after the expiration of two clear days after such refusal provided he give twenty-four hours written notice of such appeal and the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs such costs to be recoverable in like manner as a penalty under this Act.

#### PART VII.—SANITARY.

**32.** For the purposes of the Public Health Act 1875—

- (A) The burning of leather scraps in or on any premises so as to cause a smell offensive to the occupants of adjacent premises or to passengers in any street or court;
  - (B) Any gutter shoot or stack pipe of a building which by reason of its insufficiency or its defective condition shall cause damp in an adjoining building;
  - (C) Any deposit of material in or on any building or land which shall cause damp in an adjoining building
- shall be deemed to be a nuisance.

As to  
nuisances.

**33.** In every case where the intended site of a new building may be upon lands in the old parishes of Aylestone and Braunstone within the borough a person shall not construct any foundation of such building unless and until there shall have been properly deposited upon the site a layer or layers of sound and suitable material sufficient to elevate such site to a height which shall not be lower than the flood level herein-after specified above Ordnance datum and to form a stable and healthy substratum for such foundation or unless he shall so erect the building upon cement concrete masonry or brickwork that the floor of the lowest storey shall be at least eighteen inches above the said level.

As to lands  
in Aylestone  
and Braun-  
stone.

In this section the expression "the flood level" means the level of an imaginary plane fixed by two straight lines one of such lines commencing where the southern boundary of the borough intersects the River Biam at a level 194·00 feet above Ordnance datum and terminating at the bridge over the said river at the St. Mary's Mill

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at a level 189·00 feet above Ordnance datum and the other of such lines being a horizontal line drawn at right angles to and intersecting the first-mentioned line.

If at any time hereafter the owner lessee or occupier of any such land shall allege that by reason of any alteration of circumstances such land ought no longer to be subject to the provisions of this section he may apply to the Corporation for a certificate under their common seal to that effect and the Corporation on being satisfied that such land ought no longer to be so subject shall grant him such certificate and the same shall be conclusive evidence that the land specified therein is thenceforward exempt from such provisions.

If any person construct or permit to be constructed any building in contravention of this section the Corporation may cause the same to be pulled down or removed and may recover summarily the expenses thereby incurred either from the person constructing such building or from the person who permitted the same to be constructed.

As to lands  
in Belgrave.

**34.**—(1) In every case where the intended site of a new building may be upon lands specified in this section in the old parish of Belgrave within the borough a person shall not construct any foundation of such building unless and until there shall have been properly deposited upon the site a layer or layers of sound and suitable material sufficient to elevate such site to a height which shall not be lower than the level above Ordnance datum specified in this section with respect to such lands and which level is in this section referred to as “the flood level” and to form a stable and healthy substratum for such foundation or unless he shall so erect the building upon cement concrete masonry or brickwork that the floor of the lowest storey shall be at least eighteen inches above such flood level.

(2) In this section “the plan” means a plan marked with the letter X and signed in duplicate by William George Mount Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred.

(3) The flood level in this section referred to shall be—

(A) As to all lands situate between the old borough boundary on the south Thurcaston Road on the north and the Loughborough Road to its junction with the Thurcaston Road on the east the level of an imaginary plane fixed by two straight lines one of such lines commencing at Swan's Nest Weir at the point marked A on the plan at a height of 170·50 feet above Ordnance datum and terminating at the south side of Thurcaston Road at the point marked B on the plan at a height of 169·12

feet above Ordnance datum and the other of such lines being a horizontal line drawn at right angles to and intersecting the first-mentioned line : A.D. 1897.

(B) As to all lands situate between Thurcaston Road and Loughborough Road the level of an imaginary plane fixed by two straight lines one of such lines commencing at the north side of Thurcaston Road at the point marked C on the plan at a height of 168·75 feet above Ordnance datum and terminating at the south-west side of the Loughborough Road at the point marked D on the plan at a height of 168·12 feet above Ordnance datum and the other of such lines being a horizontal line drawn at right angles to and intersecting the first-mentioned line :

(c) As to lands situate north-east of Loughborough Road and west of the Melton Road except as herein-after provided the level of an imaginary plane fixed by two straight lines one of such lines commencing at the north-east side of the said Loughborough Road at the point marked E on the plan at a height of 167·75 feet above Ordnance datum and terminating at the borough boundary at the point marked F on the plan at a height of 166·50 feet above Ordnance datum and the other of such lines being a horizontal line drawn at right angles to and intersecting the said first-mentioned line :

Provided that as to all of such lands as lie between the line G H on the plan and the Melton Road between the points thereon marked I K on the plan the level shall be the level of an imaginary plane lying between the said line G H at a height of 167·00 feet above Ordnance datum and the said Melton Road at the height of 167·75 feet above Ordnance datum.

(4) If at any time hereafter the owner lessee or occupier of any such land shall allege that by reason of any alteration of circumstances such land ought no longer to be subject to the provisions of this section he may apply to the Corporation for a certificate under their common seal to that effect and the Corporation on being satisfied that such land ought no longer to be so subject shall grant him such certificate and the same shall be conclusive evidence that the land specified therein is thenceforward exempt from such provisions.

(5) If any person construct or permit to be constructed any building in contravention of this section the Corporation may cause the same to be pulled down or removed and may recover summarily the expenses thereby incurred either from the person constructing such building or from the person who permitted the same to be constructed.

A.D. 1897. (6) The said plan shall be deposited as to one copy in the Private Bill Office of the House of Commons and as to the other copy at the office of the town clerk.

Public conveniences and lavatories.

35. The powers of the Corporation under section 39 of the Public Health Act 1875 shall extend to authorise them to provide and maintain sanitary conveniences under any street and to provide and maintain lavatories in or under any street for the use of the public and to employ and pay attendants and to make reasonable charges for the use of any sanitary convenience (other than a urinal in a public street) or of any lavatory so provided and the Corporation may make byelaws for the management of such sanitary conveniences and lavatories and as to the conduct of persons frequenting the same.

#### PART VIII.—CREMATORIUM.

Power to establish crematorium.

36.—(1) The Corporation may set apart for and build provide fit up equip and maintain a crematorium proper and sufficient for the cremation of human remains on the following lands (that is to say) :—

Certain lands situate in the parish of Gilroes in the county of Leicester and called or known by the name of the First Horse Close belonging or reputed to belong to the Corporation and numbered 6 on the  $\frac{1}{2500}$  Ordnance map of the said parish.

(2) No cremation of human remains shall take place in any crematorium of the Corporation until the plans of such crematorium have been approved of by a Secretary of State.

(3) The Corporation shall prepare byelaws as to cremation and submit them to a Secretary of State and the Secretary of State may approve of such byelaws with or without modifications and after having approved of such byelaws he may at any time require them to be submitted to him for revision or modification.

(4) The byelaws shall prescribe in what cases in what mode and under what conditions cremations may take place and may prescribe the forms of the certificates and declarations to be given or made before a cremation is permitted to take place and such declarations shall be made under and by virtue of the Statutory Declarations Act 1835 and such certificates shall be confirmed by a declaration made under and by virtue of the same Act.

(5) Every person who shall contravene any such byelaws or shall wilfully carry out or procure or take part in the cremation of any human remains in such crematorium except in accordance with such byelaws shall (in addition to any liability or penalty which he may

otherwise incur) be liable on summary conviction to a penalty not exceeding fifty pounds. A.D. 1897.

(6) Every person who shall wilfully make any false declaration or representation or sign or utter any false certificate with a view to procuring the cremation of any human remains in such crematorium shall (in addition to any penalty or liability which he may otherwise incur) be liable on summary conviction to a fine not exceeding fifty pounds.

(7) The Corporation may demand payment of any such charges or fees for such cremation as may be authorised by any table approved by a Secretary of State and such charges or fees shall be deemed to be a debt due to the Corporation from the estate of the deceased.

(8) Any expenses incurred by the Corporation under this section shall be payable out of the general district rate.

(9) Nothing in this section shall interfere with the jurisdiction of any coroner under the Coroners Act 1887 or any Act amending the same and nothing in this section shall authorise the Corporation to create or permit a nuisance.

#### PART IX.—PUBLIC HALL &c.

**37.** The Corporation may by agreement purchase or otherwise acquire land as a site for the erection of and may on such land or may with the consent of the Local Government Board on any land for the time being belonging to them and not required for the purposes for which it was acquired erect and maintain a public hall wherein to hold public and other meetings and may fit up and furnish the same and provide an organ therefor with all necessary fittings and appliances and may grant the use of or let the said hall for meetings and (if duly licensed in that behalf) for music and public entertainments for such payments and upon such terms and conditions as they may think fit. Power to erect public hall &c.

**38.** The Corporation may pay or contribute towards the payment of one or more public bands of music for the borough Provided that the amount of such payments or contributions do not in any year exceed the rate of one farthing in the pound on the assessable value of the borough: Bands of music.

Any rate necessary for the purpose of this section may be levied with and as part of the general district rate.

#### PART X.—COMMON LODGING-HOUSES.

**39.** The keeper of every common lodging-house shall reside constantly and shall remain between the hours of nine o'clock in Regulations as to common

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lodging-  
house  
keepers.

the afternoon and six o'clock in the forenoon in such house and shall manage control and exercise proper supervision over the same and the inmates thereof except at such times as some other person appointed by him for that purpose and whose name is registered at the office of the Corporation shall with the approval of the Corporation in writing under the hand of their officer appointed for that purpose (which approval and registration shall be revocable by the Corporation) reside and remain in such house and manage control and exercise proper supervision over the same and the inmates thereof as the case may be.

If any keeper of a common lodging-house offends against this enactment he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Sanitary con-  
veniences to  
be provided  
for inmates  
of common  
lodging-  
houses.

40. Every common lodging-house whether registered before or after the passing of this Act shall to the satisfaction of the Corporation be provided with sufficient sanitary conveniences having regard to the number of lodgers who may be received in such common lodging-house and all waterclosets and urinals shall be provided with a proper water supply laid on for flushing purposes Any keeper of a common lodging-house who shall make default for twenty-eight days in complying with a notice from the Corporation requiring him to comply with the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

The expression "sanitary conveniences" in this section includes urinals waterclosets earth-closets privies ashpits lavatories and any similar conveniences.

Power to  
refuse regis-  
tration of  
common  
lodging-  
house  
keepers.

41. The Corporation may notwithstanding the provisions of section 78 of the Public Health Act 1875 refuse to register any person as a common lodging-house keeper unless they are satisfied of his character and fitness for the position Any person aggrieved by such refusal may appeal to a court of summary jurisdiction after the expiration of two clear days from such refusal provided he give twenty-four hours' notice of such appeal and the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and award costs such costs to be recoverable in like manner as a penalty under this Act.

Penalties on  
unregistered  
common  
lodging-  
house  
keepers.

42. Every person who without being registered in accordance with section 77 of the Public Health Act 1875 shall keep a common lodging-house within the borough shall be liable to the penalties imposed by section 86 of the said Act for the offences named therein.



43. Notice of the provisions of this Part of this Act shall be served upon the keeper of every common lodging-house either personally or by leaving the same at the common lodging-house.

A.D. 1897.  
Notice to common lodging-house keepers.

PART XI.—SLAUGHTER-HOUSES.

44.—(1) At any time after the passing of this Act the Corporation may—

Slaughtering prohibited except in Corporation slaughter-houses when provided.

(a) acquire by agreement any premises within the borough used for the purpose of slaughtering cattle sheep or pigs (herein-after referred to as “a slaughter-house”) and the interest or interests of any owner lessee and occupier of such premises;

(b) agree with the owner lessee and occupier of any slaughter-house for the abolition of slaughtering therein on such terms and conditions as may be arranged between the parties.

(2) At any time after the expiration of seven years from the passing of this Act and after the Corporation shall have provided adequate slaughter-houses in convenient positions (to the satisfaction of the Local Government Board) and after the expiration of six calendar months from the date of publication by the Corporation in two local newspapers circulating in the borough of notice to that effect no person shall slaughter in the way of trade any cattle sheep or pig within the borough except in the slaughter-houses provided by the Corporation but this shall not apply to the slaughtering on premises by the owner lessee or occupier thereof of any beast sheep or pig belonging to him and not slaughtered for the purpose of trade or by a farmer or agricultural occupier on his own premises. If any person acts in contravention of this section he shall be liable for each offence to a penalty not exceeding five pounds.

(3) The Corporation shall pay compensation to the owner lessee and occupier of every such slaughter-house who may be injuriously affected by the exercise of the above powers and the amount of such compensation shall in case of difference be settled as cases of disputed compensation are settled under the Lands Clauses Acts and the provisions of those Acts shall apply accordingly.

(4) Section 18 of the Leicester Cattle Market Town Hall and Improvement Act 1866 is hereby repealed and instead thereof be it enacted that “The fees and charges to be demanded and received  
“ by the Corporation in respect of the use of any slaughter-house  
“ provided by them or of any convenience connected therewith shall  
“ be regulated by byelaws to be approved by the Local Government  
“ Board and the Corporation may make byelaws accordingly  
“ Provided that the Corporation shall have power to charge for any  
“ slaughter-house let at a weekly monthly or other rent such sum  
“ as may be agreed upon by the Corporation and the renters.”

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(5) Nothing in this section shall interfere with the operation or effect of the Diseases of Animals Act 1894 or of any order or licence of the Board of Agriculture made or granted thereunder.

PART XII.—INFECTIOUS DISEASES.

Altering form of certificate of disease.

45. The form of certificate of cases of infectious disease prescribed by the Act of 1879 shall be altered so as to give the further information set forth in the Second Schedule to this Act.

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

46. Public notice of the subsequent sections of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulated in the borough and by notice affixed outside the town hall and by the distribution of handbills and by such further means as the Corporation deem reasonable for conveying notice of such provisions to persons affected or likely to be affected thereby. A copy of any such newspaper containing the advertisement shall be conclusive evidence that public notice of this Part of this Act has been duly given unless the contrary be proved and no objection to such notice shall be made after six months from the date of the advertisement.

Dairymen to notify infectious diseases existing among their servants &c.

47. Every dairyman supplying milk within the borough from premises whether within or beyond the borough shall notify to the Corporation or to the medical officer of health all cases of infectious disease among persons engaged in or in connexion with his dairy and all cases of tuberculosis or milk or parturient fever to his knowledge occurring in his dairy and any such dairyman who shall commit any breach of this enactment shall be liable to a penalty not exceeding forty shillings.

Milk of cow affected with certain diseases not to be sold.

48. Every dairyman who shall sell the milk of any cow to his knowledge affected with tuberculosis or milk or parturient fever shall be liable to a penalty not exceeding forty shillings.

Infected person not to carry on business &c.

49. A person who knows himself to be suffering from any infectious disease shall not milk any animal or pick fruit and shall not engage in any occupation connected with food intended for the use of man or carry on any trade or business in such a manner as to be likely to spread such infectious disease and if he does so he shall be liable to a penalty not exceeding forty shillings.

Section 124 of Public Health Act to apply to persons who cannot be isolated.

50. Section 124 of the Public Health Act 1875 shall extend and apply to all cases of persons suffering from any dangerous infectious disease and being in or upon any house or premises where in the opinion of the medical officer of health such person cannot be effectually isolated so as to prevent the spread of the disease.

**51.** If the medical officer of health shall have reasonable cause to believe that any person in the borough is suffering from infectious disease attributable to milk supplied within the borough he may by notice in writing require every vendor of milk supplying milk to the person so suffering or to the house of which he is an inmate to furnish the medical officer of health with a list of all the farms dairies or places from which such vendor derives his supply of milk or from which he has derived his supply during the last six weeks and every such person failing to comply with such requirement shall for every such offence be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

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Medical officer may require dairymen to furnish lists of sources of their supply of milk.

**52.** The Corporation may provide nurses for attendance upon any person within the borough suffering from any infectious disease.

Provision of nurses in cases of infectious disease.

**53.** No person shall return to any public library any book which has been to his knowledge exposed to infection from any infectious disease but shall at once give notice that it has been exposed to infection to the inspector of nuisances who shall cause the same to be disinfected and then returned to the librarian. If any person offends against this enactment he shall be liable to a penalty not exceeding forty shillings.

Protection against infection of books in public libraries.

**54.** If any dairyman shall at the request of the Corporation stop his milk supply within the borough on account of the spread or suspected spread of infectious disease the Corporation shall make compensation to him for any loss occasioned by such stoppage.

Compensation to dairymen.

**55.** If any person shall at the request of the Corporation or the medical officer of health stop his employment for the purpose of preventing the spread of infectious disease the Corporation shall make compensation to him for any loss he may sustain by reason of such stoppage.

Power to compensate persons ceasing employment &c.

### PART XIII.—POLICE.

**56.** The public parks pleasure and recreation grounds within the borough shall for the purposes of the Vagrancy Acts be deemed to be a public place and shall be deemed to be a street for the purposes of section 29 of the Town Police Clauses Act 1847 and also for the purposes of so much of section 28 of that Act as relates to the following offences:—

Recreation grounds to be deemed public place and street for certain purposes.

Every common prostitute or night-walker loitering and importuning passengers for the purpose of prostitution;

Every person who wilfully and indecently exposes his person;

Every person who publicly offers for sale or distribution or exhibits to public view any profane indecent or obscene book

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paper print drawing painting or representation or sings any profane or obscene song or ballad or uses any profane or obscene language;

Every person who wantonly discharges any fire-arm or discharges any missile or makes any bonfire;

Every person who throws or lays any dirt litter or ashes or night-soil or any carrion fish offal or rubbish on any street.

Indecent shows &c.

**57.** If any person exhibits any indecent show or exhibition in any street or in any place to which the public are admitted with or without payment of money he shall for every such offence be liable to a penalty not exceeding five pounds.

Street traffic.

**58.** Every person who shall ride or drive so as to endanger the life or limb of any person or to the common danger of the passengers in any thoroughfare shall be liable to a penalty of not more than forty shillings and may be arrested without warrant by any constable who witnesses the offence.

#### PART XIV.—THRIFT FUND.

Thrift Fund.

**59.** The Corporation may establish in manner herein-after provided a fund for the encouragement of thrift and with a view of providing a sum of money which in the event of retirement discharge or death of any person in the service of the Corporation who has contributed to the fund shall be available for himself or his representatives such fund to be called "the Thrift Fund."

The Corporation may prepare and approve by resolution a scheme or schemes for the establishment of the Thrift Fund and may determine in and by any such scheme the following matters and things or any of them (that is to say):—

(A) What classes of persons shall be entitled to contribute to and participate in the benefit of the Thrift Fund and to what extent such contribution shall be payable by persons entering or who shall have entered the service of the Corporation after the passing of this Act and also upon what terms and conditions persons in the service of the Corporation at the passing of this Act shall on their own application be admitted to the benefit of the Thrift Fund:

(B) The division of the persons contributing to and to be benefited by the Thrift Fund into two or more classes according to the amount of salary or according to such other conditions as the Corporation shall determine power being reserved by the scheme to remove any contributor from the one class to the other Provided that no such removal shall place the contributor or his representatives in a worse position than he would have occupied if the removal had not been made:

- (c) What (if anything) shall disqualify any person in the employ of the Corporation from becoming a contributor to the Thrift Fund and participating in the benefits thereof :
- (d) Under what circumstances any person having been a contributor to the Thrift Fund shall cease to continue a contributor and to be entitled to participate in the benefits thereof :
- (e) What proportion (if any) of his own contributions to the Thrift Fund and of the interest which shall have accrued thereon under the scheme any person having been but ceasing to be a contributor thereto shall be entitled to receive :
- (f) What proportion (if any) of the additions made by the Corporation to the Thrift Fund in respect of the contributions of any member shall be payable to the representatives of such member in the event of his dying before he becomes entitled to any benefit under the scheme on resignation or retirement :
- (g) The per-centage or proportion not exceeding without the consent of the Secretary of State two pounds ten shillings per centum of their salaries or wages which shall be payable to the Thrift Fund by the contributors :
- (h) The age at which or other circumstances in which a person shall become entitled to benefit under any scheme so that no person not incapacitated by illness shall be entitled to benefit (except by way of return of his own contribution with interest under the next succeeding section of this Act) at a less age than sixty :
- (i) The payment to a person entitled to benefit under any scheme either by way of a gross sum or by way of an annuity instead of such gross sum calculated at such rate of interest as may be defined by the scheme :
- (j) The rate not exceeding three pounds per centum at which interest whether simple or compound shall be calculated in respect of the moneys contributed to the Thrift Fund by the contributors and by the Corporation respectively :
- (k) The future management and direction of the Thrift Fund and the number of and mode of appointment of the committee for administering and managing the same and the powers to be conferred upon the committee with respect to such administration and management and whether any and if so what persons other than members of the Corporation should form part of or be associated with the said committee for the purposes of the administration and management of the Thrift Fund or form a separate consultative committee to be elected by the contributors of the Thrift Fund and to define the functions and mode of election of such consultative committee :

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(L) The securities upon which the moneys received on account of the Thrift Fund shall from time to time be invested Provided that such investment shall not be made in any mortgage bond debenture debenture stock Corporation stock annuity rentcharge rent or other security of the Corporation or in securities transferable by delivery :

(M) And generally all such other matters and things in relation to the Thrift Fund as the Corporation shall deem fit and proper to form part of and to be included in such scheme.

Forfeiture of rights under scheme in certain cases.

**60.** Any scheme under this Part of this Act shall contain the following provisions :—

(1) Any contributing member retiring bonâ fide from the service of the Corporation of his own accord before attaining the age prescribed by the scheme (and not to escape dismissal for fraud dishonesty or misconduct involving pecuniary loss to the Corporation) shall be entitled to receive back the whole amount of his own contributions with such interest as shall have accrued thereon under the scheme and shall have no further claim upon the Thrift Fund :

(2) The representatives of any contributing member who not having been guilty of fraud dishonesty or misconduct involving pecuniary loss to the Corporation shall die before he becomes entitled to any benefit under the scheme or (having become so entitled) before he shall have received back a sum equal to his whole contributions and the interest accrued thereon on resignation or retirement shall be entitled to receive back the whole or (as the case may require) such part of the contributions of such member as he shall not have so received back with such interest as shall have accrued thereon under the scheme and shall have no further claim upon the Thrift Fund except as may be provided by the scheme :

(3) Any contributing member dismissed from the service of the Corporation for fraud or dishonesty or for misconduct involving pecuniary loss to the Corporation or retiring to escape dismissal for any of those causes shall at the discretion of the Corporation forfeit all or any part of his contributions and the interest thereon and lose all benefits from the Thrift Fund except such return (if any) as may at such discretion be made to him out of his own contributions and the interest thereon :

(4) Any contributing member who shall become entitled to superannuation or shall be required to retire in consequence of any reduction of the number of persons in the service of the Corporation shall be entitled to payment as follows If by way of gross sum the total amount of the contributions made by

him to the fund and of the equivalent contributions made by the Corporation with interest thereon and If by way of an annuity such an amount as shall be determined by actuarial calculation to be of equal value to such gross sum as aforesaid. A.D. 1897.

**61.** The Corporation shall supply a copy of any scheme in force under this Part of this Act at a price not exceeding sixpence to any person in the employ of the Corporation interested in the Thrift Fund or the representatives of any such officer or servant in case of death and shall supply gratuitously to every officer or servant or other person having an interest in the Thrift Fund a copy of the last annual balance-sheet of the same for the time being. Copies of scheme to be supplied.

**62.—**(1) The Corporation shall at the end of each and every half year after the establishment of the Thrift Fund contribute thereto out of the rate or revenue upon which the salary or wages of each contributing member is or are respectively chargeable a sum equal to one third of the sum which during the same half year has been contributed thereto by such contributing member. Corporation to contribute to fund.

(2) In the event of the moneys standing to the credit of the Thrift Fund being at any time inadequate for the payment to contributing members of the sums to which they will be entitled under the provisions of the scheme the amount of any deficiency shall from time to time be made good by the Corporation out of the general district rate.

(3) The Corporation may also pay out of the general district rate any salaries costs and expenses of the management and administration of the Thrift Fund and of and incidental to investments.

**63.** Prior to the scheme coming into operation it shall be submitted by the Corporation to an actuary being a Fellow either of the Institute of Actuaries of Great Britain and Ireland or of the Faculty of Actuaries in Scotland to be appointed by the council with the approval of a Secretary of State who shall consider such scheme and shall report thereon as to its solvency or otherwise. In the event of such actuary reporting that in his opinion the scheme as a whole is a solvent one without recourse to the guarantee of the Corporation the scheme may come into operation but not otherwise. Scheme to be submitted to actuary.

Once in every five years after the commencement of the scheme it shall be submitted to an actuary to be appointed as aforesaid for revision (if necessary) and in the event of such actuary recommending any modifications alterations or amendments therein such modifications alterations or amendments shall if approved by a Secretary of State be forthwith adopted by the Corporation If

{ A.D. 1897. upon such actuary's recommendations the Corporation are satisfied that any addition (specified by him) may be made to all annuities payable within the following period of five years without risk that a deficiency in the funds may at any future time be thereby caused they may direct such addition to be made in all annuities for such period.

There shall be paid to such actuaries such reasonable remuneration as may be agreed or as may be fixed by a Secretary of State.

Contracts with assurance company.

**64.** It shall be lawful for the Corporation from time to time to enter into and carry into effect any contract with any company carrying on the business of life assurance for the undertaking by such company of the liabilities of the Corporation under any scheme or schemes made under this Part of this Act or any of them.

Certain provisions of Provident Nominations and Small Intestacies Act 1883 made applicable.

**65.** The provisions of sections 7 to 10 of the Provident Nominations and Small Intestacies Act 1883 shall (so far as applicable) extend and apply to the Thrift Fund and to the contributors thereto and to the Corporation as if the Thrift Fund were the funds of a registered trade union and the contributors to the Thrift Fund were members of a registered trade union and the Corporation were directors within the meaning of that Act.

Corporation not to regard trusts or assignments.

**66.** The Corporation shall not be bound to recognise or see to the execution of any assignment or of any trust (whether express implied or constructive) relating to any contributions of any contributing member to the Thrift Fund or the interest thereon or additions thereto but the receipt of the contributing member for the same or (if he is dead) of his legal personal representatives or the person or persons to whom the same may be paid under the authority of this Act shall from time to time be a sufficient discharge to the Corporation in respect thereof notwithstanding any assignment thereof or any trust to which the same may be subject and whether or not the Corporation have had notice (express implied or constructive) of any such assignment or trust or of any charge or incumbrance upon any such contributions or the interest thereon or additions thereto or any part thereof respectively and the Corporation shall not be bound to see to the application of any money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application thereof.

#### PART XV.—LANDS.

Power to Corporation to take lands referenced.

**67.** Subject to the provisions of this Act the Corporation may enter on and take compulsorily or by agreement and use all or any part of the lands herein-after described and delineated on the deposited plans and described in the deposited book of reference



which they may require for the purposes of street improvements (that is to say):— A.D. 1897.

For street improvements lands in the parish of Leicester in the borough being numbers 48 and 50 Highercross Street and numbers 1 3 5 7 15 19 31 33 35 and 37 Saint Nicholas Street the Primitive Methodist chapel and schools adjoining fronting or abutting on Saint Nicholas Street aforesaid with a cottage outbuildings and yard at the rear and sides thereof and number 2 in the street called Holy Bones.

**68.** The Corporation may purchase or otherwise acquire compulsorily or by agreement the fee simple and reversion of and in and any other interest in or over all or any part of the lands now held by them under and by virtue of the said indentures of lease bearing date respectively the first day of November one thousand eight hundred and eighty-seven and the seventh day of April one thousand eight hundred and ninety-two and the fee simple of the plantations surrounded by parts of the before-mentioned lands. Power to acquire fee simple of Corporation sewage farm.

**69.** If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days notice to the owners lessees and occupiers of the lands in question may apply to two justices (not being members of the council) for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Leicester and a duplicate thereof shall also be deposited with the town clerk and such certificate and duplicate respectively shall be kept by such clerk of the peace and town clerk respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with such certificate. Correction of errors &c. in deposited plans and book of reference.

**70.** The powers of the Corporation for the compulsory purchase of lands shall not be exercised for the purposes of this Act after the expiration of three years. Limitation of time for compulsory purchase of lands.

**71.** Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement right or privilege of water Power to take easements &c. by agreement.

A.D. 1897. in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Restriction on taking houses of labouring class.

**72.**—(1) The Corporation shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

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

Power to retain sell &c. lands.

**73.** Notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 or in any other Act or Acts to the contrary the Corporation may retain hold and use for such time as they may think fit and may from time to time sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest in any lands acquired by them under this Act and may sell and exchange and dispose of any rents reserved on the sale exchange lease or disposition of such lands and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

Proceeds of sale of surplus lands.

**74.** So long as any properties remain to be acquired by the Corporation under the authority of Parliament and the Corporation have unexhausted borrowing powers which may be reduced to the extent of the money so to be applied the Corporation may so far as they consider necessary apply moneys received by them on resale or by leasing or letting as aforesaid in the purchase of properties so remaining to be acquired but as to moneys so received and not

required as aforesaid the same shall be applied in extinguishment of any loan borrowed by the Corporation or be added to the loans fund established and formed by the Corporation in respect of the stock out of which were acquired the properties so sold leased or let Provided that such moneys when applied in such extinguishment shall not be applicable to the payment of instalments or to payments required to be made to the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board Provided also that borrowed money so discharged by the application of such moneys shall not be re-borrowed The borrowing powers of the Corporation by this Act authorised shall be reduced to the extent of the amounts applied in the purchase of properties under the provisions of this section.

A.D. 1897.

**75.** Nothing in this Part of this Act shall be taken to dispense with the consent of the Local Government Board to any sale lease or other disposition of any lands of the Corporation in any case in which the consent of that Board would have been required if this Act had not been passed.

As to consent of Local Government Board to sale &c. of lands.

**76.** For the protection of Thomas Arthur Preston of Thurcaston and the owners of or residents for the time being of the Rectory House in the parish of Thurcaston—

For protection of Thomas Arthur Preston &c.

(1) The Corporation shall not place or pass sewage matter on or over the pieces or parcels of land leased from the said Thomas Arthur Preston situate in the parish of Thurcaston numbered one to thirteen on the deposited plans and in the deposited book of reference :

(2) The Corporation shall conduct their sewage works and any other works to be carried on upon the pieces or parcels demised to them by the said lease in accordance with the Public Health Act 1875 and so as not to be a nuisance to the said Thomas Arthur Preston or his family or other the inhabitants of the said Rectory House and shall keep all fences separating the lands comprised in the said lease from any adjoining lands of the said Thomas Arthur Preston in good and sufficient repair and condition so as to effectually prevent cattle sheep horses and other animals from straying to or trespassing upon such adjoining lands.

#### PART XVI.—FINANCE.

**77.** The Corporation may from time to time in addition to any moneys they are now authorised to borrow or which they may be authorised to borrow under the provisions of the Public Health Acts or any public general Act borrow at interest on the following

Power to borrow.

A.D. 1897. securities and for the following purposes the following sums (that is to say) :—

On the security of the district fund and general district rate—

For paying the costs charges and expenses of and in relation to this Act as herein-after defined the sum requisite for the purpose ;

For and in relation to the providing and fitting up of the public hall and otherwise in relation thereto as in this Act provided such sums as the Local Government Board may sanction ;

For and in relation to the providing of the crematorium such sum as the Local Government Board may sanction ;

For the purchase of the fee simple of the sewage farm and plantations such sum as the Local Government Board may sanction ;

For the purchase of lands for street improvements such sum as the Local Government Board may sanction ;

For acquiring private slaughter-houses and making compensation for the closing thereof such sum as the Local Government Board may sanction ;

For tramway purposes on the security of the tramway revenue and the district fund and general district rates such sums as the Board of Trade may sanction ;

For the purposes of their gas undertaking on the security of the gas revenue and the district fund and general district rates any sum not exceeding two hundred and fifty thousand pounds ;

For the purposes of their water undertaking on the security of the water revenue and the district fund and general district rates any sum not exceeding one hundred thousand pounds.

The Corporation may by way of collateral security include the borough fund in all or any mortgages created under the powers of this Act.

In calculating the sum the Corporation may borrow under any other enactment any sums they may borrow under this Act shall not be reckoned and the powers of the Corporation as to borrowing and re-borrowing under the powers of this Act shall not be restricted by any of the provisions of the Municipal Corporations Acts or of the Public Health Acts.

Provision as to mortgages. 78. The following sections of the Public Health Act 1875 (that is to say) :—

Section 236 (Form of mortgage) ;

Section 237 (Registers of mortgages);

Section 238 (Transfer of mortgages);

Section 239 (Receiver may be appointed in certain cases);

shall extend and apply mutatis mutandis to and in relation to all mortgages made under the powers of this Act.

**79.** The provisions of the Act of 1884 with respect to the borrowing re-borrowing and repayment of moneys borrowed and the making of an annual return to the Local Government Board in respect of the repayment of moneys borrowed and Part VI. of that Act (Corporation Stock) as amended by the Leicester Orders 1893 and 1896 and by this Act shall subject to the provisions of this Act extend and apply mutatis mutandis to and in relation to moneys borrowed under the powers of this Act. Provided as follows (that is to say):—

Further provisions as to borrowing &c.

(1) In construing the provisions of section 11 of the Act of 1884 for the purposes of this Act the prescribed period for the repayment of such moneys shall be—

As to moneys borrowed for payment of the costs charges and expenses of this Act any period not exceeding five years from the date of the borrowing of the same respectively;

As to moneys borrowed for the purchase of lands and the reversion in fee simple in lands such period not exceeding sixty years from the date of the original borrowing as the Local Government Board may sanction;

As to moneys borrowed for tramway purposes such period not exceeding thirty years as the Board of Trade may sanction;

As to moneys borrowed for the purposes of the gas undertaking any period not exceeding thirty years;

As to moneys borrowed for the purposes of the water undertaking any period not exceeding forty years;

As to moneys borrowed for any other purpose any periods not exceeding fifty years from the date of the borrowing of the same respectively which the Local Government Board may in every case prescribe:

(2) The first payment by instalments or to a sinking fund shall be made within twelve months after the date of the borrowing of the money in respect of which such payment is to be made.

**80.** Section 33 (Application of loans fund) of the Act of 1884 shall be altered by the addition thereto of the following provisions (that is to say):—

Power to use loans funds instead of exercising borrowing power.

(1) Where the Corporation are authorised by any statutory borrowing power to raise money for any purpose the Corporation instead of exercising such borrowing power by the

A.D. 1897.

creation and issue of additional Corporation stock may exercise the said power either wholly or partially by using for such purpose any money for the time being forming part of any loans fund and not required for the payment of dividends on Corporation stock :

(2) The Corporation when exercising the power conferred on them by subsection (1) of this section shall—

(A) Withdraw from the loans fund a sum equal to the amount of the borrowing power proposed to be exercised by the user of moneys in the loans fund and shall determine from which account in the loans fund having amounts to its credit the said sum shall be deemed to be withdrawn ;

(B) Transfer stock at par value equal to the sum withdrawn from the loans fund from the last-named account to the account in respect of which the borrowing power is exercised :

(3) The provisions of the Act of 1884 as amended by the Leicester Orders of 1893 and 1896 shall apply to the moneys used from a loans fund and to the stock so transferred as aforesaid as though such money had been raised by the issue of further stock and to such transferred stock as though it were originally issued stock :

(4) On every transfer of stock as aforesaid when the whole amount of stock standing to the debit of the particular account is not transferred the amounts payable to the loans funds in respect of the stock not transferred shall be such as the Local Government Board approve :

(5) In case the Corporation use any loans fund money and transfer stock in respect thereof as aforesaid the original loan shall pro tanto be deemed to have been paid off as if the amount of stock transferred had been redeemed out of loans funds :

(6) The Corporation shall render to the Local Government Board all such information (if any) as that Board may require by reason of the exercise by the Corporation of the powers of this section.

Investment  
of sinking  
funds.

**81.** The Corporation shall invest any sinking fund created under the powers of this Act or of the Local Loans Act 1875 in statutory securities.

Application  
of borrowed  
money.

**82.** All money borrowed under this Act shall be applied only for purposes of this Act for which it is authorised to be borrowed and to which capital is properly applicable and not otherwise.

**83.** The Corporation shall not be bound to see to the execution of any trust whether expressed or implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register book of the Corporation shall be a sufficient discharge to the Corporation in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Corporation have had notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon and the Corporation shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application of any of such money.

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Corporation  
not to regard  
trusts.

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

Protection of  
lender from  
inquiry.

**85.** All expenses incurred by the Corporation in carrying into execution the powers and provisions of this Act except such of them as are to be paid out of borrowed money shall be paid out of the district fund and general district rate.

Expenses of  
execution of  
Act.

#### PART XVII.—MISCELLANEOUS.

**86.** Save as herein expressly provided all informations and complaints under or for the breach of any of the provisions of this Act or of any byelaws made thereunder or of the Town Police Clauses Act 1847 or of the Towns Improvement Clauses Act 1847 as incorporated with the Public Health Act 1875 or the Town Police Clauses Act 1889 may be laid and made by any officer of the Corporation duly authorised in that behalf or by the town clerk or by the head constable or any superintendent of police acting for or within the borough.

Informations  
by whom to  
be laid.

**87.** In the case of any notice or other such document under this Act or any other Act requiring authentication by the Corporation the signature of the town clerk or other duly authorised officer of the Corporation shall be sufficient authentication and in the case of licences and certificates granted by the Corporation under any general or local Act the signature of the town clerk or other duly authorised officer of the Corporation shall be sufficient authentication Notices orders and any other documents required or authorised to be served under this Act may be served in the same manner as notices under the Public Health Act 1875 are by section 267 of that

Authentica-  
tion and  
service of  
notices &c.

A.D. 1897. Act authorised to be served Provided always that in the case of any company any such notice or document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

General provisions as to byelaws.

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

As to appeal.

**89.** Any person deeming himself aggrieved by any order judgment determination or requirement made or given under the provisions of this Act or the withholding or revocation of any certificate licence permission consent or approval to be granted under the provisions of this Act of or by the Corporation or of or by any officer or valuer of the Corporation or by any conviction or order made by a court of summary jurisdiction under any provision of this Act may appeal (but in cases where an appeal is by this Act given to a court of summary jurisdiction or where application for relief is authorised to be made to the Corporation then only after such application or appeal as the case may be) to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts and in regard to any such order the Corporation may in like manner appeal.

Compensation how to be determined.

**90.** When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided for by the Public Health Acts.

Compensation may be in land &c.

**91.** The Corporation when they are required by any enactment to make compensation to any person interested in any lands may by agreement with such person make such compensation wholly or partly in works land or money but in the case of land for the alienation of which the consent of any public department is required only with such consent.

Damages and charges in case of dispute to be settled by justices.

**92.** Where any damages expenses or charges are directed or authorised to be paid or recovered in addition to any penalty for any offence in this Act mentioned the amount of such damages expenses or charges in case of dispute respecting the same may be settled and determined by the justices before whom any offender is convicted.

Recovery of penalties &c.

**93.** Offences against this Act and penalties 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. A.D. 1897.

**94.** All penalties recovered under this Act or under any byelaw thereunder shall except in the case of penalties recovered against the Corporation be paid to the treasurer and be by him carried to the credit of the district fund. Penalties to be paid over to the treasurer &c.

**95.** Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act. Provided that no person shall be punished for the same offence under this Act and also under any other Act. Saving for indictments &c.

**96.** 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. Judges &c. not disqualified.

**97.** No matter or thing done or contract entered into by the Corporation or the council nor any matter or thing done by the town clerk or by any member officer or clerk of the Corporation or any person whomsoever acting under the direction of the council shall if the matter or thing were done or the contract were entered into bonâ fide for the purpose of executing this Act subject them or any of them personally to any action liability claim or demand whatsoever and any expense incurred by the Corporation or council or town clerk member officer clerk or person acting as last aforesaid shall be borne and repaid out of any of the funds at the disposal of the Corporation. Persons acting in execution of Act not to be personally liable.

**98.** All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Corporation or such committee as the case may be may exercise such other powers and be entitled to such other rights and remedies as if this Act had not been passed. Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence. Powers of Act cumulative.

**99.**—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred on them or the giving of any consents under this Act and their inspectors shall for the Inquiries by Local Government Board.

A.D. 1897. — purpose of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(2) All costs incurred by the Local Government Board (including such reasonable sum not exceeding three guineas a day as that Board may determine for the service of any inspector) in relation to the duties imposed on that Board under this Act shall be paid by the Corporation.

Audit of accounts.

**100.** The provisions of the Municipal Corporations Acts relating to the keeping and auditing of accounts and the accounts kept of sums of money received and paid under those Acts shall extend and apply to the keeping and auditing of accounts and to the accounts kept of sums of money received and paid under this Act.

Expenses of Act.

**101.** All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or the House of Commons shall be paid by the Corporation out of moneys to be borrowed for the purpose under the provisions of this Act.

The SCHEDULES referred to in the foregoing Act.

A.D. 1897.

THE FIRST SCHEDULE.

Session and Chapter.	Description or Short Title.
PART I.—(GAS ACTS).	
23 Vict. cap. v.	The Leicester Gas Act 1860.
36 Vict. cap. xi.	The Leicester Gas Act 1873
40 & 41 Vict. cap. cl.	The Leicester Gas Act 1877.
41 & 42 Vict. cap. cxxxii.	The Leicester Gas and Water Transfer Act 1878. so far as it relates to gas.
PART II.—(WATERWORKS ACTS).	
10 & 11 Vict. cap. cclxxxii.	The Leicester Waterworks Act 1847.
14 Vict. cap. xxxiii.	The Leicester Waterworks Amendment Act 1851.
29 Vict. cap. xxvii.	The Leicester Waterworks Act 1866.
38 & 39 Vict. cap. xcii.	The Leicester Waterworks Act 1875.
41 & 42 Vict. cap. cxxxii.	The Leicester Gas and Water Transfer Act 1878 so far as it relates to water.
53 & 54 Vict. cap. xxxvi.	The Leicester Corporation Waterworks Act 1890.
57 Vict. cap. xxii.	The Leicester Order 1894.

A.D. 1897.

THE SECOND SCHEDULE.

FURTHER INFORMATION TO BE GIVEN IN CERTIFICATE OF INFECTIOUS  
DISEASE.

The age and sex of the person suffering ;

The technical name of the infectious disease from which he is suffering ;

The date so far as can be ascertained of the first symptom or feeling of illness ; and

Whether the patient is in the opinion of the medical practitioner making the notification in a fit condition to be removed to the fever hospital of the Corporation.

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