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An Act for making further provision with respect to the Sanitary Condition of the Borough of Leeds; and for other purposes. [4th July 1870.] A.D. 1870.

WHEREAS the mayor, aldermen, and burgesses of the borough of Leeds (in this Act referred to as "the Corporation"), and the Leeds Gaslight Company and the Leeds New Gas Company (herein-after called "the Companies"), have agreed for the sale and transfer to the Corporation of the undertakings of the Companies, and such sale and transfer are authorised by "The Leeds Corporation Gas Act, 1870:"

And whereas it may be necessary to extend the works of the Companies to afford a better supply of gas to the districts now supplied by the Companies, and for that purpose the Corporation may require additional land for the erection of such works:

And whereas plans describing the lands to be taken compulsorily for that purpose, in this Act referred to as "the gas supply," and a book of reference to those plans, containing the names of the owners or reputed owners, lessees, and occupiers of those lands, have been deposited with the clerk of the peace for the said west riding of the county of York (which are in this Act referred to as the deposited plans and book of reference):

And whereas the local and personal Acts following, or part thereof respectively, are in operation in the borough of Leeds, herein-after referred to as "the borough;" (that is to say,)

(1.) An Act of the session of the 5th and 6th years of Her present Majesty, chapter 103, intituled "An Act for providing "additional burial grounds in the parish of Leeds, in the "west riding of the county of York;"

(2.) "The Leeds Improvement Act, 1842," in this Act called "the Act of 1842;"

(3.) "The Leeds Improvement Amendment Act, 1848," in this Act called "the Act of 1848;"

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(4.) "The Leeds Improvement Amendment Act, 1856," in this Act called "the Act of 1856;"

(5.) "The Leeds Improvement Act, 1866," in this Act called "the Act of 1866;"

(6.) "The Leeds Improvement Act, 1869," in this Act called "the Act of 1869;"

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

And whereas there are in the borough a great number of houses situated in, or abutting upon, or contiguous to, or at the entrance of courts and alleys, which houses, by reason of defects in the construction thereof, or of the want of ventilation, or by preventing proper ventilation or access to courts and alleys or the houses therein, or for want of proper conveniences, and from other causes, are unfit for human habitation, or make other houses unfit for human habitation, and fever and other diseases are constantly thereby generated, thereby causing death or loss of health not only in the courts and alleys but also in other parts of the borough; and it is expedient that provision be made for the remedy thereof, and also that further provision be made for the regulation of future courts and alleys in the borough and of the houses and buildings to be erected therein:

And whereas it is expedient that the Corporation be authorised to raise further moneys by rates and by borrowing, and further provision be made with respect to the collection of rates:

And whereas it is expedient that the Corporation should, in addition to acquiring lands compulsorily for the purpose of the gas supply, be further authorised to purchase and acquire lands by agreement for the other purposes of this Act:

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

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

Short title of Burial Ground Act and of this Act.

1. The first-recited Act may be cited for all purposes as "The Leeds Burial Ground Act, 1842," and this Act may be cited for all purposes as "The Leeds Corporation Gas and Improvements, &c. Act, 1870."

Provisions of general Acts herein named incorporated.

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

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"The Lands Clauses Consolidation ...
"The Commissioners Clauses Acts, 1845, 1860, and 1869:" mortgages to be execu...Act, 1847," with respect to the ...ted by the Commissioners (except sections 84 and 85).

3. With respect to the interpretation of terms in and for the purposes of this Act, the following provisions shall have effect; (namely,) Interpretation of terms.

In this Act, and in any Act incorporated wholly or in part with this Act, the term "superior court" or "court of competent jurisdiction" shall have effect as if the debt or demand with respect to which the term is used was an ordinary simple contract debt and not a debt or demand created by statute, and the expression "superior courts" shall include county courts in all cases where the amount of the debt or demand is within the jurisdiction for the time being of county courts:

In the provisions of the Commissioners Clauses Act, 1847, incorporated with this Act, the terms "the Commissioners" and "the clerk to the Commissioners" and "the office of the Commissioners" shall be taken to mean respectively the Corporation and the town clerk of the borough and the town clerk's office:

Subject to the foregoing interpretations, the several terms to which meanings are assigned in the recited Acts, or in the Acts incorporated wholly or in part with this Act, or which have therein special meanings, have in this Act the same respective meanings:

"The Corporation" shall mean the mayor, aldermen, and burgesses of the borough of Leeds:

"The borough" shall mean the borough of Leeds:

"Officer of health" shall mean the officer for the time being appointed by the Corporation and acting under the Act of 1866:

"Borough surveyor" shall mean the person for the time being appointed by the Corporation to perform the duties of surveyor for the Corporation:

"Rateable value" shall have the same meaning as in the recited Acts.

4. The Corporation, by the council of the borough, are hereby empowered to carry this and the recited Acts and the several powers thereof into execution. Council of borough to execute Act.

5. For the purpose of carrying this and the recited Acts into execution, the Corporation from time to time may appoint out of Appointment of committees

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by Corporation.

their own body such and so many committees, consisting of such number of persons as they think fit, for the execution of any of the purposes of this or the recited Acts, which in the discretion of the Corporation would be better regulated and managed by means of such committee, and may delegate to each such committee such of the powers and duties of the Corporation under this or any of the recited Acts as they think fit for the purpose of carrying into effect any specific orders of the Corporation, and the acts and proceedings of every such committee, within the limits of such delegation, shall be deemed the acts and proceedings of the Corporation, so that the acts of every such committee shall, if the Corporation so order, but not otherwise, be submitted to the Corporation for their approval, and the quorum of any such committee, as in this section provided for, shall be such as the Corporation direct, and the Corporation may from time to time make such regulations as they think fit for the guidance of any such committee, and the Corporation may from time to time remove any members of any such committee and appoint in the stead of them or any of them other members of the Corporation, and the attendance at and conduct of business at such committee shall be limited to the members thereof and their officials.

Power to take lands.

6. For the purposes of the gas supply, the Corporation may enter on, purchase, take, hold, and use such of the lands described in the deposited plans and book of reference as they require for the purposes of this Act, and out of the moneys authorised to be raised by "The Leeds Corporation Gas Act, 1870," pay the price thereof.

Certain land not to be purchased without consent of Aire and Calder Navigation.

7. Notwithstanding anything in this Act contained, it shall not be lawful for the Corporation, without the consent of the undertakers of the navigation of the rivers Aire and Calder, in the county of York, under the hand of their clerk, to purchase, enter upon, take, hold, or use any land lying within eighty feet measured westward from the eastern boundary shown on the deposited plan as the boundary of the lands proposed to be taken for the purposes of this Act, and also within five hundred and twenty feet measured northward from the southern boundary of the said lands shown as aforesaid, which portion of the said lands not to be purchased without consent as aforesaid is coloured pink upon a copy of the deposited plan signed by the town clerk of the borough and deposited with the trustees of the Aire and Calder Navigation.

Period for compulsory purchase.

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

Power to erect gas-works.

9. On the lands described in the schedule to this Act, when purchased by the Corporation, or any parts or part thereof, they may erect, construct, and from time to time maintain, alter, remove, or enlarge, retorts, gasholders, receivers, meters, apparatus, and works for the manufacture and storing of gas, and of coke and other residual products obtained in the manufacture of gas and matters producible therefrom, and all proper approaches and conveniences for the purposes of such works.

No gasworks to be erected except on lands in schedule.

10. It shall not be lawful under this Act for the Corporation to manufacture or store gas except on lands described in the schedule to this Act.

Officer of health to report as to condition of courts, alleys, &c.

11. If the officer of health shall be of opinion that any court or alley or any premises within the borough is or are unfit for human habitation, or in a condition, state, or situation injurious, dangerous, or prejudicial to health, he shall report the same to the Corporation, and that the powers of this Act ought to be put in force in respect to such court, alley, or premises, and he shall in such report state whether the ascertained defects can be remedied by structural alterations and improvements or otherwise, or whether such court, alley, or premises, or any and what part thereof, ought to be demolished.

On representation of four householders that disease exists in a house, officer of health to inspect and report.

12. If and whenever any four or more householders living in or near to any court or alley, by writing under their hands, represent to the officer of health that disease exists in any premises in or near to the court or alley, he shall forthwith inspect the premises and report thereon, but the absence of any such representation shall not excuse him from inspecting any premises and reporting thereon.

Officer of health to deliver copies of report to town clerk.

13. Every report made under this Act by the officer of health shall be made and signed by him, and he shall forthwith deliver such report to the town clerk of the borough.

Town clerk to lay report before council.

14. The town clerk shall lay the report so delivered to him before the council at their then next meeting, and the same shall be recorded on their minutes, and a day shall be fixed by the council for taking the report into consideration, and the town clerk shall transmit a copy of such report to the owner of the premises to which such report relates, and shall give at least three clear days notice to the owner of the time appointed by the council for taking the same into consideration, and at such meeting the owner shall be entitled to attend and be heard for his interest.

On order, the borough surveyor to pre-

15. The council shall on the day so fixed take such report into consideration, and, if they are of opinion that it is necessary to do

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Prepare plan and specification of required works.

so, they shall make such order as they think requisite, and shall direct the borough surveyor to make or cause to be made a survey of the premises mentioned therein, and prepare or cause to be prepared a plan and specification of the works (if any) required to be executed, and the borough surveyor shall deposit such plan and specification at the office of the town clerk.

Town clerk to give notice to owner of order of council.

16. The town clerk shall thereupon forward to such owner a copy of the order of the council, and inform him that the borough surveyor has prepared a plan and specification of such works as are required in reference thereto, and that such plan and specification may be inspected and transcribed by him or his agent, at the office of the town clerk, without charge, and any such owner may, at any time within fourteen days after the delivery of such notice, state in writing to the town clerk any objection which he may entertain to the said plan and specification or either of them, and if within ten days thereafter such owner and the borough surveyor cannot agree as to such plan and specification, any matter in difference between them shall be settled by two justices upon the application of either party, and the said justices may make such order in relation thereto as they may think fit, and if they shall decide that any alteration shall be made in the said plan and specification, the borough surveyor shall make such alteration accordingly, and the plan and specification so amended shall be the plan and specification according to which the works shall be executed: Provided that if such owner be absent from the United Kingdom, the time for lodging such objection shall be two months instead of fourteen days.

Owner may appeal against order.

17. Any owner of premises included in any order may, if he think fit, appeal against the same to the justices of the borough in special session held next after the making of the order at which, during the time there may be a stipendiary magistrate appointed for the borough, such stipendiary magistrate shall be present, but the appellant shall not be heard in support of the appeal unless, within one month (or, if such owner be absent from the United Kingdom, within three months) after delivery of notice of the order appealed against, he give to the town clerk notice in writing stating his intention to bring such appeal, together with a statement in writing of the grounds of appeal, and shall, within two days of giving such notice, enter into a recognizance before some justice of the peace, with sufficient securities, conditioned to try such appeal, and to abide the order of and pay such costs as shall be awarded, and the Court, upon hearing and finally determining the matter of the appeal, may, either with or without the consent of

the respective parties, vary the order, and may, according to its discretion, award such costs to the party appealing or appealed against as they shall think proper, and its determination in or concerning the premises shall be conclusive and binding on all persons to all intents or purposes whatsoever: Provided that, on the hearing of the appeal, no grounds of appeal shall be gone into or entertained other than those set forth in such statement as aforesaid; provided also, that, in case of appeal, the Court may, if it thinks fit, state the facts specially for the determination of Her Majesty's Court of Queen's Bench; provided also, that, pending such appeal, no work shall be done nor proceedings taken under such order until after the determination of such appeal, unless such appeal cease to be prosecuted.

Owner to execute specified works, or within three calendar months to elect that he will sell the premises to the Corporation.

18. Within three calendar months after the service of such order by the town clerk, if there be no appeal, and within one month after the final determination of such appeal, if any be taken, the owner shall signify in writing to the town clerk whether he is willing to effect the works required to be executed, or whether he requires the Corporation to purchase the premises specified in the order.

Service on owner whose name and residence are known.

19. Where the owner of such premises and his residence or place of business are known to the Corporation, it shall be the duty of the town clerk, if such owner be residing or have a place of business in the borough, to give every notice by this Act required to be served on him to the owner, or for him to some inmate of his place of residence or business within the borough, and if he be not residing in the borough, or has no place of business therein, then to send the notice by post in a registered letter addressed to the owner at his place of residence.

Service on owner whose name or residence is not known.

20. Where the owner of the premises or his residence or place of business is not known to, and after diligent inquiry cannot be found by, the Corporation, then the town clerk may serve the notice by leaving it addressed to the owner with some occupier of the premises, or if there be not an occupier then by putting it up on some conspicuous part of the premises.

If owner do not execute the works, Corporation to execute them.

21. If the owner shall, within the time limited by this Act for that purpose, elect to effect the works required to be executed, such owner shall, within two months thereafter, commence the works shown on the plan and described in the specification, and proceed with and complete the same according to such plan with all reasonable despatch, and if such owner shall fail therein in any respect the Corporation shall execute the works, and may for that purpose by themselves, their contractors, servants, agents, and workmen,

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enter upon the premises, and the Corporation may reimburse themselves all costs and charges incident to the execution of such works by the sale of the old materials, so far as the same may extend, or otherwise, as they may see fit, recover the amount of such costs and charges as a debt due from such owner by action in any court of competent jurisdiction.

If owner fail to require Corporation to purchase, they shall tender valuation of premises to be taken down.

22. If the owner shall not, within the period herein specified and as herein prescribed, elect to effect the works required to be executed, or shall have required the Corporation to purchase the premises, then and in either of such cases (if the amount of the purchase money or compensation be not previously agreed upon between the owner and the Corporation) the Corporation shall cause a valuation of the premises (including the site thereof) to be made by two able practical surveyors not being officers of the Corporation, and the town clerk shall send a copy of such valuation to the owner and notify to him that the Corporation are willing to purchase the same at the amount of such valuation.

If valuation accepted, premises to be conveyed.

23. If the owner agree to accept the amount of such valuation, he shall forthwith convey his interest in the premises and in the site thereof to the Corporation.

If valuation not accepted, amount to be assessed by arbitration.

24. If for ten days after the receipt of a copy of such valuation such owner do not signify in writing to the town clerk his willingness to receive the amount of such valuation, or if after diligent inquiry he cannot be found, the Corporation shall, as early as may be, proceed to cause the amount to be paid to such owner in respect of his interest in the premises and in the site thereof to be assessed by arbitration in the manner prescribed by "The Lands Clauses Consolidation Act, 1845."

Upon payment or tender of purchase money, Corporation may enter into possession.

25. Upon payment or tender to the party entitled to receive the same of the amount awarded by the jury, or upon payment thereof into the Bank of England in the manner prescribed by "The Lands Clauses Consolidation Act, 1845," the Corporation may enter upon the premises and do and execute all works required by the plan and specification.

Corporation to pay compensation when total demolition required.

26. If the requirements of the order shall involve the total demolition and not the improvement of the premises specified therein, the owner shall, within three months after notice of the order by the town clerk, if there be no appeal, and within one month after the final determination of such appeal, if any be taken, proceed to take down and remove the premises, and if such owner fail therein, then the Corporation shall proceed to take down and remove the same, and in either case the Corporation shall pay com-

pensation for the damage which may be sustained by such taking down and removal, including the value of the premises and the site thereof, subject to the provisions of this Act with reference to the use thereof, such compensation to be ascertained and applied as in this Act provided in the case of the purchase of any premises by the Corporation, and the site of the said premises shall, on payment or tender to the party entitled to receive the same of the compensation agreed upon or awarded, upon payment thereof into the Bank of England in the manner prescribed by "The Lands Clauses Consolidation Act, 1845," absolutely vest in the Corporation; provided that if by reason of the demolition or alteration of any premises any deterioration in value shall be occasioned to any adjoining premises, the Corporation shall make good such damage or shall pay compensation to the owner of such adjoining premises in respect of such damage, and shall also make compensation for any such deterioration in value, the amount of compensation in each case to be ascertained in manner aforesaid.

Building on sites from which buildings removed to be with the consent of Corporation.

27. No building or erection shall be made on any part of any site from which under this Act any building or erection shall be removed, except with the previous consent of the Corporation, and in accordance with plans and elevations previously approved by them, and they may at any time, at the expense of the owner thereof, the expense to be recovered in a summary manner before two justices, abate any building or erection at any time after the passing of this Act, in whole or in part made contrary to this section, and the compensation to be made to the owner of such building or erection so removed shall include compensation for all damage, if any, occasioned to the owner by reason of the rebuilding on the site being subject to the consent of the Corporation.

Determination of tenancies.

28. Where at the time of making the order the premises specified therein, or any part thereof, are or is subject to any lease of which less than twenty-one years remain unexpired, or to any tenancy from year to year, or for a year or for any less term, the Corporation shall give notice to every such lessee or tenant, stating the time at which such lease or tenancy shall be determined, and if such lessee or tenant, if the premises had been purchased by the Corporation under the provisions of "The Lands Clauses Consolidation Act, 1845," would have been entitled to compensation by reason of the determining of his lease or tenancy, the Corporation shall make such compensation to such lessee or tenant for the determining of his lease or tenancy as in case of difference shall be settled by two justices.

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House to be improved may be taken down instead.

29. If the order be that the premises shall be improved, the owner, if he think fit, may instead of effecting the works required by the plan and specification take down the premises, but in every such case no house or other building or erection shall at any time thereafter be erected on all or any part of the site of the premises so taken down without the previous consent of the Corporation, and in accordance with plans and elevations previously approved by them, and they may at any time, at the expense of the owner thereof, abate any house or other building or erection at any time, wholly or partly erected contrary to the provisions of this section.

Lands acquired by Corporation to be part of corporate estates and disposable accordingly.

30. Any land or premises acquired by the Corporation under this Act may from time to time be sold, exchanged, mortgaged, charged, demised, leased, or otherwise dealt with and disposed of in like manner as any other land or premises acquired by them.

Corporation may dedicate land to public.

31. The Corporation may, where they so think fit, dedicate any land acquired by them under the authority of this Act or otherwise as a highway or other public place.

As to regulation of future courts.

32. And whereas provisions are made by the Act of 1866 for the laying out of courts subsequently to the passing of that Act, but those provisions have been found insufficient for remedying the evils by this Act proposed to be removed: Therefore it shall not be lawful after the passing of this Act to lay out any court, or to construct any house therein, unless such court be at least the width prescribed by the Act of 1866, and be open upwards at each end thereof for the full width thereof, and shall at each end thereof open into a public street or otherwise, and be so laid out as that the width of every such court shall for the whole length thereof, including the entrance thereto, be not less than twenty-five feet wide, and it shall not be lawful to add to or otherwise increase the height of any house in any such court after the same has been laid out.

Houses erected contrary to Act may be abated.

33. The Corporation may, in and by any byelaws made under the powers of the Act of 1866, prohibit any building under the rateable value of twenty pounds being occupied as a dwelling-house until the drainage thereof has been made and completed, or until such building has, after examination, been certified by the Corporation or their officer authorised in that behalf to be fit for human habitation.

Provision as to costs of carrying Act into execution.

34. All the expenses of and incident to the carrying into execution of the several purposes of this Act shall be charged upon and paid out of the improvement rates authorised to be levied by the

Acts of 1842, 1856, and 1866, or by any of those Acts, and shall be charged upon and paid out of the improvement rates to be levied in and for the several townships in the borough within which respectively such expenses shall arise or be incurred in like manner as the improvement rates are by section 335 of the Act of 1842 directed to be made and levied, but subject to and in accordance with the provisions of section 107 of the Act of 1866. A.D. 1870.

Power for Corporation to borrow on mortgage of improvement rate.

35. For the purposes of this Act the Corporation from time to time may borrow and reborrow, in addition to the sums authorised by the Act of 1866, by mortgage of the improvement rates authorised to be raised by Acts of 1842, 1856, and 1866, such sums as they think fit, not exceeding in the whole one hundred thousand pounds, and the powers as to borrowing contained in the said Acts respectively shall extend and apply to the moneys to be borrowed under this Act as if the same had been expressly re-enacted in this Act.

Provisions as to sinking fund.

36. The provisions of section 117 of the Act of 1866 in relation to the creation of a sinking fund in respect of any moneys borrowed on the credit of any of the rates by that Act authorised shall apply and extend to the moneys to be borrowed under that Act and this Act, notwithstanding section 27 of the Act of 1869.

Money received by Corporation under Act to be carried to a separate fund.

37. All the moneys produced by the sale or other alienation of land or premises acquired by the Corporation under this Act shall be applied in reduction of money borrowed under this Act, and the rents, issues, and profits of the land or premises so acquired and not sold or aliened, and the moneys borrowed by the Corporation for the purposes of this Act, and all other moneys received by or for the use of the Corporation under this Act, or in carrying this Act into execution, shall forthwith, after receipt thereof, be paid to the treasurer of the borough and carried by him to a separate account, and the moneys so received (with the exception of money borrowed) shall be applied in defraying all the expenditure and liabilities of the Corporation under this Act, including the formation of the sinking fund for paying off moneys borrowed for the purposes of this Act, and in the event of there being at any time any surplus of those moneys, such surplus shall be carried to the sinking fund or be otherwise applied for paying off moneys borrowed for the purposes of this Act, and the ultimate surplus (if any) of the moneys shall be carried to the credit of the borough fund.

Recovery of rates unpaid by the owner.

38. When the owner of any rateable hereditaments is liable for payment of the rates assessed thereon, the goods and chattels of the occupier shall be liable to be distrained and sold for payment of

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such rates as may accrue during his occupation of the premises at any time whilst such rates remain unpaid by the owner, subject to the following provisions:—

1. That no such distress shall be levied unless the rate has been demanded in writing by the collector for the Corporation from the occupier, and the occupier has failed to pay the same within fourteen days after the service of such demand:
2. That no greater sum shall be raised by such distress than shall at the time of making the same be actually due from the occupier for rent of the premises on which the distress is made:
3. That any such occupier shall be entitled to deduct the amount of rates for which such distraint is made and the expense of distraint from the rent due or accruing due to the owner, and every such payment shall be a valid discharge of the rent to the extent of the rate and expenses paid.

Power to Corporation to amend rate.

39. The Corporation may from time to time, and at any time within six months next after the making of any of such rate, amend or alter the same,—

By making a supplement thereto, and by inserting therein the name of any person who ought to have been rated, or who ought to be rated at the time of the making of such rate;

By altering the description of the tenement in respect of which any person is rated, and in respect of which the rate has not been paid;

By inserting the description of any new tenement in respect of which any person ought to be rated:

And such supplement may be made by the Corporation, and when made shall operate as if it had been part of the original rate, and every person thinking himself aggrieved thereby shall have the right of appeal against the same, at his discretion, either to the justices of the peace for the said borough at the next practicable special sessions for hearing appeals against rates for the relief of the poor or to the next practicable general quarter sessions of the peace for the said borough, he giving such notice thereof as the law requires in cases of appeal to such special sessions or such quarter sessions respectively.

Service of summons for rates in arrear.

40. Any demand for payment or any summons for nonpayment of any rate or supplemental rate, or other sum payable to the Corporation in respect of any tenement, may be served on the person upon whom the said demand is intended to be made, or on the person intended to be summoned, either by delivering the same to him personally or by leaving it at his last known or usual place of

abode, if in the borough, or with some person in the occupation of or residing upon the tenement, or by sending it by post in a registered letter addressed to him at his last known place of abode, if not within the said borough.

Contents of summons, &c.

41. Any summons or warrant issued for any of the purposes of this Act may contain in the body thereof, or in the schedule thereto, several names and several sums.

Costs of distress.

42. Any justice who issues a warrant of distress for any of the purposes of this Act may order that the costs of the proceedings for recovery of the money to be levied be paid by the person liable to pay such money, and in that case such costs shall be ascertained by the justice and shall be included in the warrant of distress.

Service of notice on the Corporation.

43. Any summons, notice, writ, or other proceeding at law or in equity or otherwise in relation to carrying into effect the objects and purposes of this Act required to be served upon the Corporation, may be lawfully served by delivering the same to the town clerk, or leaving the same at his office with some person employed there by him.

Penalty for obstructing officer of health, &c. in execution of Act.

44. Where any person at any time obstructs the officer of health, borough surveyor, or other person acting in the performance of anything which the Corporation or their officers respectively are by this Act or otherwise required or authorised to do, every person so offending shall for every such offence forfeit not exceeding ten pounds.

Penalty for preventing execution of Act.

45. If the occupier of any premises prevents the owner thereof, or if the owner or occupier of any premises prevents the officer of health, or the borough surveyor, or the Corporation or their contractors, agents, servants, or workmen, from carrying into effect with respect to the premises any of the provisions of this Act after notice of the intention so to do has been given to the occupier or, as the case shall be, to the owner, any justice on proof thereof may make an order in writing requiring the occupier to permit the owner, or, as the case shall be, requiring the owner or occupier, or both, to permit the officer of health, or the borough surveyor, or the Corporation, their contractors, agents, servants, and workmen, to do all things requisite for carrying into effect, with respect to the premises, the provisions of this Act, and if at the expiration of ten days after the service of such order of the justice the oocupier or owner fails to comply therewith, every person so offending shall for every day during which the failure continues forfeit not exceeding ten pounds; provided that during any such failure by the occupier, the owner, unless assenting thereto, shall not be liable to the forfeiture.

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Notice to be given of taking houses of labouring classes.

46. The Corporation shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notices placed in public view upon or within a reasonable distance from such houses, and the Corporation shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the Corporation have made known their intention to take the same in manner herein-before required.

Imposition and application of penalties.

47. Every penalty by this Act imposed, and every reference to justices in relation to any question in dispute, shall respectively be imposed, settled, and determined in the manner prescribed by the recited Acts, and such penalties shall be applied as other penalties are by the recited Acts authorised to be applied.

Appointment of officers.

48. The Corporation may from time to time appoint officers and servants for the purpose of carrying into effect the objects and purposes of this and the recited Acts, and it shall not be necessary annually to appoint any officers and servants already or hereafter to be appointed by the Corporation under any Act affecting the borough.

Penalties not cumulative.

49. Penalties imposed on the Corporation for one and the same offence by several Acts of Parliament shall not be cumulative, and for this purpose this Act and any Act incorporated wholly or in part with this Act shall be deemed several Acts.

No works affecting the Aire and Calder Navigation to be constructed without approval of Navigation.

50. In order to prevent the undertakers of the navigation of the rivers Aire and Calder from being injuriously affected by the works by this Act authorised to be made, be it enacted that the clauses of "The Leeds Improvement Amendment Act, 1848," which in the Queen's Printers' copy of the said Act are numbered respectively 16 to 21, both inclusive, 24, and 29 to 32, both inclusive, shall extend to the works by this Act authorised to be made, and to every act to be done by the Corporation by virtue of this Act, as fully and effectually in all respects as to the sewerage and works authorised by the said "Leeds Improvement Amendment Act, 1848," or any Act incorporated therewith.

Saving rights of the Aire and Calder Navigation.

51. Save as in this Act expressly provided, nothing in this Act contained shall take away, lessen, prejudice, alter, or affect any of the estates, rights, privileges, property, powers, or authorities of the undertakers of the navigation of the rivers Aire and Calder in the county of York.

Notices.

52. Where by the Act of 1866 any notice as to any license therein authorised to be granted by justices is required to be given to the town clerk, such notices shall hereafter be given to the clerk of the justices instead of to the town clerk.

Expenses of Act.

53. All the expenses of applying for and obtaining this Act, and incidental thereto, shall be paid by the Corporation out of the moneys to be raised hereunder.

The SCHEDULE to which the foregoing Act refers.

Lands for the Purposes of the Gas Supply.

The lands, houses, tenements, and hereditaments in the township of Hunslet, in the parish and borough of Leeds, in the west riding of the county of York, situated and lying between and in an area bounded as follows, that is to say, by a line commencing at a point on the south side of Goodman Street, where that street joins the towing-path of the Aire and Calder Navigation, thence proceeding westerly along the south side of Goodman Street for a distance of three hundred and thirty-seven yards, or thereabouts, to the junction of that street with Forster Street, thence in a south-westerly direction for a distance of fifteen yards, or thereabouts, along the south-east side of Forster Street to the centre of Calder Street, thence in a south-easterly direction along the centre of Calder Street for a distance of forty-two yards, or thereabouts, to a point opposite the north-east boundary wall of tenements belonging to Mark Bateson, thence in a south-westerly direction across part of Calder Street for five yards, or thereabouts, to the south-east corner of said tenements, thence in a straight line from the last-mentioned point, in a southerly direction, for a distance of two hundred and twenty-two yards, or thereabouts, to the north corner of the maltkiln belonging or reputed to belong to John Varley and Samuel Varley, and in the occupation of Richard Dobson, thence along the north-eastern side of that maltkiln and wall adjoining thereto for a distance of fifty-six yards, or thereabouts, to property belonging or reputed to belong to Ellen Newsome, thence along the north-west boundary of her property for two feet, or thereabouts, thence in an easterly direction for a distance of sixty yards, or thereabouts, along the north boundary of garden ground belonging or reputed to belong to John Hudson, to the north-west corner of a property belonging or reputed to belong to the representatives of the late Joshua Bower, thence along the northern boundary of said property for a distance of twenty-seven yards, or thereabouts, to the western boundary of land belonging or reputed to belong to Benjamin Johnson, thence along said western boundary and the northern boundary of the said land for a distance of one hundred and sixteen yards, or thereabouts, to the north-

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eastern corner of the same land, thence in a straight line from said north-eastern corner in an easterly direction for one hundred and seven yards, or thereabouts, to the western side of a public footpath leading from Old Mill Lane to the towing-path of the Aire and Calder Navigation, at a point on that footpath twenty-two yards, or thereabouts, north-west of the north corner of the modern portion of the Hunslet Old Mills, belonging or reputed to belong to the undertakers of the Aire and Calder Navigation, and in the occupation of John Lister and Thomas Lister, and used as a spinning-mill, and thence in a northerly direction for one hundred and four yards, or thereabouts, along the west side of the said footpath till that footpath joins the said towing-path, and thence in a northerly direction along the western side of the said towing-path for two hundred and seventy-one yards, or thereabouts, to the said first-mentioned point on the south side of Goodman Street, where that street joins the towing-path of the said Aire and Calder Navigation, from which itcommenced.

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