CHAPTER cxcix.

A.D. 1897.

An Act to empower the Mayor Aldermen and Citizens of the City of Leeds to acquire Lands for the purpose of protecting their Waters and Waterworks from pollution for the construction of Tramways and Street Improvements and for other purposes.

[6th August 1897.]

WHEREAS the mayor aldermen and citizens of the city of Leeds (in this Act called "the Corporation") are the owners of certain waterworks in amongst other places the valley of the Washburn and they are under the powers of various Acts of Parliament empowered to supply water within the city and neighbourhood (the local Acts relating to the water undertaking of the Corporation are specified in the First Schedule to this Act):

And whereas it is expedient that the Corporation should be empowered to purchase and hold lands within the valley of the Washburn and to exercise the powers in this Act contained for the prevention or regulation of any act or thing tending to the pollution of any waters which the Corporation are authorised to take or impound and otherwise for the prevention of nuisances and protection of the waterworks of the Corporation in the said valley:

And whereas under and by virtue of the Acts and Orders mentioned in the Second Schedule to this Act certain tramways have been constructed and other tramways are authorised to be constructed in and near to the city and such tramways and power to construct the authorised tramways are now vested in the Corporation and it is expedient that the Corporation should be empowered to construct and maintain the additional tramways in this Act described:

And whereas the Corporation are empowered to use mechanical power (as defined by the Leeds Corporation Tramways Act 1896) for the purpose of working their tramways and to place and run carriages on and to work their tramways subject and according to the provisions of that Act and it is expedient that like powers

A.D. 1897.

should be conferred upon the Corporation in respect of the tramways authorised by this Act:

And whereas it is expedient that the Corporation should be empowered to execute the street improvements in this Act mentioned:

And whereas it is expedient that the Corporation should be empowered to borrow or raise money for the purposes of this Act:

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

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

(1) For the purchase of land in the drainage area and for the drainage and other works in connexion therewith three hundred and thirty-five thousand five hundred pounds;

(2) For the construction of the tramways by this Act authorised and for lands buildings and plant and for other tramway purposes three hundred and twenty thousand pounds;

(3) For the purchase of land for and the execution of the street improvements by this Act authorised five hundred and fifty thousand pounds:

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

And whereas an absolute majority of the whole number of the council at a meeting held on the eighteenth 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 Leeds Mercury a local newspaper published or circulating in the city such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the city fund and city rate:

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

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held on the third day of February one thousand eight hundred and ninety-seven in pursuance of a similar notice being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the city by resolution in the manner provided in the Third Schedule of the Public

Health Act 1875 consented to the promotion of the Bill for this Act: A.D. 1897.

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

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 Leeds Corporation Act 1897.

Incorporation of Acts.

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

The Lands Clauses Acts:

The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes:

Parts II. and III. of the Tramways Act 1870 and section 19 (Local authority may lease or take tolls) of that Act.

Interpretation.

3. The several words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned shall in this Act have the same respective meanings unless there is something in the subject or context repugnant to such construction Provided that in the Acts wholly or partially incorporated with this Act for the purposes of this Act—

"The Undertakers" or "the Company" means the Corporation:

And in this Act unless the context otherwise requires—

"The Corporation" means the mayor aldermen and citizens of the city of Leeds;

"The city" means the city of Leeds;

"The council" means the council of the city;

"The city fund" and "city rate" and "the consolidated rate" mean respectively the city fund and city rate and the consolidated rate of the city;

A.D. 1897.

"The lands in the drainage are" means the lands delineated on the deposited plans and described in the deposited book of reference and situate in the townships of Leathley Stainburn Farnley Lindley Newall-with-Clifton Weston Askwith Timble Little Clifton-with-Norwood Timble Great Fewston Blubberhouses Thruscross Thornthwaite-with-Padside Hazlewood-with-Storiths Barden and Appletreewick and in the parishes of Leathley Kirkby Overblow Otley Weston Fewston Hampsthwaite Skipton and Burnsall all in the west riding of the county of York;

"The tramways" means the tramways and works by this Act authorised;

"Street" has the same meaning as that assigned to it by the Public Health Act 1875;

And the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or the Acts or parts of Acts incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Execution of Act.

4. This Act shall be carried into execution by the Corporation acting by the council.

PART II.—Lands.

Power to acquire lands.

5. Subject to the provisions and for the purposes of this Act the Corporation may enter on take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference Provided that the Corporation shall not enter upon or take any common or commonable lands under the powers of this Act.

For protection of Joshua Buckton & Co. Limited.

6. Notwithstanding anything in this Act or in the deposited plans sections or book of reference the Corporation shall not purchase and take under the powers of this Act for the purposes of Street Work No. 23 (a widening of Dewsbury Road) any of the lands now the property of Joshua Buckton and Company Limited and abutting on Dewsbury Road.

For protection of William Johnson Galloway.

7. In the event of the Corporation being desirous of acquiring any portion of the estate of William Johnson Galloway known as the West End Estate situate in the townships of Thruscross and Thornthwaite in the west riding of the county of York they shall purchase and the said William Johnson Galloway shall sell the whole of the said estate for such amount and upon such terms as may be

agreed upon or failing agreement as may be determined by arbitration under the provisions of the Lands Clauses Acts Provided that in such event the Corporation shall give at least twelve months' notice to treat and shall serve such notice in the month of December within four years from the passing of this Act and shall not enter upon or take possession of the said estate except in the month of December in any year.

For protection of the Reverend Thomas Sheepshanks.

8. In the event of the Corporation being desirous of acquiring any portion of the estate of the Reverend Thomas Sheepshanks situate in the parishes of Burnsall Fewston and Hampsthwaite in the west riding of the county of York they shall be entitled to purchase and the said Reverend Thomas Sheepshanks shall sell not only the lands which are shown on the deposited plans and described in the book of reference containing two thousand and ninety-eight acres or thereabouts but also the further area of two hundred and seventy acres or thereabouts adjoining thereto on the westerly side thereof the said two respective areas forming together the Hammerston Bank Estate for such amount and upon such terms as may be agreed upon or failing agreement as may be determined by arbitration under the provisions of the Lands Clauses Acts Provided that in such event the Corporation shall give at least twelve months' notice to treat and shall serve such notice in the month of December within four years from the passing of this Act and shall not enter upon or take possession of the said lands except in the month of December in any year.

For protection of Farnley Estate.

9. Notwithstanding anything in this Act contained the Corporation shall not be entitled to acquire any lands now forming part of the Farnley Estate and situate in the parishes of Otley Fewston Leathley and Kirkby Overblow otherwise than by agreement.

For protection of Blubberhouse Estate and of Baron Walsingham or other the owner thereof for the time being.

10. Notwithstanding anything in this Act contained the following provisions shall apply and have effect for the protection and benefit of the Blubberhouse Estate (herein-after called "the said estate") situate in the parishes of Blubberhouse and Beamsley of which estate the Right Honourable Thomas De Grey Baron Walsingham is tenant for life and for the protection and benefit of the said baron or other the owner or owners for the time being of such estate (in this section referred to as "the owner"):—

(1) The Corporation shall not without the consent of the owner be entitled to enter upon take or use temporarily or permanently any part of the said estate or any mines or minerals under the same or any rights easements privileges or interest in under over or upon the same except only as in this section provided:

A.D. 1897.

(2) The Corporation shall not exercise their powers for compulsory purchase of any part of the said estate after the expiration of three years from the passing of this Act:

(3) If the Corporation desire to exercise their powers of compulsory purchase under this Act with regard to the said estate they shall within such period of three years purchase and at one and the same time—

(a) The whole of such lands forming part of the said estate as are agricultural or other than moorland or woodland and as lie within the watershed of the River Washburn and its tributaries streams and rivulets; and

(b) The whole of the moorland and woodland forming part of the said estate:

And such moorland shall be purchased by the Corporation wholly irrespective of the question whether the same is situate within or without the limits of deviation as shown on the deposited plans and the purchase of the said estate shall be wholly independent of the consideration of the right to the grant of a sporting lease as hereafter provided and the question of the right to the grant of such sporting lease shall not in any way affect or diminish or be taken into consideration in ascertaining or determining the purchase money or compensation to be paid by the Corporation in respect of the purchase of the said estate:

(4) The Corporation shall in the event of their exercising their power of compulsory purchase of the said estate as herein-before provided if so required by the Right Honourable Thomas de Grey Baron Walsingham (herein-after called "Lord Walsingham") grant to him and to his underlessees or assigns for the term of his natural life or for such period not extending beyond his natural life as he may require a lease of the exclusive right of coursing shooting fishing and sporting over all and every part whether cultivated land woodland or moorland of the said estate but so nevertheless that in the exercise of such rights he and they shall not foul the waters of any reservoirs or streams or any catchwater drains now or hereafter to be made on such lands nor in any way injure the waterworks of the Corporation or the works connected therewith The annual rent payable under such lease shall be such sum as may be agreed upon between Lord Walsingham and the Corporation or failing agreement as may be determined by arbitration under the Arbitration Act 1889 Such lease shall run as from the date on which the Corporation enter upon or take possession of the said estate and Lord Walsingham

shall be entitled as from such date to exercise all such rights over the said estate pending the execution of such lease and such lease shall contain all such covenants and conditions as are usually inserted in such leases or are necessary for fully and effectually protecting Lord Walsingham in the exercise of such rights and for protecting the Corporation in regard to the waters reservoirs streams catchwater drains and other works of the Corporation as aforesaid and in the event of any disagreement as to the covenants provisions and conditions of such lease the same shall be settled by some barrister to be agreed upon between Lord Walsingham and the Corporation or failing agreement to be nominated by Her Majesty's Attorney General for the time being at the request of either Lord Walsingham or the Corporation.

For protection of Sir Henry Day Ingilby.

11. For the protection of Sir Henry Day Ingilby and of his sequels in estate (herein-after referred to as and included in the expression "the owners") the following provisions shall unless otherwise agreed between the Corporation and the owners have effect:—

(1) In the event of the Corporation being desirous of acquiring any portion of the estate of the owners known as the Ripley Castle Estate situate in the township of Thornthwaite with Padside and in the parish of Hampsthwaite in the west riding of the county of York which is shown on the deposited plans within the limit of lands which may be taken and described in the deposited book of reference they shall purchase and the owners shall sell the whole of the lands so shown and in addition thereto a piece of land forming part of and situate on the northerly side of the said Ripley Castle Estate and containing an area of twenty acres or thereabouts and the provisions of the Lands Clauses Acts shall extend and apply to such purchase in all respects as if the said twenty acres had been delineated on the deposited plans and described in the deposited book of reference:

(2) Before entering upon any part of the said lands the Corporation shall give to the owners at least twelve months' notice to treat and shall serve such notice in the month of December and within four years from the date of the passing of this Act:

(3) The Corporation shall after service of such notice proceed therewith with all due dispatch so that the compensation may be ascertained and the property sought to be acquired conveyed to the Corporation in the month of December next following the service of such notice and it shall not be lawful

A.D. 1897.

for the Corporation to enter (temporarily or otherwise) upon or take possession of such property except in the month of December next following the service of the said notice.

For protection of Duke of Devonshire K.G.

12. For the protection of the most noble Spencer Compton Duke of Devonshire K.G. his heirs successors in estate and assigns (all of whom are in this section included in the expression "the owner") the following provisions shall unless otherwise agreed between the owner and the Corporation apply and have effect (that is to say) :—

(1) In this section the expression "the plan" means a plan signed on the fifteenth day of March one thousand eight hundred and ninety-seven in duplicate by Thomas Hewson on behalf of the Corporation and by Gilson Martin on behalf of the owner one copy of which plan is in the custody of the Corporation and the other in the custody of the owner :

(2) The Corporation shall not except by agreement enter upon purchase take or use any of the lands belonging or reputed to belong to the owner coloured purple on the plan :

(3) The powers of the Corporation for the compulsory purchase of the lands coloured pink on the plan belonging or reputed to belong to the owner shall not be exercised after the expiration of three years from the twenty-fifth day of March one thousand eight hundred and ninety-seven :

(4) The Corporation shall not purchase and take any part of the lands belonging or reputed to belong to the owner coloured pink on the plan without at the same time purchasing and taking the whole of such lands :

(5) If and when the Corporation shall give notice to treat for the lands coloured pink on the plan they may if they think fit by the same notice but not afterwards require the owner to sell and the owner shall accordingly sell to the Corporation the lands coloured blue on the plan and the purchase by the Corporation of the lands coloured blue shall be deemed to be a compulsory purchase under the provisions of this Act and the Lands Clauses Acts :

(6) If the Corporation acquire the lands coloured pink on the plan or the lands coloured pink and the lands coloured blue on the plan they shall not break up plant or cultivate any of such lands which are not now under cultivation :

(7) If the Corporation shall acquire the lands coloured pink on the plan or the lands coloured pink and coloured blue thereon they shall not grant any leases thereof except farming or agricultural leases and they shall not erect any buildings upon such lands other than such buildings as may be necessary for

the occupation of the lands for farming or agricultural purposes Provided that notwithstanding anything in this sub-section contained the Corporation shall be at liberty to erect and maintain upon the lands coloured pink on the plan two houses for the use of caretakers upon sites to be agreed upon between the Corporation and the agent for the time being of the owner and in case of difference to be determined by an arbitrator to be appointed as provided in sub-section 27 of this section:

(8) In settling the amount of compensation to be paid by the Corporation for the lands coloured pink or for the lands coloured blue upon the plan the arbitrator herein-after referred to shall have regard to the restrictions imposed upon the Corporation by the provisions of the last two preceding sub-sections of this section:

(9) If the Corporation purchase the lands coloured pink or the lands coloured blue on the plan the purchase and sale shall include such rights to the water in and upon such lands as shall or may belong to the owner:

(10) The sale and purchase (if any) of the lands coloured pink on the plan or of the lands coloured blue on the plan shall include all the estate and interest (if any) of the owner of and in any mines minerals and stone in upon or under the lands which may be acquired by the Corporation:

(11) The owner and all persons authorised by him shall after such sale have the right to use all existing and future roads in or through the lands acquired by the Corporation:

(12) The exclusive right of sporting shooting hunting fowling coursing and fishing in and over the lands acquired by the Corporation from the owner and in and over the waters thereon with free power to exercise such rights by the owner and all persons authorised by him shall be reserved to the owner and the owner shall have such and the like rights in regard to the grouse and game on the said lands and the preservation protection increasing taking and carrying away of the same as if the owner had continued and were entitled to the said lands in fee simple and had continued and were in the possession and occupation thereof but so nevertheless that in the exercise of such rights he shall not foul the waters of any reservoirs or streams on such lands nor in any way injure the waterworks of the Corporation thereon or the works connected therewith:

(13) The exclusive right of cutting and getting turf rushes bracken heather and ling and all other like rights and privileges which have hitherto been exercised by the owner and his tenants and others authorised by him upon the lands which

A.D. 1897.

may be acquired by the Corporation shall be reserved to the owner but he shall not grant permission to exercise the rights and privileges reserved to him by this sub-section to any persons other than the tenants or occupiers of the lands coloured pink blue and green respectively upon the plan :

(14) The owner and all persons authorised by him shall have the right of cutting ditches and the exclusive right of burning heather upon the lands which may be acquired by the Corporation from the owner at such times as they may think fit for the purpose of maintaining and keeping the said lands in good condition for sporting purposes and also the right to use maintain and alter the existing batteries on the said lands and to erect and use thereon any new batteries and any other erections that he may deem necessary for sporting purposes but so that in the exercise of any of the rights in this sub-section mentioned no interference shall be caused to the reservoirs catchwater drains or other waterworks of the Corporation hereafter to be made thereon and that nothing shall be done to cause the waters of any reservoirs or streams on the lands acquired by the Corporation to be fouled or in any way to injure the waterworks of the Corporation on such lands and the works connected therewith :

(15) If and when the Corporation purchase the said lands coloured pink on the plan the owner shall have the right to alter rebuild and maintain the building and the premises adjoining thereto on the said lands known as Rocking Hall and to use the same for sporting or other purposes as he may think fit and shall also have the exclusive use of the house building and land called Garth Crook now occupied by the gamekeeper Nelson subject to reasonable regulations by the Corporation as to the sanitary requirements of the said Hall house and buildings for the prevention of nuisances therefrom and the protection of the waters and waterworks of the Corporation on the said lands The rent to be paid by the owner to the Corporation for the said Rocking Hall and the said house buildings and land shall be agreed upon or in case of difference settled by arbitration :

(16) Any drains or catchwater drains which may be made by the Corporation upon the lands which may be acquired by them from the owner shall be constructed either by flat slopes or in such other manner as shall effectually prevent young grouse from being destroyed and if any such drain shall be of greater width than two feet six inches the Corporation shall fix and maintain planks or bridges over the same at a sufficient number of convenient places :

(17) The Corporation shall not during the months of April May August September or October in any year lay any pipes or mains or make any drains or catchwater drains or execute any works authorised by this Act upon any of the lands which may be acquired by them from the owner:

(18) If the Corporation acquire the lands coloured pink on the plan and do not acquire the lands coloured blue on the plan they shall erect and maintain a fence along the western boundary of the lands coloured pink on the plan from the point marked "A" to the point marked "B" on the plan such fence to be four feet in height and to consist of larch or oak posts six feet apart with six wires and a wooden top rail five and a half inches deep and one and a quarter inches thick such fence to be erected and maintained to the reasonable satisfaction of the owner and the Corporation shall also maintain to such satisfaction the existing fence on the north-west of the land coloured pink on the plan between the last-mentioned lands and the adjoining lands of the owner:

(19) If the Corporation shall acquire the lands coloured pink and the lands coloured blue on the plan they shall not be under obligation to construct the fence from the point marked "A" to the point marked "B" on the plan but in lieu thereof they shall at their expense maintain to such satisfaction as aforesaid the existing fence walls between the lands acquired by the Corporation and the adjoining lands of the owner:

(20) If any wire fence other than that mentioned in sub-section 18 of this section shall be erected by the Corporation means shall be adopted to make them visible to grouse so that grouse may not be killed or injured by flying against the same:

(21) If and when the Corporation shall purchase or otherwise acquire all or any of the lands coloured green upon the plan the exclusive right of sporting shooting hunting fowling coursing and fishing in upon and over such lands (but so nevertheless as not to foul the waters of the reservoirs of the Corporation or streams nor in any way to injure the waterworks of the Corporation or the works connected therewith) shall subject to all tenants' rights be granted by the Corporation to the owner in perpetuity on terms to be agreed upon or in case of difference settled by arbitration Provided always that if the Corporation shall hereafter build reservoirs lay mains or execute other works on such lands coloured green on the plan the owner shall have no claim for compensation for the change (if any) in the nature or character of the sporting rights upon the said lands coloured green which may be caused thereby. Provided further that in case

A.D. 1897.

the Corporation shall purchase the lands coloured pink on the plan and shall purchase or otherwise acquire the lands coloured green upon the plan and the lands numbered 241 242 243 244 and 245 in the parish of Fewston upon the deposited plans and shall grant to the owner such exclusive right of sporting shooting hunting fowling coursing and fishing in upon and over the lands coloured green on the plan the owner shall not thereafter be entitled to exercise any of the rights reserved to him by sub-sections 12 13 and 14 of this section in upon and over the lands numbered 246 247 247A and 248 in the said parish of Fewston upon the deposited plans and the Corporation shall hold and enjoy such last-mentioned lands freed from all and every the restrictions in favour of the owner contained in such sub-sections 12 13 and 14 hereof:

(22) If by reason of the construction or erection at any time or times hereafter of any reservoirs or other works upon the lands coloured pink blue and green respectively upon the plan or any of them or any part or parts thereof the owner shall be deprived wholly or in part of any of the rights or privileges reserved or secured to him under the provisions of this section or shall be prejudicially affected in the exercise of such rights and privileges or any of them or otherwise the owner shall from time to time be entitled to full compensation in respect thereof and the amount of such compensation shall from time to time if not agreed upon between the owner and the Corporation be determined by the sole arbitrator to be agreed upon or nominated as herein-after mentioned:

(23) The Corporation and their contractors by themselves and their respective employees and servants shall so far as they can aid and assist in the preservation of the grouse and game upon the lands coloured pink blue and green respectively upon the plan:

(24) If the Corporation shall at any time make lay down or construct any reservoirs mains or other works upon the lands coloured pink blue and green respectively upon the plan or upon any lands near thereto or in the valley of the Washburn the owner shall be at liberty to employ all such keepers watchers and other servants as he may consider necessary for the watching of the said lands coloured pink blue and green respectively on the plan and any other lands of the owner adjoining or near thereto for the purpose of preventing trespassing or poaching upon or interference with such lands and any interference with the grouse and other game thereon and the fishing and fowling thereon and the Corporation shall

at their own cost employ two watchers or policemen for such purposes whenever required by the owner so to do:

(25) Nothing in this Act shall be deemed to take away or prejudice the right of pre-emption of the owner under the Lands Clauses Acts in the event of the Corporation selling the lands coloured pink or blue on the said plan or any part or parts thereof:

(26) If at any time or times after the acquisition by the Corporation of the lands coloured green upon the plan or any part or parts thereof they shall desire to sell all or any part or parts of such lands the Corporation shall subject to any right of pre-emption to which any other persons may be entitled under the Lands Clauses Acts first offer to sell the same to the owner and if the owner shall within three months after such offer of sale signify his desire to purchase any of such lands the price thereof shall if not agreed upon by the Corporation and the owner be settled by arbitration:

(27) The purchase money or compensation to be paid for any property to be acquired by the Corporation from the owner including compensation for all injury to his Bolton Abbey Estates or the enjoyment thereof as a residence or otherwise shall be fixed by such single arbitrator as herein-after mentioned who shall be deemed to be a single arbitrator duly appointed under the Lands Clauses Acts and shall have all powers thereby given to arbitrators Such arbitrator shall be at liberty to inform himself in such manner as he shall think proper and no objection shall be taken to any informality in his proceedings:

The arbitrator shall be such person as the Corporation and the owner may agree upon and in case they cannot agree then such person as may on the request of the owner and the Corporation or either of them be nominated by the president of the Institution of Surveyors.

Correction of errors &c. in deposited plans and book of reference.

13. If any omission mis-statement or erroneous description is found to have been made of any lands or of any owners lessees or occupiers of any lands shown or described or intended to be shown or described on the deposited plans or in the deposited book of reference the Corporation may apply to two justices for the correction thereof after giving ten days notice to the owners lessees and occupiers of the lands affected by the proposed correction:

If it appears to the justices that the omission mis-statement or erroneous description arose from mistake they shall certify the same accordingly stating the particulars of the omission mis-statement or erroneous description and such certificate shall be deposited with the clerk of the peace for the west riding of the county of York:

A.D. 1897.

The certificate shall be kept by the clerk of the peace with the other documents to which it relates and subject and according to the same enactments and provisions as apply to those other documents and thereupon the deposited plans or book of reference (as the case requires) shall be deemed to be corrected according to the certificate and the Corporation may enter on take hold and use those lands accordingly.

Period for compulsory purchase of lands.

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

Persons under disability may grant easements &c.

15. 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 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 rent-charges 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.

Power to appropriate lands for purposes of Act.

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

Power to purchase additional lands by agreement.

17. The Corporation in addition to any other lands which they are by this Act authorised to acquire may from time to time by agreement purchase take on lease acquire and hold for the purposes of their water undertaking any lands not exceeding in the whole one hundred acres and for the purposes of their tramway undertaking any lands not exceeding in the whole twenty acres and for street improvement purposes any lands not exceeding in the whole ten acres Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any such lands.

Restrictions on displacing persons of labouring class.

18.—(1.) The Corporation shall not under the powers by this Act granted purchase or acquire in any parish ten or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or

partially by persons belonging to the labouring class as tenants or lodgers unless and until—

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

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

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

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

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

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

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

A.D. 1897.

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

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

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

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

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

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

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

Owners may be required to sell parts only of

19. And whereas in the construction and execution of the street improvements by this Act authorised or otherwise in exercise of the powers of this Act it may happen that portions only of the houses or

other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the houses or other buildings or manufactories described in the Third Schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the judgment of the jury arbitrator or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Corporation the portions only of the premises so required without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof the Corporation paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

certain lands and buildings.

PART III.—Water.

20.—(1.) The Corporation may hold any lands within the drainage area acquired by them under the powers of this Act and which may in their opinion be necessary for the purpose of protecting their waters and waterworks against pollution nuisances encroachment or injury and so long as such necessity shall in the opinion of the Corporation continue such lands shall not be deemed to be superfluous lands within the meaning of the Lands Clauses Acts.

Power to hold lands and exercise powers for protection of waters and waterworks.

(2.) The Corporation may in and upon the lands so acquired construct and lay down drains sewers watercourses buildings and other works and conveniences necessary or proper for the purpose of intercepting and taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the waters which the Corporation are empowered to take or impound in the valley of the Washburn from being polluted fouled contaminated or discoloured or otherwise necessary or proper for managing and controlling the waters and waterworks of the Corporation in that valley and the Corporation may for the purposes aforesaid carry any such drain sewer or watercourse under across and along any street or road within or adjoining the lands in the drainage area subject and according to the provisions of the Waterworks Clauses Act 1847 incorporated with this Act Provided that the Corporation shall not create or permit the creation or continuance of any nuisance:

Provided that in regard to the provisions of the Waterworks Clauses Act 1847 and for the purposes of this section the drainage

A.D. 1897.

area shall be deemed to be the limits of the special Act and the county council of the west riding of Yorkshire shall be deemed to be the person having the control or management of all main roads and county bridges within the drainage area and twenty-eight clear days shall be substituted for three clear days in regard to the notices to be given to the said county council under section 30 of the said Act of 1847.

Reservation of water rights &c. on sale.

21. The Corporation on selling any lands acquired for or in connexion with their water undertaking and not required for that purpose may reserve to themselves all or any part of the water rights or other easements belonging thereto and may make the sale subject to such reservations accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

Lease of lands in drainage area.

22. The Corporation may grant leases of any of the lands in or adjoining the drainage area which may be acquired by them under the powers of this Act or any right or interest in or over such lands for such terms and at such rents and subject to such covenants and conditions as they may think fit but such leases shall contain such covenants as the Corporation deem necessary or expedient for the prevention or regulation of any act or thing tending to the pollution of any waters which the Corporation are authorised to take or impound within the valley of the Washburn or tending to the injury of the waterworks of the Corporation in that valley and every such lease shall contain a proviso for re-entry in case of non-payment of rent or breach of any of the lessees covenants.

Power to make byelaws.

23.—(1.) The Corporation may as respects any common or unenclosed land in the drainage area make byelaws for the protection of their waterworks and for prevention of pollution of the waters which they are authorised to take or impound within the valley of the Washburn.

(2.) The byelaws may without prejudice to the generality of the foregoing words include all or any of the following purposes (that is to say):—

The regulation of the time place and mode of digging and taking turf from the said lands and the cutting of heather bracken or gorse thereon;

For preventing the washing of sheep in any water which the Corporation are authorised to take or impound and for regulating the washing of sheep in suitable places provided by the Corporation;

Generally the prevention of nuisances and the prevention or regulation of any act or thing tending to pollution of the water to be taken or impounded by the Corporation or to the injury of their waterworks.

(3.) Sections 16 and 17 of the Commons Act 1876 shall apply to all byelaws made by the Corporation under this section with the substitution of the Board of Agriculture for one of Her Majesty's principal Secretaries of State and the Corporation for the conservators And in addition to the public notice provided for by section 17 of the said Act the Corporation shall give notice to the county council of the west riding of the county of York of their intention to apply for confirmation one month at least before the application.

Compensation to commoners injuriously affected by restrictions or byelaws.

24. The Corporation shall pay compensation to any owner commoner or other person injuriously affected by any restrictions or byelaws imposed by or made under the provisions of this Act and such compensation shall be settled by two justices in accordance with the provisions of the Lands Clauses Acts as in the case of claims for compensation under section 22 of the Lands Clauses Consolidation Act 1845.

Removal of bodies from Holy Trinity Churchyard.

25. The Corporation shall cause the remains of any person interred or deposited in any portion of the burial ground attached to Holy Trinity Church at West End in the township of Thruscross in the west riding of the county of York which they may acquire under the powers of this Act to be removed under the superintendence and to the satisfaction of the medical officer of health for the said riding and interred in some other consecrated burial ground where burials may legally take place and shall cause any monuments and tombstones in any such portion of the burial ground to be removed and fixed or re-erected at or as near as may be to the place where the remains are re-interred Provided that the heirs executors administrators or relations or friends of any person whose remains shall be interred or deposited in such burial ground may if they so prefer (at the cost of the Corporation such cost not to exceed ten pounds in each case) and under such superintendence as aforesaid remove the remains of such person to any burial ground wherein burials may legally take place and remove the monument or tombstone erected to the memory of such person to any place they may think fit and reasonable notice shall be given before any such removal to the heirs executors or administrators of any deceased person whose remains are intended to be removed so far as their names and addresses can with due diligence be ascertained Provided also that the Corporation before removing any remains or any monuments or

A.D. 1897.

tombstones under this section shall first obtain a licence or faculty from the bishop and that every such removal whether by the Corporation or by the other persons shall be subject to the conditions and directions (if any) annexed to such licence or faculty.

Saving of rights of west riding of Yorkshire Rivers Board.

26. Nothing in or done under this part of this Act or any byelaw thereunder shall extend to interfere with take away abridge or prejudicially affect any right power authority jurisdiction or privilege of the west riding of Yorkshire Rivers Board.

PART IV.—Tramways.

Power to make tramways.

27. Subject to the provisions of this Act the Corporation may make form lay down use and maintain in the city the tramways herein-after described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all proper rails plates sleepers channels junctions turntables turnouts crossings passing-places triangles waiting-rooms stables carriage-houses engine-houses stations sheds buildings works and conveniences connected therewith (that is to say):—

Tramway No. 1 (1·97 chains in length) which shall be laid as a double line throughout commencing in Tong Road opposite Providence Row thence proceeding in an easterly direction along Tong Road and terminating in that road by a junction with the intended Tramway No. 4 authorised by the Leeds Corporation Tramways Act 1896:

Tramway No. 2 (1 mile 1 furlong 0·96 chain in length) commencing in Tong Road by a junction with the intended Tramway No. 4 authorised by the Leeds Corporation Tramways Act 1896 proceeding thence into and along Upper Wortley Road and Oldfield Lane and terminating in Tong Road by a junction with the existing tramway of the Corporation:

Tramway No. 2 will be laid as a single line except at the following places where it will be laid as a double line:—

In Tong Road and Upper Wortley Road from the commencement of Tramway No. 2 to a point 64 feet measured in a northerly direction from Lower Wortley Road;

In Oldfield Lane from a point 99 feet measured in an easterly direction from a point opposite the south-eastern corner of the Queen Hotel to a point 4 feet west of a point opposite the north-western corner of Highfield Tannery;

In Oldfield Lane from a point 88 feet measured in a north-easterly direction from the north-east corner of Wortley

Recreation Grounds in an easterly direction to the termination of Tramway No. 2 except where the Great Northern Railway crosses Oldfield Lane:

Tramway No. 3 (1 mile 1 furlong 2·40 chains in length) commencing in Gelderd Road thence proceeding along Gelderd Road to and along Whitehall Road and Aire Street to Wellington Street and terminating in the last-mentioned street by a junction with the existing tramway of the Corporation:

Tramway No. 3 shall be laid as a double line throughout except that the portion of the tramway lying between a point opposite the centre of Thirsk Row and a point opposite the most north-easterly corner of the warehouse situate at the junction of Aire Street with Wellington Street shall be laid as a single line with a double line only as a passing place in the bend of Aire Street aforesaid and the distance between the nearest rail of such single line and of such passing place and the kerbs or outside of the footpath on the northerly side of Aire Street aforesaid for the whole length of such street shall not be less than nine feet six inches:

Tramway No. 4 (3 furlongs 8·54 chains in length) which shall be laid as a double line throughout commencing in Dewsbury Road thence proceeding along Dewsbury Road and terminating in the last-mentioned road by a junction with Tramway No. 8 authorised by the Leeds Corporation Tramways Act 1896:

Tramway No. 5 (1 mile 1 furlong 1·5 chains in length) commencing at the point of junction of Arthington Avenue with Moor Road thence proceeding to and along Moor Road Balm Road Church Street and Waterloo Road to Hunslet Road and terminating in the last-mentioned road by a junction with the existing tramway of the Corporation:

Tramway No. 5 will be laid as a double line except at the following places where it will be laid as a single line namely:—

In Balm Road from a point 120 feet measured in a northerly direction from Hardwick Place to a point 108 feet measured in a southerly direction from Barmouth Road;

In Waterloo Road from Branch Church Street to a point 86 feet measured in a southerly direction from the termination of Tramway No. 5:

Tramway No. 6 (3 furlongs 0·5 chain in length) which shall be laid as a double line throughout commencing in Duncan Street by a junction with the existing tramway of the Corporation thence proceeding to and along New Market Street Vicar Lane and North Street and terminating in the last-mentioned street by a junction with the existing tramway of the Corporation:

A.D. 1897.

Tramway No. 7 (1 mile 6 furlongs 9·15 chains in length) which shall be laid as a double line throughout commencing in Headingley Lane by a junction with the existing tramway of the Corporation thence proceeding to and along Hyde Park Road Moorland Road Clarendon Road Great George Street Calverley Street East Parade and Infirmary Street to Park Row and terminating in Park Row by a junction with the existing tramway of the Corporation:

Tramway No. 7A (1·05 chains in length) which shall be laid as a double line throughout commencing in Hyde Park Corner by a junction with the existing tramway of the Corporation thence proceeding to and terminating in Hyde Park Road by a junction with Tramway No. 7:

Tramway No. 8 (2 miles 3 furlongs 6·20 chains in length) commencing in Otley Road thence proceeding to and along St. Michael's Road Cardigan Road Burley Road Burley Street and Park Lane to East Parade and terminating in East Parade by a junction with Tramway No. 7:

Tramway No. 8 will be laid as a double line except at the following places where it will be laid as a single line:—

From the commencement of the tramway to a point 15 feet measured in a westerly direction from Chapel Lane from a point 8 feet measured in an easterly direction from King's Place to a point opposite No. 33 St. Michael's Road from a point 18 feet measured in a westerly direction from a point opposite the north-west corner of the boundary wall to No. 43 St. Michael's Road to a point 105 feet measured in an easterly direction from Cardigan Road;

In Cardigan Road from a point 95 feet measured in a southerly direction from Spring Road to a point 6 feet measured in a northerly direction from a point opposite the entrance gates to Valley House from a point 265 feet measured in a northerly direction from Victoria Road to a point 63 feet measured in a northerly direction from a point opposite the entrance gates to Newport House from a point 30 feet measured in a southerly direction from Newport Road to a point 36 feet measured in a northerly direction from Ashville Road from a point 8 feet measured in a southerly direction from Ashville Terrace to a point 59 feet measured in a southerly direction from Ashville Avenue from a point 96 feet measured in a southerly direction from Brudenell Road to a point 274 feet measured in a northerly direction from Thornville Road from a point 75 feet measured in a northerly direction from Thornville Road to a point 72 feet measured in a northerly direction from Burley Road;

In Burley Road from a point 41 feet measured in an easterly direction from Willow Road to a point 4 feet measured in a south-easterly direction from Wordsworth Street;

In Burley Road from Ventnor Street in a south-easterly direction for a distance of 158 feet;

In Burley Street from a point 95 feet measured in a south-easterly direction from St. Andrew's Street to Rutland Street:

Tramway No. 9 (4 furlongs 7·18 chains in length) which shall be laid as a double line throughout commencing in Cardigan Road by a junction with Tramway No. 8 thence proceeding to and along Victoria Road to Headingley Lane and terminating there by a junction with the existing tramway of the Corporation:

Tramway No. 9A (7 furlongs 0·1 chain in length) commencing in Headingley Lane by a junction with the existing tramway of the Corporation then proceeding to and along Woodhouse Street and Cambridge Road to Meanwood Road and terminating in Meanwood Road by a junction with the existing tramway of the Corporation:

Tramway No. 9A will be laid as a double line except at the following places where it will be laid as a single line:—

In Woodhouse Street from a point 35 feet measured in a north-easterly direction from Hyde Park Corner in an easterly direction for a distance of 70 feet and from Johnston Street in a south-easterly direction to a point 48 feet measured in a westerly direction from Shay Street;

In Cambridge Road from Servia Road eastward to a point 29 feet measured in a westerly direction from Meanwood Road:

Tramway No. 10 (1 mile 6 furlongs 2·30 chains in length) commencing in Town Street thence proceeding along Town Street to and along Beeston Road Meadow Road and Meadow Lane and terminating in the last-mentioned lane by a junction with Tramway No. 8 authorised by the Leeds Corporation Tramways Act 1896:

Tramway No. 10 will be laid as a single line except at the following places where it will be laid as a double line:—

In Town Street from a point 251 feet from the commencement of the tramway north-eastwardly for a distance of 132 feet from a point 80 feet measured in a south-westerly direction from Wesley Street to a point 62 feet measured in a north-easterly direction also from Wesley Street from a point 175 feet measured in a northerly direction from Old Lane northwardly for a distance of 198 feet and from a point 15 feet south-westerly of a point in a line with the north-eastern

A.D. 1897.

boundary of the Beeston Cricket and Football Ground for a distance of 298 feet northward;

In Beeston Road from a point 60 feet measured in a northerly direction from the south-west corner of Holbeck Cemetery to a point distant 39 feet measured in a westerly direction from Cemetery Road from South Ridge Street northward for a distance of 198 feet and from a point 232 feet measured in a southerly direction from Colville Terrace to Humble Place;

In Meadow Road from a point opposite the north-eastern corner of the Coach and Horses public-house to Jack Lane and from a point 106 feet measured in a north-easterly direction from the north-east corner of the police station to a point 21 feet north of Bunt Street;

In Meadow Lane from a point 19 feet measured in a northerly direction from Mill Street to the termination of the tramway:

Tramway No. 11 (1 mile 0 furlong 4·75 chains in length) which shall be laid as a double line throughout commencing in Elland Road thence along Elland Road and terminating in Meadow Road by a junction with the Tramway No. 10:

Tramway No. 12 (1 mile 2 furlongs 3·03 chains in length) commencing in Marsh Lane by a junction with the existing tramway of the Corporation thence proceeding to and along East Street Cross Green Lane Easy Road Dial Street and Upper Accommodation Road to York Road and terminating in the last-mentioned road by a junction with the intended Tramway No. 2 authorised by the Leeds Corporation Tramways Act 1896:

Tramway No. 12 will be laid as a single line except at the following places where it will be laid as a double line:—

In East Street from a point 89 feet measured in a north-westerly direction from Crown Point Road to a point 43 feet measured in a south-easterly direction also from Crown Point Road from a point 25 feet west of the centre of a bridge over Timble Beck eastward for a distance of 155 feet and from a point 5 feet measured in a south-easterly direction from Rooke's Fold south-easterly for a distance of 142 feet;

In Cross Green Lane from a point opposite the most northerly corner of No. 16 Cross Green Lane south-easterly for a distance of 187 feet;

In Easy Road from a point 21 feet north-easterly from Spring Close Street to Easy Place;

In Dial Street and Upper Accommodation Road from Aylsford Street to a point 70 feet measured in a southerly direction from Wesley Terrace;

In Upper Accommodation Road from a point 75 feet measured in a northerly direction from Keeston Street northwardly for a distance of 134 feet;

In Upper Accommodation Road and York Road from a point in Upper Accommodation Road 10 feet south of York Road to the termination of the tramway:

Provided that where a proposed widening of any street or roadway is shown on the deposited plans in respect of any tramway no tramway shall be laid in that portion of such street or roadway until the portion of the roadway shall have been widened to the extent shown on the deposited plans.

Period for completion of tramways.

28. The tramways shall be completed within five years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Corporation for executing the same or otherwise in relation thereto shall cease except as to so much of the tramways respectively as shall then be completed.

For protection of Yorkshire House-to-House Electricity Company.

29. The provisions of section 14 of the Leeds Corporation Tramways Act 1896 shall extend and apply to the additional tramways and works authorised to be constructed under the powers of this Act.

Incorporation of provisions from Leeds Order and Act.

30. The following sections and schedules of the Leeds Corporation Tramways Order 1888 (confirmed by the Tramways Orders Confirmation (No. 1) Act 1888) (that is to say):—

Section 9 (as to rails of tramways);

Section 10 (penalty for not maintaining rails and roads in good condition);

Section 12 (additional crossings &c. may be made where necessary);

Section 13 (temporary tramways may be made when necessary);

Section 14 (application of road materials excavated in construction of works);

Section 15 (tramways not to be opened until certified by the Board of Trade);

Section 18 (byelaws by Board of Trade);

Section 19 (further powers to Corporation as to byelaws);

Section 20 (as to recovery of penalties);

Section 21 (amendment of the Tramways Act 1870 as to byelaws by local authority);

Section 22 (orders and byelaws to be signed &c.);

Section 23 (traffic upon tramways);

Section 24 (lessees not bound to carry animals goods &c.);

Section 25 (provisions as to carriage of animals goods &c.);

Section 26 (railway carriages not to be used on tramways);

A.D. 1897.

Section 27 (heavy traffic between eight a.m. and eight p.m.);
Section 28 (Corporation may use tramways for sanitary purposes);
Section 29 (regulations &c. by Corporation as to level crossings &c.);
Section 30 (tolls and charges) and Schedule B.;
Section 31 (passengers' luggage);
Section 32 (cheap fares for labouring classes);
Section 33 (payment of tolls);
Section 34 (periodical revision of tolls);
Section 35 (as to user of tramways and tolls thereon when open to be used by the public);
Section 36 (tolls if tramways opened to be used by the public);
Section 37 (servants of the promoters &c. to ride in carriages &c. free of charge);
Section 38 (certain provisions of the Tramways Act 1870 as to licencees extended to persons using the tramways when opened to the public);
Section 39 (carriages or horses unfit for use may be removed);
Section 40 (engines &c. to be approved by Corporation);
Section 45 (provisions as to arbitration);
Section 46 (form and delivery of notices);
Section 52 (saving for general Acts); and
Schedule A.:

And the following sections of the Leeds Corporation Tramways Act 1896 (that is to say):—

Section 7 (motive power);
Section 8 (penalty for using mechanical power contrary to order and regulations);
Section 9 (definition of mechanical power and power to generate electricity);
Section 10 (provisions as to use of electric power);
Section 11 (for protection of the Postmaster General) except the words "in lieu of the provisions contained in section 51 of the Order of 1888 which section is hereby repealed";
Section 17 (prohibiting the raising of fares on Sundays and holidays);
Section 20 (power to work tramways);

shall so far as the same are applicable in that behalf and are not inconsistent with the provisions of this Act extend and apply mutatis mutandis to and in relation to the tramways by this Act authorised and in construing the said sections for the purposes of this Act the expression "the promoters" shall mean the Corporation and the expression "the borough" shall mean the city and for the purposes of this Act section 45 of the said Order shall be read as if the Arbitration Act 1889 were referred to therein instead of the

Common Law Procedure Act 1854 Provided that the Corporation shall not construct any stations for the generation of electricity except on the lands described in the schedule to the Leeds Corporation Tramways Act 1896.

For protection of Midland Railway Company.

31. In constructing and maintaining so much of Tramway Nos. 5 and 10 as will pass over the bridge which crosses the railway of the Midland Railway Company (herein-after called "the Company") the Corporation shall be subject to the following conditions :—

(1) The Corporation shall not in any way except as provided by sub-section 3 of this section alter or interfere with the structure of the said bridge and except as aforesaid they shall so construct and maintain such tramway as not injuriously to affect the structure of the said bridge:

(2) In the event of any injury being caused to the structure of the said bridge by the construction maintenance repairing user or removal of such tramway the Company may at the expense of the Corporation restore the structure of such bridge to as good a state and condition as it was in before such injury was occasioned:

(3) Before the Corporation execute any work which will interfere with the structure of the said bridge or the railway traffic thereunder they shall give fourteen days' notice in writing to the engineer of the Company of their intention to commence such work and shall at the same time send sufficient specifications or other information showing the nature of the proposed work and such work shall be constructed to the reasonable satisfaction and under the superintendence of the said engineer and so as not in any way to impede or interfere with the traffic of the railway and any question in dispute or matter in difference between the Corporation and the Company shall be settled in manner provided by section 33 of the Tramways Act 1870:

(4) Nothing in this Act contained shall interfere with or limit or affect the rights of the Corporation as to the use alteration maintenance or repairs of the road over such bridge or of the approaches thereto for the purposes of the said tramway or otherwise Provided such use alteration maintenance or repairs do not in any way alter or interfere with the structure of the said bridge.

For protection of North Eastern Railway Company.

32. In constructing and maintaining so much of Tramway No. 12 as will pass over the bridge which crosses the railway of the North Eastern Railway Company (herein-after called "the Company") the Corporation shall be subject to the following conditions :—

[A.D. 1897.

(1) The Corporation shall not in any way except as provided by sub-section 3 of this section alter or interfere with the structure of the said bridge and except as aforesaid they shall so construct and maintain such tramway as not injuriously to affect the structure of the said bridge:

(2) In the event of any injury being caused to the structure of the said bridge by the construction maintenance repairing user or removal of such tramway the Company may at the expense of the Corporation restore the structure of such bridge to as good a state and condition as it was in before such injury was occasioned:

(3) Before the Corporation execute any work which will interfere with the structure of the said bridge or the railway traffic thereunder they shall give fourteen days' notice in writing to the engineer of the Company of their intention to commence such work and shall at the same time send sufficient specifications or other information showing the nature of the proposed work and such work shall be constructed to the reasonable satisfaction and under the superintendence of the said engineer and so as not in any way to impede or interfere with the traffic of the railway and any question in dispute or matter in difference between the Corporation and the Company shall be settled in manner provided by section 33 of the Tramways Act 1870:

(4) Nothing in this Act contained shall interfere with or limit or affect the rights of the Corporation as to the use alteration maintenance or repairs of the road over such bridge or of the approaches thereto for the purposes of the said tramway or otherwise Provided such use alteration maintenance or repairs do not in any way alter or interfere with the structure of the said bridge.

PART V.—Street Improvements.

Power to make street improvements.

33. Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the street improvements herein-after mentioned together with all necessary works and conveniences connected therewith or incident thereto:

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

Street Work No. 1.—A widening of Meadow Lane on the eastern side:

Street Work No. 2.—A widening of Hunslet Lane on the west side:

Street Work No. 3.—A widening of Duncan Street on the north side:

Street Work No. 4.—A widening of New Market Street on the eastern side:

Street Work No. 5.—A widening of Kirkgate on the north side:

Street Work No. 6.—A widening and improvement of Wood Street:

Street Work No. 7.—A widening of Vicar Lane on the eastern side:

Street Work No. 8.—An extension of George Street:

Street Work No. 9.—A widening of Harewood Street on the western side:

Street Work No. 10.—A widening of Harewood Street on the eastern side:

Street Work No. 11.—An extension of Harewood Street:

Street Work No. 12.—A widening of Lady Lane on the northern side:

Street Work No. 13.—A widening of Harrison Street on the northern side:

Street Work No. 14.—A widening of North Street on the western side:

Street Work No. 15.—A widening of North Street on the eastern side:

Street Work No. 16.—Another widening of North Street on the eastern side:

Street Work No. 17.—An extension of Roseville Road:

Street Work No. 18.—A widening of York Street and Marsh Lane on the north-western side:

Street Work No. 19.—A widening of Burmantofts Street on the eastern side:

Street Work No. 20.—A widening of Meadow Road on the western side:

Street Work No. 21.—Another widening of Meadow Road on the western side:

Street Work No. 22.—A widening of Meadow Road and Dewsbury Road at and near their junction:

Street Work No. 23.—A widening of Dewsbury Road on the western side:

Street Work No. 24.—A widening of Beeston Road on the north-western side:

Street Work No. 25.—A widening of Jack Lane on the south-western side:

Street Work No. 26.—Another widening of Jack Lane on the south-western side:

A.D. 1897.

Street Work No. 27.—A widening of Jack Lane on the northern side:

Street Work No. 28.—A widening of Pontefract Lane on both sides:

Street Work No. 29.—A widening of Wade Lane on the western side:

Street Work No. 31.—A widening of Moor Road on the southern side:

Street Work No. 32.—A widening of Infirmary Street on the north-eastern side:

Street Work No. 33.—A widening and improvement of South Accommodation Road.

For protection of Great Northern Railway Company.

34. Notwithstanding anything shown on the deposited plans and sections relating to the alteration of the levels of South Accommodation Road the gradient of the approach from Atkinson Street to the centre of the South Accommodation Road Bridge shall not be steeper than 1 in 40 and the height at the centre of the said bridge shall not be higher than 96·2 feet above ordnance datum and at point C on the said plans shall not be higher than 95 feet above the said datum the road being at an even gradient between the two last-mentioned points.

Period for completion of works.

35. If the street improvements authorised by this Act are not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for executing those works or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as shall then be completed.

Deviation.

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

Power to make subsidiary works.

37. Subject to the provisions of this Act and within the limits defined on the deposited plans the Corporation in connexion with the street improvements authorised by this Act and for the purposes thereof may make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the street improvements or any of them and may make diversions widenings or alterations of lines or levels of any existing streets for the purpose of connecting the same with the improved streets or any of them or of crossing under or over the same or otherwise and may alter divert or stop up all or any part of any drain sewer or channel within the said limits the Corporation

providing a proper substitute before interrupting the flow of sewage in any drain or sewer and making compensation for any damage done by them in the execution of the powers of this section. A.D. 1897.

Corporation may stop up streets and extinguish rights of way.

38. The Corporation so soon as they shall have become owners in possession of the land and houses on both sides of any of the streets and passages herein-after mentioned may stop up and discontinue for public traffic those streets and passages respectively and upon the stopping up and discontinuance for traffic of the same respectively the sites and soil thereof respectively shall be by this Act vested in the Corporation freed from all public and other rights of way or passage or other rights in over or affecting the same The streets and passages referred to in this section are the following :—

Harrison Yard the public passage from Meadow Lane through the Eagle and Child Yard to Hunslet Lane the road from New Market Street to Call Lane Ludgate Hill Turner's Yard Beehive Yard and the public passages thereto from Vicar Lane and Sydney Place Hayes Court and the public passages leading thereto from Vicar Lane and Harewood Street Carver's Buildings Walter Place Purchon Street Purchon Square and the public passages leading thereto from Purchon Street and Flax Street and the public passage from Jack Lane to Haiste Yard.

Temporary stoppage of streets.

39. The Corporation may during the execution and for the purposes of any work by this Act authorised from time to time stop up any street and prevent all persons other than those bonâ fide going to or returning from any house in the street from passing along and using the same for any reasonable time but convenient access to the houses in such street shall be provided by the Corporation.

Power to retain sell &c. lands.

40. Notwithstanding anything in the Lands Clauses Acts 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 may 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 within the city or any interest therein acquired by them under this Act and may sell exchange or 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.

A.D. 1897.

PART VI.—Financial Provisions.

Power to borrow.

41. The Corporation may from time to time independently of any other borrowing powers borrow at interest for the purposes herein-after mentioned any sum or sums of money not exceeding the respective sums following (that is to say) :—

(1) For the purchase of land in the drainage area and for the drainage and other works in connexion therewith three hundred and thirty-five thousand five hundred pounds:

(2) For the construction of the tramways by this Act authorised and for lands buildings plant and other tramway purposes three hundred and twenty thousand pounds:

(3) For the purchase of land for and the execution of the street improvements by this Act authorised five hundred and fifty thousand pounds:

(4) For paying the costs and expenses of this Act as herein-after provided the sum requisite for that purpose.

In order to secure the repayment of moneys borrowed under this section and the payment of the interest thereon the Corporation may as regards purposes (1) herein-before mentioned mortgage or charge the revenue of their water undertaking and the city fund and city rate as regards purposes (2) herein-before mentioned they may mortgage or charge the revenue of their tramways undertaking and the city fund and city rate and as regards purposes (3) herein-before mentioned they may mortgage or charge the consolidated rate and as regards purpose (4) they may mortgage or charge the city fund and city rate.

In addition to the moneys which the Corporation are by this section authorised to borrow they may borrow such further sum or sums of money for waterworks purposes or street improvements as the Local Government Board may sanction and for tramway purposes such further sums of money as the Board of Trade may sanction.

Periods of re-payment.

42. The Corporation shall pay off all moneys borrowed by them under this Act within the respective periods following (that is to say) :—

As to moneys borrowed for waterworks purposes within the limited sum herein-before mentioned within sixty years from the date or dates of borrowing the same;

As to moneys borrowed for tramway purposes within the limited sum herein-before mentioned within thirty years from the date or dates of borrowing the same;

As to moneys borrowed for street improvements within the limited sum herein-before mentioned within fifty years from the date or dates of borrowing the same;

As to moneys borrowed for the payment of the costs of this Act as herein-after provided within five years from the date or dates of the borrowing of the same;

As to moneys borrowed with the sanction of the Local Government Board or the Board of Trade within the periods sanctioned by those Boards respectively.

Application of sections of Leeds Improvement Act 1893.

43. The following sections of the Leeds Improvement Act 1893 shall (with the necessary modifications and subject to the provisions of this Act and of Articles II. and III. of the Leeds Order 1895 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 15) Act 1895—Session 2) apply in respect of moneys borrowed by the Corporation under this Act namely:—

Section 84 (mode of raising moneys);
Section 86 (provisions as to mortgages);
Section 88 (mode of payment off of moneys borrowed on mortgage);
Section 89 (proceeds of sale of surplus lands);
Section 90 (power to re-borrow);
Section 91 (protection of lender from inquiry);
Section 92 (annual return to Local Government Board with respect to sinking fund);
Section 93 (saving for existing charges).

Audit of accounts.

44. The accounts or receipts and expenditure of the Corporation under this Act shall be audited examined and published in like manner and with the same consequences as the other accounts of the Corporation are audited examined and published under the Municipal Corporations Act 1882.

Application of money borrowed.

45. Moneys borrowed or raised by the Corporation under this Act shall be applied only to the several purposes in respect of which they were respectively authorised to be borrowed or raised and to which capital is properly applicable.

Inquiries by Local Government Board.

46.—(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 upon them or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(2.) The Corporation shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be

A.D. 1897.

fixed by that Board not exceeding three guineas a day for the services of such inspector.

Saving rights of the Duchy of Lancaster.

47. Nothing contained in this Act shall extend or operate or authorise the Corporation to take use enter upon or in any manner interfere with any land soil water or hereditaments or any land parcel of any manor or any manorial rights or any other rights of whatsoever description belonging to Her Majesty in right of Her Duchy of Lancaster without the consent in writing of the Chancellor for the time being of the said duchy first had and obtained (which consent the said Chancellor is hereby authorised to give) or take away prejudice or diminish any estate right privilege power or authority vested in or enjoyed or exerciseable by Her Majesty Her heirs or successors in right of Her said duchy.

Expenses of Act.

48. 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 of the House of Commons shall be paid by the Corporation out of the moneys borrowed under this Act.

SCHEDULES.

THE FIRST SCHEDULE.

The Local Acts relating to the Water Undertaking of the Corporation.

The Leeds Waterworks Act 1847.
The Leeds Waterworks (Wharfe Supply) Act 1852.
The Leeds Waterworks (Wharfe Supply) Act 1856.
Leeds Waterworks Act 1862.
The Leeds Waterworks Act 1867.
The Leeds Corporation Water Act 1874.
The Leeds Improvement Act 1877.
The Leeds Improvement Act 1893.

THE SECOND SCHEDULE.

The Local Acts and Orders relating to the Tramway Undertaking of the Corporation.

The Leeds Tramway Order 1871 (confirmed by the Tramways Orders Confirmation Act 1871).
The Leeds Tramways Act 1877.
The Leeds Tramways Act 1881.
The Leeds Corporation Tramways Order 1888 (confirmed by the Tramways Orders Confirmation (No. 1) Act 1888).
The Leeds Corporation Tramways Act 1896.

THE THIRD SCHEDULE.

Premises of which part only may be taken.

Number of Street Work.	Parish.	Numbers on Deposited Plans.
3	Leeds - - -	18.
5	„ - - -	2.
6	„ - - -	1 6 7 8 10 11 15 16 17 18 19 20 21 23 32 35 36.
7	„ - - -	2A.
17	„ - - -	3 5 13 14 27.
20	„ - - -	21 28 30 36 37.
21	„ - - -	50.
23	„ - - -	38 39 40 43 49 50.
24	„ - - -	36 37 38.
28	„ - - -	12 33 44.
30	„ - - -	2 3 4 5 6.
31	„ - - -	7.
32	„ - - -	22 23.
33	„ - - -	3 4 6 7 8 9 17 18 19.
34	„ - - -	21 22 23 24 25 26 27 28 29 30 31 32 34 35 36.

Printed by Eyre and Spottiswoode,
FOR
T. Digby Pigott, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, East Harding Street, Fleet Street, E.C.; or
JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and
90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., Limited, 104, Grafton Street, Dublin.