SUPPLIED FOR THE PUBLIC SERVICE

CHAPTER lxxxii.

An Act for extending the Boundaries of the Borough of Pontefract, in the West Riding of the County of York, and for transferring the powers of the Pontefract Street Commissioners to the Mayor, Aldermen, and Burgesses of the Borough; and for other purposes. [29th June 1875.] A.D. 1875.

WHEREAS the town of Pontefract in the west riding of the county of York is a municipal borough under the government of the mayor, aldermen, and burgesses thereof, subject and according to the Acts relating to municipal corporations and sanitary authorities, the number of the aldermen being four and that of the councillors twelve, and the borough not being divided into wards for municipal purposes:

And whereas the borough has a separate commission of the peace, with a clerk of the peace, and a separate court of quarter sessions, and a recorder, and a borough court of record, and a coroner, and a separate police force:

And whereas it would be of great advantage to the town and to the neighbourhood thereof if the limits of the municipal borough were extended as in this Act provided, and it is expedient that the borough as so extended be divided into three wards, and that the number of the aldermen and councillors be increased:

And whereas in 1780, in the twentieth year of the reign of King George the Third, an Act was passed intituled as follows; (namely,) "An Act for dividing the Park of Pontefract in the "county of York, and for other purposes therein mentioned," which Act is in this Act called the Park Act of 1780:

And whereas by the Park Act of 1780 a certain portion or allotment of land containing 325 acres, part of a large tract of land called Pontefract Park, and situate near the town of Pontefract

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and within the royal manor of Tanshelf-cum-Carleton, was vested in the following body of trustees; (namely,) thirty-three male inhabitants of the township of Pontefract of the age of twenty-one years or upwards whose respective estates should be the highest assessed to the poor rates within that township, and four male inhabitants of the township of Tanshelf of the age aforesaid whose estates should be highest assessed to the poor rates within that township, in trust for and for the sole benefit of the inhabitants of the townships of Pontefract and Tanshelf for the time being for ever, and to be held, used, and enjoyed by the said inhabitants in the manner and form, and subject to the conditions, regulations, and restrictions therein contained and provided:

And whereas in 1810, in the fiftieth year of the reign of King George the Third, an Act was passed intituled as follows; (namely,) "An Act for paving and otherwise improving the streets and "other publick passages within the town of Pontefract in the "county of York, for better supplying the said town with water, "and for altering and amending an Act passed in the twentieth "year of His present Majesty, intituled 'An Act for dividing the "'Park of Pontefract in the county of York, and for other "'purposes therein mentioned,'" which Act is in this Act called the Improvement Act of 1810:

And whereas by the Improvement Act of 1810 it was enacted that the thirty-three persons inhabitants of Pontefract, and such of the four persons inhabitants of Tanshelf, as were owners of houses in Pontefract, being trustees of the park as aforesaid, should be Commissioners for carrying the Improvement Act of 1810 into execution (which Commissioners are in this Act referred to as the Street Commissioners):

And whereas by the Improvement Act of 1810 the Street Commissioners were authorised to repair and improve and light streets and highways within the township of Pontefract, to make new streets, to appoint watchmen, to construct drains, to lay down pipes and conduits, to supply water to the inhabitants free of charge, to levy rates, and to borrow money:

And whereas by the Improvement Act of 1810 it was enacted that, in order that the advantages arising from the park might be more equally distributed, the Park Trustees should, out of money arising under the Park Act of 1780, pay the sum of forty-five pounds yearly to the Street Commissioners, to be laid out by them in and for the purposes of the Improvement Act of 1810, and should also pay the sum of five pounds ten shillings yearly to the Surveyors of Highways of the township of Tanshelf, to be laid out by them in

paving, repairing, and amending streets and pavements within that township:

And whereas by the Pontefract Park Trustees and Street Commissioners Act, 1869 (in this Act called the Park and Improvement Act of 1869), the Park Trustees and the Street Commissioners were incorporated as separate bodies corporate, by the respective names of the Pontefract Park Trustees and the Pontefract Street Commissioners, and further powers were conferred on them, and the Park Act of 1780 and the Improvement Act of 1810 were amended:

And whereas it would be of great advantage to the town and the neighbourhood thereof if all powers exerciseable within the borough in relation to street improvements and sanitary and other matters were clearly vested in one body, and it is therefore expedient that such powers and rights as now remain in the Pontefract Street Commissioners, or the Surveyors of the Highways of the township of Tanshelf, be transferred to the mayor, aldermen, and burgesses, acting by the Council, being the sanitary authority for the borough, and be vested in them, and be exerciseable over all parts of the extended borough, in addition to the powers belonging to them as such sanitary authority, and that the corporation of the Street Commissioners be dissolved:

And whereas under the herein-before recited Park Act of 1780 the lands lying within the townships, districts, or places of Pontefract Park and Pontefract Park District, as to the rates herein-after mentioned have not as to some such lands been liable at all, and as to others only in part, and it is therefore just and equitable that some deduction should be made in the amount to which the same should be rated under the powers of this Act:

And whereas at a meeting of the Council of the borough of Pontefract, held after ten clear days notice by public advertisement of such meeting, and of the purpose thereof, in the Pontefract Telegraph newspaper (a local newspaper published and circulating in the borough), such notice being in addition to the ordinary notices required for summoning such meeting, a resolution was passed by an absolute majority of the whole number of the Council for the promotion of the Bill for this Act:

And whereas that resolution was published twice in the Pontefract Telegraph newspaper (a newspaper circulating in that borough), and received the approval of one of Her Majesty's Secretaries of State and of the Local Government Board:

And whereas the propriety of the promotion of the Bill was confirmed by such an absolute majority as aforesaid at a further

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special meeting of the Council held in pursuance of a like notice on a day not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the promotion of the Bill had the consent of the owners and ratepayers of the borough of Pontefract, expressed by resolution in the manner provided in the Local Government Act, 1858, for the adoption of that Act:

And whereas the objects aforesaid 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.

1. This Act may be cited as The Pontefract Borough Extension Act, 1875.

Interpretation of terms.

2. In this Act—

"The existing borough" means the municipal borough of Pontefract as it existed immediately before the passing of this Act:

"The added part of the borough" means the townships, districts, and other places added to the existing borough by this Act:

"The borough," used without qualification, or "the extended borough," means the existing borough with the added part of the borough:

"The Corporation" means the mayor, aldermen, and burgesses of the existing borough or extended borough (as the case may require):

"The Municipal Corporations Acts" means the Act of the session of the fifth and sixth years of King William the Fourth (chapter seventy-six), "to provide for the regulation "of municipal corporations in England and Wales," and all Acts amending the same or otherwise relating to municipal corporations in England:

"The Sanitary Acts" means the Acts so described in the Public Health Act, 1872, and any Act for the time being in force amending or extending the same.

Commencement of Act.

3. For the purposes of proceedings preliminary to the municipal elections of November 1875, this Act shall take effect on its passing, and except for those purposes this Act shall commence and take effect from and immediately after the 31st day of October 1875 (which last-mentioned time is in this Act referred to as the commencement of this Act).

Extension of borough.

4. Subject to the provisions of this Act, the boundaries of the borough of Pontefract are hereby extended so as to comprise, and the borough shall accordingly comprise, in addition to the existing borough, the several townships, districts, and other places following; (that is to say,)

Tanshelf, Monkhill, Pontefract Park, Pontefract Park District, Castle Precincts, and the two detached portions of the township of Pontefract, bounded respectively on the north by the townships of Pontefract Park District and Tanshelf, on the east by the townships of Tanshelf and Carleton, on the south by the townships of Purston Jaglin and East Hardwick, and on the west by the townships of Featherstone and Purston Jaglin, all in the west riding of the county of York, and the inhabitants of the townships, districts, and other places aforesaid shall be subject to the same jurisdiction, powers, authorities, duties, and obligations with, and enjoy the same rights, privileges, benefits, and advantages as immediately before the passing of this Act belonged or attached to the inhabitants of the existing borough, or any part thereof, whether under the Park Act of 1780, the Improvement Act of 1810, the Park and Improvement Act of 1869, or otherwise howsoever.

Jurisdiction, &c. of recorder, &c. extended.

5. The jurisdiction, powers, authorities, rights, privileges, and duties of the recorder, and of the borough court of record, and of the justices of the peace appointed for the borough, whether acting in general or quarter sessions, or in petty sessions, or out of sessions, or otherwise, and of the clerk of the peace, and of the coroner, and of the police constables of the borough, and other peace officers of the borough, shall extend throughout the extended borough.

Extinction of liability to county and other artes, and collection of arrears.

6. Lands and other property in the added part of the borough shall not be liable to be rated or be rated to any county rate, county police, highway, or sanitary rate made after the commencement of this Act, but orders of county justices respecting rates and matters connected therewith made before the commencement of this Act, and arrears of county, county police, highway, and sanitary rates existing at the commencement of this Act, shall be executed in and with respect to the added part of the borough, and may be collected and recovered therein as if this Act had not been passed.

Officers continued.

7. The town clerk and all other officers and servants of the Corporation shall continue to be officers and servants of the Corporation, and shall hold their offices and situations by the same tenure as immediately before the passing of this Act.

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Division of extended borough into wards.

8. The borough shall be divided into three wards, having the names and contents set forth and described in the first schedule to this Act; but such provisions of the Municipal Corporations Acts as relate to the division of boroughs into wards shall continue to apply to the borough.

Constitution of Council.

9. With respect to the constitution of the Council of the borough the following provisions shall have effect; (that is to say,)

(1.) There shall be six aldermen and eighteen councillors:

(2.) Each ward shall return six councillors:

(3.) For the purposes of the burgess list, burgess roll, and other lists to be made after the passing of this Act under the Municipal Corporations Acts, and in relation to the functions and offices of the mayor, town clerk, and revising assessors under those Acts, the added part shall be deemed to have always been part of the borough:

(4.) The first election of councillors for each ward shall be held on the 1st day of November 1875, before the mayor or a person or persons appointed by him for that purpose:

(5.) Before the 1st day of November 1875 the Council shall allocate the twelve existing councillors equally among the three wards, and shall determine the order in which they shall respectively go out of office in subsequent years;

(6.) At the election held on the 1st day of November 1875 two councillors shall be elected for each ward, and they with the four allocated thereto by the Council shall be councillors for the same;

(7.) On the 9th day of November 1875 the Council shall elect two additional aldermen, of whom such one as the Council determine shall go out of office in the year 1877:

And subject to the provisions of this section, all elections, vacations of office, and rotations shall be governed by the Municipal Corporations Acts.

Transfer of powers, &c. of Street Commissioners to Corporation.

10. All the property, real and personal, funds, and moneys of or payable to, and all powers, authorities, rights, privileges, interests, benefits, duties, obligations, and liabilities vested in or conferred or imposed on the Street Commissioners, or the Surveyors of the Highways for the township of Tanshelf, by the sections of the Improvement Act of 1810, and of the Park and Improvement Act of 1869, described in the second schedule to this Act, are hereby transferred and to be paid to and vested in and conferred and imposed on the Corporation, and shall be applicable to and available for the benefit of every part of the extended borough, and as regards powers and authorities by way of addition to and not in

derogation of any power or authority vested in the Corporation, acting by the Council, as the sanitary authority for the borough, and those sections shall be read and have effect as if the Corporation were therein mentioned instead of the Street Commissioners or the Surveyors of the Highways for the township of Tanshelf, as the case may require, and the town clerk of the borough and other officers of the Corporation instead of the clerk and other officers of the Street Commissioners.

Appropriation of moneys received from Park Trustees.

11. Notwithstanding anything contained in section 77 of the Improvement Act of 1810, and section 31 of the Park and Improvement Act of 1869, all moneys directed to be paid by the Park Trustees to the Street Commissioners and the Surveyors of the Highways for the township of Tanshelf respectively by the said Acts, and transferred to the Corporation as aforesaid, shall form part of the borough fund, and shall be applicable in the same manner as the rest of the borough fund for the general benefit of the extended borough.

Partial repeal of Acts of 1810 and 1869.

12. The sections of the Improvement Act of 1810 and of the Park and Improvement Act of 1869 described in the third schedule to this Act are hereby repealed.

Conveyances, &c. to remain in force.

13. Notwithstanding the transfer and repeal aforesaid, all purchases, sales, conveyances, grants, assurances, leases, mortgages, bonds, contracts, agreements, securities, and other acts and things before the passing of this Act made, entered into, executed, or done under or by virtue of the enactments repealed, or with reference to the purposes thereof, shall be as good, valid, and effectual to all intents for, against, and with reference to the Corporation as they would have been for, against, or with reference to the Street Commissioners or the Surveyors of Highways for the township of Tanshelf if the same had not been repealed, and may be proceeded on and enforced accordingly, the Corporation being only substituted in or in relation thereto respectively for the Street Commissioners or the Surveyors of Highways for the township of Tanshelf.

Actions, &c. not to abate.

14. Notwithstanding the transfer and repeal aforesaid, any action, suit, prosecution, or other proceeding commenced by or against the Street Commissioners, or the Surveyors of Highways for the township of Tanshelf, before the passing of this Act, shall not abate or be discontinued or be prejudicially affected by this Act, but on the contrary shall continue and take effect both in favour of and against the Corporation as it would have done in favour of or against the Street Commissioners, or the Surveyors of Highways for

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the township of Tanshelf, if this Act had not been passed, and proceedings for all offences against the provisions of the said repealed enactments, or any of them, committed before the passing of this Act may be commenced and prosecuted, and all penalties incurred by reason of such offences may be sued for, in like manner in all respects as if the same had not been repealed, the Corporation being only substituted in or in relation thereto respectively for the Street Commissioners or the Surveyors of Highways for the township of Tanshelf.

As to rating.

15. Occupiers of any lands lying within the townships, districts, or places of Pontefract Park, or Pontefract Park District, and used as arable, meadow, or pasture ground only, and any buildings (not being dwelling-houses) on any such lands, and used for agricultural purposes only, and occupiers of any land lying within the added part of the borough, and used as railways, tramways, or railway sidings only, shall be assessed in respect of the same to the rates to be made within the said borough, whether borough rates, highway rates, sanitary rates, cemetery rates, or any other rates, which are or shall be leviable by the Corporation, in the proportion of one fourth part only of the net annual value of such lands; and the occupiers or persons rated in respect of any coal mines, or any buildings or works connected therewith (except dwelling-houses), within the said districts, townships, or places of Pontefract Park and Pontefract Park District, shall be assessed in respect of the same in the proportion of one third part only of the net annual value thereof to the several rates aforesaid.

Rates or rents to continue in force.

16. Notwithstanding the transfer and repeal aforesaid, all rates, rents, and charges which have been made, charged, or imposed under the enactments by this Act repealed respectively, and which at the time of the passing of this Act are due, or if this Act had not been passed would have accrued due, shall continue in force, and be due and payable to the Corporation, the Corporation being only substituted in relation thereto respectively for the Street Commissioners or the Surveyors of the Highways for the township of Tanshelf, and the same may be collected, recovered, or enforced by such means and under such restrictions and regulations as any rates, rents, or charges may be collected, recovered, or enforced under this Act, and shall be applied as rates receivable under this Act.

Existing debts, &c. to be paid.

17. Notwithstanding the transfer and repeal aforesaid, all persons who immediately before the passing of this Act owe any money to the Street Commissioners or the Surveyors of Highways for the township of Tanshelf, or to any person on their behalf, shall pay the

same, with all interest (if any) due or to accrue due for the same, to the Corporation, and the same shall be recoverable by the Corporation, and all debts and money which immediately before the passing of this Act are due or owing by or recoverable from the Street Commissioners or the Surveyors of Highways for the township of Tanshelf, or for the payment of which they are or but for this Act would be liable, shall, with all interest (if any) due or to accrue due thereon, be paid by or be recoverable from the Corporation, and all securities for the same shall continue in force.

Benefits under other Acts preserved.

18. Notwithstanding the transfer and repeal aforesaid, all provisions in favour of the Street Commissioners or the Surveyors of Highways for the township of Tanshelf contained in any Act (other than the Acts in this Act recited), and being in force immediately before the passing of this Act, shall continue in force, and the Corporation, their officers and servants, shall be entitled to, and may have, exercise, and enjoy by virtue of those provisions all rights, interests, powers, authorities, and privileges which the Street Commissioners or the Surveyors of Highways for the township of Tanshelf were entitled to and might have exercised and enjoyed by virtue thereof.

Books to be evidence.

19. Notwithstanding the transfer and repeal aforesaid, all books and other documents which are by any enactment by this Act repealed, directed or authorised to be kept, made, or executed, and which if this Act had not been passed would be receivable in evidence, shall be admitted in evidence in all courts of law and equity, and elsewhere, in favour of or against the Corporation, in like manner as the same would or might have been admitted in favour of or against the Street Commissioners or the Surveyors of Highways for the township of Tanshelf.

Vesting of waterworks in Corporation.

20. All reservoirs and other waterworks belonging to or provided by the Street Commissioners or the Corporation for the purposes of water supply to the borough shall be and the same are hereby vested in the Corporation.

Discontinuance of free water supply except from Cross Pump.

21. Notwithstanding anything in any former Act relating to the borough, the pump known as the Cross Pump, standing in the market-place (described in section 60 of the Improvement Act of 1810), shall be the only free pump source of water or waterwork in the borough, and all pumps, taps, conduits, pipes, sources of water, and waterworks other than the Cross Pump which are at the passing of this Act free for the use of the inhabitants of the borough shall cease to be such, and the gratuitous supply of water therefrom shall be discontinued.

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Power to sell surplus lands.

22. The Corporation may from time to time sell and dispose of any part of the works, lands, and property transferred to them by or under this Act, and they shall apply the proceeds of any sale in paying off money borrowed by them, and until such application such proceeds shall form part of the borough fund.

Act to be executed by Council.

23. This Act shall be carried into execution by the Corporation acting by the Council, and according to the Municipal Corporation Acts and Sanitary Acts respectively, and other Acts for the time being affecting the Corporation as a municipal body and a sanitary authority respectively, and with all the rights, powers, privileges, and authorities conferred by those Acts respectively on the Corporation, and on the Council and committees of the Council, and the officers, agents, and servants of the Corporation, with respect to matters provided for by or comprised in those Acts respectively, and as nearly as may be in all respects as if the powers, duties, and property vested in, imposed on, or enjoyed by the Corporation by or under this Act were vested in, imposed on, or enjoyed by them by or under those Acts respectively, and every meeting of the Council, or any committee of the Council, shall be presumed to have been duly convened and held, and all members attending it shall be presumed to have been duly qualified.

Authorising dealings with property of the Duchy of Lancaster.

24. And whereas it is expedient that this Act should contain certain provisions relative to lands, hereditaments, estates, rights, and interests belonging to the Queen's most Excellent Majesty in right of her Duchy of Lancaster (in the rest of this section called "the Duchy"), as are herein-after contained, be it therefore enacted that—

As to the sale of lands.

(1.) With respect to any lands belonging to Her Majesty, in right of the Duchy, which may be required for the purposes of this Act, the following provisions shall (but subject and without prejudice to any lease or tenancy which at the time of any agreement authorised by this section may be subsisting in the said last-mentioned lands) have effect; that is to say, the Chancellor and Council for the time being (herein-after called "the Chancellor and Council") of the Duchy may agree with the Corporation for the absolute sale in fee simple of all or any of the said last-mentioned lands, or any part thereof, or of any easements in or over the same, in consideration of any such gross sum of money or of such annual rentcharge, or in consideration partly of such gross sum and partly of such annual rentcharge payable by the Corporation, and upon such terms and conditions in all respects as shall be settled between the Chancellor and Council and the Corporation; and in case

the same lands shall be subject jointly with any other lands to any lease or tenancy for a life or lives or a term of years unexpired, the Chancellor and Council may agree as well with the Corporation as also with the lessee or tenant for the apportionment of the rent payable in respect of the lands comprised in such lease or tenancy between the lands agreed to be sold and such other lands; and upon payment of such (if any) agreed gross sum, and upon such (if any) agreed rentcharge being secured in manner herein-after provided, the Chancellor and Council may grant and assure the same lands and the fee simple and inheritance thereof to the Corporation, their successors and assigns, for the purposes of this Act, and (if the same lands shall be subject jointly with any other lands to any such lease or tenancy as aforesaid) may apportion, or concur with all other necessary parties in apportioning, the rent payable in respect of the lands comprised in such lease or tenancy between the lands so granted and assured and such other lands.

(2.) With respect to any such lands held by copy of court roll or other customary tenure of any honor, manor, or lordship belonging to Her Majesty, in right of the Duchy, as may be required for the purposes of this Act, the following provisions (but subject and without prejudice to any lease or tenancy which at the time of any agreement authorised by this section may be subsisting of the same manor, honor, or lordship) shall have effect; that is to say,

The Chancellor and Council may agree with the Corporation for the grant of any easements in or over such land, and for the enfranchisement of all or any of the said last-mentioned lands, and for the release thereof from all or any of the customary fines, rents, suits, and services which the same may be charged with or liable to, in consideration of such gross sum of money or of such annual rentcharge, or in consideration partly of such gross sum and partly of such annual rentcharge payable by the Corporation, and upon such terms and conditions in all respects as shall be settled between the Chancellor and Council and the Corporation:

And in case the same lands shall be liable jointly with any other lands to any such aforesaid rents suits, or services, the Chancellor and Council may agree as well with the Corporation as also with the tenant or proprietor of such other lands for the release or apportionment of such rents, suits, and services, either with or without any consideration being paid for the same:

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Upon any such agreement for grant, enfranchisement, release, or apportionment, and upon payment of such (if any) agreed gross sum, and upon such (if any) agreed rentcharge as last aforesaid being secured in manner herein-after provided, the Chancellor and Council may release the lands so to be enfranchised or released from all customary fines, rents, suits, and services, or (as the case may be) such of them or such part or parts thereof as shall have been in that behalf agreed, and the lands so released shall thenceforth be holden by the Corporation, their successors and assigns, as of the honor, manor, or lordship whereof they are or were holden or parcel in free and common socage; and every such release of lands, if made previously to the purchase or acquisition by the Corporation of the estate and interest of the copyhold or customary tenant of such lands, shall, after such purchase or acquisition, operate and take effect as if the Corporation had been in possession of the same lands at the time of the execution of such release:

Provided that no such enfranchisement, release, or apportionment shall in any other respects affect any custom by or under which any copyhold or customary lands not required for the purposes of this Act shall be holden:

And, whenever any such aforesaid release of lands shall be made, any other lands which were previously subject jointly with the released lands to any such rents, suits, and services as aforesaid shall, as between the Corporation and Her Majesty in right of the Duchy (but expressly without prejudice to any right of contribution in respect of such rents, suits, or services which previously to such release the tenant or proprietor of such other lands may have had against the tenant or proprietor of the released lands), thenceforth be subject to the whole of such rents, suits, and services, or (as the case may be) to such of them, or such part or parts thereof, as shall not have been comprised in and intended to be extinguished by that release, in the same manner in all respects as the entirety of the lands so previously subject as aforesaid would have continued subject to the whole of such rents, suits, and services if such release had not been made, and all the rights, powers, and remedies subsisting previously to such release for the recovery of the whole of the said rents, suits, and services shall, as against the lands not so released, be and thenceforth remain as between the Corporation and Her Majesty in right of the Duchy (but without prejudice as aforesaid) as available and as

valid and effectual in the law to all intents for the recovery of the same rents, suits, and services, or (as the case may be) such of them, or such part or parts thereof, as shall not have been comprised in and intended to be extinguished by the same release as if the said last-mentioned lands had originally been alone subject to the same rents, suits, and services, or such of them, or such parts or part thereof, as last aforesaid.

(3.) With respect to any lands being waste or common lands, the right to the soil whereof belongs to Her Majesty in right of the Duchy (subject to rights of common or other rights or easements), which may be required for the purposes of this Act, the following provisions shall have effect; that is to say,

As to the conveyance of waste lands.

The Chancellor and Council may agree with the Corporation for a grant of easements in or over, or for the absolute sale in fee simple of the estate, right, and interest of Her Majesty in the soil of all or any of the same lands, and for the absolute extinguishment of any commonable or other rights to which Her Majesty in right of the Duchy may be entitled in the same lands (other than and besides her said right in the soil of such lands), in consideration of such gross sum of money or of such annual rentcharge, or in consideration partly of such gross sum and partly of such annual rentcharge payable by the Corporation, and upon such terms and conditions in all respects as shall be settled between the Chancellor and Council and the Corporation:

And upon payment of such (if any) agreed gross sum as last aforesaid, and upon such (if any) agreed rentcharge as last aforesaid being secured in manner herein-after provided, the Chancellor and Council may grant and assure such last-mentioned easements, estate, right, and interest to the Corporation, their successors and assigns, for the purposes of this Act:

Provided that the lands so granted and assured as last aforesaid shall remain subject to all the commonable and other rights (except those of Her Majesty, her heirs and successors,) which immediately before such grant and assurance affected the same, until such rights shall have ceased and become extinguished by the payment or deposit of the compensation for the same in manner provided by "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869."

As to the enrolment of deeds.

(4.) Any lands, hereditaments, estate, right, or interest conveyed, or assured, or released by the Chancellor and Council by virtue of any of the foregoing provisions of this section shall

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be so conveyed, assured, or released in the name of Her Majesty, her heirs or successors, in right of the Duchy, and by deed or writing under the seal of the Duchy, and every such deed or writing shall be enrolled in the Court of the Duchy of Lancaster within six calendar months from the date thereof.

Saving rights of the Duchy of Lancaster.

25. 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 manorial rights, or any other rights, of whatsoever description, belonging to Her Majesty in right of her Duchy of Lancaster, without the consent in writing of the Chancellor for the time being of the said Duchy first had and obtained (which consent the said Chancellor is hereby authorised to give), or take away, prejudice, or diminish any estate, right, privilege, power, or authority vested in, or enjoyed, or exerciseable by Her Majesty, her heirs or successors, in right of her said Duchy.

General saving for Corporation.

26. Subject to the special provisions of this Act, nothing in this Act shall take away, abridge, or prejudicially affect any right, power, authority, estate, or interest of the Corporation under the Municipal Corporations Acts or the Sanitary Acts, or otherwise, and every such right, power, authority, estate, and interest may be had, enjoyed, and exercised by the Corporation as fully and effectually as if this Act had not been passed.

Expenses of Act.

27. The costs, charges, and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act, including the costs, charges, and expenses preliminary to and of and connected with the obtaining of the resolution of owners and ratepayers aforesaid, shall be paid by the Corporation out of the borough fund, or any other funds under their control.

The SCHEDULES to which the foregoing Act refers.

THE FIRST SCHEDULE.

West Ward.

To include the two detached portions of the township of Pontefract, Pontefract Park, and so much of the townships of Tanshelf and Pontefract Park District, and so much of the existing borough of Pontefract, as lies to the west of a boundary line commencing at the Mill Hill Toll Bar, and going along Mill Hill Road, Newgate, Ropergate End, Ropergate, Market Place, Beast Fair, Corn Market, Tanshelf Hill, and Tanshelf Street, over the railway bridge, and on the eastern side of the park along the Barnsdale and Leeds Turnpike Road, leading from Pontefract to Castleford, and terminating at the limits of Pontefract Park and Pontefract Park District.

South Ward.

To include so much of the existing borough of Pontefract and of the township of Tanshelf and of Castle Precincts as lies to the east, south, and south-east of the following line of streets; that is to say, Mill Hill Road, Newgate, Ropergate End, Ropergate, Market Place, Bridge Street, the Horse Fair or Micklegate, Castle Chain, Booths, North Bailey Gate, and the Weeland Turnpike Road or Bondgate, leading from Pontefract to Knottingley, to the extremity of the existing borough.

North Ward.

The remainder of the extended borough.

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THE SECOND SCHEDULE.

Parts of Acts of 1810 *and* 1869 *under which powers are transferred to Corporation.*

I.—Of the Improvement Act of 1810.

Number of Section.	Marginal Note of Section.
Seventeen -	Securities transferable and entered in a book.
Nineteen -	Monies raised to be applied for the purposes of this Act.
Twenty-one -	Property of pavements, &c. vested in the Commissioners.
Twenty-two -	Commissioners to order pavements to be repaired.
Twenty-three -	Power to stop up streets during repair.
Twenty-four -	Inhabitants discharged from repairs by custom or prescription.
Twenty-five -	Newgate divided between Pontefract and Tanshelf.
Twenty-six -	Powers for Commissioners to name streets.
Twenty-seven -	Pavements not to be altered without consent of Commissioners.
Twenty-eight -	Commissioners may make contracts, &c.
Twenty-nine -	Commissioners may employ surveyors.
Thirty - -	Foot pavements to be swept every day.
Thirty-one -	Scavenger to collect dirt, &c. every week.
Thirty-two -	No person but the scavenger to remove dirt, &c.
Thirty-three -	Not to extend to dirt, &c. collected and reserved in yards, &c.
Thirty-four -	Removal of nuisances.
Thirty-five -	Scavenger may lodge dirt in various places.
Thirty-six -	Time of emptying necessary houses.
Thirty-seven -	For preventing nuisances in the streets.
Thirty-eight -	For preventing carts and carriages left in the streets.
Thirty-nine -	Penalty not to extend to rubbish occasioned by building, &c.
Forty - -	Occupiers of houses to take down sign posts, &c.
Forty-one -	Openings or grates for coals to be made and covered in accordance to directions of the Commissioners.
Forty-two -	Commissioners may purchase buildings for widening the streets.
Forty-three -	If the Commissioners cannot agree for the purchase of any premises the same to be settled by a jury.
Forty-four	Expenses of jury, &c., how to be paid.

Number of Section.	Marginal Note of Section.
Forty-five -	After payment of purchase money premises to vest in Commissioners.
Forty-six -	No person compellable to sell part of his property if willing to sell the whole.
Forty-seven -	Commissioners may re-sell such parts of premises purchased as may not be wanted for the purposes of this Act.
Forty-eight -	Application of purchase money when exceeding two hundred pounds.
Forty-nine -	Application when less than two hundred pounds and above twenty pounds.
Fifty - -	Application when less than twenty pounds.
Fifty-one -	In case of not making out titles.
Fifty-two -	Where any question shall arise touching the title to money to be paid, the person who shall be in possession of the lands, &c. at the time of such purchase shall be deemed entitled thereto, according to such possession.
Fifty-three -	The court may order reasonable expenses of purchases to be paid by the trustees.
Fifty-four - -	Commissioners may make drains, &c.
Fifty-five -	Provision for lighting streets.
Fifty-seven -	Power to dig for gravel, &c.
Fifty-eight -	Penalty on persons hindering the execution of this Act.
Sixty - -	Present pump, &c. vested in the Commissioners.
Sixty-one -	Power to lay pipes, &c.
Sixty-two -	Requiring the Commissioners to make fire-plugs in every street.
Sixty-three -	Commissioners may contract for springs, &c.
Sixty-five -	Recovery of penalties.
Seventy-seven -	Payment of annual sums out of Park Fund.
	II.—Of the Park and Improvement Act, 1869.
Seven - -	Contracts, &c. of Street Commissioners preserved.
Eight - -	Actions, &c. by and against Park Trustees or Street Commissioners not to abate.
Ten - -	Street Commissioners may contract for supply of water.
Eleven -	Power to purchase land by agreement only.
Twelve - -	Rates for supply of water for domestic purposes.
Thirteen -	Rates for water-closets and baths.
Fourteen -	Water for other than domestic purposes.
Fifteen - -	Regulation for supply of water.
Sixteen - -	Penalty for using water for other than domestic purposes without agreement.

Number of Section.	Marginal Note of Section.
Seventeen -	Penalty for damage to public taps or waste of water.
Eighteen - -	Incoming tenant not to be liable to pay arrears of water rate.
Nineteen -	Rates payable by instalments.
Twenty - -	Undisputed rates may be recovered by distress.
Twenty-one -	Costs of distress.
Twenty-two -	Several names in one warrant.
Twenty-three -	Liability to rates not to disqualify justices.
Twenty-four -	Penalties not cumulative.
Twenty-five -	Power to borrow on security of the water rate.
Twenty-six -	Application of money borrowed on security of water rates.
Thirty-one -	Application of money arising from sale of coal.

THE THIRD SCHEDULE.

Sections of the Acts of 1810 *and* 1869 *repealed.*

I.—Of the Improvement Act of 1810.

Number of Section.	Marginal Note of Section.
One - -	Commissioners.
Two - -	Commissioners not to act if interested.
Three - -	Meetings of Commissioners.
Four - -	Appointment of officers, &c.
Five - - -	Treasurer to pay monies ordered by Commissioners, and keep accounts of receipts and payments.
Six - -	Commissioners to appoint assessors and make rates.
Seven - -	Power for the Commissioners to call for the poor assessment.
Eight - -	Rates to be signed by two Commissioners.
Nine - -	Tenements under the yearly value of ten pounds to be rated to the landlords.
Ten - -	Persons dying or removing, and others succeeding them in their homes, &c., assessments to be apportioned.
Eleven - -	Recovery of assessments.
Twelve -	Houses divided into different tenements to be charged to the landlord.
Thirteen -	Persons aggrieved may appeal to the Commissioners.

Number of Section.	Marginal Note of Section.
Fourteen -	Gate Law Toll vested in the Commissioners for the purposes of this Act.
Fifteen - -	Power to borrow money on credit of rates.
Sixteen - -	Or by way of annuities.
Eighteen -	For discharge of money borrowed.
Twenty - -	Commissioners to make an account yearly of monies received and paid, and to be open for inspection.
Fifty-six -	Provisions for appointing watchman.
Fifty-nine -	Actions, &c. to be brought in the name of the clerk.
Sixty-four - -	Water to be free for the use of all the inhabitants, subject to the regulations of the Commissioners.
Sixty-six -	Commissioners may agree and compound suits, &c.
Sixty-seven -	Conviction to be drawn as in the schedule.
Sixty-eight -	Appeal to the sessions.
Sixty-nine -	Distress not unlawful for want of form.
Seventy - -	Notes and proceedings not to be quashed for want of form not removable by certiorari, &c.
Seventy-one -	Actions not to be brought unless notice previously given.
	II.—Of the Park and Improvement Act of 1869.
Five - -	Street Commissioners incorporated.
Nine - -	Increased borrowing powers.

LONDON: Printed by George Edward Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1875.