CHAPTER cxvi.

An Act to confer further powers upon the mayor aldermen and citizens of the city of Leicester with reference to their gas water and markets undertakings and for other purposes. A.D. 1921.

[19th August 1921.]

WHEREAS the city of Leicester (in this Act called "the city") is a municipal borough subject to the Acts relating to municipal corporations and is a county borough within the meaning of the Local Government Act 1888 and the mayor aldermen and citizens of the city (in this Act called "the Corporation") acting by the council are the urban sanitary authority for the city:

And whereas the several local Acts and Provisional Orders confirmed by Parliament mentioned in the First Schedule to this Act are (save so far as any of them is amended by any later Act or Order among the same) in force within the city which Acts and Orders are hereinafter collectively referred to as "the former Acts" and each of them separately as an Act or Order of the year in which the same was passed or made:

And whereas the Corporation are the owners of the gas water and electric lighting undertakings of the city and under the powers of the former Acts or some of them supply gas and water within the city and within certain limits which respectively comprise certain parishes and places in the county of Leicester and it is expedient that the further powers which are contained in this Act with reference to the said gas and water undertakings should be conferred upon the Corporation and that the

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said limits for the supply of water should be extended as by this Act provided :

And whereas the Corporation are the owners of the markets and certain slaughter-houses in the city and their powers of charging in connexion with the cattle market and the hay market and the said slaughter-houses and (in certain respects) in connexion with the general market holden in the market place of the city are regulated by certain enactments but except as aforesaid they are not subject to any statutory restriction as to the charges which they may make in connexion with the said general market :

And whereas by an order dated the twenty-seventh day of August one thousand nine hundred and twenty and made by the Ministry of Health under the Statutory Undertakings (Temporary Increase of Charges) Act 1918 the maximum rates for the supply of water for domestic purposes by the Corporation as prescribed by the Act of 1847 and as amended by the Act of 1908 were increased by fifty per centum of the respective amounts thereof but such order will shortly cease to have effect :

And whereas in consequence of the increased cost of carrying on the water undertaking and the markets and slaughter-houses of the Corporation it is expedient that the powers of the Corporation of charging in connexion therewith respectively (so far as they are limited by statute) should be increased :

And whereas by the Act of 1897 the Corporation were empowered to establish a thrift fund but it has been found impracticable to put into force the powers so conferred and it is expedient that in lieu thereof the provisions contained in this Act with reference to the superannuation of officers and servants of the Corporation should be made :

And whereas by the Act of 1891 the boundaries of the city (then the borough of Leicester) were extended by the addition thereto of (inter alia) part of the parish of Knighton the parish or extra-parochial place of Freake's Ground part of the parish or extra-parochial place of Leicester Abbey lands and lordship and part of the parish of Braunstone all in the county of Leicester and it was provided by section 83 of that Act that (inter alia) the said parish and parts of parishes or extra-parochial places should be respectively exempt from any rate to be levied for the expenses of the Leicester

School Board unless and until at any time the Education Department in pursuance of the powers in that behalf contained in the Elementary Education Act 1870 should decide that further school accommodation was necessary in the said parish or parts of parishes or extra-parochial places and such accommodation should have been provided therein by the said school board in which case such exemption should cease to apply with respect to the said parish and parts of parishes or extra parochial places:

And whereas by an order of the council of the county borough of Leicester dated the thirtieth day of April one thousand eight hundred and ninety-five made under the Local Government Act 1888 and confirmed by the County Borough of Leicester Confirmation Order 1895 made by the Local Government Board on the ninth day of August one thousand eight hundred and ninety-five the said parish and parts of parishes or extra-parochial places were included in the parish of Leicester:

And whereas in consequence of the provision by the Corporation since the passing of the Act of 1891 of additional educational facilities which are available for those parts of the city which then formed the said parish and parts of parishes or extra-parochial places the justification for the exemption from rating conferred by the said section 83 of that Act has ceased to exist and it is expedient that the said section should be repealed:

And whereas the Corporation were by the Derwent Valley Water Act 1899 empowered to borrow for the purposes of the waterworks by that Act authorised to be constructed by them and the acquisition of lands therefor the sum of six hundred thousand pounds but owing to the increased cost of labour and materials the said sum will be insufficient for the construction of the said waterworks and the acquisition of the said lands and it is expedient that additional borrowing powers should be conferred upon the Corporation for the said purposes:

And whereas it is expedient that the Corporation should be empowered to borrow money for various purposes of this Act and further money for the general purposes of the said gas and water undertakings:

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And whereas it is expedient that certain of the provisions of the former Acts should be altered and amended and the powers thereof extended as in this Act provided :

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

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

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

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

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Leicester Corporation Act 1921.

Act divided into Parts.

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

Part I. Preliminary.
Part II. Gas.
Part III. Water.
Part IV. Markets and Slaughter-houses.
Part V. Superannuation.
Part VI. Finance.
Part VII. Miscellaneous Provisions.

Incorporation of Acts.

3. The following 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) :—

(1) The Waterworks Clauses Act 1847 except—

(A) The words "with the consent in writing of the "owner or reputed owner of any such house "or of the agent of such owner" in section 44;

(B) Sections 75 to 82 (with respect to the amount of profit to be received by the undertakers

when the waterworks are carried on for their benefit); and

(c) Section 83 (with respect to the yearly receipt and expenditure of the undertakers):

(2) The Waterworks Clauses Act 1863.

Interpretation.

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

"The city" means the city and county borough of Leicester:

"The Corporation," means the mayor aldermen and citizens of the city:

"The district fund" and "the general district rate" mean respectively the district fund and the general district rate of the city:

"The town clerk" "the treasurer" and "the surveyor" mean respectively the town clerk the treasurer and the surveyor of the city:

"The former Acts" means the Acts and Provisional Orders confirmed by Parliament relating to the city as set out in the First Schedule to this Act except any part of any such Acts or Orders repealed by any subsequent Act or Order and each of such Acts and Orders is in this Act referred to as the Act or the Order of the year in which the same was passed or made the Leicester Cattle Market Town Hall and Improvement Act 1866 and the Leicester (No. 2) Order 1891 being respectively referred to as "the Market Act of 1866" and "the No. 2 Order of 1891":

"The water Acts" means the Act of 1847 the Act of 1851 the Act of 1866 the Act of 1875 the Act of 1878 the Act of 1890 the Order of 1894 the Act of 1897 the Act of 1902 and the Act of 1908 so far as they respectively relate to water and the Derwent Valley Water Acts 1899 to 1920 so far as they relate to the Corporation:

"The gas undertaking" and "the water undertaking" mean respectively the gas undertaking

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and the water undertaking of the Corporation as authorised by the former Acts and by this Act :

"The water limits" means the limits within which the Corporation are for the time being authorised to supply water :

"Gas revenue" "water revenue" and "tramway revenue" mean respectively all moneys received by the Corporation in respect of the gas undertaking or the water undertaking or the tramway undertaking of the Corporation (as the case may be) other than borrowed moneys and other moneys which ought to be carried to the account of capital :

"Daily penalty" means a penalty for each day on which any offence is continued after conviction thereof :

"Statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 (Definitions) of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation.

PART II.

GAS.

Power to maintain gasworks and convert residual products.

5.—(1) Subject to the provisions of this Act the Corporation may upon the lands described in the Second Schedule to this Act erect maintain alter improve and renew gasworks with all necessary machinery and apparatus and do all such acts as may be proper for making and storing gas and for supplying gas within the limits for the time being for the supply of gas by them and may also upon the said lands work up and convert the residual products arising directly or indirectly from the manufacture of gas by them.

(2) The Corporation may also—

(A) Purchase the residual products arising from the manufacture of gas by other gas undertakers and therewith manufacture other products of the same kind as the Corporation are manufacturing from their own residual products Provided that the quantity of any residual product so purchased by the Corporation in any year shall not exceed one-third of the quantity of the like residual product which shall in that year arise directly or indirectly from the manufacture of gas by them; and

(B) Purchase from other gas undertakers and elsewhere and use the materials required to work up and convert the residual products so arising from their own manufacture of gas or purchased as aforesaid:

But the Corporation shall not manufacture chemicals exclusively from raw materials purchased from sources other than gas undertakings or in the manufacture of which the use of residual products produced by the Corporation or purchased from other gas undertakings is merely subsidiary.

As to construction and placing of gas pipes &c.

6. In order to enable the Corporation to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect:—

(1) The Corporation may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer on his own premises either in the first instance or on the occasion of any renewal between the Corporation's mains and the meter so far as such pipes and fittings are intended to be covered over:

(2) The Corporation may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time:

(3) The specification shall be published twice in some newspaper circulating within the limits of supply and a copy thereof shall be kept exhibited in the office of the Corporation:

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(4) Every meter to be used in a new building or a building not previously supplied with gas or in connexion with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the Corporation's main but within the outside wall of the building:

(5) When any such pipe or meter as aforesaid has been laid or placed notice thereof shall be given to the Corporation and the pipe shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Corporation Any officer of the Corporation duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend and inspect such pipes (with their fittings) and meter and if the officer is not permitted to make the inspection or if the pipes or fittings are not according to the Corporation's specification or if the meter is not placed as required by this section the Corporation may refuse to supply gas to the premises until the provisions of this section have been complied with:

(6) Any person to whom the Corporation refuse a supply of gas under the provisions of this section may appeal to a petty sessional court against such refusal and the court may after hearing the parties and considering any questions as to the reasonableness of the Corporation's specification make such order as seems to them proper in the circumstances and may order by which of the parties the costs of and incident to the appeal shall be paid.

As to pipes on premises of railway companies.

7. As respects any pipes to be laid on the premises of any railway company between the Corporation's mains and the meter the Corporation shall not under the powers of the section of this Act of which the marginal note is "As to construction and placing of gas pipes &c." specify any size less than an internal diameter of two inches.

Application of gas revenue.

8.—(1) The following enactments (that is to say):—
Section 36 (Application of gas revenue) of the Act of 1878;

Section 17 (Power to create gasworks renewal fund) of the Act of 1884;
Article IX. of the No. 2 Order of 1891; and
Section 47 (Reserve fund for gas undertaking) of the Act of 1913;

are hereby repealed and in lieu thereof the following provisions shall have effect namely:—

The Corporation shall apply the gas revenue as follows (that is to say):—

First In payment of the costs charges and expenses of and incidental to the collecting and recovering of the gas revenue;

Secondly In payment of the working and establishment expenses and cost of maintenance of the gas undertaking;

Thirdly In payment of the interest on so much of the Leicester Corporation four per cent. debenture stock created and issued under the provisions of the Act of 1878 and of the Leicester Corporation redeemable stock created and issued under the provisions of the Act of 1884 as was issued for the purposes of the purchase of or appropriated for the gas undertaking and as is for the time being outstanding;

Fourthly In payment of the interest on money borrowed or reborrowed on the security of the gas revenue for the purposes of the gas undertaking and for the time being outstanding;

Fifthly In providing the requisite instalments or appropriations to sinking fund or loans funds for the redemption of such portion as aforesaid of the said Leicester Corporation four per cent. debenture stock and Leicester Corporation redeemable stock and the repayment of money so borrowed or reborrowed as aforesaid;

Sixthly In providing a reserve fund if they think fit by setting aside such money as they from time to time think reasonable and investing the same at compound interest in or upon any statutory security and accumulating the same until the fund so formed amounts to one hundred and fifty thousand

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pounds which fund shall be applicable from time to time to answer any deficiency at any time happening in the income of the Corporation from the gas undertaking or to provide any new works plant or buildings for the purposes of the gas undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking or for any expenditure attendant upon or occasioned by any sudden accident to the gasworks of the Corporation or any works connected therewith and so that if that fund is at any time reduced it may thereafter be again restored to the sum of one hundred and fifty thousand pounds and so from time to time as often as such reduction happens;

Seventhly In providing if they think fit a renewal fund to be called "the Gasworks renewal fund" to provide for the renewal of their gasworks and mains by setting aside such money as they from time to time think reasonable and investing the same at compound interest in or upon any statutory security and accumulating the same until the fund so formed amounts to one hundred and fifty thousand pounds but so that if that fund is at any time reduced it may thereafter be again restored to the sum of one hundred and fifty thousand pounds and so from time to time as often as such reduction happens;

Eighthly In providing in accordance with the provisions of this Act the contributions to any gas accident fund which they may form under the authority of this Act:

The balance remaining in any year of the gas revenue after satisfying the foregoing provisions of this section and the annual proceeds of any such reserve fund gasworks renewal fund or gas accident fund as aforesaid when such funds respectively amount to the limit prescribed by this Act may be applied by the Corporation wholly or partly to any of the purposes of the gas undertaking including the formation of a fund (not at any time exceeding a sum equivalent to one-half of the gross annual revenue of the gas undertaking for the

time being) for working capital and if and so far as such balance and annual proceeds shall not be so applied the same shall be carried to the district fund.

(2) All sums which at the date of the passing of this Act formed part of the gasworks renewal fund established under the provisions of the Act of 1884 or of the reserve fund established under the provisions of the Act of 1878 as amended by the Act of 1913 shall be placed to the credit of and form part of the gasworks renewal fund and the reserve fund respectively referred to in subsection (1) of this section.

(3) Provided that nothing in this section shall alter or affect the provisions of section 37 (Application of water revenue) of the Act of 1878 as amended by any subsequent Act or Order.

PART III.

WATER.

Extension of water limits.

9. The limits within which the Corporation may supply water under the water Acts are hereby extended so as to include the following parishes townships and places in the county of Leicester (in this section referred to as " the additional water limits ") (that is to say) :—

In the rural district of Blaby—
The parishes townships and places of Cosby Croft Enderby Foston Huncote Kilby Narborough and Whetstone;

In the rural district of Billesdon—
The parishes townships and places of Great Stretton Little Stretton Great Glen Burton Overy Newton Harcourt and Wistow;

In the rural district of Market Harborough—
The parishes townships and places of Fleckney Kibworth Harcourt Kibworth Beauchamp and Smeeton Westerby:

And for the purposes of such supply and subject to the provisions of this Act the Corporation shall have and may exercise all the powers rights privileges and authorities and shall be subject to the same obligations as they now have and may exercise and are subject to under the provisions of the water Acts and those provi-

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sions so far as they are respectively in force at the passing of this Act shall subject to the provisions of this Act extend and apply to the additional water limits and the supply of water thereto :

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

Application of sections of Public Health Act 1875 to water under-taking.

10. For the purpose of enabling them to give a supply of water under the provisions of the water Acts and this Act or any of them the Corporation shall have and may exercise the powers which a local authority would have under section 54 of the Public Health Act 1875 with respect to the carrying of water mains within or without their district and in exercising the powers of that section any area within the water limits shall be deemed to be included in their district :

Provided that in the exercise of the said powers the Corporation shall be subject to the provisions of sections 308 327 328 329 and 332 of the Public Health Act 1875.

In the application of section 16 of the Public Health Act 1875 to the water undertaking the term "surveyor" in that section shall mean and be deemed to refer to the water engineer of the city.

Increase of domestic water rates.

11. As from the passing of this Act—

(A) Section 12 (Increased water charges) of the Act of 1908 shall be read and have effect as if the words "seven pounds ten shillings" were substituted in subsection (1) thereof for the words "two pounds ten shillings"; and

(B) The several rates and charges per annum specified in section 25 (Limiting amount of charge of water for waterclosets) of the Act of 1847 shall be increased by fifty per centum of the respective amounts thereof.

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Minister of Health may fix rates &c. for supply of water for domestic purposes.

12.—(1) The Minister of Health on the application of the Corporation may from time to time after local inquiry fix by order the rates and charges for a supply of water for domestic purposes and for baths and water-closets within the water limits Provided that the said Minister shall not fix any rate or charge for any portion of the water limits outside the city lower than the like rate or charge for the time being fixed for the city.

(2) The Corporation shall as soon as practicable after an order is made in pursuance of subsection (1) of this section cause the order to be published in two successive weeks in one or more local newspapers circulating in the water limits and the order shall come into operation on the quarter day next following the date of the last of the said publications.

(3) On and after the date on which any order made in pursuance of subsection (1) of this section comes into operation section 24 (Rates at which the company are to supply water) of the Act of 1847 as amended by section 12 (Increased water charges) of the Act of 1908 and by the section of this Act of which the marginal note is "Increase of domestic water rates" shall have effect as if—

(A) For the yearly rates payable under or by virtue of those sections there were substituted the rates and charges fixed by the order made as aforesaid; and

(B) Such other modifications were made in the said sections or any of them as are necessary to render the same applicable to any premises rates or charges specified in the said order.

(4) If at any time it is represented to the Minister of Health by the local authority of any district situated within or partly within the water limits that all or any of the rates and charges for a supply of water for domestic purposes fixed by the Minister of Health under this section should be revised the Minister may (subject to the provisions of subsection (1) of this section) after such inquiry as he shall think fit by order alter modify or reduce all or any of the said rates and charges and thenceforth such order shall be observed until the same is revoked or modified by an order of the Minister of Health made in pursuance of this section Before making any such representation the local authority shall give to the Corporation one month's notice in

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writing of their intention so to do and the Corporation may submit to the Minister objections to any such representation.

Dates for payment of water rates.

13.—(1) Notwithstanding anything contained in section 70 (Rates to be paid quarterly) of the Waterworks Clauses Act 1847 the Corporation may by resolution declare that their water rates and charges shall be payable at such date or dates as the Corporation may from time to time appoint:

Provided that no person shall be compellable to pay water rates or charges so demanded for any longer period in advance than three months.

(2) Notice of the effect of any such resolution as is referred to in subsection (1) of this section shall be given on the demand notes for water rates or charges issued by the Corporation next after the passing of such resolution.

Rates payable by owners of small houses.

14. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Corporation so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate.

Corporation may execute works for supply of water to other authorities.

15.—(1) In connexion with any agreement entered into whether before or after the passing of this Act pursuant to section 22 (Corporation may enter into agreements with sanitary authorities) of the Act of 1890 the Corporation may by arrangement with the sanitary authority party to that agreement execute works for the distribution and supply to consumers of the water supplied by the Corporation in bulk under that agreement upon the terms that the said sanitary authority shall either (A) repay to the Corporation on demand the cost incurred by them in so doing or (B) pay to the Corporation annually during such period (not being less than the period within which the Corporation are required to repay any moneys borrowed by them

under the provisions of this section for the purpose of defraying such cost) as may be agreed a sum not less than the annual amount required by the Corporation for payment of interest on and for making provision for repayment of the moneys so borrowed All such annual sums as aforesaid received by the Corporation shall be carried by them to the credit of the water revenue.

(2) For the purposes of any agreement entered into under the provisions of this section the Corporation shall have and may exercise all such rights powers and privileges as the sanitary authority party to that agreement would have had and enjoyed if they had themselves been the party executing the works referred to in the agreement.

(3) The Corporation may with the consent of the Minister of Health and upon such terms as to repayment as the said Minister may prescribe from time to time borrow at interest on the security of the water revenue and of the district fund and the general district rate or any of them such sum or sums of money as they may require for the purposes of any arrangement entered into pursuant to this section.

Amendment of section 155 of Derwent Valley Water Act 1899.

16. From and after the passing of this Act section 155 (As to supply to other authorities) of the Derwent Valley Water Act 1899 shall be read and have effect as if the words "seven per centum" had been inserted therein instead of the words "four per centum" Provided that nothing in this section shall alter or affect the terms of any agreement entered into pursuant to the said section and subsisting at the passing of this Act or the terms upon which the Corporation are at the passing of this Act supplying water to any other authority pursuant to that section.

Increase of charge for water supplied to Quorndon Urban District Council.

17. As from the passing of this Act section 11 (For protection of the Quorndon Local Board) of the Act of 1890 shall be read and have effect as if the sum of sixpence had been referred to in subsection (5) of that section instead of the sum of fourpence.

Amendment of section 27 of Act of 1847.

18. Notwithstanding anything contained in section 27 (Branch pipes to be laid down by the company) of the Act of 1847 the cost incurred by the Corporation in laying down and maintaining any such branch or

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communication pipe as is referred to in that section shall be borne and paid by the owner or occupier of the dwelling-house for the supply of which such branch or communication pipe was laid down and may be recovered by the Corporation from such owner or occupier in the same manner as water rates are recoverable by them Provided that nothing in this section shall entitle the Corporation to recover from any such owner or occupier as aforesaid the cost of laying down any branch or communication pipe which has been laid down before the passing of this Act.

For protection of railway companies.

19. The following provisions for the protection of the Great Northern Railway Company the Great Central Railway Company the London and North Western Railway Company the Midland Railway Company and the London and North Western and Midland Joint Committee (each of which companies and joint committee is in this section called "the company") shall unless otherwise agreed in writing between the Corporation and the company apply and have effect in the exercise of the powers of this Part of this Act (that is to say):—

(1) Whenever the Corporation shall require to construct lay down place repair alter or remove any mains pipes culverts or apparatus upon across under or so as to affect any railway for the time being belonging to or worked by the company or the stations bridges roads approaches or other works thereof they shall give to the engineer of the company twenty-one days' notice in writing of their intention to carry out any such works:

(2) Such works including the making good and repairing of any roads over any such railway and over any bridges and approaches and any roads giving access to their stations which the company may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Corporation shall be constructed and executed with all reasonable despatch at the expense of the Corporation under the superintendence (if given) and to the reasonable satisfaction of the said engineer and at such times and in such manner as he shall reasonably direct

and (except in cases of emergency) according to plans and sections to be previously submitted to and reasonably approved by him and so as not to interfere with the structure of any such bridge or to injure any such railway road station approach or other work or to cause any avoidable interruption to the passage or conduct of the traffic over such road or railway or to or from such station Any mains and pipes which shall cross any railway of the company otherwise than by means of a bridge shall be carried under such railway in a pipe or culvert of sufficient dimensions to admit of such mains and pipes being relaid or repaired without interference with such railway and the top of any such pipe or culvert shall in no case be nearer the bottom of the rails of the said railway than three feet :

(3) When the Corporation open break up or interfere with any road or the pavement or other work thereof belonging to or repairable by the company they shall reinstate and make good such road pavement or work and shall keep the same in good repair for three months after reinstatement and for such further time if any not exceeding nine months as there may be any subsidence of such road or pavement due to the works of the Corporation :

(4) If the Corporation make delay in completing any of such works as aforesaid including the reinstatement and making good of any such road pavement or work or neglect to keep the same in repair as aforesaid the company after giving notice in writing to the Corporation may cause the work so delayed or omitted to be executed and the reasonable expense of executing the same shall be repaid to them by the Corporation :

(5) The Corporation shall repay to the company the reasonable expense of any temporary works or watching necessary for the protection of any such railway or road or the traffic thereon during the carrying out of the works aforesaid :

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(6) If at any time it is found necessary in order to enable the company within the boundaries of their property as existing at the time of the laying by the Corporation of any main pipe or culvert to carry out any alterations widenings or extensions of their railway or works or any road diversions in connexion therewith that the position of such main pipe or culvert shall be altered or that such main pipe or culvert shall be extended the Corporation shall on receiving reasonable notice from the company so to do at their own cost with all despatch alter the position of or extend the same so far as may be necessary to enable the company to carry out such alterations widenings extensions or diversions and the provisions of this section shall apply to the said main pipe or culvert as altered or extended :

(7) If the company give to the Corporation notice that they themselves desire to construct or carry out so much of the works hereinbefore mentioned or so much of the said alterations or extensions of such mains pipes or culverts as will affect any railway or work belonging to them (other than the actual laying and jointing of mains pipes or culverts) the company may themselves execute such works alterations and extensions and recover the reasonable cost thereof from the Corporation :

(8) If by reason of the exercise of any of the powers of this Act any injury shall arise to any such railway station bridge road approach or other work thereof or interruption shall be caused to the traffic on the said railway or if by reason of any of the works of the Corporation or of any of the matters aforesaid extra expense shall be incurred by the company on account of the maintenance of any such railway station bridge road approach or other work the Corporation shall make full compensation in respect thereof to the company and in the event of any dispute as to the amount of such compensation the same shall be determined by arbitration in manner hereinafter provided :

(9) Any difference which may arise between the Corporation and the company under the provisions of this section shall unless otherwise agreed be settled by arbitration under the provisions of the Arbitration Act 1889 by an engineer to be appointed by the President of the Institution of Civil Engineers at the request of either party.

PART IV.

MARKETS AND SLAUGHTER-HOUSES.

Increase of stallages &c. at hay market.

20. The stallages rents tolls and charges which the Corporation may demand and receive in connexion with the hay market of the city (other than those chargeable for weighing) shall as from the passing of this Act be increased by one hundred per centum of the respective amounts thereof specified in the Third Schedule to the Act of 1865 and that Act and all other enactments relating to the said market shall be read and have effect accordingly.

Increase of tolls &c. at cattle market.

21. The tolls stallages rents and charges (including the additional or extra tolls and charges) which the Corporation may demand and receive in connexion with the cattle market of the city shall as from the passing of this Act be increased by one hundred per centum of the respective amounts thereof specified in the Fourth Schedule to the Market Act of 1866 and that Act and all other enactments relating to the said market shall be read and have effect accordingly.

Increase of tolls for weighing of cattle.

22. The tolls which the Corporation may demand and receive under the Markets and Fairs (Weighing of Cattle) Act 1887 in respect of the weighing of cattle shall as from the passing of this Act be not exceeding the amounts specified in the Third Schedule to this Act instead of the amounts specified in the first-mentioned Act.

Increase of tolls &c. at slaughter-houses.

23. The tolls and rents which the Corporation may demand and receive for the use of the slaughter-houses of the city shall as from the passing of this Act be increased by one hundred per centum of the respective

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As to stallages &c. at Saturday market.

24. Nothing in the former Acts or this Act shall affect or interfere with the right of the Corporation to charge in connexion with the Saturday market such stallages rents tolls and charges as they may from time to time think fit.

Byelaws as to slaughtering animals.

25. The Corporation may make byelaws as to the appliances to be used and the methods to be adopted and the conditions to be observed for or in connexion with the slaughtering of animals at slaughter-houses in the city and generally for securing the humane slaughtering of animals.

PART V.

SUPERANNUATION.

Superannuation scheme.

26.—(1) The Corporation shall cause to be framed and shall consider a scheme of superannuation for the payment of superannuation allowances to officers servants and workmen appointed by or in the employment of the Corporation and may by any such scheme provide for the establishment of a fund for the purposes thereof and determine—

(A) The class or classes of officers servants and workmen entitled to participate in such scheme;

(B) The scale of superannuation allowances and the ages at which and the circumstances under which the same shall be paid;

(C) The gratuities and other special allowances (if any) to be payable out of the said fund and the persons to whom and the circumstances under which the same are to be payable;

(D) The amounts to be contributed (whether by deduction from salaries or wages or otherwise) by the said officers servants and workmen;

(E) The mode of investment and application of the moneys from time to time standing to the credit of the said fund;

(F) The circumstances (if any) under which the whole or part of the contributions made by

any person to the said fund shall be returned to that person;

(G) The provision to be made for periodical actuarial investigation of the said fund (such periodical investigation being made not less frequently than quinquennially);

(H) The amount of the contributions to be made from time to time to the said fund by the Corporation;

(I) The manner in which and the funds out of which any deficiencies in the said fund are to be made good; and

(J) Generally any other matter which may be necessary or convenient for or in connexion with the said scheme or the efficient working thereof.

(2) No such scheme shall have any force or effect unless or until the same shall have been submitted to and approved by the Ministry of Health who may either disapprove or approve with or without modification any such scheme submitted to them by the Corporation.

(3) If and when any such scheme as aforesaid shall have been approved by the Ministry of Health the Corporation may carry the same into effect as approved and may apply their funds and the rates leviable by them for the purpose of any contributions by the Corporation to the said fund and for any other purpose of or connected with such scheme.

(4) Except so far as the Corporation may by resolution otherwise allow all officers servants and workmen receiving any appointment from or entering the employment of the Corporation at any time after the approval of any such scheme shall as from the date of their appointment or employment become and be contributors to the said fund and entitled to participate in the benefits of the said scheme.

(5) The Corporation may from time to time by resolution vary all or any of the provisions of any scheme which shall have been approved by the Ministry of Health as aforesaid but no such variation shall take effect unless or until the same shall have been similarly approved.

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Superannuation scheme to be registered with Registrar of Friendly Societies.

27. Any scheme under this Part of this Act shall not come into operation until such scheme shall have been registered as the rules of a society under the Friendly Societies Act 1896 and any amendment or variation of such scheme shall not be valid until so registered and the provisions of that Act (except the proviso to subsection (1) of section 8 and section 41) so far as they are applicable and are not inconsistent with the provisions of this Part of this Act or of any scheme made thereunder shall apply (A) as if such scheme were the rules of a society to which that Act applies (B) as if the Corporation were the trustees of such society (C) as if the superannuation fund were the funds of such society (D) as if the contributors to such fund were the members of such society and (E) as if the accounts of such fund as audited by the auditors of the Corporation were the annual return of the receipts and expenditure funds and effects required by section 27 of the said Act:

Provided that the powers of sections 70 71 73 78 and 79 of the said Act shall not be exercised without the consent of the Corporation and that the Corporation shall send to the registrar under the said Act a copy of any certificate or report of an actuary relating to any such scheme as aforesaid.

As to officers to be included in superannuation scheme.

28. For the purposes of the section of this Act of which the marginal note is "Superannuation scheme" the clerk to the magistrates and the assistant overseers may be included in any scheme made thereunder as if they were officers in the employment of the Corporation but the following persons shall not be so included:—

(A) Any officer or servant to whom the provisions relating to superannuation contained in the Police Act 1890 and the Acts amending that Act apply; and

(B) A person being a teacher entitled to superannuation under the School Teachers Superannuation Act 1918 or any Act or Acts amending the same other than a person who has ceased to be a teacher and who has become an officer or servant of the Corporation in some other capacity but such last-mentioned person shall not be entitled to any greater superannuation allowance from the Corporation than shall be

sufficient together with the superannuation allowance received by such person under the said Act of 1918 (after taking into account any capital sum received by him under the provisions of that Act) to make up the amount to which he would have been entitled had his whole service been in such other capacity.

PART VI.

FINANCE.

Expenses of execution of Act.

29. All expenses incurred by the Corporation in carrying into execution the provisions of this Act (except such expenses as are to be paid out of borrowed money) shall be paid as follows (that is to say) :—

(1) Expenses incurred for waterworks purposes out of the water revenue Provided that if in any year the water revenue be insufficient for the purposes to which it is applicable such deficiency shall be made up out of the district fund and the general district rate :

(2) Expenses incurred for purposes of the gas undertaking out of the gas revenue Provided that if in any year the gas revenue be insufficient for the purposes to which it is applicable such deficiency shall (subject to the provisions of the section of this Act of which the marginal note is "Application of gas revenue") be made up out of the district fund and the general district rate :

(3) Expenses incurred for all other purposes (not otherwise provided for in this Act) out of the district fund and the general district rate.

Power to borrow.

30.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment thereof and the payment of interest thereon they may mortgage or charge their revenues funds and rates and they shall pay off all moneys so borrowed within the respective periods mentioned in the third column of the said table which shall be deemed

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to be the prescribed periods for the purposes of the enactments incorporated with this Act (namely) :—

Purpose.	Amount.	Period for Repayment.
	£	
(A) For the extension renewal and replacement of mains and apparatus and the general purposes of the gas undertaking.	900,000	Thirty years from the date or dates of borrowing.
(B) For the extension renewal and replacement of mains and apparatus and the general purposes of the water undertaking.	320,000	
(C) For paying the costs charges and expenses of this Act as hereinafter defined.	The sum requisite.	Five years from the passing of this Act.

(2)—(A) The Corporation may also (in addition to the other powers of borrowing with such consent expressly conferred by this Act) with the consent of the Ministry of Health borrow such money as may be necessary for any of the purposes of this Act.

(B) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Ministry of Health and that period shall be the prescribed period for the purposes of the enactments incorporated herewith.

(C) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge such revenue fund or rate as may be prescribed by the Ministry of Health.

Increased borrowing powers of Corporation under Derwent Valley Water Act 1899.

31. Section 156 (Power to borrow) of the Derwent Valley Water Act 1899 shall be read and have effect as if there were inserted therein immediately after the words "six hundred thousand pounds" the words "and with "the consent of the Minister of Health such further sum "or sums as they may require" :

Provided that any sums borrowed with the consent of the said Minister under the said section 156 as amended by this section shall be repaid within such period as the said Minister in giving such consent may prescribe :

Provided also that any works which the Corporation may execute in substitution for but being of the same character as any of the works described in and authorised by the said Derwent Valley Water Act 1899 shall for the purposes of the said section 156 as amended by this section be deemed to have been authorised by that Act.

Certain provisions of Public Health Act as to borrowing not to apply.

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

Incorporation of certain provisions of Act of 1902.

33. The provisions of the following sections of the Act of 1902 (that is to say)—

Section 85 (Provision as to mortgages);
Section 86 (Security for principal moneys);
Section 87 (Saving for power to sell lands &c.);
Section 88 (Interest fund);
Section 89 (Application of interest fund);
Section 90 (Account of interest fund);
Section 93 (Method of repayment of principal moneys);
Section 94 (Moneys arising from sale of land to be paid to sinking fund);
Section 96 (Application of sinking fund);
Section 97 (Investment of sinking fund);
Section 98 (Account of sinking fund);
Section 99 (Payments to interest and sinking funds how to be provided);
Section 100 (Determination as to charge of moneys);
Section 101 (Power to re-borrow);
Section 102 (Application of money borrowed);
Section 104 (Return respecting sinking fund to Local Government Board) as amended by section 54 of the Act of 1908;
Section 106 (Corporation not to regard trusts);
Section 107 (Protection of lender from inquiry);

shall extend and apply to and in respect of the moneys to be borrowed under the provisions of this Act.

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As to temporary borrowing.

34.—(1) For the purpose of providing temporarily during any financial year for their current expenses and after the commencement of such year it shall be lawful for the Corporation to borrow by way of temporary loan or overdraft from any bank such sums as they may from time to time resolve not exceeding in the aggregate at any time an amount equal to one-fourth of the total aggregate amount of the before-mentioned expenses for the immediately preceding financial year Any amount so borrowed shall form a charge upon the rates or the revenue of any undertaking in respect of which it is borrowed as the same may be specified in the resolution of the Corporation authorising such borrowing pari passu with any Corporation stock bond or mortgage affecting the same And it shall further be lawful for the Corporation to utilise for providing temporarily for any such expenses any sinking funds which they may have in hand crediting the said sinking funds with such fair rate of interest not being less than the rate per centum per annum on which the equal annual payments to such sinking funds are based as they may resolve :

Provided that—

(A) All sums borrowed by the Corporation under this section in respect of the current expenses of any financial year shall be repaid in the case of moneys charged upon the revenue of any undertaking out of the revenue of that undertaking received by the Corporation in respect of such year and in any case within three months after the expiration of the financial year :

(B) The treasurer shall within forty-two days after the end of each financial year furnish to the Ministry of Health a special report showing precisely the operation of the powers of this section during such year and such report shall be in such form and shall contain such information as the Ministry shall approve or require :

(C) The Ministry of Health may make such investigation as may be necessary to satisfy themselves that the requirements of this section as to repayments have been complied with and if it appear to the Ministry by the said report or by such investigation that the

Corporation have failed to comply with the requirements of this section as to repayment the Ministry may by order suspend the operation of the powers of this section for such period as they may think fit.

(2) The provisions of this section shall cease to be in force at the expiration of five years from the thirty-first day of March one thousand nine hundred and twenty-two unless they shall have been continued by Act of Parliament or by an order made by the Minister of Health which order the Minister is hereby empowered to make and in the event of the Minister making any such order he is hereby empowered to make such modifications or amendments in the provisions of this section as may appear to him to be necessary.

Loans by friendly societies.

35. Notwithstanding anything contained in the former Acts or this Act or in any other Act—

(1) The Corporation may as security for any loan to them by a registered friendly society grant a mortgage or issue Corporation stock to such society in the names of the trustees of such society for the time being and may register in the names of the trustees of the society as such for the time being any mortgage or Corporation stock which is held at the passing of this Act by or shall thereafter be granted issued or transferred to any such society as aforesaid:

(2) On production to the Corporation of the certificate of the Registrar of Friendly Societies of the appointment of any new or additional trustee or trustees of any such society as aforesaid and of a certified copy of the resolution effecting such appointment the mortgage or stock held by that society shall devolve to such new or additional trustees together with any continuing trustee or trustees without the necessity of the transfer of such mortgage or stock by deed and the Corporation may thereupon amend their register of mortgages or of Corporation stock:

(3) Provided that nothing in this section shall alter or affect the operation of subsection (3) of section 61 (Nature of Corporation stock Notice of

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trusts) of the Act of 1884 or section 106 (Corporation not to regard trusts) of the Act of 1902.

Returns of receipts and expenditure of Corporation to be made by treasurer instead of by town clerk.

36. Notwithstanding anything contained in section 28 (Returns to Local Government Board) of the Municipal Corporations Act 1882 or in any other enactment the returns of receipts and expenditure or any other like returns which are by any such enactment required to be made by the town clerk (in addition to such returns as are referred to in section 54 (Treasurer instead of town clerk to make annual returns to Local Government Board) of the Act of 1908) shall be made by the treasurer instead of by the town clerk and the said enactments shall in their application to the Corporation be read and have effect accordingly.

Audit of accounts.

37. The provisions of the Municipal Corporations Act 1882 relating to the keeping and auditing of accounts and the accounts kept of sums of money received and paid under that Act shall extend to the keeping and auditing of accounts and to the accounts kept of sums of money received and paid under this Act.

PART VII.

MISCELLANEOUS PROVISIONS.

Repeal of section 83 of Act of 1891.

38. As from the passing of this Act section 83 (Knighton &c. not to be rated for school board purposes until school accommodation required) of the Act of 1891 shall be and the same is hereby repealed.

Increase of amount of accident fund.

39. From and after the passing of this Act section 57 (Power to create accident fund) of the Act of 1908 shall be read and have effect as if the sum of fifty thousand pounds had been therein referred to instead of the sum of twelve thousand pounds.

Power to create accident funds in connexion with various undertakings.

40.—(1) The Corporation may if they think fit form in connexion with the tramway undertaking the gas undertaking the water undertaking the electricity undertaking and the fire brigade of the city respectively or any of them funds to be called "the tramway accident fund" "the gas accident fund" "the water accident fund" "the electricity accident fund" and "the fire brigade accident fund" to provide for meeting claims upon

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them otherwise than under the Employers' Liability and Workmen's Compensation Acts in respect of any accident occurring in the execution of any of their powers or duties in connexion with the said undertakings and fire brigade respectively.

(2) The said funds shall be formed by annually appropriating thereto out of the district fund or out of the revenues (if any) of the said respective undertakings such sums as the Corporation may think fit not exceeding the respective amounts specified in the second and third columns of the next following table and the sums so appropriated shall be invested as separate funds at compound interest in or upon any statutory securities and accumulated until the funds amount to the respective sums specified in the fourth column of the said table (that is to say):—

Fund.	Annual appropriation from district fund.	Annual appropriation from revenue of undertaking.	Maximum amount of fund.
	£	£	£
Tramway accident fund -	—	2,000	100,000
Gas accident fund - -	—	2,000	100,000
Water accident fund -	—	1,000	20,000
Electricity accident fund -	—	2,000	100,000
Fire brigade accident fund -	1,000	—	20,000

Provided that the Corporation may from time to time or at any time resort to any of the said funds for any purpose mentioned in this section for which that fund is applicable as aforesaid notwithstanding that that fund shall not then have reached or shall have been reduced below the maximum amount specified with reference thereto in the fourth column of the said table and if any of the said funds be reduced at any time it may in manner provided by this section be restored to the maximum amount applicable thereto as aforesaid.

Power to define future line of existing streets.

41.—(1) Where any street or road repairable by the inhabitants at large or any part of such street or road is in the opinion of the Corporation narrow or inconvenient or without any sufficiently regular line of frontage or where in their opinion it is necessary or desirable that the line of frontage should be altered the Corporation may

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from time to time prescribe and define what shall thereafter be the line of frontage to be observed on either side of such street or road The line which in any case the Corporation propose to prescribe and define shall be distinctly marked and shown on a plan to be signed by the town clerk and deposited with the surveyor and such plan shall be at all reasonable times thereafter open for the inspection of the public without charge and one month at least before the Corporation formally prescribe and define the line they shall give notice in writing of the deposit of the said plan and of the liabilities imposed by this section to every occupier and to every owner interested whose name and address they can ascertain and in cases where such name and address cannot be ascertained by affixing such notice to or on the premises No new building erection excavation or obstruction (being of a permanent character) shall be made or placed nearer to the centre of the street or road than such line.

(2) If after an order prescribing a line of frontage shall have been made by the Corporation it becomes necessary that the existing line of frontage shall be set back to the line prescribed the Corporation shall thereupon make to the owner of and all other persons interested in any land or building the line of frontage of which shall have been set back and to the owner of and all other persons interested in any adjoining land or building that shall be affected thereby full compensation for all loss damage or injury (if any) that may be sustained in consequence of the line of frontage having been so set back.

(3) The compensation payable to the owner of and all other persons interested in the land or buildings lying between the prescribed line and the street shall include such a sum as would be payable by the Corporation for such land or buildings if they had purchased the same.

(4) In any case when compensation shall have been paid as aforesaid in respect of any land lying between the prescribed line and the street such land shall for all purposes be deemed to be part of the street and the Corporation shall have the same rights and interests with respect to such land as they have with respect to the street of which it will form part.

(5) In estimating the amount of compensation or purchase money to be paid by the Corporation under

this section the benefits accruing to the person to whom the same shall be paid by reason of the widening or improvement of the street or road shall be fairly estimated and shall be set off against the said compensation or purchase money.

(6) If after any such line has been defined and prescribed as aforesaid any person offends against the provisions of this section he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Elevation of buildings erected on front lands to be subject to approval of Corporation.

42.—(1) All buildings or parts of buildings which may in future be erected on the site of any building or on any land which site or land in consequence of any improvement made after the passing of this Act by the Corporation becomes front land shall be erected according to such elevation as the Corporation approve and if the owner lessee or occupier of any building or land which on the making of any such improvement acquires a frontage to the street makes any door or entrance opening upon or communicating with the street or any wall or fence by the side of the street every such owner lessee or occupier shall make the building wall or fence in a line and the elevation thereof fronting to or towards the street in accordance with a drawing approved by the Corporation and in case the Corporation for a space of six weeks after any drawing of such elevation is submitted to them neglect to notify their determination in writing with reference thereto they shall be deemed to have approved thereof.

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

(3) The Corporation shall make compensation to the owner of any building or land for any loss or damage which he may suffer by reason of the setting back or bringing forward of such building wall or fence.

Saving for railway companies.

43. Nothing in the sections of this Part of this Act of which the marginal notes are respectively "Power to define future line of existing streets" and "Elevation of buildings erected on front lands to be subject to approval of Corporation" shall apply to any work constructed or to be constructed by any railway company as a part of or for the purposes of their railway under any statutory powers or to any lands held or acquired

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or which may hereafter be held or acquired by any such company and used for the purposes (other than for a dwelling-house) of their railway with the authority of Parliament.

Vehicles at railway stations.

44. The provisions of the Town Police Clauses Acts 1847 and 1889 and the byelaws in force with respect to hackney carriages and other public vehicles shall be as fully applicable in all respects to hackney carriages and other public vehicles standing or plying for hire at any railway station or railway premises within the city as if such railway station or railway premises were a public stand for public vehicles or a street :

Provided always that the provisions of this section shall not apply to any vehicle belonging to or used by any railway company for the purpose of carrying passengers and their luggage to or from any of their railway stations or to the drivers or conductors of such vehicles :

Provided also that nothing in this section shall empower the Corporation to fix the site of the stand or starting place of any hackney carriage or other vehicle in any station or yard of any railway company without the consent of that company.

Power to lay sewers pipes &c. over or under canals and navigations.

45. In addition to any other powers exercisable by them the Corporation shall have and may exercise with respect to any canal or navigation within the city or elsewhere within their limits for the time being for the supply of gas the like rights of placing laying maintaining and using across over or under the same sewers and drains and mains pipes and apparatus in connexion with or for the purposes of the gas undertaking as they have with respect to any highway within the city or within the said limits Provided that in exercising the powers of this section the Corporation shall not interrupt or injuriously affect the navigation upon any such canal or navigation :

Provided also that the Corporation shall give to the proprietors of any canal or navigation with reference to which they intend to exercise the powers of this section notice in writing of such their intention not less than three clear days before beginning the work except in cases of emergency arising from defects in any of the sewers drains mains pipes or apparatus of the Corporation and then so soon as is possible after the beginning

of the work or the necessity for the same shall have arisen and that the said powers shall not be exercised with reference to any canal or navigation (except in such cases of emergency as aforesaid) except under the superintendence (if the same be given) of the proprietors thereof or their officer or otherwise than according to such plan and section as shall be approved of by such proprietors or their officer or in case of difference respecting such plan and section then according to such plan and section as shall be determined under and in accordance with the provisions of the Arbitration Act 1889 by an arbitrator to be appointed on the application of either party (after notice in writing to the other of them) by the Minister of Transport.

Repeal of limit of library rate.

46. So much of section 22 (Increasing and extending public library rate for purposes of art gallery) of the Act of 1884 as limits the amount of the rate to be levied by the Corporation for the purposes of the free libraries museum and art gallery is hereby repealed.

Byelaws requiring covering over of meat &c. during conveyance through streets.

47. The Corporation may from time to time make byelaws requiring the covering over of meat or other articles intended for the food of man while being conveyed through or along any street.

Houses infested with vermin to be cleansed.

48.—(1) If the medical officer or the inspector of nuisances has reasonable cause to believe that any house is infested with vermin he may enter on such house and may inspect and examine the same and any article therein for the purpose of ascertaining whether such house is infested with vermin.

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

(3) If the person to whom such notice is given fails to comply therewith within the time therein specified he

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shall be liable on summary conviction to a fine not exceeding ten shillings for every day during which he makes default in complying with the requirements of such notice and the Corporation may if they think fit at any time after the expiration of the period specified in the notice themselves do any work required by the notice to be done and all reasonable costs and expenses incurred by the Corporation in so doing shall be recoverable summarily as a civil debt from the person making the default.

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

(5) Upon any proceedings under this section the court may inquire as to whether any requirement contained in any notice given or any work done by the Corporation was reasonable and as to whether the costs and expenses incurred by the Corporation in doing such work or any part thereof ought to be borne wholly or in part by the person to whom notice was given and the court may make such order concerning such costs and expenses or their apportionment as appears to the court to be just and equitable under the circumstances of the case.

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

As to filthy premises.

49.—(1) If the owner of any dwelling-house or premises occupied therewith represents to the Corporation that the occupier of such dwelling-house or premises habitually maintains the same in a filthy condition any officer of the Corporation duly authorised in that behalf may enter upon such dwelling-house or premises and inspect the same and if such officer is satisfied of the truth of the representation of such owner the occupier shall be liable on the information of the medical officer to a court of summary jurisdiction to be ordered to quit the dwelling-house or premises within such time as may be specified in the order and any such order may be enforced in the manner provided by section 34 (Summary order to do act other than a payment of money) of the Summary Jurisdiction Act 1879.

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(2) Any expenses incurred by the Corporation under this section and not paid by the occupier shall be recoverable from the owner of the dwelling-house or premises.

Confirmation of byelaws.

50. The provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to all byelaws made by the Corporation under the powers of this Act.

In executing works instead of owner Corporation only liable for negligence.

51. Whenever the Corporation or the surveyor under any enactment or byelaw for the time being in force within the city execute re-execute or alter any work or do any act or thing in default or at the request of the owner occupier or other person required to do such work act or thing the Corporation shall not as between themselves and such owner occupier or other person in the absence of any negligence on the part of the Corporation or the surveyor or of any contractor or other person employed by them or him be liable to pay any damages penalties costs charges or expenses for or in respect of or consequent upon the executing re-executing or altering of such work or the doing of such act or thing and any such damages penalties costs charges or expenses paid by the Corporation in the absence of negligence as aforesaid shall be deemed to be part of the expenses payable by such owner occupier or other person and shall be recoverable accordingly.

Judges not disqualified.

52. A judge of any court or a justice shall not be disqualified from acting in the execution of the former Acts or this Act or in any proceedings with respect to the recovery of any rate or otherwise by reason of being liable to such rate.

Application of section 265 of Public Health Act 1875.

53. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall with all necessary modification extend and apply to the purposes of this Act and of the former Acts as if that section were in terms enacted in those Acts respectively.

As to breach of conditions of consent of Corporation.

54. Where under this Act or under any general or local Act for the time being in force in the city the Corporation approve or give their consent to the execution of any work or the doing of any act or thing subject to any terms or conditions which they are authorised to

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impose any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required approval or consent.

Recovery of penalties &c.

55. Save as otherwise expressly provided all offences against this Act or the former Acts and all penalties forfeitures costs and expenses imposed or recoverable under this Act or the former Acts or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Damages and charges to be settled by court.

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

Recovery of demands.

57. Proceedings for the recovery of any demand made under the authority of this Act or the former Acts or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Compensation how to be determined.

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

Powers of Act cumulative.

59. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Corporation or such committee as the case may be may exercise such other powers and shall be entitled to

such other rights and remedies as if this Act had not been passed Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

Saving for indictments &c.

60. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act Provided that nothing in this Act shall make a person liable to be punished more than once for the same offence.

Saving rights of Duchy of Lancaster.

61. Nothing contained in this Act shall extend or operate to 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 His Majesty in right of His 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 exercisable by His Majesty His heirs or successors in right of His said duchy.

Crown rights.

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

Costs of Act.

63. All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto as taxed by the Taxing Officer of the House of Lords or of the House of Commons shall be paid by the Corporation (A) as to one-fourth thereof out of the tramway revenue as to one-fourth thereof out of the gas revenue as to one-fourth thereof out of the water revenue (and if and so far as such revenues or any of them shall be insufficient then out of the district fund or general district rate) and as to the remaining one-fourth thereof out of the district fund or general district rate or (B) out of moneys to be borrowed for that purpose under this Act.

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The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

ACTS AND ORDERS RELATING TO THE CITY.

Session and Chapter.	Description or Short Title.
9 Vict. c. xxix. - -	An Act for improving the Borough of Leicester.
10 & 11 Vict. c. cclxxxii.	The Leicester Waterworks Act 1847.
11 Vict. c. ii. - -	The Leicester Cemetery Act 1848.
14 Vict. c. ii. - -	The Leicester Sewerage Act 1851.
14 Vict. c. xxxiii. -	The Leicester Waterworks Amendment Act 1851.
23 Vict. c. v. - -	The Leicester Gas Act 1860.
23 Vict. c. xxii. - -	The Leicester Cemetery Amendment Act 1860.
28 Vict. c. vii. - -	The Leicester Lunatic Asylum and Improvement Act 1865.
29 Vict. c. xxvi. - -	The Leicester Cattle Market Town Hall and Improvement Act 1866.
29 Vict. c. xxvii. - -	The Leicester Waterworks Act 1866.
31 Vict. c. xxiv. - -	The Leicester Improvement Drainage and Markets Act 1868.
33 Vict. c. iv. - -	The Leicester Lunatic Asylum Act 1870.
36 Vict. c. xi. - -	The Leicester Gas Act 1873.
37 & 38 Vict. c. lxii. -	The Leicester Improvement Act 1874.
37 & 38 Vict. c. clxxxii.	A Provisional Order relating to the Borough of Leicester confirmed by the Local Government Board's Provisional Orders Confirmation Act 1874 (No. 5).
38 & 39 Vict. c. xcii. -	The Leicester Waterworks Act 1875.
39 & 40 Vict. c. xxvi. -	The Leicester Improvement Act 1876.
40 & 41 Vict. c. cl. -	The Leicester Gas Act 1877.
41 & 42 Vict. c. cxxxii.	Leicester Corporation Gas and Water Transfer Act 1878.
42 & 43 Vict. c. cc. -	The Leicester Corporation Act 1879.
44 & 45 Vict. lxxii. -	The Leicester Improvement Act 1881.
47 & 48 Vict. c. xxxii. -	The Leicester Corporation Act 1884.
53 & 54 Vict. c. xxxvi.	The Leicester Corporation Waterworks Act 1890.
53 & 54 Vict. c. lxxxiv.	Provisional Order for altering the Leicester Corporation Act 1884 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1890.

Session and Chapter.	Description or Short Title.
53 & 54 Vict. c. cxcii. -	The Leicester Electric Lighting Order 1890 confirmed by the Electric Lighting Orders Confirmation (No. 7) Act 1890.
54 & 55 Vict. c. c. -	The Leicester Extension Act 1891.
54 & 55 Vict. c. ccxi. -	Provisional Order [Leicester Order] for altering the Leicester Improvement Drainage and Markets Act 1868 and a Provisional Order [Leicester Order (No. 2)] for altering the Leicester Corporation Gas and Water Transfer Act 1878 both of which Orders were confirmed by the Local Government Board's Provisional Orders Confirmation (No. 14) Act 1891.
56 & 57 Vict. c. cxx. -	Provisional Order for altering the Leicester Corporation Act 1884 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1893.
57 Vict. c. xxii. - -	The Leicester Order 1894.
58 & 59 Vict. c. xl. -	The Leicester Order 1895.
59 & 60 Vict. c. cxi. -	The Leicester Order 1896.
60 & 61 Vict. c. ccxviii.	The Leicester Corporation Act 1897.
62 & 63 Vict. c. cxlv. -	The Leicester Order (No. 1) 1899. The Leicester Order (No. 2) 1899. The Leicester Order (No. 3) 1899.
62 & 63 Vict. c. cclxix.	The Derwent Valley Water Act 1899.
63 & 64 Vict. c. clxxvi.	The Leicester Order 1900.
1 Edw. VII. c. xli. -	The Leicester Order 1901. The Leicester Order (Sewage Lands) 1901.
1 Edw. VII. c. lxxx. -	The Derwent Valley Water Act 1901.
2 Edw. VII. c. clxxvii.	The Leicester Corporation Act 1902.
4 Edw. VII. c. cxcvi. -	The Derwent Valley Water Act 1904.
5 Edw. VII. c. cvi. -	The Leicester Order 1905.
8 Edw. VII. c. lvi. -	The Leicester Corporation Act 1908.
9 Edw. VII. c. lxiii. -	The Derwent Valley Water Act 1909.
2 & 3 Geo. V. c. cxxvii.	The Leicester Order 1912.
3 & 4 Geo. V. c. lxxxvi.	The Leicester Corporation Act 1913.
9 & 10 Geo. V. c. cii. -	The Leicester Corporation Act 1919.

THE SECOND SCHEDULE.

DESCRIPTION OF GAS LANDS.

Lands belonging or reputed to belong to the Corporation having an area of 81 acres or thereabouts situate in the city and parish of Leicester and bounded on the north by lands belonging or reputed to belong to Messrs. W. and A. Bates Limited on the north-east partly by land belonging to the Corporation and partly by the River Soar on the south-east by the Leicestershire and Northamptonshire Union Canal to the bridge over the said canal at Aylestone Mills on the south partly by lands belonging or reputed to belong to Mrs. Catherine Sybil Eyres-Monsell and partly by the River Biam and on the west by the Great Central Railway which lands comprise the whole of the inclosures respectively numbered 1041 1042 1045 1046 1047 1048 1049 1069 1070 1071 1075 1076 1077 and portions of the inclosures respectively numbered 1044 1069A 1072 1078 1079 and 1080 on the $\frac{1}{2500}$ scale Ordnance map (1914 edition) (Leicestershire sheet No. XXXVII. 2).

THE THIRD SCHEDULE.

TOLLS FOR WEIGHING OF CATTLE.

For every head of cattle other than sheep or swine - - -	4*d.*
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