CHAPTER lxi.

An Act to consolidate with amendments the Local Acts in force within and to alter the boundaries of the City of Sheffield to make provision in regard to the various undertakings of the Corporation to make better provision for the health and local government of the city and for other purposes. A.D. 1918.

[21st November 1918.]

WHEREAS the city of Sheffield (in this Act called "the city") is a municipal borough under and subject to the Municipal Corporations Act 1882 and is also a county borough under the Local Government Act 1888 and the lord mayor aldermen and citizens of the city acting by the council (in this Act called "the Corporation") are the sanitary authority for the district of the city under the Public Health Act 1875 and are also the local authority for the same district within the meaning of the Tramways Act 1870 and the Electric Lighting Acts 1882 to 1909:

And whereas there are in force in the city numerous local Acts and Orders confirmed by Parliament which relate to the improvement and local government of the city including the supply of water the construction and working of tramways and the supply of electricity and other matters:

And whereas many of the provisions of those Acts and Orders have been superseded by subsequent legislation and ought to be repealed and it would be of local and public advantage if such of the provisions of the said Acts and Orders as it is deemed expedient to retain were consolidated with certain amendments and additions in one Act:

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And whereas it is expedient at the same time to extend in various respects the powers of the Corporation relating to matters comprised in those enactments and to other matters of health and local government:

And whereas it is expedient that the boundaries of the city and the adjoining county borough of Rotherham (in this Act called "the borough") respectively should be altered by the inclusion within the city of part of the borough and within the borough of part of the city:

And whereas it is expedient that new tramways should be constructed for the purpose of extending and improving the existing tramways undertaking of the Corporation and that further powers should be conferred upon the Corporation with respect to the running of motor omnibuses:

And whereas estimates have been prepared by the Corporation in relation to the following purposes in respect of which they are by this Act authorised to borrow money and such estimates are as follows:—

	£
For the construction and equipment of the tramways by this Act authorised - - -	180,603
For the provision of motor omnibuses - -	13,200
For extensions to the Rockingham Street Fire Station - - - - - - - - -	22,370

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the cost thereof be spread over a term of years:

And whereas it is expedient that the other powers contained in this Act should be conferred on the Corporation:

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

And whereas plans and sections showing the lines and levels of the new tramways by this Act authorised with a book of reference to such plans were duly deposited with the clerk of the peace for the West Riding of the county of York and with the clerk of the peace for the county of Derby and are in this Act respectively referred to as the deposited plans sections and book of reference:

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 Local Government Board 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 Sheffield Corporation (Consolidation) Act 1918.

Division of Act into Parts.

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

Part I.—Preliminary.
Part II.—Alteration of Boundaries of City and Borough.
Part III.—Wards and other Divisions of City.
Part IV.—Water.
Part V.—Tramways.
Part VI.—Electricity.
Part VII.—Markets Fairs and Slaughter-houses.
Part VIII.—Museums and Art Gallery.
Part IX.—Burial Board and Crematorium.
Part X.—Lands.
Part XI.—Street Improvements.
Part XII.—Streets and Buildings.
Part XIII.—Overhead Wires.
Part XIV.—Streams and Bridges.
Part XV.—Sewers and Drains.
Part XVI.—Sanitary Provisions and Infectious Disease.
Part XVII.—Provisions as to Milk Supply.
Part XVIII.—Common Lodging-houses and Houses let in Lodgings.
Part XIX.—Rates.
Part XX.—Financial Provisions.
Part XXI.—Fire Insurance and Accident Funds.
Part XXII.—Weights and Measures.

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Part XXIII.—Marine Store Dealers.
Part XXIV.—Police and Fire Provisions and Offences.
Part XXV.—Assay of Gold.
Part XXVI.—Miscellaneous.
Part XXVII.—Repeal.

Limits of Act.

3. The limits of this Act shall save as otherwise in this Act expressed or implied be the city.

Interpretation.

4. The several words and expressions to which by the Acts wholly or partially incorporated with this Act and by the Public Health Acts meanings are assigned shall in this Act have the same respective meanings unless there is something in the subject or context repugnant to such construction and in the Acts wholly or partially incorporated with this Act for the purposes of this Act "the undertakers" or "the company" or "the commissioners" means the Corporation And in this Act unless the subject or context otherwise requires—

"The existing city" means the city of Sheffield as constituted and existing at the passing of this Act;

"The city" means until the thirty-first day of March one thousand nine hundred and nineteen the existing city and from and after the said date the existing city as altered and constituted by the provisions of Part II. of this Act;

"The Corporation" means the lord mayor aldermen and citizens of the existing city or the city as the case may be;

"The lord mayor" means the lord mayor of the existing city or the city as the case may be;

"The council" means the council of the existing city or the city as the case may be;

"The town clerk" "the treasurer" "the surveyor" "the medical officer" and "the inspector of nuisances" mean respectively the town clerk the treasurer the surveyor the medical officer of health and the inspector of nuisances of the city and respectively include any person duly appointed by the Corporation to discharge temporarily the duties of any of such officers;

"The borough fund" "the borough rate" "the district fund" and "the general district rate" mean respectively

the borough fund the borough rate the district fund and the general district rate of the city;

"Corporation Acts" means this Act and such sections of Acts of Parliament as are excepted from repeal and set out in the Thirteenth Schedule to this Act;

"The West Riding" and "the county council" mean respectively the county of the West Riding of Yorkshire and the county council of that county;

"The existing borough" means the county borough of Rotherham as constituted and existing at the passing of this Act;

"The borough" means until the thirty-first day of March one thousand nine hundred and nineteen the existing borough and from and after the said date the existing borough as altered and constituted by the provisions of Part II. of this Act;

"The Rotherham Corporation" means the mayor aldermen and burgesses of the existing borough or the borough as the case may be;

"The rural district" and "the rural council" mean respectively the rural district of Rotherham and the district council of that district;

"The Board" means the Local Government Board;

"The plans and sections and book of reference" or any of such expressions respectively mean according to the year of the Act to which the same are expressed to relate the deposited plans and sections and books of reference respectively deposited in connexion with the Bills for the following Acts by this Act repealed (that is to say):—

The Sheffield Water (New Works) Act 1867;

The Sheffield Corporation Acts 1907 1912 1914 and 1917; and

This Act;

"The late Duke of Norfolk" means the late Most Noble Henry fifteenth Duke of Norfolk;

"The water company" means the Company of Proprietors of the Sheffield Waterworks now dissolved;

"The waterworks undertaking" includes all lands hereditaments streams of water reservoirs aqueducts conduits

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properties works buildings stations machinery plant mains apparatus appliances easements rights powers and privileges for the time being belonging to or held or used or enjoyed by the Corporation for or in relation to or in connexion with waterworks and the diversion collection storage and distribution of water or otherwise for or in relation to or in connexion with the supply of water by them;

"Millowners" means owners lessees and occupiers of mills and works;

"Rivelin Millowners" means the millowners having mills and works on the River Rivelin;

"Loxley Millowners" means the millowners having mills and works on the River Loxley;

"Ewden Millowners" means the millowners having mills and works on the Ewden Beck;

"Little Don Millowners" means the millowners having mills and works on the Little Don River between the bridge carrying the Stocksbridge Railway over the said river north of Nanny Hill;

"Upper Don Millowners" means the millowners having mills and works on so much of the River Don as is situate between the junctions therewith of the Little Don River and the River Loxley respectively;

"Lower Don Millowners" means the millowners having mills and works on so much of the River Don as is situate between the junction therewith of the River Loxley and a point two hundred and twenty yards below the weir on the River Don near Meadow Hall Road measured along the centre of that river from the said weir;

"Associated Millowners" means the Rivelin Millowners the Loxley Millowners the Ewden Millowners the Little Don Millowners the Upper Don Millowners and the Lower Don Millowners;

"Working day" where used in Part IV. of this Act (except the sections thereof of which the marginal notes are respectively "Power to take waters of Little Don and compensation water" and "For protection of Samuel Fox and Company Limited") means every day other

than Sunday Christmas Day and Good Friday and where used in the said excepted sections means every day other than Sunday Good Friday the day after Good Friday Easter Monday Whit Monday Christmas Day and the weekday next following Christmas Day;

"Mechanical power" means steam electrical and any other motive power not being animal power;

"Engine" includes motor;

"The authorised tramways" means the tramways authorised to be constructed by the Corporation but the construction of which has not been completed at the passing of this Act and which are described in Part II. of the Second Schedule to this Act;

"The authorised tramways of 1918" means the tramways authorised by this Act to be constructed by the Corporation and which are described in Part III. of the Second Schedule to this Act;

"The Corporation tramways" means the tramways described in Part I. of the Second Schedule to this Act the authorised tramways and the authorised tramways of 1918 and any tramways tramroads or light railways for the time being belonging to constructed or authorised to be constructed by the Corporation and whether within or beyond the city;

"The demised tramways" means any tramways tramroads or light railways whether within or beyond the city not belonging to the Corporation but which for the time being are demised to or worked by the Corporation or on which the Corporation for the time being have power to and do place and run carriages;

"The tramways undertaking" includes the Corporation tramways the motor omnibuses and trolley vehicles of the Corporation and the demised tramways and also all lands buildings stations machinery appliances apparatus rights powers and privileges for the time being belonging to the Corporation or held or used or enjoyed by them for or in relation to or in connexion with the Corporation tramways the motor omnibuses and trolley vehicles of the Corporation and the demised tramways or any of the same;

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"The electricity undertaking" includes all lands properties works buildings stations machinery plant tunnels mains pipes lines apparatus appliances easements rights powers and privileges for the time being belonging to or held or used or enjoyed by the Corporation for or in relation to or in connexion with the supply of electricity by them;

"The electric generating site" means the lands fourthly described in the Fourth Schedule to this Act;

"The markets undertaking" includes all lands properties buildings apparatus appliances manorial and other rights franchises powers authorities and privileges for the time being vested in held used or enjoyed by the Corporation for the purposes of or in connexion with markets fairs refrigerators cold air stores ice-making apparatus slaughter-houses public slaughter-houses abattoirs or dead meat markets;

"The abattoir undertaking" means that part of the markets undertaking which the Corporation are authorised to establish on the lands referred to in the section of this Act of which the marginal note is "Abattoirs and slaughter-houses" or on any part of such lands and includes accommodation for public slaughter-houses or abattoirs lairage or dead meat market purposes;

"The street improvements" means the street improvements and works authorised by the section of this Act of which the marginal note is "Power to construct street improvements";

"Offensive trade" means any trade which is for the time being an offensive trade within the meaning of section 112 of the Public Health Act 1875 as extended by section 51 of the Public Health Acts Amendment Act 1907;

"Infectious disease" means any infectious disease to which the Infectious Disease (Notification) Act 1889 for the time being applies within the city;

"Dairy" means any farm farmhouse cowshed milk-store milkshop or other place from which milk is supplied or in which milk is kept for purposes of sale;

"Dairyman" means any cowkeeper purveyor of milk or occupier of a dairy;

"Cattle" includes horses asses mules sheep goats and swine;

"Closet accommodation" means any receptacle for human excreta and the fittings and apparatus connected therewith;

"Statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

"Principal moneys" means any moneys borrowed or to be borrowed by the Corporation under any statutory borrowing power (including borrowing powers under this Act) and not raised by the issue of water annuities or Corporation stock;

"Water annuities" means the annuities issued by the Corporation under the provisions of the Sheffield Corporation (Water) Act 1887 by this Act repealed in consideration of the purchase by them of the waterworks undertaking of the water company;

"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 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

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"Corporation stock" and "Corporation bills" mean respectively any stock or bills issued by the Corporation under any statutory authority;

"Revenues of the Corporation" includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and rates or contributions leviable by or on the precept of the Corporation;

"Borrowing authority" means the guardians of the poor of the Sheffield and of the Ecclesall Unions respectively and any public or statutory authority declared by the Board to be a borrowing authority;

"Telegraphic line" has the same meaning as in the Telegraph Act 1878;

"Daily penalty" means a penalty for each day on which any offence is continued by a person after conviction.

Incorporation of general Acts.

5. The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845):

The Railways Clauses Consolidation Act 1845 (except the words "not exceeding the tolls by the special Act authorised to be taken by them" in section 86 thereof and except section 107 thereof) and Part I. (relating to construction of a railway) of the Railways Clauses Act 1863:

Provided that (subject as next hereinafter provided) the said provisions shall only apply to the railways by Part VII. of this Act authorised and that such railways shall not be used for the conveyance of passengers:

Provided also that the provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof shall apply to the works by Part IV. of this Act authorised and in such provisions for the purposes of such Part "the railway" means the reservoirs and works by this Act authorised and "the centre of the railway" means the boundaries of the reservoirs and the boundaries of the works respectively:

The Waterworks Clauses Act 1847 (except the provisions with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their

benefit and the provisions with respect to the yearly receipts and expenditure of the undertakers) but that Act shall be read and have effect as if the words "with the consent in writing " of the owner or reputed owner of any such house or of the " agent of such owner" were omitted from section 44:

The Waterworks Clauses Act 1863:

Section 3 (Interpretation of terms) section 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 Provided that the said section 19 shall be read and have effect as if the words "but nothing in this Act " contained shall authorise any local authority to place and run " carriages upon such tramways and to demand and take tolls " and charges in respect of the use of such carriages" were omitted from that section:

The schedule to the Electric Lighting (Clauses) Act 1899 with the substitution of the words "special Act" for the words "special Order" and subject to the omission of the proviso to subsection (1) of section 8:

The provisions of the Markets and Fairs Clauses Act 1847 "with respect to the construction of this Act and any Act incorporated therewith" and "with respect to the holding of the market or fair and the protection thereof" (with the exception of section 12 thereof) and "with respect to slaughter-houses" and "with respect to weighing goods and carts" and "with respect to the stallages rents and tolls to be taken by the undertakers" (with the exception of sections 31 and 32 thereof) and section 42 of the said Act:

The provisions of section 10 (Constables not to resign without leave or notice) section 11 (Constables dismissed to deliver up accoutrements) and section 12 (Penalty for unlawful possession of accoutrements or for assuming the dress of a constable) of the Town Police Clauses Act 1847:

are hereby (save so far as any of the said provisions are expressly excepted or varied by this Act) incorporated with this Act and this Act for the purposes of such incorporated Acts shall be deemed to be and shall be the special Act within the meaning of any such Acts Provided that with respect to the provisions of the Markets and Fairs Clauses Act 1847 by this section

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incorporated this Act shall be deemed to have been passed on the twenty-fifth day of July one thousand eight hundred and seventy-two and the prescribed limits shall be the city.

Name of Corporation.

6.—(1) The name of the municipal corporation of the city is and shall be the lord mayor aldermen and citizens of the city of Sheffield.

(2) All charters public and general and local statutes orders confirmed by Parliament byelaws regulations commissions fiats awards judgments and decrees and all bonds conveyances covenants deeds mortgages securities contracts agreements resolutions orders and notices legal and other proceedings and the grant of arms from the Heralds' College and other instruments and documents relating to the Corporation by their original or any other name shall from and after the passing of this Act be read and have effect as if throughout the same respectively wherever the original or other name of the Corporation or a reference to the Corporation by their original or other name occurs the present name of the lord mayor aldermen and citizens of the city of Sheffield were substituted.

(3) The seal of the Corporation shall be in accordance with the provisions of this section.

City to be in West Riding.

7. The city shall be deemed to be situate in the West Riding as if it were so specified in the Third Schedule to the Local Government Act 1888.

PART II.

ALTERATION OF BOUNDARIES OF CITY AND BOROUGH.

Date of commencement of this Part of Act.

8. This Part of this Act shall commence and come into operation on and from the thirty-first day of March one thousand nine hundred and nineteen (in this Part of this Act referred to as "the appointed day").

Extension of city.

9. As from the appointed day the boundaries of the existing city are hereby extended so as to include in addition thereto so much of the parish of Rotherham in the borough as lies to the north-east of the existing city and is bounded as follows (that is to say) Commencing at the boundary of the existing city on the south side of Alsing Road thence by the south side

of Alsing Road to a point opposite the eastern boundary of Messieurs Howell's works thence across the Great Central Railway thence by the northern boundary of the private road belonging to the Corporation and running through the Corporation sewage works to a point near the western end of the contact beds situate between such road and the River Don thence by the western and southern boundaries respectively of the said contact beds to a point approximately thirty-five feet from the bank of the River Don thence by a line in a north-easterly direction parallel with the bank of the said river to the bridge of the Corporation crossing the river thence by the southern side of such bridge to the centre of the river to the boundary of the existing city thence by such boundary and the centre of the said River Don in a south-westerly and north-westerly direction to a point near Alsing Road aforesaid and thence by a line drawn from such last-mentioned point to the point of commencement all which area is coloured green on the map referred to in the section of this Act the marginal note whereof is "Deposit of map of city" and the said area (in this Part of this Act called "the city added area") shall for all purposes form part of the township of Tinsley and the Rotherham Union and of the Attercliffe Ward of the city and all the rights privileges benefits and advantages enjoyed by the citizens or inhabitants of the city are hereby extended to and may be enjoyed by the inhabitants of the added area.

Deposit of map of city.

10. A map of the city as altered by this Act has been signed in triplicate by Sir William Middlebrook the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (in this Act called "the city map") one of which has been deposited in the Parliament Office of the House of Lords one in the Private Bill Office of the House of Commons and one with the town clerk at his office and copies thereof certified by the town clerk shall be sent as soon as may be to the Board to the Board of Trade to the Commissioners of Customs and Excise to the Board of Agriculture and Fisheries to the Inland Revenue Department to the Postmaster-General to the Registrar-General and to the town clerk of the borough.

Copies of map to be evidence.

11. Copies of or extracts from the city map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as primâ facie evidence of

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the contents of such map so far as it relates to the boundary of the city and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the city and any such person shall be entitled to a copy of or extract from such map certified by the town clerk to be true on payment of a reasonable fee to be demanded by the Corporation All fees so received shall be carried to the credit of the borough fund.

Authority of Corporation extended.

12.—(1) Subject to the provisions of this Part of this Act the powers rights privileges authorities and duties of the Corporation as a municipal body and of the Corporation acting by the council as the sanitary authority for the district of the existing city and of the Corporation acting in the execution of local Acts or of any Order confirmed by Parliament in force within the existing city or otherwise and of all officers and servants of the Corporation in their respective official capacities shall as from the appointed day extend to and throughout the city added area.

(2) Subject to the provisions of this Part of this Act the powers rights privileges authorities and duties of the Rotherham Corporation as a municipal body and of that corporation acting by its council as the sanitary authority for the city added area and of that corporation acting in the execution of local Acts or of any Order confirmed by Parliament in force within the city added area or otherwise (except so far as such powers rights privileges authorities and duties relate to the supply of gas) shall as from the appointed day cease to be exerciseable by or attach to the Rotherham Corporation so far as regards the added area:

Provided that any provisions in any local Act or Order confirmed by Parliament for the benefit or protection of the Rotherham Corporation (except as aforesaid) which relate to or affect the city added area shall so far as regards the city added area from and after the appointed day enure for the benefit and protection of the Corporation.

Powers and duties of justices &c. extended.

13. The powers authorities rights privileges and duties of the recorder clerk of the peace stipendiary magistrate coroner and justices of the peace appointed for the existing city whether acting in general or in quarter sessions or in petty sessions or out of sessions or otherwise and of the clerk to such justices

and of the police constables and other peace officers of the existing city shall as from the appointed day extend to and apply throughout the city added area:

Provided that every person committing an offence in any part of the city added area prior to the appointed day shall be tried adjudicated on and dealt with as if this Act had not been passed:

Provided also that every proceeding which prior to the appointed day has been begun by or before any justice or justices in relation to any matter arising in or concerning any part of the city added area may be carried on continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.

Lists and registers of electors.

14.—(1) For the purposes of the lists and registers of local government electors to be prepared in pursuance of the Representation of the People Act 1918 the city added area shall be deemed to form part of the city as from the first day of January one thousand nine hundred and nineteen.

(2) If the register of electors under the Representation of the People Act 1918 is not so framed as to show the names of the persons who will be entitled to vote as local government electors of the city in respect of the city added area at the time when any municipal election for any ward including that area is required to be held it shall be the duty of the town clerk to make such alteration in addition to or rearrangement of that register as may be necessary to give effect to the provisions of this Part of this Act and the overseers of the poor shall render such assistance as may be requisite for the purpose and such alteration addition or rearrangement shall be deemed to be authorised by the provisions in force with respect to such register.

(3) Where in the opinion of the Board the circumstances so require the Board may make such order as appears to them to be necessary to give effect to the provisions of this section and may vary so far as is requisite the provisions in force with regard to such lists and registers.

(4) For the purposes of the application to the city of the provisions of the County and Borough Councils (Qualification)

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Act 1914 the city added area shall be deemed to have always formed part of the city.

Byelaws &c.

15. Subject to the provisions of this Act—

(1) All byelaws and regulations and every list of tolls and table of fares and payments and scale of charges made by the Corporation which at the appointed day are in force in the existing city shall thenceforth apply to the city added area until or except in so far as any such byelaws regulations list of tolls table of fees and payments or scale of charges may be altered or repealed:

(2) All byelaws and regulations made by the Rotherham Corporation and any regulations made by the watch committee of that corporation under section 5 of the Police Factories &c. (Miscellaneous Provisions) Act 1916 and in force immediately before the appointed day in any part of the city added area shall on that day cease to be in force except as regards any work which has been begun before that day or as regards any work which has not been so begun but which is begun within three years after the appointed day and in respect of which plans have been approved by the Rotherham Corporation before that day or have been sent to the surveyor or town clerk to the Rotherham Corporation three months at least before that day and have not been disapproved by that corporation As regards any such work as aforesaid the byelaws in force immediately before the appointed day shall continue to apply until the completion of the work in like manner and with the like effect as if those byelaws had been made by the Corporation and as if the Corporation and the city were referred to therein instead of the Rotherham Corporation and the borough Provided that any proceedings which if this Act had not been passed might have been taken by the Rotherham Corporation for any offence committed before the appointed day against any byelaws and regulations made by the Rotherham Corporation and in force immediately before the appointed day in any part of the

city added area may be taken by the Corporation as if those byelaws and regulations had remained in force and the Corporation had been substituted therein for the Rotherham Corporation.

Actions &c. not to abate.

16. If at the appointed day any action or proceeding or any cause of action or proceeding is pending or existing by or against the Rotherham Corporation in relation exclusively to any part of the city added area the same shall not be in anywise prejudicially affected by reason of the passing of this Act but may be continued prosecuted and enforced by or against the Corporation.

Saving for contracts &c.

17. Anything duly done or suffered prior to the appointed day and all contracts deeds bonds agreements and other instruments (subsisting at the appointed day) entered into or made by the Rotherham Corporation in relation exclusively to any part of the city added area (not being contracts relating to the supply of gas) shall be of as full force and effect against or in favour of the Corporation and may be continued and enforced as fully and effectually as if instead of the Rotherham Corporation the Corporation had done or suffered the same or been a party thereto.

Corporation property &c.

18. All property vested in the Corporation at the appointed day for the benefit of the existing city shall be held by the Corporation for the benefit of the city and the Corporation shall hold enjoy and exercise for the benefit of the city all the powers which on the day aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing city and all liabilities which on the date aforesaid attached to the Corporation in respect of the existing city shall from and after that date attach to them in respect of the city.

Property of Rotherham Corporation &c.

19. Subject to the provisions of this Act all property and liabilities (other than properties and liabilities of the gas undertaking of the Rotherham Corporation) which immediately before the appointed day are vested in or attach to the Rotherham Corporation in relation exclusively to any part of the city added area shall by virtue of this Act be transferred to vested in and shall attach to the Corporation.

Mortgage debts of Corporation.

20. So much of any sums borrowed by the Corporation as shall at the appointed day be primarily chargeable on the borough

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fund and borough rate of the existing city shall be primarily chargeable upon the borough fund and borough rate and so much of any sums borrowed by the Corporation as shall at the appointed day be primarily chargeable upon the district fund and general district rate of the existing city shall be primarily chargeable upon the district fund and general district rate and all such sums shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Valuation lists.

21. As from the appointed day until new valuation lists are in force the portion of the valuation list of the parish of Rotherham as existing immediately prior to the appointed day which relates to hereditaments in the city added area shall be deemed to form part of the valuation list of the township of Tinsley and the remaining portion of the said valuation list shall subject to the provisions of this Part of this Act be deemed to be the valuation list of the parish of Rotherham.

Settlement and removal of the poor.

22. For any purposes connected with the settlement and removal of the poor in relation to cases affected by this Act the following provisions shall have effect (that is to say):—

(1) Every person who at the appointed day has acquired or is in the course of acquiring a settlement in the parish of Rotherham by reason of any residence completed or in the course of completion or of any act or thing done or in the course of being done or of any status condition right or privilege acquired or created or in the course of acquisition or creation in the city added area shall be deemed to have acquired or to be in the course of acquiring a settlement in the township of Tinsley as if the city added area were and had always been a part of that township:

(2) Every person who at the appointed day has acquired or is in the course of acquiring a status of irremovability from the Rotherham Union by reason of residence in the city added area shall be deemed to have acquired or to be in the course of acquiring the like status by reason of residence in the township of Tinsley.

Adoptive Acts in city.

23.—(1) The following Acts shall be in force in and apply to the city as if the same had been adopted or declared to be in force therein (namely):—

(*a*) The Baths and Washhouses Acts 1846 to 1899;

(*b*) The Infectious Diseases (Prevention) Act 1890;

(*c*) The Public Libraries Acts 1892 to 1901; and

(*d*) The Notification of Births Act 1907.

(2) The order of the Board declaring certain provisions of the Public Health Acts Amendment Act 1890 and the Public Health Acts Amendment Act 1907 and the order of the Secretary of State declaring certain provisions of the said Act of 1907 to be in force in the borough shall so far as regards the city added area be annulled as from the appointed day.

Extension of borough.

24. As from the appointed day the boundaries of the existing borough are hereby extended so as to include in addition thereto so much of the township of Tinsley in the existing city as lies to the south of the existing borough and is bounded as follows (that is to say):—

Commencing on the northern side of Sheffield Road at Templeborough where the boundary between the existing city and the existing borough crosses such road thence in a westerly direction along the northerly side of the said road to the east side of Deadman's Hole Lane thence in a northerly direction along a line drawn along the easterly side of that lane for a length of three hundred and fifty feet and thence in continuation of that line to the northerly side of the Great Central Railway thence in an easterly direction along the northern boundary of the said railway to the centre of the River Don near Templeborough aforesaid thence along the present boundary between the existing city and the existing borough in a south-easterly direction along the River Don and in a westerly and south-westerly direction to the point of commencement aforesaid all which area (in this Part of this Act called the "borough added area") is coloured red on the map referred to in the section of this Act the marginal note whereof is "Deposit of map of borough" and such area shall for all purposes form part of the parish of Rotherham and of the west ward of the borough and all the rights privileges benefits and

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advantages enjoyed by the burgesses or inhabitants of the borough are hereby extended to and may be enjoyed by the inhabitants of the borough added area.

Deposit of map of borough.

25. A map of the borough as altered by this Act has been signed in triplicate by Sir William Middlebrook the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (in this Act called "the borough map") one of which has been deposited in the Parliament Office of the House of Lords one in the Private Bill Office of the House of Commons and one with the town clerk of the borough at his office and copies thereof certified by such town clerk shall be sent as soon as may be to the Board to the Board of Trade to the Commissioners of Customs and Excise to the Board of Agriculture and Fisheries to the Inland Revenue Department to the Postmaster-General to the Registrar-General and to the town clerk of the city.

Application of certain sections of Act to borough added area.

26. The preceding sections of this Part of this Act of which the marginal notes are as follows "Copies of map to be evidence" "Authority of Corporation extended" "Powers and duties of justices &c. extended" "Lists and registers of electors" "Byelaws &c." "Actions &c. not to abate" "Saving for contracts &c." "Corporation property &c." "Property of Rotherham Corporation &c." "Mortgage debts of Corporation" "Valuation lists" and "Settlement and removal of the poor" shall apply to and in respect of the borough added area as if in the said sections there were substituted—

For the words	The words
The existing city	The existing borough.
The city	The borough.
The Corporation	The Rotherham Corporation.
The Rotherham Corporation	The Corporation.
The borough fund	The borough fund of the borough.
The district fund	The district fund of the borough.
The borough rate	The borough rate of the borough.
The general district rate	The general district rate of the borough.
Primarily chargeable	Owing and charged or charged as the case may be.

For the words	The words
The town clerk	The town clerk of the borough.
The town clerk of the borough	The town clerk.
The city added area	The borough added area.
The Attercliffe Ward	The west ward.
The parish of Rotherham	The township of Tinsley.
The township of Tinsley	The parish of Rotherham.
Township	Parish.

Adoptive Acts in borough.

27. The following Acts and Parts of Act shall be in force in and apply to the borough added area as if the same had been adopted or declared to be in force therein (viz.):—

The Infectious Diseases (Prevention) Act 1890:

The Public Libraries Acts 1892 to 1901:

The Notification of Births Act 1907:

Parts I. II. and III. of the Public Health Acts Amendment Act 1890:

The provisions of any order made by the Board or by the Secretary of State and declaring to be in force in the existing borough any Parts or sections of the Public Health Acts Amendment Act 1907 shall have and shall be deemed always to have had effect as if any reference in those provisions to the existing borough extended and applied to the borough and as if the said Parts and sections were accordingly declared to be in force in the borough.

Rotherham Corporation to be burial board for borough.

28. The Rotherham Corporation shall be the burial board for the borough and shall have within the borough to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1906.

As to rating in borough added area.

29. The total amount in the pound of the general district rate to be levied by the Rotherham Corporation in the borough added area during the periods hereinafter mentioned shall be as follows:—

(*a*) For the five years commencing on the first day of April one thousand nine hundred and nineteen one shilling and elevenpence; and

(*b*) For the next succeeding five years two shillings and eightpence:

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Provided that the Corporation in each year of the said periods shall pay and make good to the Rotherham Corporation the difference between the amount received by the Rotherham Corporation in that year from the rate levied under the provisions of this section and the amount which would have been received in respect of a rate levied in the borough added area equal to the rate in the pound for the general district rate in the borough in the same year or of four shillings and threepence (whichever shall be the less).

The Corporation shall also pay to the Rotherham Corporation such additional amount (if any) as they would have received or been entitled to receive as proceeds of the general district rate and the borough rate in the borough added area if the appointed day had been the thirtieth day of September one thousand nine hundred and eighteen instead of the thirty-first day of March one thousand nine hundred and nineteen and if the general district rate and the borough rate levied in the borough added area for the year ending the thirty-first day of March one thousand nine hundred and nineteen had each been four shillings and threepence in the pound.

Special provisions relating to city and borough added areas.

30. Notwithstanding the provisions of this Act the following provisions shall have effect:—

(1) Until the expiration of six months' notice given by the Corporation in respect of the city added area or by the Rotherham Corporation in respect of the borough added area that the Corporation or the Rotherham Corporation as the case may be shall cease to supply water or electricity to any hereditaments comprised in the city added area or the borough added area as the case may be the Corporation at present supplying water or electricity shall continue so to supply but as from the expiration of such notice the Corporation receiving the same shall discontinue such supply of water or electricity and the Corporation giving the notice shall undertake such supply The notice may be limited to either water or electricity or to any of the hereditaments comprised in the respective areas:

(2) Until the expiration of a notice under this section there shall be no transfer of powers rights privileges authorities or duties or of property and liabilities in relation to the electricity undertakings or the water

undertakings as the case may be of the respective Corporations under this Part of this Act:

(3) So far as regards the city added area the agreement between the Corporation and the Rotherham Corporation of the twentieth day of June one thousand nine hundred and seventeen (relating to the reception and treatment of sewage from the Blackburn District of the borough) shall be modified to the extent necessary to relieve the Rotherham Corporation from the obligation to pay for the reception and treatment of the sewage of the hereditaments comprised in such district:

(4) The Rotherham Corporation shall have the right to enter upon and break up so much of Sheffield Road Tinsley as abuts upon the borough added area for any purpose connected with the supply of gas electricity and water and drainage subject to giving (except in case of emergency) one month's prior notice in writing to the surveyor and to the following conditions (namely) (A) the road where broken up and damaged by the Rotherham Corporation shall be restored to as good a condition as before by the Corporation at the cost of the Rotherham Corporation (B) all mains cables pipes drains sewers and other works shall be laid down in such a position under the said road as shall be agreed by the surveyor and the surveyor of the Rotherham Corporation and failing agreement as shall be determined by arbitration in manner provided by the Public Health Act 1875 The Corporation shall have similar rights on similar terms with regard to Alsing Road.

Saving for rights of Corporation.

31. Nothing in this Part of this Act shall affect or alter the rights or interests of the Corporation as owners of lands or easements within the borough added area but all such rights and interests shall continue and have effect as if the borough added area had remained part of the city.

Saving for existing lists of parliamentary voters &c.

32. For the purposes of the registers of persons entitled to vote at an election of Members of Parliament and of jury lists the parish and township affected by this Act shall be deemed

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to continue unaltered until the next registers and lists made after the appointed day come into force.

Saving for rates orders and precepts.

33. Subject to the provisions of this Act all rates and all orders and precepts relating thereto and to matters connected therewith made before the appointed day may be enforced collected and recovered as if this Act had not been passed.

Ecclesiastical divisions and charities.

34. Nothing in this Part of this Act shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment.

Adjustment.

35. — (1) The Corporation shall pay to the Rotherham Corporation a sum by way of fourteen annual instalments of principal and interest (calculated at the rate of five per centum per annum) combined in settlement of all claims of either of them against the other of them in respect of financial adjustment and claims consequent on the alteration of boundaries of the city and the borough provided for by this Part of this Act (except as to assets or liabilities on current account) The amount of each such instalment shall be two thousand eight hundred and seventy pounds The first of such instalments shall be paid on the thirty-first day of March one thousand nine hundred and twenty and subsequent instalments shall be paid on the thirty-first day of March in each of the thirteen succeeding years.

(2) In any case where the alteration of the city or the borough by this Act might affect the distribution of the proceeds of the local taxation licences of the estate duty grant and of the local taxation (Customs and Excise) duties between the city and the borough or between the city and the borough on the one hand and the West Riding or any other county borough on the other hand or any interest of the city added area or the borough added area in any compensation fund constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act or any financial relations or questions between those areas or any adjustment which has been made in regard to the said distribution or financial relations or questions no further adjustments shall be made between the areas interested (save as to assets and liabilities on current account as to which section 62 of the Local Government Act

1888 (with the necessary modifications) shall apply) but for the purposes aforesaid the existing city and the existing borough shall be deemed to have been and to be the city and the borough respectively:

Provided that the Corporation shall bear and pay (in exoneration of the Rotherham Corporation) all compensation (if any) payable under the provisions of Articles XII. and XXVI. or under any other provisions relating to the adjustment of financial relations or compensation to officers of the Sheffield (Extension) Order 1911 by this Act repealed.

(3) The Rotherham Corporation shall produce to the Commissioners of Inland Revenue a King's printer's copy of this Act stamped with duty at the rate of two shillings and sixpence for every hundred pounds of the total sum payable to the Rotherham Corporation under subsection (1) of this section and in default of such production within six months after the passing of this Act the duty with interest thereon at the rate of five per centum per annum shall become a debt from the Rotherham Corporation to His Majesty.

As to certain electricity supplies.

36.—(1) The Corporation shall not supply electricity to the premises in the city of the Sheffield-Simplex Motor Works Limited and of the British Abrasive Wheel Company Limited or either of them without the previous consent in writing of the Rotherham Corporation until the expiration of a period of ten years from the date of the passing of this Act and in the event of the Corporation desiring to supply electricity at the expiration of that period to those premises or either of them the Corporation shall give notice thereof to the Rotherham Corporation and shall pay to the Rotherham Corporation the value of any apparatus which shall have been provided by the Rotherham Corporation solely for the purpose of supplying such premises and of any electric lines laid down or provided by the Rotherham Corporation solely for the purpose of such supply.

(2) The amount to be paid under the provisions of this section by the Corporation to the Rotherham Corporation shall failing agreement be determined by an arbitrator to be appointed on the application of either party by the President of the Institution of Electrical Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

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(3) Until the Corporation shall have given notice to the Rotherham Corporation in pursuance of subsection (1) of this section in regard to the said premises or either of them those premises or (as the case may be) the premises in regard to which any such notice shall not have been given shall be deemed to be within the area of the Rotherham Corporation for the supply of electricity and upon the giving of any such notice the powers of the Rotherham Corporation to supply electricity to the premises in regard to which any such notice shall have been given shall cease.

For protection of Steel Peech and Tozer Limited and others.

37. For the protection of Steel Peech and Tozer Limited (in this section referred to as "the company") or other the owner or owners for the time being of the existing mills or works of the company erected on lands abutting on so much of the River Don as is within that part of the township of Tinsley in the existing city which is by virtue of this Part of this Act added to the existing borough or of any mills or works erected after the passing of this Act on lands abutting on the said portion of the River Don (which company and owners are in this section referred to as and included in the expression "the owners") the following provisions shall unless otherwise agreed in writing between the owners and the Corporation have effect (that is to say):—

Notwithstanding the extension under the provisions of this Part of this Act of the boundaries of the existing borough so as to include the portion of the said township of Tinsley which is described in the section of this Act of which the marginal note is "Extension of borough" and notwithstanding anything contained in this or any other Act the owners shall be deemed—

(*a*) to be and to continue to be in respect of the said existing mills or works of the Company; and

(*b*) as from the date of completion of any mills or works erected after the passing of this Act on the said portion of the River Don to become and thereafter to be in respect of such mills or works

Lower Don millowners and constituents of the Associated Millowners within the meaning and for the purposes of Part IV. (Water) of this Act.

Part III.

Wards and other Divisions of City.

City map and division of city into wards.

38.—(1) Subject as regards any future alteration of wards to the provisions of the Municipal Corporations Acts or of any Act amending or extending the same with respect to the alteration of wards the city shall be divided into sixteen wards having the names contained in the First Schedule to this Act and shown upon the city map deposited in pursuance of the provisions of the section of this Act of which the marginal note is "Deposit of map of city" in the Parliament Office of the House of Lords in the Private Bill Office of the House of Commons and with the town clerk at his office.

(2) Copies of the city map or such part or parts thereof as relate to the alteration by the Sheffield Corporation Act 1900 by this Act repealed of former boundaries of the city and of the districts of the Handsworth Urban District Council and the Wortley Rural District Council (as the case may be) certified by the town clerk to be true copies thereof or of part or parts thereof respectively shall from time to time on reasonable request by the said councils respectively be furnished to them without charge by the Corporation.

Townships overseers and officers.

39.—(1) The city shall continue to be divided into four townships or parishes as constituted at the passing of but subject to the alteration made by this Act (namely) The township of Sheffield the township of Ecclesall the township of Tinsley and the parish of Bradfield Urban.

(2) On the thirty-first day of March in any year or within fourteen days thereafter and within fourteen days of any vacancy in the office of overseer or within such extended period as the Board may in either of such cases allow the council shall appoint persons duly qualified for such appointment to be overseers of the poor for each township or parish Provided as follows:—

(*a*) The overseers for the township of Sheffield shall be nine in number of whom three shall be inhabitants of or councillors elected for any ward within that portion of the township of Sheffield which was immediately before the thirty-first day of March one thousand nine hundred and two comprised within the

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former township of Brightside-Bierlow or within such portion of the Wincobank Ward of the then parish of Ecclesfield as was at the said date included in the township of Sheffield:

(*b*) The overseers for the township of Ecclesall shall be seven in number.

(3) Former assistant overseers vestry clerks and collectors of any areas now comprised in the townships of Sheffield and Ecclesall in the service of the Corporation at the passing of this Act shall hold their offices by the same tenure and upon the same terms and conditions as if this Act had not been passed (except that the consent of the Board shall not be required to the removal of any such officer or servant) and shall receive not less salaries or remuneration and be entitled to not less pensions (if any) than they would have been if this Act had not been passed.

(4) Subject as aforesaid the council shall as often as need be appoint an assistant overseer or a vestry clerk for the said townships and parish respectively and determine and specify the duties to be by him executed and performed and fix the remuneration to be paid to him out of the poor rate or out of such other rate or fund as the council may think fit.

(5) Subject to the foregoing provisions the provisions of the general law with respect to overseers and assistant overseers shall apply.

Settlement and irremovability of paupers.

40. Every person who as to the township of Sheffield on or before the thirty-first day of March one thousand nine hundred and two or as to the township of Ecclesall on or before the thirty-first day of March one thousand nine hundred and four or as to the township of Tinsley on or before the thirty-first day of March one thousand nine hundred and twelve or as to the parish of Bradfield Urban on or before the thirtieth day of September one thousand nine hundred and fourteen had acquired or was in process of acquiring a settlement or status of irremovability as the case may be in any parish any part of which is now comprised within any of the first named townships and parish shall be deemed at the said dates respectively—

As to such settlement—

To have acquired or to have been in course of acquiring a settlement in the existing parish comprising the area

in which the acts or circumstances conferring such settlement shall have been done or taken place or if such acts or circumstances shall have been done or taken place in more than one parish such settlement shall be in the parish comprising the place of residence of such person at the time of acquiring such settlement; and

As to such status of irremovability—

To have acquired or to have been in course of acquiring a status of irremovability from the parish comprising the area in which he shall have resided on the said dates respectively or (if he shall then have been in receipt of relief) from the parish comprising the area in which he was residing at the time of becoming chargeable.

PART IV.

WATER.

Waterworks undertaking to continue vested in Corporation.

41. The waterworks undertaking as it exists at the passing of this Act shall (subject to the provisions of the Corporation Acts) be and continue vested in the Corporation and be held used and enjoyed by them.

Water limits.

42. The limits within which the Corporation are and shall be authorised to sell and supply water and to exercise all their rights powers and privileges relating to the supply of water (in this Act referred to as "the water limits") are and shall be the city and the following parishes townships and places:—

The parishes and urban districts of Handsworth and Stocksbridge - - - -	All in the West Riding.
The parishes of Ecclesfield and Bradfield -	
So much of the township of Brinsworth as was added thereto by the Sheffield (Extension) Order 1911 - - - - -	
The parishes of Beauchief and Norton -	All in the county of Derby.
The townships of Dore and Totley - -	

Power to maintain waterworks undertaking and supply water.

43.—(1) Subject to the provisions of this Act and the obligations arising thereunder the Corporation may from time to time maintain renew alter and discontinue their waterworks undertaking or any part thereof and may erect lay down provide and maintain additional and other aqueducts mains pipes

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tanks meters buildings works and apparatus and do all other acts and provide all other things in any way connected with waterworks or with the supply of water in such manner as they from time to time think proper.

(2) In carrying out the provisions of this Part of this Act the Corporation shall (subject to the provisions of this Part of this Act) have all the powers of a local authority under section 54 of the Public Health Act 1875 and the provisions of that section shall apply accordingly and for this purpose the water limits shall be deemed to be the district of the Corporation.

Existing reservoirs.

44. The Corporation may use for the purposes of the storage therein and distribution therefrom of water their existing reservoirs known respectively by the names of the Redmires (Upper Middle and Lower) Reservoirs the Rivelin (Upper and Lower) Reservoirs the Rivelin Depositing Pond the Strines Reservoir the Dale Dike Reservoir the Agden Reservoir the Damflask Reservoir the Langsett Reservoir and the Underbank Reservoir and all other their existing reservoirs whether storage or service reservoirs.

Power to take water from River Rivelin and compensation water to be supplied.

45. The Corporation may impound take collect divert appropriate and use for the purposes of the waterworks undertaking at such times and in such manner as they from time to time think fit the waters of the River Rivelin and its tributaries above the level of the existing gauge or weir thereon (in this Part of this Act called "the Rivelin Gauge") and of the Moor Drain below the said level and as and for full compensation to all persons for such impounding taking collecting diverting and appropriation the Corporation shall (subject as hereinafter in this section provided) supply and cause to flow over or through the said gauge and down the said River Rivelin during twelve hours of every working day between the hours of six in the morning and six in the evening an aggregate quantity of water equal to five thousand two hundred and thirty-three gallons of water per minute for the whole of such twelve hours:

Provided that on and after the expiration of at least thirty days after the Corporation shall have given previous notice thereof in writing to the Rivelin the Loxley and the Lower Don Millowners or to their clerk it shall be lawful for the Corporation with the consent in writing of the owner or owners for the time being of the works on the said River Rivelin called Mousehole Forge and Grogram Wheel for that purpose

first had and obtained to diminish the said supply of water to any extent desired by the Corporation provided they supply and cause to flow out of the Damflask Reservoir and over or through the Damflask Gauge in the next succeeding section of this Act referred to an additional quantity of water during every twenty-four hours of each working day equal to the quantity which they shall fail to send over or through the Rivelin Gauge less than the quantity which they are hereinbefore required to supply or cause to flow over or through the said last-mentioned gauge and provided they shall also supply and cause such additional quantity as aforesaid to flow out of the Damflask Reservoir and over or through the Damflask Gauge at such times and in such proportions as may be required by resolutions of the aforesaid millowners passed at a meeting to be specially convened for the purpose and all penalties by this Part of this Act imposed for the failure on the part of the Corporation to supply and cause to flow over or through the Rivelin Gauge a quantity of water equal to five thousand two hundred and thirty-three gallons per minute during twelve hours of each working day shall equally apply and be recoverable against the Corporation in the event of their failure to supply and cause to flow such additional quantity as aforesaid over or through the said Damflask Gauge at the times and in the proportions which may be required as aforesaid.

Power to take water from River Loxley and compensation water to be supplied.

46.—(1) The Corporation may impound take collect divert appropriate and use for the purposes of the waterworks undertaking at such times and in such manner as they from time to time think fit the waters of the River Loxley and its tributaries above the level of the existing gauge thereon (in this Act called "the Damflask Gauge") and as and for full compensation to all persons for such impounding taking collecting diverting and appropriation the Corporation shall supply and cause to flow out of the Damflask Reservoir over or through the said gauge and down the River Loxley during twelve hours of every working day between the hours of six in the morning and six in the evening an aggregate quantity of water equal to nine thousand five hundred and thirty-four gallons of water per minute for the whole of such twelve hours.

(2) The Corporation shall at all times at their cost maintain the road constructed on the embankment of the Damflask Reservoir and the drains culverts and fence walls thereof.

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Power to construct Broomhead and More Hall reservoirs and works connected therewith.

47.—(1) Subject to the provisions of this Part of this Act the Corporation may make and maintain in the lines and situations and upon the lands delineated upon the plans and described in the book of reference and according to the levels shown on the sections respectively relating to the Sheffield Water (New Works) Act 1867 the Broomhead and More Hall reservoirs and the Wadsley Service Reservoir and the lines of pipes connected therewith and the alterations deviations diversions and other works shown on the said plans with all proper approaches works and conveniences connected therewith and may stop up all highways roads and ways within the limits of deviation defined on such plans which are shown thereon as intended to be stopped up in connexion with or for the purposes of the said works or any of them or the use of which would be obstructed by the waters of any of the said reservoirs or be permanently interfered with by any embankment or bye-wash forming part of or connected with such reservoirs and may appropriate for the purposes of the waterworks undertaking the sites of the highways roads and ways so stopped up so far as such sites are comprised within the boundary fences of the reservoirs or are required for the purposes of any such embankment or bye-wash.

Limits of deviation.

(2) Where the line of any of the before-mentioned works shown on the said plans passes along a road and no limits of lateral deviation are marked on such plans the Corporation may in the construction of the work deviate laterally from the line thereof as shown on the said plans to the extent of the boundaries of the road and elsewhere they may in the construction of the works deviate laterally from the lines thereof as shown on the said plans to the extent of the limits of lateral deviation marked thereon and they may deviate vertically from the levels shown on the said sections in the case of the reservoirs to any extent not exceeding three feet upwards or ten feet downwards and in the case of any other work to any extent not exceeding three feet upwards or seven feet downwards but if the Corporation find it expedient to place the embankment of any reservoir higher up the valley in which it is situate than the site thereof shown on the said plans they may in the construction thereof deviate vertically from the levels of such embankment and reservoir shown on the said sections.

Time for completion of works.

(3) If the works by this section hereinbefore authorised are not completed on or before the thirty-first day of December one

thousand nine hundred and thirty then the powers by this section granted for the making thereof respectively or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as shall then be completed Provided that the Corporation may at any time lay down additional lines of pipes.

As to construction and maintenance of new roads.

(4) The Corporation shall construct every road shown on the said plans as a road intended to be constructed with sound rubble stone pitched on the edge nine inches in depth and covered with a coating of broken stone five inches thick such stone to be of the same quality as that used for repairing the surface of the other roads in the neighbourhood and all necessary or proper side drains and culverts where necessary for carrying off the surface-water and the Corporation shall fence off every such road.

Footpath along Broomhead Reservoir &c.

(5) The Corporation shall make a way along the southern sides of parts of the said reservoirs to connect the intended diversion of road shown on the said plans on the southern side of the Broomhead Reservoir at or near the field numbered on the said plans 559 in the parish of Ecclesfield with the intended diversion of road shown on the said plans across the western end of the More Hall Reservoir or with Hurst Lane and in either case at or near the field numbered on the said plans 596 in the said parish and the way so made shall when completed be open to the public as a way for foot passengers only.

(6) The said footway shall be at all times maintained by and at the cost of the Corporation as part of the waterworks undertaking and every road shown on the said deposited plans and the drains culverts and fence walls thereof shall be maintained by and at the like cost for three years after the completion thereof of which completion a certificate of two justices shall be conclusive evidence (which certificate two justices shall give on such completion being proved to their satisfaction) and thereafter as a public highway repairable by the inhabitants at large.

Power as to maintaining temporary tramroad.

48.—(1) Subject to the provisions of this section the Corporation may maintain use and work by mechanical or other power the existing temporary tramroad (in this section called "the temporary tramroad") situate in the parish of Wortley and the urban district of Stocksbridge both in the West Riding.

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(2) The provisions of the section in Part V. of this Act of which the marginal note is "For protection of Post Office telegraph lines" shall apply to the working of the temporary tramroad by the Corporation by mechanical power.

(3) From and after the completion of the Broomhead and More Hall reservoirs and works connected therewith by this Part of this Act authorised the Corporation may discontinue to use and may abandon the temporary tramroad and may sell and dispose of the lands forming the site thereof and restore the surface of the lands interfered with by the construction thereof to the condition as nearly as may be in which the same were before the construction of the temporary tramroad was commenced.

(4) On completion of the said reservoirs and works the Corporation shall if required so to do by the county council remove such part of the temporary tramroad and the works connected therewith as are constructed over the Wadsley Langsett and Sheffield main road in the said urban district of Stocksbridge and restore such road and the fences thereof to the satisfaction of the surveyor of the county council.

Provision of hospital accommodation and huts during construction of reservoirs.

49. The Corporation or their contractors shall to the reasonable satisfaction of the medical officer erect fit up and maintain hospitals or infirmaries and temporary huts or other buildings necessary for the accommodation of the servants and workmen employed by the Corporation and their contractors in and about the construction of the Broomhead and More Hall reservoirs and the Corporation shall provide and pay for all such assistance whether of doctors surgeons or nurses as may be necessary and proper for the efficiency of all such hospitals or infirmaries except so far as the same shall be provided or paid for under or in pursuance of the National Insurance Act 1911 and any Act amending the same Any medical officer of health or other person authorised by the local sanitary authority acting in execution of the Public Health Acts for any district in which such hospitals or infirmaries huts or other buildings are erected and maintained shall be entitled at any time to enter into and inspect and examine any such hospitals infirmaries huts or other buildings in order to ascertain that the same are provided with proper and sufficient sanitary arrangements and that overcrowding is not permitted therein If such person be obstructed in the perform-

ance of his duty under this section the person so obstructing shall be liable on summary conviction to a fine not exceeding forty shillings.

If the Corporation or their contractors fail to erect fit up and maintain such hospitals or infirmaries huts or other buildings as required by this section they shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds and any such penalty may be recovered by the local sanitary authority in whose district such hospitals infirmaries huts or other buildings are required to be erected and maintained.

Gauges to be erected on River Ewden.

50. The Corporation shall erect and complete suitable measuring gauges on the River Ewden within a distance of two hundred yards below the outlets of the Broomhead and More Hall reservoirs by this Act respectively authorised (to be called respectively "the Broomhead Gauge" and "the More Hall Gauge") over or through which the quantities of water by the next succeeding section of this Act required to be supplied shall respectively be caused to flow.

Power to take water from River Ewden and compensation water to be supplied.

51. The Corporation may impound take collect divert appropriate and use for the purposes of the waterworks undertaking at such times and in such manner as they from time to time think fit the waters of the River Ewden and its tributaries intercepted by the Broomhead and More Hall reservoirs by this Part of this Act authorised to be constructed and thereafter as and for full compensation to all persons for such impounding taking collecting diverting and appropriation the Corporation shall supply and cause to flow out of the Broomhead Reservoir and the More Hall Reservoir respectively over or through the Broomhead Gauge and the More Hall Gauge respectively and into the River Ewden during twelve hours of every working day between the hours of six in the morning and six in the evening an aggregate quantity of water equal to a flow per minute for the whole of such twelve hours as follows (that is to say):—

Upon and from the completion of the Broomhead Reservoir and until the completion of the More Hall Reservoir out of the Broomhead Reservoir and over or through the Broomhead Gauge three thousand six hundred and eight gallons of water; and

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Upon and from the completion of the More Hall Reservoir out of that reservoir and over or through the More Hall Gauge and for ever thereafter four thousand two hundred and eighty-six gallons of water:

Until gauges completed Corporation not to take any water which they were not authorised to take before passing of Act.

Provided that until the quantities of water by this section respectively required to be supplied or caused to flow over or through the Broomhead Gauge and the More Hall Gauge respectively as the case may be shall have been supplied or caused to flow over or through the gauge required as aforesaid for measuring the same for six consecutive days (such gauge being first duly certified) the Corporation shall not take or appropriate any of the waters of the stream on which such gauge shall be situate above such gauge except only so much of such waters as the Corporation shall by virtue of the provisions of this Part of this Act have become previously entitled to take by virtue of a certificate of the engineer to the Associated Millowners relative to any gauge higher on the same stream.

Provisions as to times and proportions of flow of compensation waters over gauges on Rivers Rivelin Loxley and Ewden.

52. Notwithstanding anything hereinbefore in this Part of this Act contained the several quantities of water hereinbefore in this Part of this Act required to be supplied by the Corporation and caused to flow over or through the several gauges hereinbefore in this Part of this Act referred to shall be supplied during such hours of every working day and in such proportions as shall from time to time be required by notice in writing given to the Corporation by or on behalf of the Associated Millowners in accordance with the resolution of a meeting of such millowners to be held as in this Part of this Act provided:

Provided that if notice shall not be given as last aforesaid the Corporation shall be at liberty to supply the said quantities of water respectively continuously and in one equal flow between the hours of six in the morning and six in the evening of each working day.

Power to take waters of Little Don and compensation water.

53.—(1) The Corporation may impound take collect divert appropriate and use for the purposes of their waterworks undertaking at such m es and in such manner as they think fit the waters of the Little Don River and (subject to the powers and provisions of the Barnsley Corporation (Water) Act 1896 as amended by the Barnsley Corporation (Water) Act 1900 and the Barnsley Corporation Act 1914) of the Hagg Brook and their tributaries and of any other brooks becks or streams of

water or springs which are or may be intercepted by the works authorised by and constructed under the powers of the Sheffield Corporation Water Act 1896 and of the Sheffield Corporation Act 1907 and (subject as hereinafter in this section and in the section of this Act of which the marginal note is "For protection of Samuel Fox and Company Limited" provided) as and for full compensation to all persons for such impounding taking collecting diverting and appropriation the Corporation shall supply and cause to flow out of the Underbank Reservoir over or through the existing gauge on the Little Don River (in this Act called "the Underbank Gauge") and into the bed of that river and in a regular and uniform flow during the respective periods hereinafter mentioned the several quantities of water as follows (that is to say):—

During each day from Monday to Friday both inclusive a day flow of three million and sixty thousand one hundred gallons and on each Saturday from six in the morning to twelve noon a quantity of one million five hundred and thirty thousand and fifty gallons and from twelve noon to six in the evening a quantity of two hundred and sixty-seven thousand five hundred and forty-six gallons:

During the six nights from Sunday to Friday both inclusive a night flow of one million eight hundred and twenty-five thousand gallons:

During the period between the cessation of the day flow on Saturday and the commencement of the night flow on Sunday a quantity of one million and seventy thousand one hundred and eighty-four gallons.

(2) The Associated Millowners interested after seven clear days' notice in writing under the hand of their clerk may alter the hours at which the day flow and the night flow shall respectively commence but in the absence of any notice to the contrary the Corporation shall cause the day flow to be discharged between the hours of six in the morning and six in the evening and the night flow between the hours of six in the evening and six in the morning.

As to water to be discharged from works

(3) The residue of the water to be discharged into the Little Don River out of the water which the Corporation shall supply into the works of Samuel Fox and Company Limited in

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of Samuel Fox and Company Limited.

accordance with the provisions of the section of this Act of which the marginal note is "For protection of Samuel Fox and Company Limited" and which residue the said company are under an obligation to discharge into the Little Don River shall be deemed to be additional compensation water and in excess of the amount in this section hereinbefore prescribed The amount of the aforesaid residue of additional compensation water for the purposes of this section shall be deemed to be a quantity of two hundred and forty-five thousand gallons for the day flow from Monday to Friday inclusive and on Saturday from six in the morning to twelve noon a quantity of one hundred and twenty-two thousand five hundred gallons and for the night flow from Sunday to Friday both inclusive a quantity of one hundred and twenty-nine thousand nine hundred and ten gallons and in case of any stoppage to or diminution or discontinuance of the supply to the said company as provided by the said section during any of the afore-mentioned periods from any cause whatsoever (except temporary stoppage for necessary repairs) creating a deficiency in any of the said quantities the Corporation shall make good such deficiency by discharging into the Little Don River out of the Underbank Reservoir and over or through the Underbank Gauge a quantity of water equal to such deficiency in the additional compensation water during the period of such deficiency.

(4) For the purposes of this section "day flow" and "night flow" respectively shall mean the twelve working hours of each day and each night respectively and Good Friday the day after Good Friday Easter Monday Whit Monday and Christmas Day and the weekday next after Christmas Day shall be considered as Sunday and the quantity of water to be sent down on each of those days shall be the quantities hereinbefore in this section provided to be sent down during the period between the cessation of the day flow on Saturdays and the commencement of the night flow on Sundays but the provisions of this subsection shall not in any way prejudice or affect the provisions of the section of this Act of which the marginal note is "For protection of Samuel Fox and Company Limited."

Water of Little Don to be filtered.

54. All water supplied by the Corporation from the Little Don River for purposes of domestic use shall be properly and efficiently filtered or otherwise treated so as to prevent it from acting on lead in such a manner as to endanger the health of

the consumer If the Corporation shall make default under this section they shall be liable to a penalty not exceeding ten pounds for every day during which such default shall continue.

Corporation to maintain and millowners and their officers may inspect gauges.

55. The Corporation shall for ever maintain the existing Rivelin Damflask and Underbank Gauges and when and so soon as the Broomhead Gauge shall be erected the Corporation shall maintain such gauge until the More Hall Gauge shall be erected and certified as by the provisions of this Part of this Act required and thereafter they shall for ever maintain the More Hall Gauge.

For the purpose of ascertaining the state of repair and efficiency of such gauges and of gauging the quantity of water from time to time passing over or through the same the Associated Millowners or any of them and their officers and servants shall at all times have the right of access to any such gauge and for the purposes of this section the engineer to the Associated Millowners and every other person whom the Associated Millowners are by this Act authorised to appoint shall be deemed to be officers or servants of the Associated Millowners.

Millowners may repair gauges if Corporation fail to do so.

56. If and whenever any gauge required by this Part of this Act to be maintained by the Corporation is in a condition unfit for the purposes for which it is intended the Corporation shall forthwith put it in a proper state of repair and condition or if they fail to do so within seven days after being thereunto required by notice in writing given to them by or on behalf of any of the millowners interested in the supply of water to pass over or through such gauge those millowners or any of them may put the same into a proper state of repair and condition and may recover the expense thereof with interest at the rate of ten pounds per centum per annum thereon from the times of the expenditure thereof and full costs of suit against the Corporation in any court of competent jurisdiction.

Gauges to be certified.

57. Every gauge required by this Part of this Act to be made or maintained shall as the case may be be made and maintained to the satisfaction of the engineer to the Associated Millowners appointed as by this Part of this Act provided and when and so soon as any such gauge is properly and sufficiently made and is in good working order or after being out of repair is

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on notice given as provided by this Act properly and sufficiently repaired he shall certify the same accordingly and every such certificate under his hand shall be filed at the office of the town clerk who shall receive and retain the same and such certificate shall there be open during office hours for inspection by all persons interested free of charge.

Corporation not to take water below the lowest gauges or weirs.

58. The Corporation shall not at any time take collect divert appropriate use or impede any of the waters (other than the waters of the Moor Drain and the waters of the Little Don which may be intercepted and taken by the works authorised by the Sheffield Corporation Act 1907) of the Rivers Rivelin Loxley Ewden and Little Don or of any brook or stream tributary to the same respectively from or at any point below the lowest gauge for the time being made by the Corporation on the respective rivers or streams and certified by the engineer to the Associated Millowners.

Penalty in case Corporation fail to supply stipulated quantities of water.

59. If and whenever the Corporation fail to supply or cause to flow over or through any of the gauges before mentioned in this Part of this Act any quantity of water as required by the provisions of this Part of this Act at such times and in such manner as by or under the said provisions are required they shall for every day during which they so fail forfeit and pay to the occupier of every mill or work of the Associated Millowners who is entitled to the supply and who within one month after the failure demands the same twenty pounds which sum with full costs may be recovered by every occupier so entitled thereto against the Corporation in like manner as penalties may be recovered under the provisions of the Lands Clauses Consolidation Act 1845 applicable to the recovery of forfeitures penalties and costs.

Provision for failure to certify or to appoint successor.

60. If the engineer to the Associated Millowners without good cause shall fail to certify as required by this Part of this Act any gauge within three months next after being required by the Corporation so to do or if the Associated Millowners do not from time to time within three months next after the decease retirement incapacity or failure to act of their engineer appoint his successor the Corporation may take and use all water which they would have been entitled to take and use if such gauge were duly certified and the water had duly flowed over or through the same for six consecutive days Provided nevertheless that

the Corporation shall be liable in damages to every millowner for any excess of authority in so taking or appropriating any of the waters the damages to be recovered against the Corporation in any court of competent jurisdiction.

Power to pump water from River Don.

61. The Corporation may on any day on which they discharge sewage effluent from their Blackburn sewage works into the River Don below the Jordan Dam pump back to their said sewage works from the said river at a point or points between the weir at Phœnix Works and the site of Ickles House a quantity of water not exceeding the quantity of sewage effluent so discharged into the said river on that day.

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

62.—(1) For the purpose of protecting any of their waters and waterworks against pollution nuisance encroachment or injury the Corporation may by agreement purchase take on lease and acquire any lands and may hold such lands and any other lands which the Corporation may have acquired for the purposes of the waterworks undertaking so long as they shall deem it necessary or expedient for those purposes Provided that the Corporation shall not create or permit the creation or continuation of any nuisance on any lands acquired under this section nor erect any buildings thereon except offices and dwellings for persons in their employment in connexion with the waterworks undertaking and such buildings and works as may be incident to or connected with the said undertaking.

(2) The Corporation may in and upon the lands referred to in subsection (1) of this section construct and lay down drains sewers watercourses catchpits and other works and conveniences necessary or proper for the purpose of intercepting or taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the water which the Corporation are empowered to take from being polluted and the Corporation may for the purposes aforesaid carry any such drain sewer or watercourse under across or along any street or road subject and according to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes.

(3) The Corporation may make and carry into effect agreements with the owners lessees or occupiers of any lands with reference to the execution by the Corporation or such owners lessees or occupiers of such works as may be necessary for the

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purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of the waters which the Corporation are for the time being authorised to take.

Dwelling-houses for persons in Corporation's employment.

63. The Corporation may purchase or take on lease dwelling-houses for persons employed by them for the purposes of the waterworks undertaking and may erect and maintain dwelling-houses for such persons upon any lands for the time being belonging to the Corporation for the purposes of the said undertaking and (subject to the terms of the lease) upon any lands for the time being leased to the Corporation for the purposes of the said undertaking.

Reservation of water rights on sale.

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

Discharge of water into streams.

65.—(1) For the purpose of executing constructing enlarging extending repairing cleansing emptying or examining any reservoir well adit aqueduct line of pipes or other work of the Corporation the Corporation may cause the water in any such work to be discharged into any available stream watercourse or ditch Provided that any water so discharged shall be as free as may be reasonably practicable from mud or solid or offensive matter.

(2) In the exercise of the power conferred by this section the Corporation shall do as little damage as may be and shall pay compensation to all persons for all damage sustained by them by reason or in consequence of the exercise of such power and the amount of such compensation shall be settled in case of difference by arbitration under and pursuant to the provisions of the Arbitration Act 1889.

Corporation may undertake to pay Postmaster-General for any loss

66. The Corporation may undertake to pay to the Postmaster-General any loss he may sustain by reason of the establishment or maintenance at their request of any post or telegraph office

or of any additional postal or other facilities in any rural district in connexion with the waterworks undertaking and any expenses incurred by the Corporation under such undertaking may be defrayed out of the revenue of the waterworks undertaking or other funds of the Corporation.

sustained by establishment or maintenance of post or telegraph office.

Height of supply.

67. Notwithstanding anything in this Act or in any Act incorporated therewith it shall not be obligatory on the Corporation in any case to supply water at a height greater than that to which it would flow by gravitation from the Hadfield Service Reservoir of the Corporation to the place at which such supply of water is required.

Rates for supply of water for domestic purposes.

68.—(1) Subject to the provisions of this Part of this Act and the Acts incorporated with this Act the Corporation shall furnish a sufficient supply of water to every inhabitant occupying a private dwelling-house or part of a private dwelling-house in the water limits where the pipes of the Corporation are now or hereafter shall be laid for the use of his or her family at the following rate per annum (that is to say):—

Where the rent of such dwelling-house or part of a dwelling-house so supplied—

Amounts to	But does not amount to	Rate not exceeding	
£	£	£ s. d.	
— - -	7 - -	0 7 2	
7 - -	8 - -	0 8 0	
8 - -	10 - -	0 10 0	
10 - -	12 - -	0 12 0	
12 - -	15 - -	0 14 0	
15 - -	18 - -	0 16 0	
18 - -	20 - -	0 18 0	
20 - -	25 - -	1 0 0	
25 - -	30 - -	1 5 0	
30 - -	35 - -	1 10 0	
35 - -	40 - -	1 15 0	
40 - -	50 - -	2 0 0	
50 - -	60 - -	2 5 0	
60 - -	70 - -	2 10 0	
70 - -	80 - -	2 15 0	
80 - -	100 - -	3 0 0	
100 and upwards	- -	3 0 0	per centum:

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Provided that in cases where the landlord or owner of a number of houses let at rents not exceeding seven pounds per annum shall agree with the Corporation to pay the water rents for the same the Corporation shall not in such cases charge more than six shillings and fourpence per annum for each house for such supply:

Provided further that during the continuance of any agreement made by the Corporation under the provisions of section 80 of the Sheffield Waterworks Act 1853 (by this Act repealed) nothing in this proviso contained shall be deemed to affect or prejudice any such agreement.

(2) In addition to the foregoing charges the Corporation may charge in respect of every watercloset in or belonging to any private dwelling-house within the water limits rates not exceeding the rates per annum hereinafter specified (that is to say):—

Where the rent of such dwelling-house or part of a dwelling-house—

Exceeds	But does not exceed	Rate not exceeding	
£	£	*s.*	*d.*	
—	10	4	0	for each watercloset;
10	25	5	0	for the first and 4*s.* for each additional watercloset:
25	50	6	0	
50	100	7	6	
100	—	10	0	

Provided that where one watercloset shall be provided for and used in common by the occupier of more than one private dwelling-house the annual rent upon which the charge for the same shall be calculated shall be the aggregate annual rents of all such dwelling-houses.

Rates for supply of water for other than domestic purposes.

69.—(1) In the cases of schools manufactories dyers printers bleachers brewers innkeepers livery-stable keepers alehouse keepers and other persons requiring a supply of water for purposes other than for consumption by his or their own family or for baths ponds pools or closets or for washing carriages (including motor cars) or for cows or horses or for the purposes of any trade or business whatsoever any such supply shall be furnished by the Corporation (subject to the provisions in this

Part of this Act hereinafter contained) at rates not exceeding the following rates (that is to say):—

Tenpence per one thousand gallons for the first five hundred thousand gallons or any part thereof supplied in each year:

Ninepence per one thousand gallons for the second five hundred thousand gallons or any part thereof supplied in each year:

Eightpence per one thousand gallons for the third five hundred thousand gallons or any part thereof supplied in each year:

Sevenpence per one thousand gallons for the fourth five hundred thousand gallons or any part thereof supplied in each year:

Sixpence per one thousand gallons for any additional quantity in such year:

Provided that in the case of stables or premises in which horses or carriages or motor cars are kept and which are attached to and occupied with any private dwelling-house the water rate shall if desired by the occupier of such house and stables or premises be assessed upon the amount of the rent of the private dwelling-house and such stables or premises and in such case the Corporation shall not make the charges in this section hereinbefore authorised in respect of the supply of water for such horses and carriages unless a hose pipe or other similar apparatus be used in which case the Corporation may make such additional charge therefor as may be prescribed by the Corporation not exceeding twenty shillings per annum and in the case of motor cars if more than one be kept an additional ten shillings per annum for each motor car beyond the first.

(2) Any sum chargeable under this section may be recovered in the same manner as water rates.

70. Notwithstanding anything in this Part of this Act contained the following provisions shall have effect (that is to say):—

Water rates for warehouses shops &c.

(1) In respect of houses buildings parts of houses or buildings and places occupied as shops offices counting-houses warehouses and ware-rooms or otherwise used for purposes of business and not used as places of residence either by the respective owners or occupiers

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or by their respective servants the Corporation may charge not less than one-third nor more than one-half of the water rates other than for waterclosets and the rates in respect of waterclosets authorised to be charged by the section of this Act of which the marginal note is "Rates for supply of water for domestic purposes":

Charge for portion of premises occupied by caretaker.

(2) Where a portion of any premises which are used as offices warehouses or for purposes of business is occupied by a resident caretaker the Corporation may charge for a supply of water to such portion as if the same were a separate dwelling-house or part of a dwelling-house and in that case the Corporation shall fairly apportion the rental value of the premises between the portion thereof used as offices warehouses or for purposes of business and the residue of the premises and shall charge for the supply in accordance with the apportionment made as aforesaid.

Supply of water by measure.

71. Notwithstanding anything in this Part of this Act contained the Corporation may supply water other than to an inhabitant occupying a private dwelling-house or part of a private dwelling-house in the water limits for the use of his or her family on such terms and conditions as they think fit and the moneys payable for the supply of water under this section shall be recoverable in the same manner as water rates Provided that nothing in this section contained shall prevent the Corporation from supplying any person in the water limits with water by measure in conformity with the provisions of this Part of this Act.

Byelaws for preventing waste &c. of water.

72.—(1) The Corporation may make byelaws for the purpose of preventing the waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connexion disconnexion alteration and repair of pipes meters cocks ferrules valves soil-pans waterclosets baths cisterns and other apparatus (all of which things are included in the expression "water fittings") to be used and forbid any arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination.

(2) Such byelaws shall apply only in the case of premises to which the Corporation are bound to afford and do in fact afford or are prepared on demand to afford a constant supply.

(3) In case of failure of any person to observe such byelaws as are for the time being in force the Corporation may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Corporation as the water rates in respect of the premises are recoverable.

Power to lay pipes in streets not dedicated to public use.

73. The Corporation may on the application of the owner or occupier of any premises abutting on or being erected in any street laid out but not dedicated to public use within the water limits supply such premises with water and for that purpose the Waterworks Clauses Act 1847 shall apply as if section 29 of that Act were excepted from incorporation in this Act.

Corporation may repair pipes &c. at expense of consumer.

74. Where any person supplied with water by the Corporation shall after twenty-four hours' notice in writing under the hand of the responsible officer of the Corporation to repair any pipe cock cistern or other apparatus in order that the water supplied to him by the Corporation shall not be wasted fails to repair the same so as to prevent the waste of water the Corporation may repair the same and their expenses in that behalf shall be repaid to them by the person so suffering the same to be out of repair and the Corporation may recover the same as damages and in addition to the penalty (if any) recovered for the offence.

Injuring meters &c.

75. Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Corporation or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Corporation shall (without prejudice to any other right or remedy for the protection of the Corporation) be liable to a fine not exceeding five pounds and

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the Corporation may in addition thereto recover the amount of any damage by them sustained :

And in any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fitting belonging to the Corporation or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Corporation the Corporation may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for insuring the proper registering by such meter of the quantity of water supplied by means thereof and the expense of such repair and of ali such works matters and things shall be repaid to the Corporation by the person so offending and may be recovered by them as water rates are recoverable The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Corporation when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be primâ facie evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

Notice to Corporation of connecting or disconnecting meters.

76. Before any person connects or disconnects any meter by means of which any of the water of the Corporation is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Corporation of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under the superintendence of any officer of or person authorised by the Corporation and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Notice of discontinuance.

77. A notice to the Corporation from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Corporation.

Power to require removal of standpipes.

78. The Corporation may by a written notice to the owner of any standpipe used for the supply of water from the mains of the Corporation to any house or houses in a court or

elsewhere require within a reasonable time to be specified in the notice the removal of any such standpipe and the substitution to the reasonable satisfaction of the Corporation of a separate supply to each of the houses previously supplied by means of such standpipe and the Corporation shall contribute a sum not exceeding one-third of the reasonable cost incurred by the owner in any such removal or substitution and any sum so contributed shall be defrayed out of the revenue of the waterworks undertaking.

Any person failing to comply with any such notice as aforesaid shall on summary conviction be liable to a daily penalty of not exceeding forty shillings for each day after the expiration of the period specified in such notice.

As to communication pipes.

79. For the purpose of complying with any obligation under the Waterworks Clauses Act 1847 or under this Part of this Act to maintain any pipe or apparatus used for the supply of water from the works of the Corporation the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and subject to the conditions of sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

Expenditure on meters.

80. The cost of all additional meters provided by the Corporation after the passing of this Act for measuring water supplied for trade or other purposes shall be debited to capital account and may be defrayed out of any moneys which the Corporation are now or may be hereafter authorised to borrow for waterworks purposes . Provided always that all meters shall be repaired and replaced out of revenue.

Power to fix valves for regulating supply of water to and agreements with Rotherham Corporation.

81.—(1) The Corporation may at or near the point of delivery of water supplied by them to the Rotherham Corporation from the Little Don Valley Works at Boston Castle Reservoir under the agreements dated the twelfth day of June and the twenty-first day of November one thousand eight hundred and ninety-five scheduled to the Sheffield Corporation Water Act 1896 and set out in the Thirteenth Schedule to this Act and from the Derwent Valley Works at Rotherham under section 177 of the Derwent Valley Water Act 1899 (hereinafter in this section referred to as "the Act of 1899") provide fix and maintain and from time to time inspect all necessary valves and gauges for the purpose of securing that the statutory

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quantities of water daily supplied to the Rotherham Corporation are not exceeded.

(2) For the purpose of exercising the powers of this section the Corporation may at all reasonable times enter upon the lands and works of the Rotherham Corporation and any person who obstructs or attempts to obstruct the Corporation or their duly authorised officer in the exercise of the said powers shall for every such offence be liable to a penalty not exceeding five pounds.

(3) The Corporation and the Rotherham Corporation may make and carry into effect agreements with respect to the supply of water to be afforded by the Corporation to the Rotherham Corporation under the Act of 1899 and with respect to the alteration of the source from which and the terms and conditions under which and the time at which such supply shall be afforded and with respect to the construction of all necessary mains and works for the purpose of affording a supply of water under any such agreement.

(4) The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes shall so far as they are applicable extend and apply for the purpose of carrying into effect any agreement entered into under the provisions of subsection (3) of this section.

Agreements between Corporation and local authorities and others.

82. The Corporation (subject to the provisions of this Part of this Act) may make and carry into effect agreements and may vary or rescind agreements with any county council district council corporation or other local authority and with the consent of the local authority and of any company authorised to supply water in the particular district with any other public body and any company or person for the sale and supply by the Corporation of water in bulk to such county council district council corporation or other local authority or public body or company or person whether within or beyond the water limits on such terms and conditions as may be agreed by and between the parties to any such agreement:

Provided that no water shall either directly or indirectly be supplied by the Corporation for use within the limits within which the mayor aldermen and burgesses of the county borough of Barnsley are authorised to supply water without their consent in writing first obtained.

Agreements with respect to laying pipes for supply in bulk.

83.—(1) The Corporation and any local or road authority may enter into and carry into effect agreements upon such terms and conditions as may be agreed upon with respect to the conveyance and delivery of any water supplied by the Corporation under the section of this Act of which the marginal note is "Agreements between Corporation and local authorities and others" and sections 84 (Apportionment of water) and 174 (Power of Sheffield Corporation to supply water in bulk by agreement) of the Derwent Valley Water Act 1899 and with respect to the laying of mains and pipes necessary therefor and may carry into effect any such agreements which may have been entered into prior to the passing of this Act.

(2) The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes shall so far as they are applicable extend and apply for the purpose of carrying into effect any agreement entered into under the provisions of this section.

Guarantees by district councils.

84.—(1) Any urban or rural district council the district under whose jurisdiction is in whole or in part within the water limits may give and enter into any guarantee or contract for securing payment to the Corporation of such periodical or other sum or sums at such time or times in such manner and subject to such stipulations as may be agreed by and between such council and the Corporation for the purpose of or with respect to the providing or laying down by the Corporation of any main pipe or works for the supply within any part of such district which is within the water limits by means of such main pipe or works.

(2) The giving of such guarantee and the performance of any contract in relation thereto shall be deemed to be a purpose for which under the provisions of any general Act relating to the powers of such council they may incur expenditure and any such council may raise in like manner as money may be raised under the provisions of any such general Act any money which may become payable to the Corporation under this section.

Corporation to make good all damages to be done by reservoirs &c. bursting &c.

85. The Corporation shall and they are hereby required from time to time and at all times for ever hereafter to pay and make good to the owners lessees and occupiers of all mills manufactories buildings lands and grounds and to every person whomsoever all loss costs charges sums of money damages and

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expenses whatsoever and for all injury of what nature or kind soever as well immediate as consequential which such owners lessees or occupiers or other persons may suffer incur pay expend or be put unto by reason or in consequence of the failure or giving way of the reservoirs embankments watercourses or other waterworks of the Corporation.

Corporation when so required to sell pipes &c. outside city.

86.—(1) At any time after the passing of this Act the Corporation shall if required by any sanitary authority (except as in this section hereinafter provided) sell to such sanitary authority all pipes fittings and other apparatus for or connected with the distribution of water belonging to the Corporation which shall at such time be laid in the district of such sanitary authority excepting all such pipes mains and other works required and used or that may be required and used for supplying and conveying water into and for any other part for the time being included within the water limits at such price and upon and subject to such terms and conditions as may be settled by agreement between the Corporation and such sanitary authority or failing agreement as may be determined by an arbitrator to be appointed for such purpose by the Board on the application of either party and after such sale the powers and obligations of the Corporation to supply water otherwise than by agreement within the district of such sanitary authority shall cease Any such purchase shall be deemed to be a purpose of the Public Health Act 1875 within the meaning of that Act.

(2) The provisions of this section shall not apply to the urban districts or the urban district councils respectively of Handsworth and Stocksbridge.

Provisions as to water supply to Corporation by Derwent Valley Board.

87.—(1) The Derwent Valley Water Board (in this section called "the water board") shall supply to the Corporation and deliver into the works constructed by the Corporation and known as the Rivelin Tunnel at a level not lower than seven hundred feet above Ordnance datum the quantity of water which the Corporation may be from time to time entitled to receive under the provisions of the Derwent Valley Water Act 1899 and the water board shall from time to time construct their aqueduct of such dimensions as may be necessary to admit of supplying to the Corporation that quantity of water in addition to the water to be supplied to the other constituent authorities of the water board and the expenditure incurred by the water board

for the purposes of this subsection shall be borne and contributed in accordance with the provision of section 85 of the said Act.

(2) The water board shall deliver and the Corporation shall take in an unfiltered condition the water to be supplied by the water board to the Corporation in accordance with the provisions of this section.

(3) The Corporation and the water board may enter into and carry into effect agreements with respect to the execution of any work authorised by the Derwent Valley Water Acts 1899 to 1912 or any of them and being a work by means of which it is proposed to afford any supply of water to the Corporation and any such agreement may contain provisions as to the payments to be made and generally as to the mode terms and conditions of the execution of any such work.

Waterworks undertaking accounts and revenue.

88. The Corporation shall keep accounts in respect of the waterworks undertaking separate from all other accounts (distinguishing therein capital from revenue) and shall apply the revenue of that undertaking as follows (that is to say):—

First In payment of the expenses of collection and recovery and of the working and establishment expenses and cost of maintenance of the waterworks undertaking:

Secondly In payment of the water annuities:

Thirdly In payment of the interest on any moneys borrowed by the Corporation for the purposes of the waterworks undertaking:

Fourthly In providing the requisite instalments or sinking funds or otherwise making provision for repayment of moneys borrowed for the purposes of the waterworks undertaking and for redemption of the water annuities:

Fifthly In providing a reserve fund if the Corporation think fit by setting aside such sums as they from time to time think reasonable and investing the same and the resulting income thereof in any statutory security and accumulating the same at compound interest till the fund so formed amounts to two hundred and fifty thousand pounds which fund shall be applicable from time to time to answer any deficiency at any time happening in the revenue of the Corporation from the waterworks under-

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taking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the said undertaking and so that if the said fund is at any time reduced it may be again restored to the sum of two hundred and fifty thousand pounds and so from time to time as often as such reduction shall happen Provided that the Corporation may resort to the said reserve fund for the said purposes or either of them at any time notwithstanding that such fund may not at such time amount to the limit hereinbefore prescribed Provided also that whenever the amount in the reserve fund for the time being shall be at the limit aforesaid the annual proceeds thereof shall be treated as receipts of the waterworks undertaking and be dealt with accordingly:

Sixthly In reduction of the rates payable for a supply of water for domestic and all other purposes.

As to deficiency of water revenue.

89. If the amount standing to the credit of the account of the waterworks undertaking shall at any time be insufficient for the payment of the charges thereon the deficiency shall be made up out of the general district rate by carrying an adequate sum therefrom to the credit of the said account and the Corporation from time to time in preparing the estimates of the amount required in their judgment to be raised by means of a general district rate for the purposes of the city may include therein such sums (if any) as in the judgment of the Corporation are necessary to be provided in aid of the deficiency from time to time arising as aforesaid in the said account and shall collect the same as part of such general district rate Provided that nothing in this section contained shall in any way prejudice the security for or the payment of the water annuities.

Meetings of millowners may be held.

90. For regulating the proceedings of the Associated Millowners for the purposes of this Part of this Act any three of the Associated Millowners (not being together joint owners lessees or occupiers of the same mill or other works) from time to time may convene a meeting of the Associated Millowners to be held at some convenient place in the city by notice specifying the object of the meeting and inserted once in each of two newspapers published or circulated in the city at least seven and not more than fourteen days before the day appointed for the meeting and all questions submitted to the meeting consistently

with the notice convening it shall be decided by a majority of the votes of the persons present and not declining to vote thereat and unless and until altered or repealed by another meeting shall bind all the Associated Millowners whether present or absent Provided that at any meeting of the Associated Millowners Rivelin and Loxley Millowners as such shall not be entitled to vote on any question relating exclusively to water to be supplied and flow over or through any gauges other than the Rivelin and Damflask Gauges and the Ewden the Little Don and the Upper Don Millowners respectively as such shall not be entitled to vote on any question relating exclusively to water to be supplied or caused to flow through any gauge other than the gauge or gauges the water flowing over or through which would thereafter flow to or past their respective mills or works and if any difference of opinion arises at a meeting whether any millowner is or is not entitled under the provisions of this section to vote the difference shall be determined then and there by the chairman of the meeting whose decision shall be final and conclusive and the Corporation by virtue of the ownership of a mill or work shall not be deemed to be an Associated Millowner with respect to the right of voting.

Chairman to be appointed.

91. The persons present and entitled to vote at any meeting of the Associated Millowners shall at the commencement of their proceedings elect one of themselves to be the chairman of the meeting who shall preside thereat and who shall in every case of an equality of votes have an additional or casting vote and any three persons entitled to vote at the meeting shall be a quorum and the meeting may adjourn from time to time as they see fit.

Quorum.

Minutes of proceedings to be kept.

92. Minutes of the proceedings and resolutions of every meeting of the Associated Millowners and of the persons present thereat shall be entered by their clerk in a book kept for the purpose and shall be signed by the chairman of the meeting and minutes purporting to be so signed shall be received as primâ facie evidence in all courts and elsewhere without proof of the meeting having been duly convened or held or of the persons attending the meeting being millowners within the meaning of this Act or of the quorum being present or of the signature of the chairman all of which facts and the regularity of all the proceedings at the meeting shall be presumed unless and until the contrary be proved.

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Mode of voting.

93. At every meeting of the Associated Millowners the millowners present thereat shall be entitled to vote as follows (that is to say):—

The vote or votes in respect of any mill or works shall be given by the occupier thereof if present or if the occupier be absent then by the lessee thereof if present or if both occupier and lessee be absent then by the owner thereof if present and where several joint owners lessees or occupiers are present only one of them shall vote on behalf of all of them and if they do not agree as to their vote it shall not be received.

Scale of votes.

94. Every millowner entitled to vote (joint millowners for this purpose being considered one millowner) shall have one vote in respect of every entire foot of head and fall of water of or belonging to every mill or waterwheel in respect of which he is entitled to vote.

Power for millowners to appoint an engineer clerk and officers.

95.—(1) After the decease retirement incapacity or failure to act of the engineer to the Associated Millowners for the time being the Associated Millowners if they think fit may at any meeting from time to time convened for the purpose appoint some other proper civil engineer to be their engineer and also may at any time and so from time to time appoint and remove a clerk and may confide to their clerk the execution of any of their resolutions and the custody of all their books and papers and any books and papers relating to proceedings of owners lessees and occupiers of mills and works and the Associated Millowners may at any time and so from time to time appoint some proper person or persons to ascertain from time to time the state and condition of the gauges required by this Part of this Act and the quantity of water passing over the same respectively and may make such rules for the guidance of and may remove the person or persons so appointed as the Associated Millowners deem expedient.

(2) Any notice to be served on the Associated Millowners or on any of the millowners shall be sufficiently served by delivery thereof to any clerk so appointed as aforesaid or by being left at his office.

Expenses of millowners

96. The Corporation shall pay the annual sum of one hundred pounds to the Associated Millowners to cover the charges and expenses of their engineer and the other expenses of such

millowners under this Act and the Corporation shall also pay the costs of inspecting testing and certifying in accordance with the provisions of the section of this Act of which the marginal note is "Gauges to be certified" any future gauge which may be erected in pursuance of the provisions of this Part of this Act or which may be substituted for the Underbank Gauge and all expenses attending the proceedings of the said millowners and the salaries and expenses of the persons appointed by them under this Act which are not paid by the Corporation shall be paid by the Associated Millowners entitled to attend and vote at their meetings in rateable proportion to the number of votes to which they are entitled.

Recovery of expenses due to millowners.

97. The moneys to be paid by the Corporation and the Associated Millowners or any of them respectively in respect of charges salaries and expenses shall be paid on behalf of the Associated Millowners to their clerk or to such other person as they appoint to receive the same and in default of payment thereof may be recovered by the clerk or person to whom the same ought to be so paid against the Corporation or against any millowner or millowners in default in any court of competent jurisdiction and in any such proceeding against any millowner or millowners a resolution of a meeting of the Associated Millowners declaring the amount payable by him or them shall be sufficient evidence of the matters thereby declared.

Saving rights of millowners.

98. Save as by this Part of this Act specifically provided nothing herein contained shall be held to take away diminish prejudice or affect the property rights powers or privileges of any of the Rivelin Millowners Loxley Millowners Ewden Millowners Upper Don Millowners or Lower Don Millowners but all such rights powers and privileges shall and may continue to be held and exercised by them respectively in the same manner as they could or might have been if this Act had not been passed.

Power to agree with Associated Millowners as to Rivelin and Loxley compensation water.

99. Notwithstanding any of the provisions in this Part of this Act hereinbefore contained the Corporation and the Associated Millowners may from time to time make and carry into effect agreements for varying all or any of the provisions of this Part of this Act which regulate or relate to the discharge or delivery of compensation water into the Rivers Rivelin Loxley or Don and any such agreement being signed by the town clerk and by the

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chairman of a meeting of the Associated Millowners in pursuance of a resolution of such meeting shall be valid and bind all the Associated Millowners whether present at or absent from the meeting:

Provided that no occupier lessee or owner of any mill or works situate on the River Don above the junction of the River Loxley with that river or on any tributary of the River Don which falls into that river above the said point of junction shall be entitled to vote as such on any question in connexion with any such agreement Provided also that nothing contained in any such agreement shall prejudice or affect the rights or remedies of the Sheffield and South Yorkshire Navigation Company under the provisions of the section of this Act of which the marginal note is "For protection of navigation of River Don."

For protection of West Riding of Yorkshire Rivers Board and county council.

100. For the protection of the West Riding of Yorkshire Rivers Board and the county council the following provisions shall unless otherwise agreed in writing between the said board and the county council and the Corporation have effect (that is to say):—

Notwithstanding anything contained in this Part of this Act or in any other enactment the Corporation shall not abstract or divert any water so as to reduce the quantity of compensation water discharged or delivered over or through the Rivelin and Damflask Gauges or either of them pursuant to any statutory or other requirement in that behalf below a quantity equivalent to one-third of the total average available yield of the respective watersheds or gathering grounds of the Rivers Rivelin and Loxley or either of them or do any other act or thing whereby or by reason or in consequence whereof the said quantity of compensation water shall be so reduced:

For the purpose of this section the total average available yield in each of the three hundred and sixty-five days of every year in the respective watersheds or gathering grounds shall be deemed to be the respective quantities hereinafter mentioned (that is to say) In the case of the River Rivelin five million five hundred and fifty-five thousand gallons and in the case of the River Loxley eleven million nine hundred and sixty-nine thousand gallons:

The quantity of compensation water shall be apportioned and delivered in such proportions and at such times as is provided by the provisions of this Part of this Act.

For protection of Duke of Norfolk and Sheffield Gas Company.

101. For the protection of the successor in title of the late Duke of Norfolk and his sequels in estate (in this section included in the term "the owner") and the Sheffield Gas Company (hereinafter in this section referred to as "the gas company") the following provisions shall unless otherwise agreed in writing between the owner and the Corporation and between the gas company and the Corporation have effect (that is to say):—

(1) Notwithstanding anything in this Act or in any other Act contained or in any agreement made in pursuance of the powers conferred by the section of this Act the marginal note whereof is "Power to agree with Associated Millowners as to Rivelin and Loxley compensation water" the quantity of compensation water to be discharged or delivered on every working day into the Rivers Rivelin and Loxley or either of them and thence into the River Don pursuant to the provisions of this Part of this Act shall not be reduced below the following quantities (namely) In the case of the River Rivelin two million one hundred and seventy-three thousand three hundred and fifty-three gallons and in the case of the River Loxley four million six hundred and eighty-two thousand four hundred and forty-five gallons:

(2) The quantity of compensation water shall be apportioned and delivered in such proportions and at such times as is provided by the provisions of this Part of this Act.

For protection of navigation of River Don.

102. For the protection of the Sheffield and South Yorkshire Navigation Company (in this section referred to as "the navigation company") the following provisions shall unless otherwise agreed apply and have effect:—

(1) The navigation company or their engineer may at all reasonable times hereafter inspect the works of the Corporation to ascertain that the provisions in this Part of this Act hereinbefore contained relating to the supply of water by the Corporation into

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the Rivers Rivelin Loxley and Ewden are duly carried into effect and observed by the Corporation and for that purpose may enter upon any lands and buildings and take measurements and observations and also inspect the books or registers of the Corporation relating to the supply of water and in case at any time hereafter it shall happen that the said provisions so last referred to shall not be duly carried into effect and observed by the Corporation it shall be lawful for any justice of the peace upon application of the navigation company or their engineer to make orders from time to time for the remedy thereof consistently with the provisions in this Part of this Act contained for the protection of the Rivelin Loxley and Ewden Millowners respectively and in case the Corporation shall not obey any such order the Corporation shall (subject as in this section hereinafter provided) forfeit for every day during which such disobedience shall continue the sum of ten pounds to be recovered by the navigation company as liquidated damages:

(2) The Corporation shall not become liable under the provisions of subsection (1) of this section to any forfeiture or penalty in respect of the insufficiency of the quantity of compensation water discharged or delivered into the Rivers Rivelin and Loxley or either of them pursuant to the provisions of this Part of this Act in that behalf so long as the quantity of compensation water so discharged or delivered amounts in the aggregate to eight million eight hundred and seventy-one thousand nine hundred and thirty-four gallons on every working day within the meaning of the said provisions:

(3) The Corporation shall on any day on which the said compensation water referred to in subsection (2) of this section is reduced below the quantities by the provisions of this Act in subsection (1) of this section referred to respectively required to be discharged or delivered pump during the working hours of any such day from the New Cut at a point immediately below the Ickles Lock into Jordan Dam at a point

immediately above Jordan Lock a quantity of water equal to the quantity by which the said compensation water is so reduced and the Corporation shall before the said compensation water is so reduced at their own cost erect and construct and at all times thereafter maintain all such works as may be necessary for the purpose such works to be placed in such positions upon lands of the navigation company (the necessary easements to be provided by them free of cost to the Corporation) as shall be reasonably approved by the engineer of the navigation company:

(4) The navigation company shall have access at all reasonable times to the said works for the purpose of inspecting the same and the working thereof:

(5) For the purpose of ascertaining the quantity of water pumped by the Corporation the Corporation shall before reducing the amount of compensation water provide at the pumping station and shall at all times thereafter maintain in an efficient state of repair suitable appliances for automatically measuring or otherwise ascertaining and recording the quantity of water so pumped and such appliances and records shall at all reasonable hours in the daytime be open to the inspection of the navigation company:

(6) In the event of a breach by the Corporation of the obligation as to pumping water imposed upon them by this section the Corporation shall be liable to the like forfeiture or penalty as the Corporation are liable to under the first subsection of this section in respect of the insufficiency of the compensation water discharged or delivered into the Rivers Rivelin and Loxley:

(7) Nothing hereinbefore in this section contained shall prejudice or affect the rights or remedies of any person interested in the waters of the said rivers other than the navigation company:

(8) All works in connexion with the taking and using of water of the Little Don over or under the canal or works of the navigation company shall be maintained

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to the reasonable satisfaction of the navigation company and the Corporation shall not stop divert or alter or injure the canal or any of the works of the navigation company nor interrupt or interfere with the safe passage of traffic upon the canal and the Corporation shall indemnify from and make good to the navigation company all losses damages costs charges and expenses which the navigation company may sustain or be put to by reason or in consequence of the maintenance or failure of the said works:

(9) Nothing in this Part of this Act contained shall extend or be deemed or construed to extend to take away prejudice or alter any of the rights privileges powers and authorities vested in belonging to or exercised by the navigation company except so far as is expressly authorised by this Part of this Act.

As to water supply to Swinton Urban District the rural district and Wortley Rural District.

103.—(1) The Corporation shall supply in bulk to the urban district council of Swinton the rural council and the Wortley Rural District Council (in this section referred to as "the authorities") if and when required so to do such daily quantity of water as any such authority may from time to time require and agree to take in consideration (unless otherwise agreed) of an annual payment equal to four per centum upon such proportion of the total capital from time to time expended on the works by the Sheffield Corporation Water Act 1896 (by this Act repealed) authorised and the tanks and filtering beds and distributing mains connected therewith as the daily quantity of water required and agreed to be taken by such authority may from time to time bear to the total daily quantity of water which the works so constructed are from time to time capable of providing together with a proportion calculated as aforesaid of the costs necessary or proper for the maintenance working and management of the said works.

The capital upon which the before-mentioned percentage shall be calculated shall include the actual expenditure of the Corporation in obtaining the said Act and in the purchase of lands and easements and in or in connexion with the construction of works and the tanks filtering-beds works and distributing mains referred to and shown on the deposited plans deposited with that Act and all other works necessary and also interest

with annual rests at three and a half pounds per centum per annum on capital expended until the works upon which the same has been expended were made use of for the supply of water.

The amount of such capital and the costs of maintenance and management shall in case of difference between the parties be settled and determined by the Board.

(2) The Corporation and their present water limits shall at all times have a prior right of supply from the said works of a quantity which with the water obtained from works constructed under any other statutory powers shall not exceed twenty-five gallons per head per day of the population.

(3) No authority shall be entitled to any supply without having given at least one year's notice of the date when such supply will be required and no authority having obtained a supply under this section shall be entitled to require any further quantity until the expiration of five years from the time of any such supply and without giving such notice as aforesaid.

(4) If the requirements of any authority increase the quantity of water required by the Corporation for the supply of twenty-five gallons per head per day of the population of their present water limits and for the supply of any authority or authorities who at the time of making such requirement may be supplied or have required a supply to such an extent that in order to comply with such requirements an addition to the lines of pipes shall be immediately necessary the authority making such requirement shall pay to the Corporation (in addition to the annual sum hereinbefore mentioned) such sum as failing agreement may be determined by the Board to be reasonable towards the cost of such additional works The basis on which such sum shall be settled shall be that of paying to the Corporation such sum as shall be equivalent to four per centum per annum on the money expended by them in the construction of such additional line of pipes for the period which may reasonably be expected to elapse between the completion and bringing into use of such additional line of pipes and the time when the normal increase of the population within the water limits of the Corporation would have necessitated the construction of additional works in order to afford a supply of twenty-five gallons per head per day of the population within such limits and to meet the requirements of the authorities

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who at the making of the requirement may be supplied or have required a supply.

(5) Nothing in this Part of this Act contained shall enable the Corporation or any authority to construct waterworks (other than those mentioned in the section of the said Act the marginal note of which was "Power to construct works") or supply water to be used within the limits of supply of any other local authority without the consent of such authority.

(6) No authority shall have the right to demand more water from the Corporation than will together with any existing means of supply which the authority intends to retain give twenty gallons per head per day on the population which such authority is authorised to supply including a reasonable quantity for the prospective increase of population the same to be determined in case of difference by an arbitrator to be appointed by the Board and the cost of such determination shall be paid by the parties as the arbitrator shall direct.

(7) The Corporation and any authority may enter into contracts under their respective corporate seals with reference to the supply of water and the same shall have full force and effect.

(8) For the purpose of providing a supply of water for the urban district council of Swinton and the rural council the water shall be conveyed to the districts of those authorities by means of pipes to be laid at their expense and to be connected with the lines of pipes or works numbered 10 and 11 respectively in section 15 of the said Act of 1896 and if for the purpose of affording such supply of water it shall be necessary to increase the size of the main or pipes which would be required for the supply of the quantity of water to be given under certain of the provisions of the said Act not repealed by this Act to the Rotherham Corporation and the mayor aldermen and burgesses of the borough of Doncaster the councils aforesaid shall at the time when the pipe or main to Rotherham and Thrybergh is laid by the Corporation pay the amount of such increased expense in proportion to the quantity of water to be taken by each district Provided always that until the Corporation supply the Swinton Urban District Council or the rural council with water under the provisions of this section the said district councils respectively shall not be liable to any payment in respect of such increased expense.

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As to water supply in parish of Bradfield.

104.—(1) Notwithstanding anything contained in section 52 of the Public Health Act 1875 or in any local Act in force within the water limits the Wortley Rural District Council (in this section called "the district council") shall be entitled without any application or notice to the Corporation to construct waterworks for the purpose of supplying water and to give a supply of water within those parts of the parish of Bradfield edged blue on the map signed by William Terrey on behalf of the Corporation and Peter Marshall on behalf of the district council Provided that such supply shall be obtained from sources within the aforesaid parts of the said parish and that nothing in this subsection contained shall be deemed to exclude such parts of the said parish from the water limits.

(2) The district council shall sell and the Corporation shall purchase the Oughtibridge Waterworks and plant of the district council (situate within the water limits) subject to all liabilities and obligations affecting the same for such price or consideration as may be determined by agreement between the district council and the Corporation or failing agreement by an arbitrator to be appointed on the application of either party by the Board and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such arbitration and from and after such sale and purchase the district council shall cease to supply water within the village of Oughtibridge in the parish of Bradfield.

For the purposes of this section the expression "the Oughtibridge waterworks and plant" means the lands tanks mains pipes and apparatus used by the district council for or in connexion with the supply of water in the said village of Oughtibridge together with the benefit of all contracts and agreements relating to or for the purposes of the same.

(3) As soon as practicable after the passing of this Act the district council shall ascertain what houses within the village of High Bradfield (which village is within their district and within the water limits) are without a proper supply of water and thereupon the district council shall give to the owner or owners of such houses the notice required by section 62 of the Public Health Act 1875 and shall inform the Corporation of the result thereof and if from any cause the Corporation shall within a period of six months thereafter fail to afford a good and sufficient supply of water to the owner or occupier of any house within the village of High Bradfield who may require the same at the authorised scale of charges for the time being in force within the

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water limits but without requiring any guarantee in respect of the expense of providing or laying down any pipes or of pumping (if any) for the purpose of such supply the district council notwithstanding anything contained in section 52 of the Public Health Act 1875 or in any local Act in force within the water limits shall be entitled without any further application or notice to the Corporation to construct waterworks for the purpose of supplying water and may give a supply of water within the said village:

Provided that the Corporation shall be entitled at any time thereafter to purchase any waterworks so constructed by the district council for such price or consideration as may be determined by agreement between the district council and the Corporation or failing agreement by arbitration in manner hereinbefore provided.

For protection of Great Central Railway Company.

105. For the protection of the Great Central Railway Company (in this section called "the railway company") the following provisions shall apply unless otherwise agreed between the Corporation and the railway company:—

All works under or over the railway or works of the railway company in connexion with the taking and using of water by the Corporation from the Little Don River shall be maintained by the Corporation to the reasonable satisfaction of the railway company and in any case in which the works were carried out in accordance with plans sections and specifications previously approved by the chief engineer for the time being of the railway company in accordance with such plans and for the purposes thereof the Corporation shall not stop divert or alter or injure the railway or any of the works of the railway company nor interrupt or interfere with the safe passage of traffic over the railway and the Corporation shall indemnify the railway company from and make good to the railway company all losses damages costs charges and expenses which the railway company may sustain or be put to by reason or in consequence of the maintenance or failure of the said works.

For protection of Samuel Fox and Company Limited.

106. For the protection of Samuel Fox and Company Limited (in this section referred to as "the limited company") the following provisions shall unless otherwise agreed in writing

between the Corporation and the limited company apply and have effect:— A.D. 1918.

(1) The Corporation shall cause to be discharged into the Little Don River out of the Underbank Reservoir and over or through the Underbank Gauge in a regular and uniform flow the several quantities of compensation water mentioned and prescribed in sub-section (1) of the section of this Part of this Act of which the marginal note is "Power to take waters of Little Don and compensation water":

Provided nevertheless that the Corporation may at any time after seven clear days' notice in writing addressed and delivered or sent by post to the limited company at their registered office alter to any hour before six but not being earlier than four in the morning the commencement of the day flow:

(2) The limited company shall have the right of access at all times by their servants and agents to the Underbank Gauge for the purpose of ascertaining the state of repair and efficiency of such gauge and of checking the quantities discharged over or through the same:

(3) The Corporation shall (subject as hereinafter mentioned with regard to temporary stoppages for repairs) for ever hereafter supply to the limited company free of cost to them for use upon or in connexion with their land works and premises at Stocksbridge the quantities of water hereinafter mentioned direct from the trunk main of the Langsett Reservoir during the following periods of each and every working day (that is to say):—

A day supply during the period of twelve hours (from six in the morning to six in the evening) of each day from Monday to Friday both inclusive of three hundred and fifty thousand gallons and during the periods from six in the morning to twelve noon on Saturday of one hundred and seventy-five thousand gallons and a night supply during the period of twelve hours from six in the evening to six in the morning of each night from

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Sunday to Friday both inclusive of one hundred and eighty-five thousand five hundred and eighty-six gallons:

Provided always that this provision shall not prevent the Corporation temporarily stopping the supply of water thereunder for the purpose of executing necessary repairs but in such event the Corporation shall cause as little inconvenience as may be to the limited company and shall make up and supply to the limited company (without payment therefor) at such subsequent time as may be arranged any deficiency in the water actually supplied below the quantities hereinbefore stipulated:

Provided also that the hours for delivery of the limited company's day supply and night supply under this subsection shall only be varied by agreement between the limited company and the Corporation:

(4) The water to be supplied by the Corporation under subsection (3) of this section shall be delivered by them at or near the Stocksbridge works of the limited company at a height of not less than six hundred and twenty feet above Ordnance datum into the tank which has been provided and at the point which has been fixed by the limited company and the limited company shall so far as may be practicable and after satisfying their requirements discharge the residue of the water supplied to them under the said subsection into the Little Don River:

(5) The Corporation shall for ever hereafter at their own cost maintain in good order and condition the line of pipes which they have constructed from their said Langsett Trunk Main to the said tank provided by the limited company as aforesaid and such pipes shall be of a sufficient size to deliver five hundred thousand gallons of water in twelve hours at the level hereinbefore in subsection (4) of this section mentioned and due and proper provision shall be made by the Corporation so that if required in times of emergency or on the limited company giving twelve hours' notice to the Corporation for the purpose of filling up the

said tank or keeping the same full the whole of the said quantity of five hundred thousand gallons can be delivered in twelve hours:

(6) The limited company may take and the Corporation shall (subject as hereinafter mentioned) supply any quantity of water which the limited company may require in excess of the several quantities per working day as stipulated in subsection (3) of this section at the rates and subject to the same conditions and obligations as are applicable to supplies of water for trade purposes by meter within the water limits:

(7) The Corporation shall at their own cost for ever hereafter maintain in good order and condition in over or adjoining the said tank provided by the limited company as aforesaid a proper ball tap or other automatic apparatus sufficient for giving and controlling a supply of five hundred thousand gallons of water in twelve hours and a sufficient meter or meters for the purposes of measuring the quantity of water delivered into the said tank and shall at the like cost for ever hereafter maintain in good repair and condition the building which they have erected for the protection of the said ball tap or other apparatus and meter or meters and the limited company as well as the Corporation shall have the right of access by their servants and agents at all times to the said building ball tap or other apparatus and meter or meters for the purposes of inspecting the same:

(8) So far as the same passes through or is upon their property the limited company shall make no charge to the Corporation for the easement which has been granted for maintaining the said line of pipes nor for the site of the said meter-house the Corporation making good all damage which may be done in or about the execution of any works connected with the maintenance of such line of pipes and meter-house:

(9) The Corporation shall from time to time and for ever hereafter pay and make good to the limited company and their lessees tenants clerks agents servants workmen and other persons employed by the limited

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company all costs charges sums of money damages and expenses whatsoever and for all injury of what nature or kind soever as well immediate as consequential which the limited company or such persons as aforesaid may suffer incur pay expend or be put to by reason or in consequence of the failure or giving way of the reservoirs embankments watercourses mains pipes or other waterworks of the Corporation:

(10) The Corporation in the maintenance of any of their pipe lines constructed under the powers of the Sheffield Corporation Water Act 1896 (by this Act repealed) shall not unnecessarily interfere with or disturb the gas mains and pipes of the limited company laid in the public roads and if any alterations in such mains shall be necessary the Corporation shall execute such work to the satisfaction of the engineer for the time being of the limited company and the Corporation shall keep the limited company indemnified against all loss costs damages and expenses as well immediate as consequential which the limited company may at any time incur or sustain by reason of the Corporation carrying out the construction of such pipe lines or other works in any way connected therewith:

(11) If any difference shall occur between the Corporation and the limited company as to the construction of this section or as to any matter or thing arising under its provisions such difference shall be referred to arbitration under the Arbitration Act 1889.

For protection of Steel Peech and Tozer Limited.

107. For the protection of Steel Peech and Tozer Limited (in this section referred to as "the company") the following provisions shall unless otherwise agreed in writing between the Corporation and the company apply and have effect:—

(1) For the purpose of ascertaining the quantity of sewage effluent discharged and water pumped by the Corporation as referred to in the section of this Part of this Act whereof the marginal note is "Power to pump water from River Don" the Corporation shall to the reasonable satisfaction of the company provide prior

to such pumping being commenced and so long as such pumping shall continue maintain in an efficient state of repair suitable appliances for measuring or otherwise ascertaining and recording the quantity of sewage effluent so discharged and of water so pumped and such appliances and records shall at all reasonable hours in the daytime be open to the inspection of the company:

(2) Any difference which may arise between the Corporation and the company under subsection (1) of this section shall be referred to an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such reference.

Saving rights of George Hadfield under certain agreements.

108. Notwithstanding anything in this Part of this Act contained the provisions of certain indentures dated the eighth day of January one thousand eight hundred and fifty-three and the fourteenth day of March one thousand eight hundred and fifty-three and made between the water company of the one part and George Hadfield of the other part whereby certain rights profits and easements were granted to the said George Hadfield as the owner of a certain house and lands near to and affected by the works of the said company and to his heirs and assigns and the said company entered into certain agreements with him and them shall remain in full force and the obligations of the water company thereunder shall be observed and performed in all respects by the Corporation as successors to the water company.

Saving rights of water supply by Earl Fitzwilliam to his tenants &c.

109.--(1) Nothing in this Part of this Act shall take away diminish affect or interfere with any existing power or right of the Right Honourable William Charles de Meuron Earl Fitzwilliam his heirs executors administrators or assigns (in this section referred to as and included in the expression "the Earl") to supply from time to time any lessees or tenants or property of the Earl with water for domestic or other purposes.

(2) So long as the Earl shall supply water as mentioned in the last preceding subsection the lands houses and tenements of the Earl to or in connexion with which such supply is for the time being given shall be exempted from all water rates or

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rates in aid of any deficiency of the water revenue of the Corporation or any other rates to be levied by the Corporation in respect of water supply whether under this Part of this Act or under the Public Health Acts.

For protection of Earl Fitzwilliam.

110. For the protection of Earl Fitzwilliam and his successors in title to his Wentworth Estates (who with the said Earl are in this section included in the term "the Earl") the following provisions unless otherwise agreed in writing between the Corporation and the Earl shall apply and have effect (namely):—

Nothing in this Act shall prejudice or affect the provisions of an indenture of agreement dated the eleventh day of November one thousand nine hundred and nine between the Earl and the Corporation relating to the supply of water in bulk by the Corporation to the estate of the Earl.

For protection of Duke of Norfolk's estate.

111. In respect of all works upon lands of the Duke of Norfolk to which water for trade purposes was on the eighth day of August one thousand eight hundred and eighty-seven supplied from the River Don for the use of the lessees and tenants of the late Duke of Norfolk the Duke of Norfolk and his successors in title and his and their lessees and tenants shall be entitled to be supplied by meter at the prices theretofore charged by the water company with water for domestic purposes and they or any of them shall not be compelled to take water for trade purposes from the Corporation And nothing in this Act or in any other Act contained shall in any way prejudice or affect the right of the Duke of Norfolk or his successors in title to supply the lessees and tenants of the said last-mentioned lands or any of them with water from the River Don by means of pipes communicating with the said river and to maintain repair and renew the said pipes.

For protection of Earl of Wharncliffe.

112. For the protection of the Right Honourable Francis John Earl of Wharncliffe his heirs and successors in estate and assigns (all of whom are in this section included in the expression "the owner") the following provisions shall unless otherwise agreed between the owner and the Corporation have effect (that is to say):—

The Corporation shall not exercise the powers of the section of this Part of this Act whereof the marginal note is

"Agreements between Corporation and local authorities and others" or themselves supply water for domestic or other purposes within any part of the Wortley and Carlton Estates of the owner situate within the townships of Carlton Wortley and Tankersley if and so long as such estates are supplied with water from the waterworks of the owner without first obtaining the consent in writing of the owner.

For protection of Dewsbury and Heckmondwike Waterworks Board and others.

113. The following provisions for the protection and benefit of the Dewsbury and Heckmondwike Waterworks Board the mayor aldermen and burgesses of the borough of Dewsbury and the urban district council of Heckmondwike (in this section referred to as "the Dewsbury water authorities") shall apply and have effect (that is to say):—

The Corporation shall not (except with the consent in writing under the common seal of such of the Dewsbury water authorities as are respectively affected) either directly or indirectly supply any water nor enter into any contract with any municipal corporation district council or person whereby any water may be either directly or indirectly supplied or used within the limits for the purpose of water supply of the Dewsbury water authorities or any of them nor within any township district or place within which water on the seventh day of August one thousand eight hundred and ninety-six was or could lawfully be supplied by the Dewsbury water authorities or any of them.

For protection of Wortley Rural District Council under Part IV. of this Act.

114. Notwithstanding anything contained in this Part of this Act or any enactment incorporated with this Act the following provisions for the protection of the Wortley Rural District Council (in this section referred to as "the district council") shall unless otherwise agreed in writing between the Corporation and the district council have effect:—

(1) In exercising the powers conferred by subsection (2) of the section of this Part of this Act whereof the marginal note is "Power to maintain waterworks undertaking and supply water" the Corporation shall not interfere with any road street or place laid out as or intended for a street within the district of the district council except in accordance with section 28

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and sections 30 to 34 both inclusive of the Waterworks Clauses Act 1847 and in cases where any such road street or place as aforesaid is not dedicated to public use the district council shall for the purposes of those provisions be deemed (in addition to any other persons) to be persons having the control or management of the same:

(2) Before exercising in the district of the district council elsewhere than in a road street or place laid out as or intended for a street the powers conferred by the before-mentioned subsection of this Act so as to interfere with or otherwise affect any pipe sewer drain or other apparatus of the district council the Corporation shall comply with the provisions contained in the before-mentioned sections of the Waterworks Clauses Act 1847 as if the land in which any such pipe sewer drain or other apparatus were laid were a street within the meaning of that Act.

For protection of county council.

115.—(1) Notwithstanding anything in this Part of this Act contained it shall be lawful for the county council at any time or times to divert or improve any main road which is at the passing of this Act and continues to be under the control of or repairable by the county council and also to remove alter or renew any county or main road bridge or the approaches thereto in alongside or near to which any conduit main or line of pipes originally authorised by the Sheffield Corporation Water Act 1896 the Sheffield Corporation Act 1907 or the Sheffield Corporation Act 1912 (all of which Acts are by this Act repealed) is carried in the same manner as they might have diverted or improved removed altered or renewed any such main road or bridge or the approaches thereto if such conduit main or line of pipe had not been constructed or laid in alongside or near to such main road or bridge respectively without making any compensation to the Corporation for any expense or loss to which the Corporation may be put in consequence of such diversion improvement removal alteration or renewal And in the event of any such main road or bridge or the approaches thereto in alongside or near to which the conduit main or line of pipes is laid being diverted or improved removed altered or renewed by the county council as aforesaid the Corporation shall at their own expense alter the position

of the works by which such conduit main or line of pipes is carried alongside or near to any such main road or bridge or the approaches thereto as aforesaid and replace the same to the satisfaction of the surveyor of the county council Provided that before and during such diversion improvement removal alteration or renewal of any such main road or bridge as aforesaid the county council shall afford at the cost of the Corporation all reasonable facilities for temporarily carrying such conduit main or line of pipes along the main road or across any stream so as not to interrupt the continuous supply of water.

(2) If any difference arise between the Corporation and the county council touching this section or anything to be done or not to be done thereunder such difference shall be settled by an engineer to be appointed by the Board of Trade on the application of either of the parties and his decision shall be conclusive and the costs of the reference shall be borne as he shall direct.

For further protection of Wortley Rural District Council.

116. The provisions of the section of this Act of which the marginal note is "For protection of county council" shall with all necessary modifications apply and extend for the benefit of the Wortley Rural District Council as though the expression "the county council" meant "the Wortley Rural District Council" and the respective expressions "main road" and "county or main road bridge" meant respectively any road and any bridge vested in and repairable by the Wortley Rural District Council.

Successors of Mary Benson Fox to be exempt from water rates in respect of lands &c. in Ecclesall.

117. The successors in title of Mary Benson Fox of Todwick Grange in the West Riding who was or claimed to be the owner of Stanedge Lodge Stanedge Moors and other adjoining or neighbouring lands and houses in the township of Ecclesall within the city (the greater part whereof are situate above the level of the highest reservoir of the waterworks undertaking all which lands and houses are situated at such a level that it is impracticable to supply the same with water from such reservoir) and their heirs and assigns and their lessees and tenants of the said lands and houses respectively or any part thereof shall in respect of such lands and houses be exempt from all water rates or rates in aid of any deficiency of the revenue of the waterworks undertaking or any rates to be levied by the Corporation in respect of water supply.

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For protection of Midland Railway Company.

118. For the protection of the Midland Railway Company (in this section referred to as "the Midland Company") the following provisions shall have effect unless otherwise agreed between the Corporation and the Midland Company (that is to say):—

The Corporation shall not exercise the powers of the section of this Act of which the marginal note is "Power to lay pipes in streets not dedicated to public use" with respect to any street or road belonging to or under the control or management of the Midland Company except with the consent of that company but such consent shall not unreasonably be withheld and if any difference shall arise between the Midland Company and the Corporation as to whether such consent is in any case unreasonably withheld the difference shall be determined by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and in carrying out any work authorised by the said section the Corporation shall not unreasonably obstruct or interfere with the convenient access to any such street or road.

PART V.

TRAMWAYS.

Tramways undertaking to continue vested in Corporation.

119. The tramways undertaking as it exists at the passing of this Act (including the tramways which are shortly described in the Second Schedule to this Act) shall subject to the provisions of this Part of this Act be and continue vested in the Corporation.

Power to maintain and work Corporation tramways.

120.—(1) The Corporation may make form construct and lay down the authorised tramways and the authorised tramways of 1918 and may renew work use and maintain the Corporation tramways or any of them together with all proper rails plates sleepers channels junctions turntables turnouts crossings passing-places posts poles brackets wires stables carriage-houses generating transformer or other stations engine-houses sheds buildings and works and conveniences in over or under ground connected therewith or for the purposes thereof:

Provided that in making or laying down the authorised tramways and the authorised tramways of 1918 the Corporation shall make form and lay down the same in the lines and according to the levels and within the limits of deviation shown on and in all respects in accordance with the several deposited plans and sections respectively deposited with respect thereto in connexion with and for the purposes of the Bills for the several Acts by which the said tramways respectively are stated in Part II. and Part III. respectively of the Second Schedule to this Act to have been first authorised.

(2) The Corporation (notwithstanding anything in the Tramways Act 1870 to the contrary) may place and run carriages on the Corporation tramways and may demand and take tolls and charges in respect thereof and in respect of the use of such carriages and may provide such carriages trucks horses harness engines steam cable electric and other plant machinery apparatus appliances conveniences materials and things as may be requisite or expedient for the convenient working or user of the Corporation tramways by animal or mechanical power.

Supply of electrical energy for tramways.

121. The Corporation for the purpose of working the Corporation tramways and (with the consent of the owners of any of the demised tramways) for the purpose of working such demised tramways may use the electrical generating stations and works by Part VI. of this Act authorised and may provide and supply energy therefrom.

Gauge of Corporation tramways and width of carriages.

122. The Corporation tramways shall be constructed on a gauge of four feet eight and a half inches or such other gauge as from time to time may be approved by the Board of Trade Provided always that so much of section 34 of the Tramways Act 1870 as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of such carriage shall not apply to carriages used on the Corporation tramways but in all cases there shall be a clear space of at least fifteen inches between the sides of cars when passing each other.

Inspection by Board of Trade.

123. No part of the authorised tramways or of the authorised tramways of 1918 shall be opened for public traffic until it has been inspected and certified to be fit for such traffic by the Board of Trade.

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Period for completion of authorised tramways of 1918.

124. The authorised tramways of 1918 shall be completed within five years from the passing of this Act and on the expiration of that period the powers granted by this Act for constructing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Penalty for not maintaining rails and roads.

125.—(1) The Corporation shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the Corporation tramways and the substructure upon which the same rest and if the Corporation at any time fail to comply with this provision or with the provisions of section 28 of the Tramways Act 1870 they shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding five pounds.

(2) In case it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the city or in the case of any of the Corporation tramways beyond the city by the road authority of the district in which such part of the Corporation tramways is situate or by twenty inhabitant ratepayers of such district that the Corporation have made default in complying with the provisions in this section contained or with any of the requirements of section 28 of the Tramways Act 1870 the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the said Board and if the officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by a secretary or an assistant secretary of the Board of Trade may be adduced as evidence of such default and of the liability of the Corporation to such penalty or penalties in respect thereof as is or are by this section imposed.

Tramways to be kept on level of surface of road.

126. If the Corporation or any other road authority shall after the commencement of this Act alter the level of any street or road along or across which any part of any of the Corporation tramways is laid or is authorised to be laid the Corporation may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the street or road as altered.

Corporation may reduce width of footway for constructing tramways.

127. For the purpose of constructing any tramway in any street within the city the Corporation may increase the width of the roadway of such street by reducing the width of the footway on each or either side of such street Provided that this provision shall not extend to enable the Corporation to so reduce any footway that it shall be of a less width than six feet.

Crossovers to be constructed where less than a certain width left between footpath and tramway.

128. Where in any street or road in which a double line of Corporation tramway is laid there shall be less width between the outside of the footpath on either side of the street or road and the nearest rail of the tramway than nine feet six inches the Corporation shall if and when required by the Board of Trade construct a crossover or crossovers connecting the one tramway with the other and by means of such crossover or crossovers the traffic shall when necessary be diverted from one tramway to the other.

Power to make additional crossovers passing-places &c.

129.—(1) The Corporation may subject to the provisions of this Act with the consent of the Board of Trade make maintain alter and remove such crossovers passing-places sidings junctions and other works in addition to those particularly specified in and authorised by this Act as they find necessary or convenient for the efficient working of the Corporation tramways or for facilitating the traffic on the streets or roads in which the same are laid or for providing access to any warehouses stables or carriage-houses depôts engine-houses generating stations or works of the Corporation or for effecting junctions with any tramways.

Double &c. lines and alteration of position of tramways in road.

(2) Notwithstanding anything shown on any deposited plans relating to any of the Corporation tramways the Corporation may with the consent of the Board of Trade lay down double lines in lieu of single or interlacing lines or single lines in lieu of double or interlacing lines or interlacing lines in lieu of double or single lines on any of the Corporation tramways and may with the like consent at any time alter the position in the road of any of the Corporation tramways or any part thereof.

(3) Provided that if in the construction of any works under this section any rail is intended to be laid nearer to the footpath than previously authorised in such a manner that for a distance of thirty feet or upwards a less space than nine feet six inches would intervene between it and the outside of the

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footpath on either side of the road the Corporation shall not less than one month before commencing the works give notice in writing to every owner and occupier of houses shops or warehouses abutting on the place where such less space would intervene and such rail shall not be so laid if the owners or occupiers of one-third of such houses shops or warehouses by writing under their hands addressed and delivered to the Corporation within three weeks after receiving the notice from the Corporation express their objection thereto.

(4) Provided also that no tramway rail may be laid or altered in position under the provisions of this section over any bridge or roadway maintainable by a railway company without the consent in writing of the principal engineer of such railway company which consent shall not be unreasonably withheld.

Temporary tramways may be made when necessary.

130. When by reason of the execution of any work affecting the surface or soil of any street or road along or across the carriageway of which any of the Corporation tramways are or is laid (including the maintenance and renewal of such tramways) it shall in the opinion of the Corporation or (in the case of any of the Corporation tramways beyond the city) of the road authority of the district in which such part of the Corporation tramways is situate be expedient temporarily to remove or discontinue the use of such tramway or any part thereof the Corporation may (subject in the case of any tramway beyond the city to the consent of the road authority for the district in which such tramway is situate and to such conditions as such authority may impose) from time to time construct in the same or any adjacent street or road and (so long as occasion may require) maintain a temporary tramway in lieu of the tramway or part of the tramway so removed or discontinued.

If any difference arises between the Corporation and the road authority as aforesaid with respect to any conditions or with respect to the mode of constructing any temporary tramway under the authority of this section the same shall be settled by an arbitrator to be nominated by the Board of Trade on the application of either party.

Application of road materials

131. In the case of any of the Corporation tramways beyond the city any paving metalling or material excavated by

the Corporation in the construction of any works by this Part of this Act authorised from any road under the jurisdiction or control of any road authority may be applied by the Corporation so far as may be necessary in or towards the reinstatement of the road and the maintenance for six months after completion of any of the Corporation tramways within the district of such road authority of so much of the roadway on either side of such tramways as the Corporation are by section 28 of the Tramways Act 1870 required to maintain and the Corporation shall if so required deliver the surplus paving metalling or material not used or required to be retained for the purposes aforesaid to the surveyor of the road authority or to such person or persons as he may appoint to receive the same Provided that if within ten days after the setting aside of the surplus arising from the excavation of any such paving metalling or material and notice duly given such surplus is not removed by such surveyor or by some other person named by him for that purpose such surplus paving metalling or material shall absolutely vest in and belong to the Corporation and may be dealt with removed and disposed of by them in such manner as they may think fit Any difference between the Corporation and any road authority or surveyor or other person with reference to any of the matters aforesaid shall be settled by an arbitrator to be nominated by the Board of Trade on the application of either party.

Surplus excavated in construction of works.

132. Where any tree hedge or shrub along the route of any of the Corporation tramways obstructs or interferes with the construction or working of the Corporation tramways or trolley wires in connexion therewith or with the clear and safe passage of the tramcars and the passengers thereon the Corporation may serve a notice on the owner of the premises on which such tree hedge or shrub is growing requiring him within a reasonable time to be specified in such notice to lop the tree hedge or shrub so as to prevent such obstruction or interference and in default of compliance the Corporation may themselves carry out the requisition of their notice and the expenses thereof shall be recoverable summarily as a civil debt by the Corporation from the person in default:

Trees or shrubs obstructing tramways.

Provided that the Corporation shall not in the exercise of the powers of this section do unnecessary damage to any such tree hedge or shrub and in the case of any route beyond the

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city shall make compensation to any persons who may sustain damage by the exercise of the powers conferred by this section.

Provisions as to motive power.

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

(1) The mechanical power shall not be used except with the consent of and according to a system approved by the Board of Trade:

(2) The Board of Trade shall make regulations (in this Act referred to as "the Board of Trade regulations") for securing to the public all reasonable protection against danger arising from the use under this Act of mechanical power on the tramways and for regulating the use of electrical power:

(3) The Corporation or any company or person using any mechanical power on the Corporation tramways contrary to the provisions of this Act or of the Board of Trade regulations shall for every such offence be liable to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence is continued after conviction thereof:

(4) The Board of Trade if they are of opinion—

(*a*) that the Corporation or any company or person have or has made default in complying with the provisions of this Act or of the Board of Trade regulations whether a penalty in respect of such non-compliance has or has not been recovered; or

(*b*) that the use of mechanical power as authorised under this Act is a danger to the passengers or public;

may by order either direct the Corporation or such company or person to cease to use such mechanical power or permit the same to be continued only subject to such conditions as the Board of Trade may impose and the Corporation or such company or person shall comply with every such order In

every such case the Board of Trade shall make a special report to Parliament notifying the making of such order. A.D. 1918.

Special provisions as to use of electrical power.

134. The following provisions shall apply to the use of electrical power on the Corporation tramways unless such power is entirely contained in and carried along with the carriages:—

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

(2) The Corporation shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communications or the currents in such wire line or apparatus:

(3) The electrical power shall be used only in accordance with the Board of Trade regulations and in such regulations provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return:

(4) The Corporation shall be deemed to take all reasonable precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Corporation either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the Board of Trade regulations and in prescribing such

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means the said Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking:

(5) At the expiration of two years from the commencement of this Act the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line and apparatus all reasonable precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents Provided that with respect to the Corporation tramways described in Part I. of the Second Schedule to this Act this subsection shall have effect as if the words "at the expiration of two years from the commencement of this Act" had been omitted therefrom:

(6) If any difference arises between the Corporation and any other party with respect to anything hereinbefore in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of such Board by an arbitrator to be appointed by the said Board and the costs of such determination shall be in the discretion of the said Board or of the arbitrator as the case may be:

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

For protection of Postmaster-General.

135.—(1) Notwithstanding anything in this Act contained if any of the works authorised to be executed by any Act or Order relating to the Corporation tramways involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

(2) In the event of any widening improvement alteration or adjustment of any road whether by the Corporation or by a road authority under the provisions of this Part of this Act involving an alteration of a telegraphic line belonging to or used by the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to the alteration of the said line and the Corporation or the road authority (as the case may be) shall be deemed to be "undertakers" within the meaning of the said Act.

(3) In case any such alteration of a telegraphic line as in this section mentioned is made the telegraphic line shall not be altogether removed from any highway (including the unmetalled or waste land by the side of the highway) without the consent of the Postmaster-General.

For protection of Post Office telegraph lines.

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

(1) The Corporation shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by the Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein Any difference which arises between the Postmaster-General and the Corporation as to compliance with this subsection shall be determined by arbitration:

(2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Corporation of their electric lines and works or by the working of the undertaking of the Corporation the Corporation shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection:

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(3) Before any electric line is laid down or any act or work for working the Corporation tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Corporation or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Corporation and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work Any difference which arises between the Postmaster-General and the Corporation as to any requirements so made shall be determined by arbitration:

(4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Corporation is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of the works of the Corporation or to the working of the undertaking the engineer-in-chief of the Post Office or any persons appointed in writing by him may at all times when electrical energy is being generated by the Corporation enter any of the works of the Corporation for the purpose of inspecting the plant of the Corporation and the working of the same and the Corporation shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Corporation pursuant to the Board of Trade regulations:

(5) In the event of any contravention of or wilful non-compliance with this section by the Corporation or their agents the Corporation shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if

the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues:

(6) Provided that nothing in this section shall subject the Corporation or their agents to a fine under this section if they satisfy the court having cognisance of the case that the immediate doing of any act or the execution of any work in respect of which the penalty is claimed was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice:

(7) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work:

(8) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Act:

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

(10) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Corporation or their agents were a company within the meaning of that Act:

(11) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Corporation by indictment action or otherwise in relation to any of the matters aforesaid.

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(12) In his section the expression "the Corporation" includes their lessees and any person owning working or running carriages on any of the Corporation tramways.

Use of tramway posts by Postmaster-General.

137.—(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Corporation in connexion with the Corporation tramways and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions:—

(*a*) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the Corporation tramways:

(*b*) The Postmaster-General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as hereinafter provided:

(*c*) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expenses of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the Corporation tramways or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus

of the Corporation or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster-General of the powers conferred by this section:

(*d*) Unless otherwise agreed or in case of difference determined as hereinafter provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as hereinafter provided:

(*e*) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road:

(*f*) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair:

(*g*) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants:

(*h*) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as hereinafter provided:

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(*i*) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the Corporation tramways or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants:

(*j*) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same Provided that if the Corporation or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided.

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connexion with the Corporation tramways or other municipal undertakings or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connexion with the lighting of the streets or otherwise Provided that any difference between the Postmaster-General and such company or person in relation to the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as hereinafter provided.

(3) All differences arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

(4) In this section—

The expression "the Corporation" includes their lessees;

The expression "telegraph" has the same meaning as in the Telegraph Act 1869;

Other expressions have the same meaning as in the Telegraph Act 1878.

Apparatus used for mechanical power to be deemed part of tramway.

138. The provisions of sections 26 to 33 of the Tramways Act 1870 (except so much of section 28 as relates to the repair of the street or road between and on each side of the rails of a tramway) shall apply as if all posts tubes pipes wires and other apparatus used or to be used by the Corporation upon the Corporation tramways for the purposes of mechanical power were parts of the tramway.

Mechanical power works.

139. For the purpose of working any of the Corporation tramways by mechanical power the Corporation subject to the provisions of this Act may place construct erect lay down make and maintain on above or below the surface of any street or road posts brackets electric conductors wires apparatus subways tunnels cables tubes and openings Provided that in the case of any tramways beyond the city other than those constructed or authorised at the commencement of this Act the said works shall be carried out to the reasonable approval of the local and road authority of the district in which such tramways shall be laid.

Attachment of brackets to buildings

140. The Corporation may with the consent of the owner of any building attach to that building such brackets wires and apparatus as may be required for the working of any of the Corporation tramways by mechanical power:

Provided that—

(1) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a petty sessional court who shall have power having regard to the character of the building and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid:

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(2) Any consent of an owner and any order of a petty sessional court under this section shall not have effect after that owner ceases to be in possession of the building but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed Where such notice is given the preceding provisions of this section shall apply and the petty sessional court shall have the same powers as under proviso (1):

(3) The owner may require the Corporation to temporarily remove the attachments where necessary during any reconstruction or repair of the building:

(4) Nothing in this section shall prevent an owner after giving one month's notice to the Corporation from pulling down or removing any building to which any attachment may have been fixed under this section.

For the purpose of this section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rack rent shall be deemed to be the owner.

Byelaws.

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

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

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

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

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

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

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this section shall be liable to a penalty not exceeding forty shillings.

Amendment of Tramways Act 1870 as to byelaws by local authority.

142. The provisions of the Tramways Act 1870 relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the Corporation tramways shall not authorise the Corporation to make any byelaws sanctioning a higher rate of speed than that authorised by the Board of Trade regulations but such byelaws may be made to restrict the rate of speed to a lower rate than that so authorised.

Regulations of Corporation.

143. The regulations authorised by the Tramways Act 1870 to be made by the promoters of any tramway and their lessees may with respect to any of the Corporation tramways and the demised tramways or portions of such tramways be made by the Corporation alone.

Power to enforce queue system on tramways.

144. For the purpose of preventing obstruction to traffic in the streets of the city and for avoiding danger and annoyance to passengers desirous of travelling on the Corporation tramways the Corporation may insist upon the queue system being adopted by persons entering the tramcars at any of the recognised stopping-places or termini on such tramways and may make (subject to the provisions of the Tramways Act 1870 with respect to byelaws) such byelaws as may be necessary to compel all such persons to comply with the said system or any other system which the Corporation may deem proper for the purpose.

Power to carry parcels on tramways.

145. The Corporation tramways may be used for the purpose of conveying and delivering parcels but the Corporation shall not be under any obligation to carry on such tramways unless they

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think fit any parcels other than personal luggage carried by passengers in accordance with the provisions in this Part of this Act contained.

Tolls for passengers.

146. The Corporation may demand and take for every passenger travelling upon any or either of the Corporation tramways or any part or parts thereof respectively including tolls for the use of the tramway and of carriages and for motive power and every other expense incidental to such conveyance any tolls or charges not exceeding one penny per mile (and for this purpose the fraction of a mile beyond an integral number of miles shall be deemed a mile) but the Corporation may charge for any less distance than three miles any sum not exceeding threepence.

Periodical revision of rates and charges.

147. If at any time after three years from the opening for public traffic of any of the Corporation tramways or any portion thereof or after three years from the date of any order made in pursuance of this section in respect of any of the Corporation tramways or any portion thereof it is represented in writing to the Board of Trade by the local authority of any district in which any tramway or part of any tramway of the Corporation is situate or by twenty inhabitant ratepayers of that district or by the Corporation that under the circumstances then existing all or any of the fares or other charges demanded and taken in respect of the traffic on such tramway or on such portion should be revised the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act 1870 and if the referee reports that it has been proved to his satisfaction that all or any of the fares or charges should be revised the said Board may subject to the maximum fares and charges authorised by this Act by order in writing alter modify reduce or increase all or any of the fares or charges to be taken in respect of such tramway or on any portion thereof and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section.

Prohibiting raising of fares on Sundays and holidays.

148. It shall not be lawful for the Corporation or any person working or using the Corporation tramways to take or demand on Sunday or on any bank or public holiday any higher fares or charges than those levied by them on ordinary week days.

Passengers' luggage.

149. Every passenger travelling upon the Corporation tramways may take with him his personal luggage not exceeding twenty-eight pounds in weight without any charge being made for the carriage thereof all such luggage to be carried by hand and at the responsibility of the passenger and not to occupy any part of a seat nor to be of a form or description to annoy or inconvenience other passengers.

As to running through cars and charges for same.

150. The Corporation may run through cars along any of the routes of the Corporation tramways or any specified portion thereof and such cars shall be distinguished from other cars in such manner as may be directed by the Corporation and they may demand and take for every passenger by such cars a fare or charge not exceeding the maximum fare allowed by this Act for and in respect of the whole of such route or the whole of the portion thereof traversed by any such car Provided that the running of such cars shall in no way curtail the ordinary service of cars.

Cheap fares for labouring classes.

151.—(1) The Corporation at all times after the opening for public traffic of the tramways shall and they are hereby required to run upon the Corporation tramways a proper and sufficient service of carriages for the use of artisans mechanics and daily labourers each way every morning and every evening (Sundays Christmas Day and Good Friday always excepted) at such hours not being later than seven in the morning or earlier than six in the evening respectively as may be most convenient for such artisans mechanics and daily labourers going to and returning from their work at fares not exceeding one halfpenny for every mile or fraction of that distance but in no case shall the Corporation be bound to charge a less sum than one penny On Saturdays the Corporation in lieu of running such carriages after six o'clock in the evening shall run the same at such hours between noon and two o'clock in the afternoon as may be most convenient for the said purposes.

(2) If complaint is made to the Board of Trade that such proper and sufficient service is not provided that Board after considering the circumstances of the locality may by order direct the Corporation to provide such service as may appear to such Board to be reasonable.

(3) The Corporation shall be liable to a penalty not exceeding five pounds for every day during which they fail to comply with any order under this section.

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Rates for parcels.

152. The Corporation may demand and take in respect of parcels conveyed by them on the Corporation tramways including every expense incidental to the conveyance thereof any rates or charges not exceeding those specified in the Third Schedule to this Act.

Payment of rates and charges.

153. The rates and charges by this Part of this Act authorised shall be paid to such persons and at such places upon or near to the Corporation tramways and in such manner and under such regulations as the Corporation or the persons entitled to demand and take such rates and charges may appoint.

Corporation may use tramways for sanitary purposes.

154. The Corporation may at such times and in such manner as they think fit (but subject to the provisions of this Act and to any byelaws for the time being in force with respect to the Corporation tramways) use the Corporation tramways for sanitary purposes and for the conveyance of scavenging stuffs road metal and other materials required for the works of the Corporation free of all tolls and charges in respect of such use:

Provided that the use for the conveyance of scavenging stuffs or nightsoil of such of the Corporation tramways as shall for the time being be situate within the rural districts of Wortley and Chesterfield respectively shall not without the consent of the council of the respective districts take place between the hours of six o'clock in the morning and nine o'clock in the evening.

Shelters or waiting-rooms and barriers.

155. The Corporation may erect and maintain shelters or waiting-rooms for the accommodation of passengers and also barriers for the regulation of the entry of passengers into the tramcars of the Corporation and may with the consent of the local authority and road authority use for such purposes or either of them portions of the public streets or roads or public parks and the powers of the Tramways Act 1870 enabling the Corporation to make byelaws shall extend to and shall enable the Corporation to make and enforce byelaws for the regulation use and management of any such shelters or waiting-rooms and barriers and the provisions of that Act shall apply accordingly.

Penalty for malicious damage.

156. If any person wilfully does or causes to be done with respect to any apparatus used for or in connexion with the working of any of the Corporation tramways or of the demised

tramways anything which is calculated to obstruct or interfere with the working of such tramways or to cause injury to any person he shall (without prejudice to any proceedings by way of indictment or otherwise to which he may be subject) be guilty of an offence punishable on summary conviction and every person convicted of such offence or of any offence under section 50 of the Tramways Act 1870 with respect to any Corporation tramway or demised tramway shall be liable to a penalty not exceeding twenty pounds.

Conveyance of mails.

157. Notwithstanding any provision in any Act or Order relating to the Corporation tramways or the demised tramways the Conveyance of Mails Act 1893 shall extend and apply to all the said tramways as if the same had been authorised by an Act of Parliament passed after the first day of January one thousand eight hundred and ninety-three and to the Corporation as the body or person owning or working such tramways.

Working agreements.

158.—(1) The Corporation on the one hand and any local authority company body or person owning or working any tramways which may now or hereafter be connected with any of the Corporation tramways or the demised tramways on the other hand may enter into and carry into effect agreements with respect to the following purposes or any of them (that is to say):—

(*a*) The formation of junctions between the tramways of the contracting parties:

(*b*) The constructing leasing working running over using maintaining and managing by either of the contracting parties of the tramways or any of the tramways of the other and the fixing collecting apportionment and distribution of the rates and profits arising therefrom:

(*c*) The supply and maintenance by the working party under and during the continuance of any such agreement as aforesaid for the working of the tramways of rolling stock necessary for the purposes of such agreement and the employment of officers and servants:

(*d*) The supply of motive power:

(*e*) The payments to be made and the conditions to be performed with respect to the matters aforesaid:

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(*f*) The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the tramways of the contracting parties:

Provided that except in cases of emergency no electrical energy shall be supplied under the powers of this section by either of the contracting parties except for the purposes of any tramway owned or worked by such party.

An appeal shall lie to the Board of Trade by any local authority company or person authorised to supply electrical energy in the district in which such tramway is situate as to whether in fact such emergency exists.

(2) During the continuance of any agreement under this section for the working running over or user by one of the contracting parties of the tramways of the other the tramways of the parties so contracting shall for the purposes of calculating maximum rates and charges or fares in respect of conveyance partly over the tramways of the one party and partly over those of the other be considered as one tramway and the maximum charge for conveyance over the tramways of each such party shall be calculated at the maximum rate or fare which would be applicable if the conveyance took place for the entire distance over those tramways only.

Junctions of other tramways with Corporation tramways.

159. The Corporation may form junctions between the Corporation tramways and any tramways within or without the city which can be worked in connexion therewith but only (save as in this Act otherwise provided) with the consent of the owners and lessees of such tramways and as to such of them as may be without the city with the consent of the local and road authority within whose jurisdiction such junctions shall be formed.

Power to purchase tramways outside city.

160. The power conferred on the Corporation by the Tramways Act 1870 to purchase tramways within the city is hereby extended so as to authorise the Corporation by agreement to purchase or take upon lease any authorised tramways or tramroads outside the city which form continuations of authorised tramways or tramroads at any time existing within the city which can be worked in connexion therewith Provided that the Corporation shall not exercise such extended power without the consent of the local authorities for the respective districts or

parishes in which such tramways may be situate and that nothing in this Part of this Act contained shall prejudice or affect the powers of the local authorities for the respective districts or parishes in which such tramways may be situate under section 43 of the Tramways Act 1870.

Future purchase of portion of Corporation tramways by local authority.

161. With respect to such of the Corporation tramways as are situated beyond the city section 43 of the Tramways Act 1870 shall apply and have effect as if therein there were substituted for the words "twenty-one years" the words "seven years" and for the words "seven years" the words "three years" and for the words "three months" the words "six months."

Tramway undertaking accounts revenue and deficit.

162.—(1) The Corporation shall keep accounts in respect of their tramways undertaking separate from all their other accounts (distinguishing therein capital from income) and shall apply the revenue of such undertaking as follows (that is to say):—

First In payment of the expenses properly chargeable to revenue of establishing working managing and maintaining and otherwise carrying on the tramways undertaking:

Secondly In payment of the interest on any moneys borrowed by the Corporation for the purposes of the tramways undertaking:

Thirdly In providing the requisite instalments or sinking funds or otherwise making provision for repayment of moneys borrowed for the purposes of the tramways undertaking:

Fourthly So much of the balance as may in the opinion of the Corporation not be required for carrying on the tramways undertaking shall be applied in the repayment of moneys borrowed for the purpose of the tramways undertaking or shall be carried to the district fund or shall be applied by the Corporation in payment of any charges or expenses for the time being payable out of the district fund or general district rates leviable by the Corporation or otherwise for the public benefit of the inhabitants of the city or for the improvement of the city or for any two or more of the said purposes as to the Corporation shall seem meet.

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(2) Any deficiency in the revenues and receipts of the Corporation in respect of the tramways undertaking shall be from time to time made good out of the district fund and general district rate.

Lost property.

163. Any property found in any tramcar omnibus or trolley vehicle of the Corporation shall forthwith be taken to a place to be appointed for the purpose by the Corporation and if the same be not claimed within six months after the finding thereof it shall vest in the Corporation and may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks and the proceeds thereof carried to the revenue account of the tramways undertaking.

Power to provide and run motor omnibuses.

164.—(1) The Corporation may provide and run motor omnibuses within the city and also in connexion with their tramways in certain districts adjoining the city on the following routes (namely):—

Route No. 1 From the city boundary in Middlewood Road along the Langsett Road to Oughtibridge through Wharncliffe Side and Deepcar along the Manchester Road to its junction with Holehouse Lane at Stocksbridge:

Route No. 2 From the city boundary in Penistone Road Owlerton along that road to its junction with Blacksmith Lane at Grenoside:

Route No. 3 From the city boundary in Barnsley Road along that road Saint Michael's Road High Street Saint Mary's Lane Church Street and Mill Road to the junction of Barnsley Road with Nether Road at Ecclesfield:

Route No. 4 From the city boundary at Handsworth Bridge along the main road Handsworth Lane and Worksop Road to the junction of the last-named road with Brickkiln Lane and Aston Lane at the westernmost end of the present village of Aston:

Route No. 5 From the city boundary in City Road Intake along the main road from Sheffield to Eckington to its junction with Station Road at Mosborough:

Route No. 6 From the city boundary in Chesterfield Road and along that road to Dronfield:

Route No. 7 From the city boundary in Abbeydale Road along the Owler Bar Road to the Cross Scythes Inn at Totley:

Route No. 8 From the city boundary at Bawtry Road Tinsley along Bawtry Road Brinsworth Road School Lane Main Street (Catcliffe) and Treeton Lane to the junction of that lane with Mill Lane at Treeton:

Route No. 9 From the city boundary at Leppings Lane along that lane to its junction with Penistone Road:

Route No. 10 (A) From the junction of Church Lane and Mill Road at Ecclesfield along Church Lane Barnsley Road to Chapeltown Road Lound Side Lane End Chapeltown Road (Mortomley) and Wortley Road to the junction with such last-named road at Thompson Hill at High Green and (B) along the part of Barnsley Road situate between Mill Road and Church Lane:

Route No. 11 From the junction of Penistone Road with Barnsley Road at Chapeltown along Rotherham Road to Burn Cross Bracken Hill and Penistone Road to the junction of Blacksmith Lane and Wortley Road at Grenoside:

Route No. 12 (A) From the junction of Station Road at Mosborough along High Street Sheffield Road Church Street Market Street High Street (Eckington) West Street to the junction of Chesterfield Road with Dronfield Road at Eckington and (B) from the junction of Church Street with Sheffield Road at Eckington along Little Moor Station Road Southgate to the junction of Southgate with Market Street.

(2) If at any time after the expiration of three years from the date on which the Corporation shall be authorised under the provisions of this Act to borrow money for the provision of motor omnibuses the Corporation shall not provide a service of motor omnibuses reasonably sufficient to meet the needs of the public on every day (excepting if the Corporation think fit Sundays Good Friday and Christmas Day) on any of the said routes outside the city the Board of Trade may on the representation of the local authority of the district in which the route is situate order that the powers of the Corporation as regards such route

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or any part thereof outside the city shall cease and on any such order being made those powers shall cease accordingly.

(3) The Corporation may demand and take such reasonable fares and charges for the conveyance of passengers and parcels in or on their motor omnibuses as they may think fit.

(4) The Corporation may erect and maintain omnibus carriage and motor houses works buildings and sheds and may provide and maintain such plant appliances and conveniences as may be requisite or expedient for the establishment running and equipment of such motor omnibuses.

(5) The provisions contained in the sections of this Part of this Act the marginal notes of which are hereunder in this subsection set forth shall so far as applicable apply with reference to the motor omnibuses and for the purpose of such application and unless the context otherwise requires the expression "the Corporation tramways" shall be deemed to mean the motor omnibuses:—

Trees or shrubs obstructing tramways:

As to running through cars and charges for same:

Payment of rates and charges:

Shelters or waiting-rooms and barriers:

Power to enforce queue system on tramways:

Working agreements.

(6) The Corporation may make byelaws for regulating the travelling and for the prevention of nuisances in or upon any motor omnibus belonging to them provided that any such byelaw shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

(7) The Corporation and any urban or rural council within whose district or any part thereof the Corporation propose to run the motor omnibuses by this Act authorised or any of them may from time to time enter into and carry into effect agreements with regard to the routes and running of such omnibuses within the district or any part thereof of such urban or rural council and for such periods not exceeding in any case seven years from the making of the agreement as shall be agreed upon.

(8) In this section the expression "motor omnibus" means any carriage moved by mechanical power:

Provided that any motor omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphs of the Postmaster-General or with the telegraphic signalling and electric railway working apparatus on the railways of any railway company.

(9) The Corporation shall perform in respect of the motor omnibuses provided under this section all the services in regard to the conveyance of mails which are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated.

As to road maintenance on motor bus routes.

165.—(1) In this section the expression "road authority" means the county or district council company or person (other than the Corporation) by whom any road comprised in any route along which the Corporation are authorised by this Act to run motor omnibuses is repairable.

(2) If and so long as the Corporation run motor omnibuses under the powers of this Act they shall make the following payments to the road authority:—

In respect of each year after the passing of this Act during which motor omnibuses shall be run by the Corporation along any road a sum equal to three-eighths of a penny per car mile run thereon in such year Such payments shall continue until the thirty-first day of March in the third complete period of twelve months after the termination of the war and thereafter until any revised rate of payment provided for by this subsection shall become operative.

If upon or at any time after such thirty-first day of March the Corporation or the road authority shall desire that the said rate of payment shall be revised in respect of any such road the party desiring such revision shall give to the other party notice in writing of such desire and as from the expiration of two years from the thirty-first day of March being or next following the date of such notice or such earlier date as the Corporation and the road authority may agree the sum to be payable in respect of such road shall be a sum equal to one-half of the extra cost of the upkeep of the road annually incurred by the road authority by reason of the motor omnibus traffic of the Corporation The amount of such extra cost shall

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be deemed to be such a sum as may from time to time be agreed between the Corporation and the road authority or as failing such agreement shall from time to time (but not at less intervals than five years) be determined by arbitration as hereinafter provided.

All sums of money payable to the road authority under the provisions of this section shall be deemed to be a debt due to the road authority and recoverable from the Corporation accordingly :

Provided that—

(i) The Corporation shall not be required to make any payment in excess of the said sum of three-eighths of a penny per car mile in respect of any road which has not been constructed or reconstructed so as to be adapted for mechanical traffic:

(ii) The Corporation shall not be required to make any payment in respect of the cost of raising the standard of any road to meet the requirements of mechanical traffic or in respect of the widening of any road or the strengthening of any bridge or in respect of any capital outlay or in respect of any cost other than the cost of upkeep:

(iii) If a grant from the Imperial Exchequer is made in respect of any road towards the cost of maintaining the same the amount to be paid by the Corporation in respect of that road shall be diminished by a sum bearing the same proportion to the amount which would otherwise have been payable by the Corporation under this subsection as such grant bears to such cost of maintaining the road and any question which may arise with respect to such diminution shall be determined by arbitration as hereinafter provided.

(3) The Corporation shall keep statements for the purposes of this section showing in proper detail the mileage run by each motor omnibus on any such road and shall furnish copies of such statements annually to the road authority and the Corporation shall allow any person duly authorised by the road authority in that behalf at all reasonable times to inspect and

take copies of all such statements and any accounts kept by the Corporation relating to the running of such motor omnibuses.

(4) The Corporation shall at all reasonable times have access to and be at liberty to inspect and take copies of and extracts from the books and accounts of the road authority relating to expenditure on maintenance of the roads run over by the motor omnibuses of the Corporation.

(5) Any difference which shall arise between the Corporation and any road authority under this section shall be referred to and determined by an engineer or surveyor to be appointed failing agreement by the Board of Trade on the application of either of such parties and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such reference.

(6) In consideration of the payments to be made by the Corporation to the road authority under this section the road authority shall not under section 23 of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 of the Locomotives Act 1898 or otherwise make any claim against the Corporation in respect of extraordinary traffic by reason of the user of any road by the motor omnibuses of the Corporation.

Power to use trolley vehicles.

166. The Corporation may provide maintain and equip but shall not manufacture mechanically propelled vehicles adapted for use upon roads and moved by electrical power transmitted thereto from some external source (in this Act called "trolley vehicles") and may use the same upon the routes comprising the following streets and roads in the city:—

Route No. 1 (5 miles 6 furlongs in length) commencing at the termination of the existing tramway at the junction of Holme Lane and Rivelin Valley Road passing thence along Rivelin Valley Road and Manchester Road and terminating at the junction of Manchester Road with Fulwood Road:

Route No. 2 (2 miles 2 furlongs in length) commencing at the junction of Manchester Road with Sandygate Road passing thence along Sandygate Road and Redmires Road and terminating at a point opposite the entrance gates of the Lodge Moor Fever Hospital:

Route No. 3 (2 furlongs 8·5 chains in length) commencing at the junction of Leopold Street Church Street and Bow

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Street passing thence along Townhead Street Tenter Street and West Bar Green and terminating at the junction of West Bar Green with West Bar:

Route No. 4 (4 furlongs 2·2 chains in length) commencing at the junction of West Bar Green and Scotland Street passing thence along Scotland Street Meadow Street and Watery Street and terminating at the junction of Watery Street and Upperthorpe Road:

Route No. 5 (2 furlongs 6 chains in length) commencing at the junction of Meadow Street and Netherthorpe Place passing thence along Netherthorpe Place and Upperthorpe Road and terminating at the junction of that road with Portland Street:

And may subject to the provisions of this Act place erect and maintain in under and along the streets and roads forming such routes cables wires posts poles and other necessary or convenient apparatus and equipment for the purpose of working trolley vehicles but no post or other apparatus shall be erected on the carriageway of any street or road except with the consent of the Board of Trade and of the road authority:

Provided that Routes Nos. 3 4 and 5 shall not be opened for traffic unless and until the streets and roads forming the said routes have where required by the Board of Trade been widened to the satisfaction of that Board.

As to electrical works for trolley vehicles.

167.—(1) The Corporation may in under or over the surface of the streets or roads in which the trolley vehicles will be used or in which it may be necessary so to do in order to connect the apparatus for working the trolley vehicles with any generating station construct lay down erect maintain renew and repair electric wires conductors posts tubes boxes and other electrical apparatus and may make and maintain openings and ways for the purpose of working the said trolley vehicles by electrical power and may for that purpose subject to the provisions contained in Part II. of the Tramways Act 1870 and to the provisions of this Act open and break up any such street or road and any sewers drains water or gas pipes tubes wires telephonic and telegraphic apparatus therein or thereunder:

Provided as follows:—

(*a*) All posts and apparatus erected by the Corporation under the powers of this Part of this Act in any

street or road shall be of such design as the local authority may approve and shall be placed in such position as the local authority and road authority may approve Provided that no post or other apparatus shall be erected on the carriageway except with the consent of the Board of Trade and of the road authority :

(*b*) The route in which any electrical apparatus is to be laid or erected for the purpose of connecting the apparatus for working the trolley vehicles with a generating station shall be approved by the local authority and the road authority within whose jurisdiction each portion of the route is situate.

(2) Nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the Electric Lighting Act 1882 apply.

Trolley vehicles not to be deemed light locomotives or motor cars.

168. Subject to the provisions of this Act trolley vehicles shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 or of the byelaws and regulations made thereunder nor shall they be deemed to be motor cars within the meaning of the Motor Car Act 1903 except subsection (1) of section 1 of that Act and the provisions necessary for enforcing that subsection and neither the regulations made under that Act nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to trolley vehicles.

As to recovery of expenses of extraordinary traffic (if any) due to trolley vehicles.

169.—(1) If it appears by the certificate of the surveyor to the authority which is or may become liable or has undertaken or may undertake to repair any highway that extraordinary expenses have been incurred by such authority in repairing such highway by reason of the damage caused by excessive weight or extraordinary traffic of the trolley vehicles by this Act authorised upon such highway such authority may recover (if not exceeding two hundred and fifty pounds in the county court and if exceeding that sum in the High Court) from any person by or in consequence of whose order such weight or traffic has been conducted the amount of such expenses as may be proved to the satisfaction of the court having cognisance of the case

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to have been so incurred Provided always that the said trolley vehicles shall not be deemed to be excessive in weight and the use thereof shall not be deemed to be extraordinary traffic by reason only of their being trolley vehicles or of their being authorised by this Act.

(2) Proceedings for the recovery of any expenses under this section shall be commenced within twelve months of the time at which such damage has been done.

(3) The provisions of this section shall in relation to the trolley vehicles by this Act authorised be deemed to be in substitution for the provisions of section 23 of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 of the Locomotives Act 1898.

Duties on licences for trolley vehicles.

170. Nothing in this Act shall in any way affect the duties of excise now payable by law on licences to be taken out for trolley vehicles as carriages or light locomotives or hackney carriages.

Approval of trolley vehicles by Board of Trade.

171. Trolley vehicles shall be of such form weight construction and dimensions as the Board of Trade may approve and no trolley vehicle shall be used by the Corporation which does not comply with the requirements of the Board of Trade or until the overhead equipment for working the trolley vehicles has been approved by the Board of Trade.

Tolls and fares for trolley vehicles.

172. The Corporation may charge tolls and fares for the use of trolley vehicles not exceeding the tolls and fares which the Corporation could have charged if such vehicles had been tramway cars and the route had been a tramway laid down by the Corporation.

Restrictions on use of trolley vehicles.

173. The Corporation shall not carry on the trolley vehicles any goods animals or other things other than passengers and passengers' luggage and small parcels and no trailer shall be used in connexion with the trolley vehicles.

Application of certain provisions of this Act to trolley vehicles.

174. The provisions contained in the sections of this Part of this Act the marginal notes of which are hereunder in this section set forth shall so far as applicable apply with reference to the trolley vehicles and the apparatus and equipment for working the same and for the purpose of such application and

unless the context otherwise requires the expression "the Corporation tramways" shall be deemed to mean the trolley vehicles and the apparatus and equipment for working the same. A.D. 1918.

The sections hereinbefore referred to are—

Supply of electrical energy for tramways;
Inspection by Board of Trade;
Trees or shrubs obstructing tramways;
Provisions as to motive power;
Special provisions as to use of electrical power;
For protection of Postmaster-General;
For protection of Post Office telegraph lines;
Use of tramway posts by Postmaster-General;
Apparatus used for mechanical power to be deemed part of tramway;
Attachment of brackets to buildings;
Byelaws;
Amendment of Tramways Act 1870 as to byelaws by local authority;
Regulations of Corporation;
Prohibiting the raising of fares on Sundays and holidays;
As to running through cars and charges for same;
Cheap fares for labouring classes

(Provided that this section shall have effect in relation to trolley vehicles as if "eight" and "five" were substituted therein for "seven" and "six" respectively);

Payment of rates and charges;
Shelters or waiting-rooms and barriers;
Penalty for malicious damage;
Power to enforce queue system on tramways;
Working agreements; and
Junctions of other tramways with Corporation tramways.

Tramway regulations to apply to trolley vehicles.

175. All subsisting regulations and byelaws relating to the Corporation tramways made in pursuance of the Tramways Act 1870 or of any other statutory enactment so far as the same are applicable shall with the necessary modifications apply to the trolley vehicles provided by the Corporation in pursuance of this Act.

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Corporation to have exclusive right of using apparatus for working trolley vehicles.

176. Subject to the provisions of this Act the Corporation shall have the exclusive right of using any apparatus provided erected or maintained by them for the purpose of working trolley vehicles and any person except by agreement with the Corporation using the said apparatus shall for every offence be liable to a penalty not exceeding twenty pounds.

Conveyance of mails by trolley vehicles.

177. The Corporation shall perform in respect of trolley vehicles all the services in regard to the conveyance of mails which are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated.

Accounts as to motor omnibuses and trolley vehicles.

178. In the accounts of the Corporation relative to the tramways undertaking the receipts and expenditure upon and in connexion with motor omnibuses and trolley vehicles respectively shall (as far as may be reasonably practicable) be distinguished from the receipts and expenditure upon or in connexion with the remainder of such undertaking.

Consents of local or road authority in relation to trolley vehicles.

179. Where the consent of any local or road authority in relation to the trolley vehicles by this Act authorised is by this Act required before the exercise of any powers by the Corporation such consent or approval shall not be unreasonably withheld and if any difference arises as to whether any consent or approval is unreasonably withheld that difference shall be referred to arbitration and section 33 of the Tramways Act 1870 shall apply to any such arbitration.

Certain provisions of Tramways Act 1870 to apply to trolley vehicles.

180. The provisions of sections 46 to 49 and 51 and 52 of the Tramways Act 1870 shall apply to trolley vehicles and to all drivers conductors and other persons having charge of or using the same and to the standings for the same as if the trolley vehicles were carriages to which those sections apply:

Provided that nothing in this section shall be deemed to exclude a trolley vehicle from the provisions of section 78 of the Highway Act 1835 as to the side of the road on which any waggon cart or other carriage is to be kept.

Board of Trade may authorise new routes for trolley vehicles.

181.—(1) If at any time hereafter the Corporation desire to use trolley vehicles upon any road as defined by the Tramways Act 1870 (other than the streets or roads in this Part of this Act specified) they may make application to the Board of Trade and the Board of Trade shall be and are hereby

empowered to make a Provisional Order authorising the use of trolley vehicles upon any road or roads or parts thereof in the city described in the application.

(2) No such application shall be entertained by the Board of Trade unless the Corporation shall—

(*a*) have published one in each of two successive weeks in the months of October or November notice of their intention to make such application in some newspaper or newspapers circulating in the area to which such application relates;

(*b*) have also published such notice once in the months of October or November in the London Gazette;

(*c*) have posted for fourteen consecutive days in the months of October or November in conspicuous positions in each of the roads to which such application relates a notice of their intention to make such application.

And each such notice shall state the time and method for bringing before the Board of Trade any objections to the grant of such application.

(3) The Board of Trade may and they are hereby empowered to prescribe the procedure with respect to any application for a Provisional Order under this section.

(4) The Board of Trade shall consider any such application and may if they think fit direct an inquiry to be held in the district in relation thereto or may otherwise inquire as to the propriety of proceeding upon such application and they shall consider any objection to such application that may be lodged with them in accordance with the prescribed procedure and shall determine whether or not it is expedient and proper that the application be granted either with or without addition or modification or subject or not to any restriction or condition.

(5) In any case where it shall appear to the Board of Trade expedient and proper that the application be granted they may settle and make a Provisional Order authorising the same and shall as soon as conveniently may be thereafter procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional Order which shall be set out at length in the schedule to the Bill and until confirmation with or without amendment by such Act of Parliament a Provisional Order under this Part of this Act shall not have any operation.

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(6) If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein the Bill so far as it relates to the Order petitioned against may be referred to a Select Committee and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

The Act of Parliament confirming a Provisional Order under this Part of this Act shall be deemed a Public General Act.

(7) The making of a Provisional Order under this section shall be primâ facie evidence that all the requirements of this section in respect of proceedings required to be taken previously to the making of such Provisional Order have been complied with.

(8) Any expenses incurred by the Board of Trade in connexion with the preparation and making of any such Provisional Order and any expenses incurred by the Board of Trade in connexion with any inquiry under this section shall be paid by the Corporation.

(9) Any Provisional Order obtained by the Corporation under the Tramways Act 1870 authorising the construction of tramways in the city may authorise the Corporation to use trolley vehicles upon all or any of the streets or roads along which such tramways are authorised to be constructed in lieu of or pending the construction thereof.

Restrictions on use of electrical energy for motor omnibuses or trolley vehicles on certain routes.

182. The Corporation shall not without the consent (which shall not be unreasonably withheld) of the Yorkshire Electric Power Company (in this section referred to as "the company") use electrical energy other than electrical energy generated at a generating station belonging to the Corporation as the motive power for running on any route or part of a route which is outside the city as from time to time constituted and within the area of supply of the company any motor omnibus or trolley vehicle owned or worked by the Corporation nor shall the Corporation without the like consent (which shall not be unreasonably withheld) supply in any part of the area of supply of the company outside the city as from time to time constituted any electrical energy for use in such part of that area upon or in respect of any motor omnibus or trolley vehicle not owned or worked by the Corporation.

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For protection of Sheffield and South Yorkshire Navigation Company.

183. For the protection of the Sheffield and South Yorkshire Navigation Company (in this section called "the navigation company") the following provisions shall have effect (that is to say):—

(1) In this section "the canal" means the Sheffield and Tinsley Canal and the towing-path thereof and "the present bridge" means the bridge by which Pinfold Lane (now called Staniforth Road) is carried over the canal and "the new bridge" means the new bridge by which Pinfold Lane is to be carried over the canal:

(2) In lieu of the present bridge the Corporation shall erect a girder bridge of one span and having throughout a clear headway of not less than eleven feet and six inches above the ordinary water level of the canal and a clear width between the abutments thereof which shall be parallel to each other and to the centre line of the canal of not less than thirty feet measured on the square:

(3) The foundations of the abutments of the new bridge shall be carried down to such depth below the ordinary level of the surface water in the canal and shall be in such positions as shall be reasonably fixed by the principal engineer of the navigation company The Corporation as well during the removal of the present bridge and the construction of the new bridge as during any repairs of the said bridge shall leave the navigable waterway and towing-path free and uninterrupted except so far as may be reasonably agreed between the navigation company and the Corporation:

(4) All works connected with the removal of the present bridge and the erection of the new bridge and all other works crossing or affecting the canal shall be executed in accordance with plans sections and specifications to be previously submitted to and reasonably approved in writing by the said engineer and no work shall be commenced or the present bridge in any way interfered with until the said engineer shall have signified his approval of such plans sections and specifications and his consent has

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been obtained in writing to the commencement of such work:

Provided that if such engineer do not signify his approval or disapproval of the same within one month after their submission to him he shall be deemed to have approved them:

(5) All works connected with the removal of the present bridge and the erection of the new bridge and all other works crossing or affecting the canal shall be carried on uninterruptedly when commenced and shall be completed with all reasonable despatch and all scaffolding piling and materials affecting the water-way or towing-path shall be removed as soon as the work for which they are required has been completed and in the meantime shall be kept in proper repair:

(6) All the works by this Act authorised connected with the removal of the present bridge and the erection of the new bridge crossing or in any way affecting the canal shall be constructed and maintained so that the traffic on the canal shall not except as herein expressly provided be in any way obstructed impeded or interfered with and such maintenance shall be effected under the superintendence and to the reasonable satisfaction of the navigation company but in all things at the expense of the Corporation:

(7) The Corporation shall bear and on demand pay to the navigation company the reasonable expense of the employment by the navigation company of a sufficient number of inspectors and watchmen to watch the canal during the execution of any of the said works crossing or in any way affecting the canal and for preventing except as aforesaid any such obstruction or interference or any danger or accident from the acts or defaults of the Corporation or their contractors or the servants workmen or other persons in their respective employ:

(8) The Corporation shall at all times maintain the new bridge and the roadway and footpath thereon and the approaches to the same and other works for such crossing of the canal in good and substantial repair

and condition to the reasonable satisfaction of the navigation company and so as not to cause any obstruction to the canal and in default thereof the navigation company may as well on the lands of the Corporation as on their own land do all such works and things as they may think reasonably requisite in that behalf and the reasonable cost thereof shall on demand be paid by the Corporation to the navigation company and in default of such payment may be recovered by the navigation company from the Corporation with full costs in any court of competent jurisdiction:

(9) If by reason of the execution or maintenance of any of the works or any proceedings of the Corporation or any act or omission of the Corporation or their contractors or of any officer servant or workman or other person employed by the Corporation or such contractors the canal or any of the works thereof be injured or damaged such injury or damage shall forthwith be made good by the Corporation at their own cost and in default thereof the navigation company may make good the same and recover the reasonable cost thereof with full costs from the Corporation in any court of competent jurisdiction:

(10) The Corporation shall indemnify the navigation company for any loss or damage they may suffer and for any compensation they may be required to pay for any such obstruction (except as aforesaid) interruption or interference with the traffic of the canal or any accident which shall have been occasioned by any such act or default as in this section is mentioned:

(11) Nothing in this section shall extend to prevent the navigation company or any owner of vessels boats keels or barges using the canal from recovering from the Corporation any special damage that shall be sustained by them or him for or in consequence of any such act or default as in this section is specified:

(12) With respect to any lands belonging to the navigation company which the Corporation are by this Act authorised to enter upon take use or interfere with the Corporation shall not except by agreement with

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the navigation company purchase and take the same but the Corporation may purchase and take and the navigation company may and shall sell and grant to the Corporation accordingly an easement or right of using the same so far as may be necessary for the purpose of erecting the said new bridge and other works hereby authorised for crossing or in any way affecting the canal:

(13) If any difference arise between the Corporation and the navigation company as to anything to be done or not to be done under this section or any money to be paid thereunder (except by way of compensation as in this section provided or for any such easement as aforesaid) such difference shall be determined by an engineer to be appointed (unless otherwise agreed on) on the application of either party by the President of the Institution of Civil Engineers and the costs of and incident to the reference shall be borne as he shall direct but nothing in this Part of this Act shall be deemed to enable the said arbitrator to direct that any work shall be made of less dimensions than by this section is prescribed in that behalf:

(14) The Corporation and the navigation company may agree for any variation or alteration of the works in this section provided for or of the manner in which the same shall be executed.

For protection of Handsworth Urban District Council and county council.

184. Unless otherwise agreed between the Corporation on the one hand and the urban district council of Handsworth (in this section called "the district council") and the county council on the other hand the following provisions shall have effect with respect to the maintenance of the tramway now laid on the Worksop and Attercliffe main road and the main road intake in the urban district of Handsworth:—

(1) Before commencing to alter or reconstruct the tramway including any additional lines or passing-places in the said roads or either of them the Corporation shall deliver to the district council a plan showing the proposed position thereof in the road and the proposed distance between any footpath fence or building (as the case may be) and the nearest rail

If the district council have any objection to the construction of the tramway in accordance with such plan they shall give notice thereof in writing to the Corporation and if the district council and the Corporation are unable to agree as to the said plan any difference between them shall be determined by the Board of Trade Provided that if the district council do not give such notice within twenty-eight days after receiving the said plan they shall be taken to have agreed thereto:

(2) The position of all posts standards feeder boxes and brackets and their several attachments to be hereafter erected by the Corporation in the said road shall be such as the Corporation and the district council may agree Provided that—

(*a*) If before the erection of any such posts standards boxes and brackets and attachments the Corporation deliver to the district council a drawing and a description of the same and a plan showing the proposed position thereof and the district council do not within twenty-eight days give notice to the Corporation of any objection the district council shall be taken to have agreed to the size position design and construction of such posts standards boxes brackets and attachments as shown by the said drawing description and plan;

(*b*) The Corporation shall properly maintain and keep in good order and repair to the reasonable satisfaction of the district council all such posts standards boxes brackets and attachments;

(*c*) Any difference arising under this section shall be determined by the Board of Trade:

(3) The materials with which the Corporation shall maintain and keep in good condition and repair the portion of road referred to in section 28 of the Tramways Act 1870 shall be granite or other setts or paving approved by the district council:

(4) The Corporation shall not make any alteration in the level of the said road without the consent of and upon conditions prescribed by the district council:

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(5) The Corporation shall at all times during the repair or renewal of the tramway or any part thereof in the said roads or either of them make all necessary and reasonable provisions for the proper regulation of the ordinary traffic of the road and shall keep unobstructed so much of the road as the surveyor of the district council shall reasonably deem adequate for the free and safe passage thereon of vehicles and foot passengers and shall during such repair and renewal maintain that portion of the road so required to be kept unobstructed in substantial repair and all other portions of the road shall after completion of such repair or renewal be left in the like state of repair:

(6) Any works authorised by the section of this Act of which the marginal note is "Power to maintain and work Corporation tramways" so far as they affect the said roads or any part thereof shall be deemed to be works of a tramway to which the provisions of the Tramways Act 1870 shall apply as if they had been therein expressly mentioned:

(7) The Corporation shall before commencing to exercise with respect to the said roads or either of them their powers under the section of this Act of which the marginal note is "Power to make additional crossovers passing-places &c." deliver to the district council a plan showing the position of the proposed works and the manner in which it is proposed to carry them out:

If the district council have any objection (owing to the inadequate width of the said road or otherwise) to the execution of the works in accordance with such plan they may give notice thereof in writing to the Corporation and any difference between the Corporation and the district council shall be determined by the Board of Trade Provided that if the district council do not give such notice to the Corporation within twenty-eight days after the delivery of the plan they shall be taken to have agreed:

(8) So much of the road whereon the tramway is laid as lies between the rails of the tramway and (where

double lines are laid) the portion of the road between each tramway and in every case so much of the road as extends eighteen inches beyond the rails of and on each side of the tramway or tramways shall be maintained by the Corporation:

(9) The Corporation shall not without the consent of the district council reduce the width of any footpath for the purpose of widening the carriageway of the said road:

(10) The district council shall not be responsible to the Corporation for any damage sustained by the Corporation in consequence of the said road subsiding after the construction or relaying of any work which the district council may be authorised to carry out:

(11) Where the tramway is constructed over any manhole or entrance into any sewer of the district council or so close to such manhole or entrance as to make the use thereof in the opinion of the surveyor of the district council dangerous or inconvenient the Corporation shall at their own expense if required by the district council alter the position of such manhole or entrance in such manner as may be necessary and approved by the district council or the district council may at their own option at the reasonable expense of the Corporation make the alteration aforesaid:

(12) If any difference shall arise under the provisions of this section as to whether any matter or thing is reasonable or any expenses are reasonably incurred within the meaning of any of those provisions such difference shall be determined by an arbitrator to be agreed upon between the parties to such difference or failing agreement to be appointed on the application of either of such parties by the Board of Trade.

185. For the protection of the Midland Railway Company (in this section referred to as "the Midland Company") the following provisions in relation to the exercise of the powers of

For further protection of Midland Railway Company.

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this Part of this Act shall have effect unless otherwise agreed between the Corporation and the Midland Company:—

(1) In this section—

"Railway property" means any bridge or the approaches thereto or viaduct or other work belonging to or maintainable by the Midland Company upon across over or under which any works are by this Part of this Act authorised to be made or maintained;

"Works" means works by this Part of this Act authorised to be made or maintained where and to the extent the same are or shall be upon across over or under any railway property or which will otherwise affect the same;

"Apparatus" means and includes electric mains wires conductors posts tubes boxes apparatus and any similar appliances to be used for the purposes of the supply of motive power for the carriages running on the tramways and includes also any brackets wires and apparatus for the purposes of such apparatus:

(2) All works shall be executed so as not to injuriously affect the structure of railway property and according to plans sections and specifications to be previously submitted to and reasonably approved by the principal engineer of the Midland Company or in case of difference by an arbitrator to be appointed as hereinafter provided:

Provided that if the Midland Company do not within twenty-one days after such submission signify their disapproval of such plans sections and specifications they shall be deemed to have approved thereof All works shall be executed according to the plans sections and specifications so approved or determined by arbitration and under the superintendence (if the same be given) and to the reasonable satisfaction of the Midland Company The Corporation shall so maintain and use the works and apparatus as not to injuriously affect railway property and in the event of any injury being occasioned to such property by the construction maintenance user

or removal of the works and apparatus the Midland Company may make good the injury and may recover from the Corporation the reasonable expense of so doing :

(3) The Corporation shall not in any manner in the execution maintenance user or repair of any of the works or apparatus obstruct or interfere with the free uninterrupted and safe user of any railway or other work belonging to the Midland Company or any traffic thereon :

(4) The Corporation shall be responsible for and make good to the Midland Company all losses damages and expenses which may be occasioned to the Midland Company or any of their works or property or to the traffic on their railways or to any company or person using the same by or by reason of the execution or failure of any of the works or apparatus or by reason of any act default or omission of the Corporation or of any person in their employ or of any contractors for the works or any part thereof and the Corporation shall effectually indemnify and hold harmless the Midland Company from all claims and demands upon or against them by reason of such execution or failure or of any such act default or omission :

(5) If the Midland Company shall hereafter in the exercise of their existing powers require to widen lengthen strengthen reconstruct alter or repair any bridge upon which the works and apparatus other than in connexion with or forming part of the Corporation tramways originally authorised by the Sheffield Corporation (Streets and Tramways) Act 1897 by this Act repealed are laid or the approaches thereto or to widen or alter any railway thereunder and if it shall be necessary for such purpose that such works and apparatus be temporarily taken up diverted or removed and if the Midland Company accordingly give the Corporation twenty-one days' notice in writing (or in case of emergency such notice as shall be reasonably practicable) requiring such taking up diversion or removal then the working or user of such

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part of the tramways or apparatus shall be stopped or delayed or such part of the apparatus shall be taken up diverted or removed as stated in such notice at the reasonable expense of the Corporation and under their superintendence (if they shall give such superintendence) but no such working or user shall be stopped or delayed for a longer period than may be absolutely necessary for effecting such purpose as aforesaid and such part of the tramways or apparatus shall be restored with all practicable despatch and the Midland Company shall not be liable to pay compensation in respect of such taking up diversion or removal:

Provided that any compensation claims demands damages costs or expenses for or in respect of street stoppage or delay diversion taking up or removal or in any way relating thereto in respect of the Corporation tramways originally authorised by the Sheffield Corporation Act 1901 by this Act repealed shall failing agreement be subject to arbitration as hereinafter provided:

(6) The Corporation shall from time to time pay to the Midland Company any additional expense which the Midland Company may reasonably incur in effecting such widening lengthening strengthening reconstructing altering or repairing as is mentioned in the last preceding subsection or in the maintenance of such bridge approach or other work of the Midland Company by reason of the existence or user of the works or apparatus other than those originally authorised by the Sheffield Corporation (Streets and Tramways) Act 1897 and the Sheffield Corporation Act 1901 by this Act repealed:

(7) If having regard to the proposed position of any works to be made by the Corporation when considered in relation to the position of the railway property in question it becomes necessary in order to avoid danger from the breaking or falling of wires that the electric telegraphic telephonic or signal wires or apparatus of the Midland Company shall be altered the Midland Company may execute any wc ·ks

reasonably necessary for such alteration and the reasonable expense of executing such works shall be repaid to the Midland Company by the Corporation:

(8) The Corporation shall not for the purposes of any works make attachments to any part of any buildings or property of the Midland Company without the consent in writing of the principal engineer of the Midland Company which shall not be unreasonably withheld Such attachments if allowed to be in all respects subject to the reasonable approval of the said engineer and to be temporarily removed at any time when required by him in connexion with the maintenance and reconstruction or alteration of the said buildings or property:

(9) Notwithstanding anything in the section of this Part of this Act of which the marginal note is "Shelters or waiting-rooms and barriers" contained no shelters or waiting-rooms or barriers shall be erected or maintained in any street or road so as to interfere with or render less convenient the access to or exit from any station of the Midland Company:

(10) If any difference arises under this section between the Corporation and the Midland Company the same shall unless otherwise agreed be settled by arbitration under the provisions of the Arbitration Act 1889 as to differences under subsections (1) to (8) by an engineer to be appointed by the President of the Institution of Civil Engineers at the request of either party and as to differences under subsection (9) by an arbitrator to be appointed by the Board of Trade.

For protection of Great Central Railway Company under Part V. of this Act.

186. The following provisions for the protection of the Great Central Railway Company (in this section referred to as "the railway company") shall unless otherwise agreed between the Corporation and the railway company in writing apply and have effect (that is to say):—

(1) In this section—

"Railway property" means any bridge or approach thereto or other work belonging to or maintainable by the railway company upon across or over which any

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works are by this Part of this Act authorised to be made or maintained;

"Tramway works" means works by this Part of this Act authorised to be made or maintained where and to the extent that the same are or shall be upon across or over any railway property or which will otherwise affect the same;

"Apparatus" includes posts brackets electric wires conductors apparatus and any similar appliances to be used as or for the purposes of a motive power for the carriages running on the tramway and includes also any subways tunnels tubes openings excavations channels and pipes for purposes of such apparatus:

(2) All tramway works where the same shall be made upon across or over any railway property shall be executed so as not to interfere with the structure of railway property and according to plans sections and specifications to be previously submitted to and reasonably approved by the railway company or in case of difference between them and the Corporation by an arbitrator to be appointed as hereinafter provided The Corporation shall so construct maintain and use the tramway works and apparatus as not to injuriously affect any railway property and in the event of any injury being occasioned to such railway property by or in consequence of the construction maintenance user or removal of the tramway works and apparatus the Corporation shall after receiving notice thereof in writing make good the injury with all reasonable despatch and in default thereof the railway company may make good the injury and may recover from the Corporation the reasonable expenses of so doing:

(3) If by reason of the construction of the tramway works over any railway property or the user thereof it becomes in the opinion of the engineer of the railway company and of the engineer of the Corporation or failing agreement of an arbitrator to be appointed as hereinafter provided necessary to strengthen or reconstruct the same the railway company shall give notice accompanied by sufficient plans and specifications to the Corporation of such works as may be

reasonably necessary and may after one calendar month from the date of the notice or forthwith in case of emergency proceed with all due despatch to execute the same but in all things at the expense of the Corporation and the railway company may recover from the Corporation all moneys reasonably expended by them in the execution of such works as aforesaid Provided that in any such case of emergency notice thereof shall forthwith be given by the railway company to the Corporation:

(4) Notwithstanding anything in this Act or any Act incorporated therewith the Corporation shall not without the previous consent in writing of the railway company which consent shall not be unreasonably withheld deviate the position of any tramways passing over any railway property at the time of the passing of this Act:

(5) The Corporation shall on demand pay to the railway company the reasonable expense of watching (if such watching be in the opinion of the engineer of the railway company and the engineer of the Corporation necessary and failing agreement subject to arbitration as hereinafter provided) the works of the railway company during the execution or repair by the Corporation under this Act of any tramway works or apparatus affecting any railway property for preventing all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Corporation or their contractors or any person in the employ of either of them or otherwise:

(6) The Corporation shall not in any manner in the execution maintenance user or repair of any of the tramway works or apparatus obstruct or interfere with the free uninterrupted and safe user of railway property belonging to the railway company or any traffic thereon:

(7) The Corporation shall be responsible for and make good to the railway company all losses damages and expenses which may be occasioned to the railway company or any railway property or to any company or person

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properly and lawfully using the same by or in consequence of the execution or failure of any of the tramway works or apparatus or by or by reason of any act default or omission of the Corporation or of any person in their employ or of any contractors for the tramway works or any part thereof and the Corporation shall effectually indemnify and hold harmless the railway company from all claims and demands upon or against them by reason or in consequence of such execution or failure or of any such act default or omission :

(8) If in consequence of or by reason of the existence of the tramway works the railway company hereafter require to widen lengthen strengthen reconstruct alter or repair any such railway property the Corporation shall afford to the railway company all reasonable and necessary facilities for the purpose and the railway company may upon giving to the Corporation one calendar month's previous notice in writing accompanied by sufficient plans specifications and other information to show the nature of the alteration required (or in case of emergency such notice as may be reasonably practicable) require the Corporation to temporarily alter the tramway works in such manner as the circumstances of the case may reasonably require but not so as to interfere with stop or delay the tramway service of the Corporation except so far as the same may be absolutely necessary and the Corporation shall with all reasonable despatch carry into effect the alterations specified in such notice under the superintendence (if they shall give such superintendence) and to the reasonable satisfaction of the railway company and in default thereof the railway company may carry out the same at the expense of the Corporation :

(9) The Corporation shall from time to time pay to the railway company any reasonable additional expense which the railway company may incur in widening lengthening strengthening reconstructing altering repairing lifting or supporting or in the maintenance of any railway property by reason of the existence

or user of the tramway or any of the works or apparatus connected therewith:

(10) No apparatus shall be affixed to any railway property without the consent in writing of the railway company:

(11) If and when the railway company shall require to reconstruct alter repair or paint any bridge under which any electric wire of the Corporation has been placed the Corporation shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time as shall be reasonably required (but not so as to unduly interfere with the tramway service of the Corporation) by the engineer of the railway company unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been approved by the said engineer:

(12) If having regard to the proposed position of any tramway works when considered in relation to the position of the railway property in question it is agreed that it is necessary that the electric telegraphic telephonic or signal wires or apparatus of the railway company shall be altered the railway company may execute any works reasonably necessary for such alteration and the reasonable expense of executing such works shall be borne by the Corporation:

(13) Notwithstanding anything in the section of this Part of this Act of which the marginal note is "Shelters or waiting-rooms and barriers" contained no shelters or waiting-rooms or barriers shall be erected or maintained on any street or road so as to interfere with or render less convenient the access to or exit from any station of the railway company:

(14) If any difference arises under this section between the Corporation and the railway company the same shall unless otherwise agreed be settled by an arbitrator to be appointed by the Board of Trade on the application of either party.

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For protection of London and North Western Railway Company.

187. The following provisions for the protection of the London and North Western Railway Company (in this section referred to as "the railway company") shall unless otherwise agreed between the Corporation and the railway company in writing apply and have effect (that is to say):—

In this section "railway property" means any bridge or the approaches thereto or viaduct or other work belonging to or maintainable by the railway company upon across over or under which any works are by this Part of this Act authorised to be made or maintained:

The Corporation after the passing of this Act shall not for the purposes of any works make attachments to any part of any railway property without the consent in writing of the principal engineer of the railway company which shall not be unreasonably withheld and such attachments if allowed shall be in all respects subject to the reasonable approval of the said engineer and shall be temporarily removed at any time when required by him in connexion with the maintenance and reconstruction of the said property and works:

Notwithstanding anything in the section of this Part of this Act of which the marginal note is "Shelters or waiting-rooms and barriers" contained no shelters or waiting-rooms or barriers shall be erected or maintained in any street or road so as to interfere with or render less convenient the access to or exit from any station of the railway company.

For protection of Rotherham Corporation as to certain tramways.

188. For the protection of the Rotherham Corporation the following provisions shall unless otherwise agreed between the Corporation and the Rotherham Corporation apply and have effect subject as to the provisions in subsections (2) to (7) to the existing tramway of the Rotherham Corporation in Sheffield Road in the city continuing to be and only so long as the same shall be vested in the Rotherham Corporation (that is to say):—

(1) Section 43 of the Tramways Act 1870 in its application to the said existing tramway of the Rotherham Corporation shall be read and construed as though the words "twenty-six years" were substituted in such section for the words "twenty-one years":

(2) The authorised tramways to be laid in the Sheffield and Bawtry Roads (hereinafter in this section referred to as "the tramways") shall be adapted for the same system of traction as the tramways of the Rotherham Corporation in the city and shall in all respects be constructed and maintained so as to correspond and be capable of being worked in connexion with the said tramways of the Rotherham Corporation and so as not to obstruct impede or interfere with the free and uninterrupted and safe use of the said tramways of the Rotherham Corporation or with the traffic thereon and if any such obstruction or interference shall be caused or take place the Corporation shall pay to the Rotherham Corporation full compensation in respect thereof:

(3) The tramways and all the works both temporary and permanent necessary and incident to the construction thereof so far as they affect the said tramways of the Rotherham Corporation (in this section referred to as "the junction tramways") shall be constructed in accordance with the provisions of this section and at such times and according to such plans sections and specifications as shall be previously submitted to and reasonably approved in writing by the engineer of the Rotherham Corporation (in this section referred to as "the engineer") and the Corporation shall not commence the construction of any part of the junction tramways or enter upon or interfere with any tramway or works of the Rotherham Corporation until such plans sections and specifications and the times at which the works shall be constructed shall have been so submitted and approved Provided always that if the engineer shall for the period of one month fail to disapprove of such plans sections and specifications or such times or to give notice of such disapproval to the Corporation he shall be deemed to have approved the same:

(4) The junction tramways shall be executed by and in all things at the expense of the Corporation and under the superintendence if the same be given and to the reasonable satisfaction of the engineer:

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(5) The Corporation shall at all times maintain the junction tramways in substantial repair and good order to the reasonable satisfaction in all respects of the engineer and if and whenever the Corporation fail so to do the Rotherham Corporation after giving to the Corporation reasonable notice of their intention to do so may make and do all such works repairs and things as they may reasonably think requisite in that behalf and the sums from time to time reasonably expended thereon shall be repaid to the Rotherham Corporation by the Corporation:

(6) During the construction of the junction tramways the Corporation shall bear and on demand pay to the Rotherham Corporation all reasonable expenses of employment by them of a sufficient number of inspectors watchmen and flagmen to be appointed by that corporation for watching their tramway and works with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident which may arise from any of the operations or from the acts or defaults of the Corporation or their contractors or any person or persons in the employment of the Corporation or their contractors with reference thereto or otherwise:

(7) If any difference shall arise between the Corporation and the Rotherham Corporation under this section such difference shall be referred to and determined by an engineer to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of either party and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such reference.

For further protection of Earl Fitzwilliam.

189. For the protection of Earl Fitzwilliam and his successors in title to the estate of the Earl known as Ecclesall Estate (who with the Earl are in this section included in the term "the Earl") the following provisions unless otherwise agreed in writing between the Corporation and the Earl shall apply and have effect (that is to say):—

In the event of the Earl within six months from the date of the passing of this Act providing the Corporation free

of cost to them (subject to the rights of the lessees and tenants thereof) with a strip of land being part of his said estate sufficient for the purpose of widening to a width of sixty feet the portions of Abbeydale Road South (upon which Tramways Nos. 3 and 4 mentioned in Part II. of the Second Schedule to this Act are by this Act authorised to be constructed) the Corporation shall widen the said road to such width before the said tramways are opened for traffic and so much of the said road as lies between the rails of the tramway and as extends eighteen inches on each side thereof shall unless otherwise agreed by the Earl so soon as reasonably practicable be paved with wood paving and the remainder of the said road shall be made up with tar macadam and the Corporation shall not thereafter alter the mode of paving or making up the said portions of road respectively until notice in writing of their intention so to do has been given to the Earl and if within one month from the date of giving any such notice the Earl shall by notice in writing to the Corporation desire some mode of paving or making up other than that proposed by the Corporation to be adopted the matter shall be referred to the surveyor as sole arbitrator who shall state in writing the reasons for his decision.

For protection of Thomas Kingsford Wilson and James Dixon.

190. For the protection of Thomas Kingsford Wilson and James Dixon or other the owner and occupier respectively of the property known as Fulwood House the following provisions shall apply and have effect (that is to say):—

Notwithstanding anything contained in this Act the Corporation shall not construct the authorised tramway (No. 8 on the deposited plans and sections deposited with the Act of 1912) between a point twenty-three yards east of Stumperlow Lane and Stumperlow Hall Road in the position shown upon the said deposited plans and sections but the Corporation may construct the said portion of tramway in the line and according to the levels shown on the plan and section signed in duplicate by Sir Henry Kimber the Chairman of the Committee of the House of Commons to whom the Bill for the said Act was referred one copy of which plan and section has been deposited in the Private Bill Office of the House of Commons and one

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copy in the Parliament Office of the House of Lords and no portion of the said tramway shall be opened for traffic unless and until the widening of Fulwood Road and the new road shown upon the said plan have been completed.

For protection of Sheffield Gas Company.

191. If it be proved that any injury or damage to any mains pipes or apparatus of the Sheffield Gas Company shall have resulted from fusion or electrolytic action caused by any currents generated or used for the purpose of electric traction on any of the Corporation tramways nothing in this Act shall relieve the Corporation from any liability to make compensation for such injury or damage which would have existed but for the passing of this Act.

For protection of county council.

192. Unless otherwise agreed between the Corporation and the county council the following provisions shall have effect with respect to the construction and maintenance of the portion of Tramway No. 1 on the Wakefield and Sheffield main road which lies within the parish of Ecclesfield and the rural district of Wortley (in this section called "the tramway"):—

(1)—(*a*) The said tramway shall not be constructed until the Corporation shall have widened so much of the Wakefield and Sheffield main road as lies within the said parish of Ecclesfield (in this section called "the main road") to such extent that the carriageway thereof shall be of a width of not less than twenty-seven feet where the tramway is authorised as a single line and of not less than thirty-three feet where the tramway is authorised as a double line Provided that this requirement shall not extend to the following portion of the road (that is to say) from the top of the cutting thirty-seven yards or thereabouts north of the city boundary to the end of the embankment near Hawthorne House;

(*b*) The said widenings shall be made with proper foundations and the surface covered with tar macadam or other material of similar character to the reasonable approval of the surveyor of the county council and all necessary alterations of footpaths fences and drainage shall be carried out The county council shall repay to the Corporation one-half of the cost incurred in respect of such widenings including the

acquisition of land and any other matters connected with the said widenings;

(*c*) Before constructing the tramway over any culverts the Corporation shall carry out any necessary works for protecting such culverts and if so reasonably required by the surveyor of the county council shall reconstruct such culverts or so much thereof as may be necessary;

(*d*) If within two years from the date of such widenings any part of the main road co-extensive with such widenings including any embankment or wall constructed to uphold the portion of the road so widened shall have subsided by reason of the construction of the tramway the Corporation shall repay to the county council one-half of the cost reasonably incurred by the county council in restoring the same to the level which existed immediately after the completion of such widenings:

(2) The tramway shall be constructed in the main road in such position as to leave not less than four feet six inches between any building wall or fence and the nearest rail and not less than two feet six inches between the kerb of any footpath and such rail:

(3) Before commencing to construct alter or reconstruct the tramway including any additional lines or passing-places in the road along which the same is or is authorised to be laid the Corporation shall deliver to the county council a plan showing the proposed position thereof in the main road and the proposed distance between any footpath fence or building (as the case may be) and the nearest rail If the county council have any objection to the construction of the tramway in accordance with such plan they shall give notice thereof in writing to the Corporation and if the county council and the Corporation are unable to agree as to the said plan any difference between them shall be determined by the Board of Trade Provided that if the county council do not give such notice within twenty-eight days after receiving the said plan they shall be taken to have agreed thereto:

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(4) The position of all posts standards feeder boxes and brackets and their several attachments to be erected by the Corporation in the main road shall be such as the county council may reasonably approve Provided that if the county council do not within twenty-eight days after the receipt by them from the Corporation of a plan showing the proposed position thereof give written notice to the Corporation of any objection the county council shall be taken to have agreed thereto:

(5) The materials with which the Corporation shall maintain and keep in good condition and repair the portion of road referred to in section 28 of the Tramways Act 1870 shall be granite or other setts or paving reasonably approved by the county council:

(6) Before the laying of the tramway or any part thereof and also within twelve months and not earlier than three months after the opening of the tramway or any part thereof for traffic the respective surveyors of the county council and the Corporation shall jointly inspect the main road and if in their opinion or (in case of difference between them) in the opinion of an engineer to be agreed upon by the county council and the Corporation or failing agreement to be appointed by the Board of Trade upon application by either party it is necessary to raise strengthen reconstruct with new foundations or otherwise adjust the portions of the main road at the side or sides of the tramway track or any footpath or to rebuild or strengthen any retaining wall one-half of any expenses reasonably incurred by the county council in the execution of the work so found to be necessary shall be repaid by the Corporation to the county council:

(7) The Corporation shall not make any alteration in the level of the main road without the consent of and upon conditions reasonably prescribed by the county council:

(8) The county council shall be entitled to require the Corporation to put down at their own cost at such places along the tramway as may be necessary suitable grids and drains communicating with the sewers

or other receptacles to prevent the accumulation of water on the tramway:

(9) The Corporation shall at all times during the construction repair or renewal of the tramway or any part thereof in the main road make all necessary and reasonable provisions for the proper regulation of the ordinary traffic of the road and shall keep unobstructed so much of the road as the surveyor of the county council shall reasonably deem adequate for the free and safe passage thereon of vehicles and foot passengers and shall during such construction repair and renewal and until completion of the part of the tramway under construction maintain that portion of the road so required to be kept unobstructed in substantial repair and all other portions of the road shall after completion of such construction repair or renewal be left in the like state of repair:

(10) Any works authorised by the section of this Act the marginal note whereof is "Mechanical power works" so far as they affect the main road or any part thereof shall be deemed to be works of a tramway to which the provisions of the Tramways Act 1870 shall apply as if they had been therein expressly mentioned:

(11) If the county council pave the macadamised portions of the main road between the edge of the tramway track and the edge of the carriageway at either side of such track the reasonable cost of such paving shall where the width of such portions is less than seven feet be borne in equal shares by the Corporation and the county council Provided that the said portions of road so paved shall thereafter be repaired by the county council:

For the purposes of this subsection "tramway track" means so much of the road whereon the tramway is laid as lies between the rails of the tramway and between any double lines thereof and so much of the road as extends eighteen inches beyond the rails of and on each side of the tramway:

(12) The Corporation shall not without the consent of the county council which shall not be unreasonably with-

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held reduce the width of any footpath for the purpose of widening the carriageway of the main road:

(13) The county council shall not be responsible to the Corporation for any damage sustained by the Corporation in consequence of the main road subsiding after the construction or relaying of any work which the county council may be authorised to carry out:

(14) If any difference shall arise under this section as to whether any matter or thing is reasonable or any expenses are reasonably incurred such difference shall be determined by an arbitrator to be agreed upon between the parties to such difference or failing agreement to be appointed on the application of either of such parties by the Board of Trade.

Contributions towards widening and improvement of roads in Wortley Rural District.

193.—(1) If at any time the county council widen the main road from the city to Barnsley at Floodgates on the line of Tramway No. 1 described in Part III. of the Second Schedule to this Act so that the carriageway thereof when widened shall not be less than thirty feet the Corporation shall on demand pay to the county council a sum equal to one-third of the cost of making such widening (such sum to include the net cost of the acquisition of any land and premises which it shall be necessary to acquire for the purpose of such widening).

(2) Within three months after the Wortley Rural District Council (in this section called "the council") shall have widened or improved the roads on the motor omnibus route No. 10 described in this Part of this Act at the following points (viz.):—

(*a*) at Mortomley Lane End; and

(*b*) opposite to Mortomley Hall

to the extent and in the manner indicated on the plan signed by Frederick Adolphus Samuel Crawshaw on behalf of the council and Walton John Hadfield on behalf of the Corporation the Corporation shall pay to the council a sum equal to one-half of the cost of such widenings and improvements (such sum to include the cost of the acquisition of any land and premises which it shall be necessary to acquire for the purpose) but not exceeding in the whole the sum of one thousand pounds.

As to widening of main roads on certain motor omnibus routes.

194.—(1) Before commencing to run motor omnibuses on any main road comprised in Routes Nos. 8 to 11 inclusive the Corporation shall if required by the county council widen to not less than twenty-four feet the metalled carriageway of every or any portion of the said main roads of which such carriageway is of less than that width and provide a footpath of such width (not exceeding six feet) as the county council may require in place of any existing footpath where altered in consequence of any such widening and the Corporation shall be at liberty to utilise for the purpose of this subsection any roadside waste adjoining the metalled carriageway Provided always that the cost of executing the said widenings shall be borne as to one-half by the Corporation and as to the other half by the county council Provided also that where at any place the acquisition of any dwelling-house or of any permanent building used for industrial or business purposes is necessary for the execution of any such widening or if the widening would involve the disturbance alteration or interference with any railway line or railway or other bridge the Corporation shall not be required to widen the said carriageway to any greater extent than can be effected without such acquisition disturbance alteration or interference.

(2) The widening of any main road as aforesaid may if the county council and the Corporation so agree be carried out by the county council at the cost of the Corporation.

For protection of Wortley Rural District Council under Part V. of this Act.

195. All surplus paving or materials within the meaning of the section of this Act of which the marginal note is "Application of road materials excavated in construction of works" excavated from any road under the jurisdiction or control of the Wortley Rural District Council (in this section called "the council") shall at the request of the surveyor to the council be removed forthwith by the Corporation to such place not more than one mile from the place of excavation as the said surveyor may direct and if the Corporation fail to do so the said surveyor may remove the same and the Corporation shall pay to the council the expense of such removal.

For protection of Derbyshire County Council.

196. Notwithstanding anything contained in this Act or shown on the deposited plans the following provisions shall unless otherwise agreed between the Corporation and the Derbyshire County Council (in this section called "the council") apply and have effect with respect to the construction and maintenance of the portion of Tramway No. 2 by this Act

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authorised which will be on the portion of the Chesterfield main road in the county of Derby The said portion of the said tramway and the said portion of the said main road are in this section respectively referred to as "the tramway" and "the said road":—

(1) The tramway shall terminate at a point in the said road not further south than the northern end of the Greyhound Inn in the urban district of Dronfield:

(2)—(*a*) The tramway shall not be constructed on any part of the said road until the said road shall have been widened to the reasonable satisfaction of the county surveyor of the county of Derby (in this section called "the surveyor") to such extent that the carriageway thereof shall be of not less width than twenty-seven feet where the tramway is authorised as a single line and of not less width than thirty-three feet where the tramway is authorised as a double line;

(*b*) Such widenings shall be carried out by the Corporation under the superintendence if such superintendence shall be given of the surveyor and the cost of such superintendence shall for the purposes of this section be deemed to form part of and be included in the cost of widening;

(*c*) When the said widenings or any part thereof shall have been carried out the council shall pay to the Corporation one-third of the cost thereof including the cost of the formation of proper foundations for and macadamising the additions to the carriageway and of any alterations of footpaths fencing and drainage and of otherwise completing such widenings Provided that no such cost shall become payable by the council until six months after the existing restrictions placed by the Treasury on the borrowing powers of local authorities shall have been withdrawn or until the said widenings or any part thereof shall have been completed whichever event shall last happen;

(*d*) If within two years from the date of the completion of any such widening any part of the said road (other than the part occupied by the tramway) forming part of any such widening shall subside or any embankment or wall constructed by the Corporation to

uphold any widened portion of the road shall crack bulge or fall the Corporation shall restore the same to the level thereof as existing immediately after such completion and the council shall repay to the Corporation one-third of the cost of such restoration:

(3) Before commencing to construct alter or reconstruct the tramway or any additional lines cross-overs or passing places in the said road the Corporation shall deliver to the council a plan showing the proposed position thereof in the road If the council object to the construction of the tramway in accordance with such plan they shall give notice thereof in writing to the Corporation and any difference between them shall failing agreement be determined by an arbitrator as hereinafter provided Provided that if the council do not give such notice within twenty-eight days after receiving the said plan they shall be taken to have agreed thereto:

(4) The tramway shall be constructed in the said road in such position as to leave not less than four feet six inches between any building wall or fence and the nearest rail and not less than two feet six inches between the kerb of any footpath and such rail:

(5) All posts standards feeder boxes and brackets and their several attachments erected by the Corporation in the said road shall be in such position and of such size design and construction as the council may reasonably approve Provided that if the council do not within twenty-eight days after the receipt by them from the Corporation of a plan and description showing the proposed position size design and construction thereof give written notice to the Corporation of any objection the council shall be taken to have agreed thereto:

(6) The materials with which the Corporation shall maintain and keep in good condition and repair the portion of road referred to in section 28 of the Tramways Act 1870 shall be granite or other setts or paving approved by the council and laid on proper concrete foundations:

(7) Before the construction of the tramway or any part thereof and also within twelve months and not earlier

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than three months after the opening of the tramway or any part thereof for traffic the respective surveyors of the council and the Corporation shall jointly inspect the said road and if in their opinion or (in case of difference between them) in the opinion of an engineer to be agreed upon by the council and the Corporation or failing agreement to be appointed by the Board of Trade upon application by either party it is necessary to raise strengthen reconstruct with any foundations or otherwise adjust any part of the said road at the side or sides of the tramway track or any footpath or to rebuild or strengthen any retaining wall two-thirds of any expenses reasonably incurred by the council in the execution of the work so found to be necessary shall be repaid by the Corporation to the council:

(8) The Corporation shall not make any alteration in the level of the said road without the consent of and upon conditions prescribed by the council:

(9) The council shall be entitled to require the Corporation to put down at their own cost at such places along the tramway as may be necessary suitable grids and drains to prevent the accumulation of water on the tramway:

(10) The Corporation shall at all times during the construction repair or renewal of the tramway or any part thereof in the said road make all necessary and reasonable provision for the proper regulation of the ordinary traffic of the road and shall keep unobstructed so much of the road as the surveyor shall reasonably deem adequate for the free and safe passage thereon of vehicles and foot passengers and shall during such construction repair and renewal and until completion of the part of the tramway under construction maintain that portion of the road so required to be kept unobstructed in substantial repair and all other portions of the road shall after completion of such construction repair or renewal be left in the like state of repair:

(11) If the council pave the macadamised portions of the said road between the edge of the tramway track and the edge of the carriageway at either side of such

track the cost of such paving shall where the width of such portions is less than seven feet be borne as to two-thirds by the Corporation and one-third by the council Provided that the said portions of the said road shall thereafter be repaired by the council:

For the purposes of this subsection "tramway track" means so much of the said road as lies between the rails of the tramway and between any double lines thereof and so much of the said road as extends eighteen inches beyond the rails of and on each side of the tramway:

(12) The Corporation shall not without the written consent of the council reduce the width of any footpath or roadside waste for the purpose of widening the carriageway of the said road:

(13) The council shall not be responsible to the Corporation for any damage sustained by the Corporation in consequence of the said road subsiding after the construction or relaying of any work which the council may be authorised to carry out:

(14) Where the tramway is constructed over any manhole inspection-hole catchpit gully or entrance into any sewer or highway drain or so close thereto as to make the use thereof in the opinion of the surveyor dangerous or inconvenient the Corporation shall at their own expense if required by the council alter the position thereof in such manner as may be required by the council or the council may at their own option at the reasonable expense of the Corporation make the alteration aforesaid:

(15) If any difference shall arise under subsections (2) (*a*) (5) (7) (10) or (14) of this section between the council or the surveyor and the Corporation as to whether any matter or thing is reasonable or any expenses are reasonably incurred such difference shall be referred to and determined by an arbitrator to be agreed upon between the parties to such difference or failing agreement appointed on the application of either party by the Board of Trade and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

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Orders and byelaws to be signed &c.

197. All orders regulations and byelaws made and certificates given by the Board of Trade under the authority of this Act or the Tramways Act 1870 shall be signed by a secretary or an assistant secretary of that Board.

Power to hold patent rights.

198. The Corporation may acquire and hold patent and other rights and licences (not being exclusive) in relation to the use of electrical power for the purposes of the tramway undertaking or any of such purposes.

Part VI.

Electricity.

Electricity undertaking to continue vested in Corporation.

199. The electricity undertaking as it exists at the passing of this Act shall (subject to the provisions of this Act) be and continue vested in the Corporation.

Application of provisions of Electric Lighting (Clauses) Act 1899.

200. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with this Act so far as the same are applicable for the purposes of this Act shall (subject as hereinafter provided) apply to the electricity undertaking in all respects as though such undertaking had been originally authorised by this Act:

Provided that section 7 of the said schedule shall have effect as if there were inserted therein before the words "the net surplus" the words "so much of" and after the words "amounting to the prescribed limit" the words "as may in "the opinion of the Corporation not be required for carrying "on the electricity undertaking" and after the words "the surplus" the words "carried to the credit of the local rate as aforesaid."

Area of supply.

201. The area of supply for the purposes of this Part of this Act and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 (in this Act referred to as "the electricity limits") shall be the city.

Prices to be charged.

202. The maximum prices which may be charged by the Corporation as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be as follows:—

(1) Where the Corporation charge any consumer by the actual amount of energy supplied to him they shall

be entitled to charge him at the following rates per quarter:—

For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence:

(2) Where the Corporation charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in subsection (1) of this section the amount of energy supplied to him being taken to be the product of such electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Corporation under any regulations made under the said schedule.

In this section "unit" means the energy contained in a current of one thousand ampères flowing under an electromotive force of one volt during one hour.

Generating stations.

203.—(1) Subject to the provisions of this Act the Corporation may appropriate and use for the purposes of the electricity undertaking the lands used or authorised to be used for such purposes at the passing of this Act and shortly described in the Fourth Schedule to this Act and now belonging or reputed to belong to them and may on such lands or on any part or parts thereof erect construct lay down extend enlarge maintain work and use as a part of and for the purposes of the electricity undertaking stations buildings electric lines works apparatus and machinery of such description extent capacity and height as they may think fit for producing generating transforming storing using transmitting conveying and distributing electrical energy or power or any material product matter or thing arising or used in the process of such generation or transformation and may manufacture and produce generate store transform use transmit convey and distribute electrical energy and such materials products matters and things accordingly and on the said lands or any other lands for the time being belonging to the Corporation or in respect of which they may have acquired any necessary rights or easements in that behalf may erect construct lay down extend enlarge maintain work and use railways tramways sidings quays tunnels mains pipes wharves landing stages jetties piers roads approaches

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machinery buildings plant apparatus and other works and conveniences.

(2) The Corporation shall not otherwise than with the consent in writing of the Sheffield and South Yorkshire Navigation Company (which consent shall not be unreasonably withheld) erect construct lay down extend enlarge or maintain any works upon the lands lastly described in the said schedule which shall or may in any way interfere with any part of the navigation of the said company or the towing-path of that navigation or the use of the said navigation and towing-path by the said company for the purposes of or connected with their undertaking.

(3) On the appropriation of the said lastly-described lands for the purposes of the electricity undertaking a transfer of the value thereof shall be effected in the books of the Corporation.

Power to construct electric lines.

204. Subject to the provisions of this Part of this Act the Corporation may construct and maintain in the lines and according to the levels shown on the deposited plans and sections deposited with the Act of 1917 the works hereinafter described in the city and the borough with all proper pipes ducts cables mains wires boxes substations supports works apparatus machinery and conveniences connected therewith (that is to say):—

An electric line or lines (No. 1) commencing in the electric generating site at a point one yard or thereabouts east of the level crossing over the Great Central Railway in continuation of Alsing Road and terminating in the city on the north side of the said road at a point two hundred and one yards or thereabouts north-east of the Pheasant Inn:

An electric line or lines (No. 2) commencing in the electric generating site at a point one yard or thereabouts east of the said level crossing and terminating in the city on the south side of the said road at a point one hundred and seventy-eight yards or thereabouts north-east of the Pheasant Inn:

An electric line or lines (No. 3) commencing in the electric generating site at a point one yard or thereabouts east of the said level crossing and terminating in the city in Sheffield Road at a point twenty-four yards or thereabouts north-east of the booking-office of the Tinsley Railway Station;

An electric line or lines (No. 4) commencing in the electric generating site at a point one yard or thereabouts east of the said level crossing and terminating in the city in Standon Road Wincobank at a point nine yards or thereabouts north-east of the Engineer's Hotel:

An electric line or lines (No. 5) commencing in the borough at the north-east end of Hill Street and terminating in the city at a point in Meadow Hall Road adjoining the Blackburn Brook on the south side thereof:

An electric line or lines (No. 6) commencing in the electric generating site at a point adjoining the north-west corner of the bridge carrying the Great Central Railway over the River Don near Jordan Cottage and terminating in the city in Sheffield Road at its junction with Lock Lane.

Power to break up streets in borough.

205. For the purpose of constructing and maintaining the electric lines by the section of this Part of this Act of which the marginal note is "Power to construct electric lines" authorised the Corporation subject to the provisions of this Part of this Act may break up streets and roads (including streets not repairable by the local authority) in the borough within the limits of deviation shown upon the deposited plans deposited with the Act of 1917 and shall in respect of the said streets and roads so authorised to be broken up and in respect of all works and lines erected and laid therein have the same rights and be subject to the same obligations and liabilities as if the Corporation were undertakers and were authorised to break up such streets and roads under and subject to the provisions of the schedule to the Electric Lighting (Clauses) Act 1899 and this Act Provided that—

(*a*) the Corporation shall not use such electric lines for the purpose of supplying electricity directly or indirectly within the borough; and

(*b*) the electric lines shall be laid down in such a position in the road as shall be agreed between the city surveyor and the surveyor of the borough or failing agreement determined by an arbitrator appointed by the Board of Trade:

Provided also that the provisions of section 14 (Notice of works with plan to be served on the Postmaster-General and

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local authority) of the schedule to the Electric Lighting (Clauses) Act 1899 so far as they relate to the Postmaster-General shall extend and apply to the placing or construction by the Corporation of the said electric lines whether in under along or across any street or road or not.

Power to construct wharf.

206. Subject to the provisions of this Part of this Act the Corporation may construct and maintain in the lines and according to the levels shown on the deposited plans and sections deposited with the Act of 1917 the wharf hereinafter described in the borough with all proper and convenient sidings roads approaches landing places steps slips embankments cranes hoists lifts pontoons moorings dolphins piles stagings cofferdams depôts sheds and other works and conveniences connected therewith and may enter upon take hold and use the lands delineated on those plans and described in the deposited book of reference deposited with the Act of 1917 relating thereto (that is to say):—

A wharf on the west bank of the River Don commencing at a point adjoining or near to and on the north side of the bridge carrying the Great Central Railway over the said river near Jordan Cottage and terminating at a point one hundred and twenty yards or thereabouts south of the southern end of Jordan Dam.

Power to dredge.

207. The Corporation may so far as may be necessary for constructing maintaining and using the wharf by this Part of this Act authorised execute works of dredging or excavation in or on any part of the bed and banks of the River Don between the bridge carrying the Great Central Railway over the said river near Jordan Cottage and a point one hundred and twenty yards or thereabouts south of the southern end of Jordan Dam.

Power to deviate.

208. In constructing the works by this Part of this Act authorised the Corporation may deviate laterally to any extent within the limits of deviation shown on the deposited plans and vertically from the levels shown on the deposited sections deposited with respect thereto to any extent downwards and in the case of the wharf to any extent not exceeding three feet upwards.

Period for completion of works.

209. If the works by this Part of this Act authorised are not completed within ten years from the second day of August one thousand nine hundred and seventeen then on the expiration

of that period the powers by this Act granted to the Corporation for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Corporation may provide shops in connexion with offices for electric undertaking.

210. The Corporation in connexion with the new offices and other buildings to be erected for the purposes of the electricity undertaking on land situate at the junctions of Pinfold Street Bow Street and Holly Street in the city may provide shops with all necessary accessories and conveniences and the Corporation may let such shops upon such terms and conditions as they may think fit and such shops and the provision and maintenance thereof shall be and form part of the said undertaking.

Power to lay pipes in streets not dedicated to public use.

211. The Corporation may on the application of the owner or occupier of any premises abutting on or being erected in any street or road within the electricity limits laid out or made but not dedicated to public use supply such premises with electricity and may lay down take up alter relay repair or renew in across or along or out of such street or road such pipes cables and apparatus as may be requisite or proper for furnishing such supply in the same way and to the same extent as if such street or road had been dedicated to the public use and the provisions of the Electric Lighting Acts 1882 to 1909 and of the schedule to the Electric Lighting (Clauses) Act 1899 so far as they are applicable for and not inconsistent with the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

Power to lay down electric lines under rivers and streams.

212.—(1) The Corporation may lay down place maintain and use electric lines on the bed of any river or stream between two streets in any case in which such streets abut on opposite sides of such river or stream and are situate either immediately opposite each other or within a distance of not exceeding one hundred yards measured along the stream from one street to the other but no such lines shall be so laid down placed maintained or used as to injuriously affect or to interfere with the use of any existing works or apparatus in under across over or on the banks of any such river or stream nor shall the powers of this section be so exercised as to restrict or interfere with the rights or powers of any person interested in any property through or over which any such lines are laid down placed maintained or

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used to lay any electric lines over or under any such electric lines of the Corporation.

(2) If any such lines of the Corporation are laid down or placed upon any private property the Corporation shall pay to the owner lessee and occupier of such property such compensation in respect thereof as may be agreed or failing agreement settled by arbitration under the provisions of the Lands Clauses Acts.

(3) The Corporation in the exercise of the powers of this section shall as regards the rivers Rivelin Loxley and Don be subject to the control and superintendence of the engineer of the Associated Millowners and such powers shall as regards the said rivers be exercised only in accordance with plans and sections to be previously submitted to and reasonably approved by the said engineer Provided always that if the said engineer shall for a period of thirty days fail to signify his disapproval of the said plans and sections he shall be deemed to have approved thereof and if within the said period he shall disapprove the same and in case the said engineer and the engineer of the Corporation fail to agree or of any difference arising between them under this subsection then such powers shall be exercised only according to such plans and sections and on such terms and conditions as shall be determined by arbitration under the provisions of the Arbitration Act 1889.

(4) The provisions of section 14 of the schedule to the Electric Lighting (Clauses) Act 1899 so far as they relate to the Postmaster-General shall extend and apply to the laying down or construction by the Corporation of any electric lines under the provisions of this section.

(5) Nothing in this section shall authorise the Corporation to lay down place maintain or use any electric line on any part of the bed of the River Don between Royd's Weir on the one hand and an imaginary line drawn at right angles across but higher up the river distant two hundred yards above Royd's Weir measured along the centre of the river on the other hand without the consent in writing of the successor in title of the late Duke of Norfolk or his sequels in estate.

(6) In this section the expression "owner" shall have the same meaning as in the Lands Clauses Acts and the expression "electric line" shall have the same meaning as in the Electric Lighting Act 1882.

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Supply of electricity to Midland Railway Company.

213. The Corporation subject to the provisions of the Electric Lighting Acts 1882 and 1888 and of this Act (so far as the same shall be applicable) may afford a supply of energy to the Midland Railway Company for use upon the railway and works of that company between Sheffield Station and the Dore and Totley Station including that station and for that purpose the Corporation may exercise within the city and (with the consent of the urban or rural district council in which any road or street required to be broken up is situate) also beyond the city all the powers of the Electric Lighting Acts with respect to the breaking up of streets and roads and the laying of mains:

Provided that energy supplied by the Corporation under the powers of this section shall not be used outside the boundaries of the city as the same existed on the second day of August one thousand nine hundred and seven and within the area of supply of the Yorkshire Electric Power Company:

Provided further that nothing in this section shall authorise the Corporation to supply electrical energy for the purpose of working any railway used for public traffic unless the company body or person owning or working such railway is authorised by Act of Parliament or by an Order confirmed by or having the effect of an Act of Parliament to work such railway by electrical power:

Provided also that the energy supplied by the Corporation under this section shall be so supplied and used as to prevent injurious affection whether by induction or otherwise to the telegraphic lines from time to time used or intended to be used by His Majesty's Postmaster-General or the currents therein.

As to supply of electric motors &c. and other electrical fittings.

214.—(1) The Corporation may purchase and may supply sell and let for hire but shall not manufacture electric motors apparatus and things for cooking heating and ventilating and for motive power (in this section called "electrical apparatus") and may provide materials and do all work necessary and proper for the fixing setting up connecting with supply mains alteration repair or removal thereof and may take such remuneration in money or such rents or charges for and make such terms and conditions with respect to such supply sale letting or use setting up altering or repairing or removal and for securing the safety and return to the Corporation of such electrical apparatus let

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as may be agreed upon between the Corporation and the persons to or for whom the same are sold supplied fixed or set up.

(2) The Corporation may subject to the provisions in this section hereinafter contained sell let for hire and fix repair and remove but shall not manufacture lamps meters electric lines fuses switches lampholders and other electrical fittings for lighting motive or other purposes (in this section called "electrical fittings") and may provide all materials and work necessary or proper in that behalf and with respect thereto may make such charges and subject to such terms and conditions as may be agreed upon Provided as follows:—

(*a*) The Corporation may enter into contracts for the execution of any of the powers of this subsection including the wiring of private property The Corporation shall not under the powers of this subsection sell any electrical fittings (other than electric lines fuses switches ceiling roses and such other electrical fittings as are used in connexion with the wiring of private property from the distribution main as far as the ceiling wall or floor outlet only) except through a contractor carrying on his business independently of the Corporation:

(*b*) The Corporation shall so adjust the charges to be made by them for any electrical fittings or for the fixing repairing or removal thereof as to meet the sum properly chargeable for the costs and expenses incurred by them under the powers of this subsection in connexion therewith (including interest upon moneys borrowed for those purposes and all sums applied to sinking fund for repayment of moneys so borrowed):

(*c*) The sums properly chargeable and received by the Corporation in connexion with the purposes in this subsection mentioned in each year (including interest and sinking fund) shall be separately shown in the published accounts of the electricity undertaking for that year:

(*d*) Every sum charged by the Corporation to a consumer in respect of the provision of electrical fittings or

the fixing repairing or removal thereof shall be separately stated on every demand note delivered by the Corporation to the consumer.

(3) Any electrical apparatus and electrical fittings let for hire under the provisions of this section shall be deemed to be and shall be apparatus and appliances within the meaning of section 16 of the Electric Lighting Act 1909 and the provisions of such section shall apply and have effect accordingly.

(4) Any expenses incurred by the Corporation in carrying into effect the provisions of this section shall be deemed to be expenses incurred by the Corporation under the Electric Lighting Act 1882 and not otherwise provided for and the provisions of sections 7 and 8 of that Act shall extend and apply accordingly to such expenses.

(5) Any moneys received by the Corporation under this section shall be applied in manner provided by subsection (1) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899 (as applied by this Part of this Act) except capital moneys which shall be applied in manner provided by subsection (2) of the said section.

Penalty on persons refusing entry.

215. Any person who shall hinder any duly appointed officer of the Corporation in carrying out the provisions of section 24 of the Electric Lighting Act 1882 shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Power to recover charge for re-connexion.

216. Any expenses reasonably incurred by the Corporation in re-connecting any electric line or other work through which electricity may be supplied which may have been lawfully cut off or disconnected by reason of any default of the consumer may be recovered by the Corporation in like manner as expenses lawfully incurred by them in such cutting off or disconnecting.

For protection of Sheffield and South Yorkshire Navigation Company in relation to electricity works.

217. For the protection of the Sheffield and South Yorkshire Navigation Company (in this section referred to as "the navigation company") the following provisions shall unless otherwise agreed in writing between the navigation company and the Corporation apply and have effect in respect of and with relation to the works authorised and the powers conferred by the sections of this Part of this Act (in this

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section called "the said sections") of which the marginal notes respectively are "Power to construct electric lines" "Power to construct wharf" and "Power to deviate":—

(1) In this section the expression "the canal" means and includes that part of the River Don which forms part of the Sheffield and South Yorkshire Navigation and the works apparatus and conveniences connected therewith respectively:

(2) Notwithstanding anything contained in the said sections the Corporation shall not unless by agreement with the navigation company purchase and take any lands belonging to the navigation company but the Corporation may acquire and the navigation company may and shall sell and grant to the Corporation accordingly an easement or right of using the same so far as may be necessary for the purpose of executing the works by the said sections authorised and the consideration to be paid by the Corporation for such easement shall in case of difference be determined in manner prescribed by the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement:

(3) The wharf described in the said section of which the marginal note is "Power to construct wharf" shall be constructed and maintained and all other works by the said sections authorised so far as they may cross or affect the canal or the towing-path thereof shall be executed and maintained in accordance with plans sections and specifications to be previously submitted to and reasonably approved in writing by the principal engineer of the navigation company and no such work shall be commenced until the said engineer shall have signified his approval of such plans sections and specifications and his consent in writing has been obtained to the commencement of such work Provided that if such engineer do not signify his approval or disapproval of any such plans sections or specifications within one month after their submission to him he shall be deemed to have approved thereof:

(4) If for the purpose of constructing the said wharf it becomes necessary for the Corporation to alter or interfere with the towing-path of the canal the Corporation shall before commencing such alteration or interfering in any way with the said towing-path provide to the satisfaction of the navigation company suitable and proper substituted means for maintaining free and uninterrupted passage for towing and other purposes along the western side of the canal and for maintaining the free and uninterrupted haulage and passage of vessels along the canal:

(5) The Corporation shall not place or permit to be placed or to remain upon the said wharf or any lands by this Part of this Act authorised to be acquired for the purposes thereof any structure or thing which would prevent or obstruct such towing haulage or passage as aforesaid and any such substituted means which shall be of a temporary character shall be maintained to the reasonable satisfaction of the navigation company by and at the expense of the Corporation:

(6) The Corporation shall not under the powers of the said sections execute any works of dredging or excavation in or on any part of the bed and banks of the canal otherwise than with the consent of the navigation company (which consent shall not be unreasonably withheld) and subject to any conditions or directions which the navigation company may reasonably impose or give in intimating such consent and if (whether such consent has or has not been given by the navigation company) any works of dredging or excavation become necessary in the reasonable opinion of the navigation company by reason or in consequence of the works authorised or the powers conferred upon the Corporation by the said sections it shall be lawful for the navigation company to require the Corporation to execute such works of dredging or excavation at the expense of the Corporation and if for a period of seven days after notice in writing of any such requirement has been given by the navigation company to the Corporation the Corporation make default

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in executing such works the navigation company may execute such works and the expense thereof shall be repaid to the navigation company by the Corporation on demand :

(7) The electric line or lines (No. 3) and the electric line or lines (No. 6) described in the section of this Part of this Act of which the marginal note is "Power to construct electric lines" and all other works referred to in that section so far as the same will be situate on or across or may affect any property of the navigation company shall be constructed or laid in such position and in such manner as the navigation company may reasonably approve :

(8) Notwithstanding the grant by the navigation company to or the acquisition by the Corporation of any easement for the purposes of the construction or laying down of the said electric lines or any or either of them upon in or through any property of the navigation company that company shall subject only to the express terms on which such easement shall have been granted or acquired have and be entitled to exercise and enjoy the same rights privileges and exemptions in and in respect of such property as if such electric lines or any or either of them had not been so constructed or laid :

(9) All works by the said sections authorised crossing or in any way affecting the canal or the towing-path thereof shall be constructed and maintained so that traffic along the same shall not except as herein expressly provided be in any way obstructed impeded or interfered with and such construction and maintenance shall be effected under the superintendence and to the reasonable satisfaction of the navigation company but in all things at the expense of the Corporation :

(10) All works by the said sections authorised which may cross or affect the canal or the towing-path thereof shall except in case of strike accident or other inevitable delay and subject to any directions by the navigation company be carried on uninterruptedly when commenced and shall be completed with all

reasonable despatch and all scaffolding piling and materials affecting the waterway or the towing-path of the canal shall be removed as soon as the work for which they were required has been completed and in the meantime shall be kept in proper repair:

(11) The Corporation shall bear and on demand pay to the navigation company the reasonable expense of the employment by the navigation company of a sufficient number of inspectors and watchmen to watch the canal and the towing-path thereof during the execution of the works by the said sections authorised crossing or in any way affecting the canal or the towing-path thereof and for preventing any such obstruction or interference or any danger or accident from the acts or defaults of the Corporation or the servants workmen or other persons in their respective employ:

(12) The Corporation shall at their own expense during the construction or execution of any of the works by the said sections authorised on any property of the navigation company exhibit every night from sunset to sunrise such lights as shall be necessary for the guidance of persons passing along any road or way of the navigation company or the canal or the towing-path thereof:

(13) The Corporation shall at all times maintain all works by the said sections authorised crossing or affecting the canal or the towing-path thereof in good and substantial repair and condition to the reasonable satisfaction of the navigation company and so as not to cause any obstruction to the canal or the towing-path thereof and in default thereof the navigation company may as well on the lands of the Corporation as on their own lands do all such works and things as they may think reasonably requisite in that behalf and the reasonable cost thereof shall on demand be paid by the Corporation to the navigation company:

(14) If by reason or in consequence of the execution or maintenance of any of the works by the said sections authorised or any proceedings of the Corporation in

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relation thereto or any act or omission in relation thereto of the Corporation or their contractors or any officer servant or workman or other person employed by the Corporation or such contractors the canal or the towing-path thereof be injured or damaged such injury or damage shall forthwith be made good by the Corporation at their own cost and in default thereof after seven days' notice in writing given by the navigation company to the Corporation the navigation company may make good the same and recover the reasonable cost thereof from the Corporation:

(15) The Corporation shall indemnify the navigation company against any loss or damage which they may suffer and against all claims which may be made against them on account of any obstruction interruption or interference with the traffic on the canal or along the towing-path thereof or any accident which shall have been occasioned by any such act or default as in this section is mentioned:

(16) Nothing in this section shall extend to prevent the navigation company or any owner of vessels boats keels or barges using the canal from recovering from the Corporation any special damage that shall be sustained by them or him for or in consequence of any such act or default as in this section is specified:

(17) If any difference shall arise between the Corporation and the navigation company under the provisions of this section (other than a difference arising under subsection (2) thereof) such difference shall be referred to and be determined by an engineer as arbitrator to be appointed (in default of agreement) by the President of the Institution of Civil Engineers on the application of either party after notice in writing to the other and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to the reference.

For protection of Midland Railway Company in relation to electric lines.

218. In executing and maintaining the works authorised by the section of this Act of which the marginal note is "Power to construct electric lines" where the same will cross under or otherwise affect any railway works or property of the Midland

Railway Company (in this section referred to as "the Midland Company") the Corporation shall (except so far as it may be otherwise agreed between the Midland Company and the Corporation) be subject to the following conditions:—

(1) Electric Line No. 4 where it passes under the bridge carrying the Midland Company's Chapeltown Branch over Standon Road Wincobank and under the bridge carrying the Midland Company's Sheffield and Rotherham Railway over the Great Central Railway Company's Woodbourn Junction to Aldham Junction Railway (in this section referred to as "the said bridges") and for a distance of ten yards or thereabouts measured in a north-westerly direction from the north-west face of the last-mentioned bridge shall be executed and maintained under the superintendence (if the same be given) and to the reasonable satisfaction of the principal engineer of the Midland Company (in this section referred to as "the said engineer") and except in case of emergency according to plans and drawings to be previously submitted to and reasonably approved by him or in case of difference by an arbitrator appointed in pursuance of this section Provided that if for twenty-eight days after such plans and drawings shall have been submitted to the said engineer he shall fail to give notice to the Corporation of his objections thereto he shall be deemed to have approved thereof:

(2) If reasonably required by the said engineer and before laying Electric Line No. 4 the Corporation shall at their own cost underpin the abutments of the said bridges and otherwise strengthen them in such manner as shall be reasonably required by the said engineer:

(3) Notwithstanding anything contained in the section of this Part of this Act the marginal note whereof is "Power to deviate" the Corporation in constructing and maintaining Electric Line No. 4 where it passes under the said bridges shall not deviate vertically in a downward direction from the levels shown on the deposited section without the consent of the said engineer:

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(4) The Corporation shall not under the powers of this Part of this Act compulsorily acquire any lands of the Midland Company The Corporation shall acquire only such easements from the Midland Company as may be necessary for constructing and maintaining Electric Line No. 4 by this Part of this Act authorised and shall pay to the Midland Company for any such easements to be acquired by them such sum as may be agreed upon and failing agreement as shall be settled by arbitration in pursuance of this section:

(5) Any additional expense which the Midland Company may reasonably and properly incur in the exercise of their existing powers in effecting any repair renewal widening alteration or extension of their railway bridges and works by reason of the existence of Electric Line No. 4 laid under the powers of this Part of this Act shall be paid by the Corporation:

(6) The Corporation shall bear and on demand pay to the Midland Company the reasonable expense of the employment by the Midland Company during the execution of any work of laying renewing or repairing Electric Line No. 4 which affects their railway works or property of a sufficient number of inspectors watchmen and signalmen to be appointed by the Midland Company for watching and signalling the same with reference to and during the execution of such work of the Corporation and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Corporation or their contractors:

(7) Any dispute or difference which may arise between the Midland Company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer to be appointed (in default of agreement) by the President of the Institution of Civil Engineers on the application of the Midland Company or the Corporation and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

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For protection of Great Central Railway Company in relation to electricity works.

219. The following provisions for the protection of the Great Central Railway Company (in this section referred to as "the railway company") shall in addition to any other provisions for their protection contained in this Part of this Act or in the provisions of any Act incorporated therewith apply and have effect except so far as it may be otherwise agreed between the railway company and the Corporation (that is to say):—

(1) Notwithstanding anything in this Part of this Act contained or shown upon the deposited plans and sections the Corporation shall not except with the consent in writing of the railway company under their common seal enter upon take use or otherwise interfere with any property of the railway company or erect or lay down thereon or thereunder any of the works by this Part of this Act authorised other than Electric Lines Nos. 1 2 and 5 and works which shall subject to the provisions of the Electric Lighting (Clauses) Act 1899 be erected or laid down on or under any public road which is carried over or under the railway or property of the railway company but the railway company may and shall sell and grant to the Corporation an easement or right of constructing maintaining and using in accordance with the provisions of this Part of this Act the said Electric Lines Nos. 1 2 and 5 in and under the lands and property of the railway company where such works cross the railway:

(2) In executing and maintaining the works authorised by the section of this Act of which the marginal note is "Power to construct electric lines" where the same will cross under or otherwise affect any railway works or property of the railway company the Corporation shall be subject to the following conditions:—

(*a*) Electric Lines Nos. 1 2 4 and 5 where they cross under or over the railway company's Chapeltown Branch Railway and property (hereinafter referred to as "the Chapeltown Branch") and for a distance of ten yards or thereabouts on either side thereof shall be executed and maintained under the superintendence (if the same be given) and to the reasonable satisfaction of the principal

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engineer of the railway company (hereinafter in this section referred to as "the said engineer") and except in case of emergency according to plans and drawings to be previously submitted to and reasonably approved by him or in case of difference by an arbitrator appointed in pursuance of this section Provided that if for twenty-eight days after such plans and drawings shall have been submitted to the said engineer he shall fail to give notice to the Corporation of his objections thereto he shall be deemed to have approved thereof;

(*b*) If reasonably required by the said engineer and before laying Electric Line No. 4 the Corporation shall at their own cost underpin the abutments of the bridge carrying the Chapeltown Branch over the Standon Road Wincobank at Meadowhall Junction and also the bridge carrying the Midland Railway Company's Sheffield and Rotherham Railway over the Chapeltown Branch and otherwise strengthen them in such manner as shall be reasonably required by the said engineer;

(*c*) If reasonably required by the said engineer and before laying Electric Lines Nos. 1 and 2 under the Chapeltown Branch the Corporation shall at their own cost construct and maintain a suitable culvert or culverts or other works for carrying the said Electric Lines Nos. 1 and 2 in such manner as shall be reasonably required by the said engineer;

(*d*) Notwithstanding anything contained in the section of this Act the marginal note whereof is "Power to deviate" the Corporation in constructing and maintaining the said Electric Lines Nos. 1 2 4 and 5 where they cross under or over the Chapeltown Branch shall not deviate vertically in a downward direction from the levels shown on the deposited sections without the consent of the said engineer;

(*e*) Any additional expense which the railway company may reasonably and properly incur in the exercise of their existing powers in effecting any repair renewal widening alteration or extension of

their railway bridges and works by reason of the existence of Electric Lines Nos. 1 2 4 and 5 laid under the powers of this Part of this Act where they cross the Chapeltown Branch shall be paid by the Corporation;

(*f*) The Corporation shall bear and on demand pay to the railway company the reasonable expense of the employment by the railway company during the execution of any work of laying renewing or repairing Electric Lines Nos. 1 2 4 and 5 where they cross the Chapeltown Branch which affect their railway works or property of a sufficient number of inspectors watchmen and signalmen to be appointed by the railway company for watching and signalling the same with reference to and during the execution of such works of the Corporation and for preventing so far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Corporation or their contractors:

(3) If having regard to the position of any of the electrical works of the Corporation to be constructed under the section of this Act of which the marginal note is "Power to construct electric lines" when considered in relation to the position of the works of the railway company the electrical engineer of the railway company reasonably considers that the electrical telegraphic telephonic or signal wires or other apparatus of the railway company should be altered the railway company may execute any works reasonably necessary for such alterations and the reasonable expense of executing such works shall be paid to the railway company by the Corporation on demand but before commencing the execution of such works the railway company shall give notice in writing to the Corporation:

(4) Any dispute or difference which may arise between the railway company and the Corporation with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by

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an engineer to be appointed (in default of agreement) by the President of the Institution of Civil Engineers on the application of the railway company or the Corporation and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

As to supply in Handsworth Urban District.

220. In the event of a Provisional Order authorising the supply of electrical energy by the Corporation in the Handsworth Urban District or any portion thereof being made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 within two years from the thirtieth day of June next after the termination of the war and such Order being subsequently confirmed by Parliament the Corporation shall be deemed to have been at the date of the passing of the Yorkshire Electric Power Act 1901 authorised distributors in reference to the said urban district or as the case may be the portion thereof within which the Corporation are authorised by such Order to supply electricity.

Part VII.

Markets Fairs and Slaughter-houses.

Markets undertaking to continue vested in Corporation.

221. The markets undertaking as it exists at the commencement of this Act shall be and continue vested in the Corporation subject to the provisions of this Act.

Powers of Corporation as to markets fairs refrigerators and slaughter-houses.

222. The Corporation without prejudice to the generality of the provision of the last preceding section shall have the following powers in relation to the markets undertaking (namely) :—

(1) They may continue the markets and fairs held at the commencement of this Act and may from time to time alter the places at which the markets respectively are or may be held and may establish and hold new markets :

(2) They may continue and from time to time provide market-places and market-houses for the sale of cattle of corn and of any marketable articles and places for fairs and slaughter-houses and dead meat markets together with all buildings offices approaches appliances conveniences and things as may be necessary or proper or incidental to the carrying on of any such matters :

(3) They may provide and maintain refrigerators or cold air stores for the storage and preservation of marketable articles and such other apparatus as may be necessary for the due and proper working and regulation of the refrigerators and cold air stores:

(4) They may provide and maintain weighing-houses and machines and all proper appliances for weighing carts and for weighing or measuring articles and may appoint and pay persons to attend to such weighing or measuring:

(5) They may from time to time (subject to the provisions of this Part of this Act) alter the place at which any market or slaughter-house is for the time being carried on and may discontinue wholly or in part the use for market purposes of the place at which the Fitzalan or any cattle corn or other market or any slaughter-house or dead meat market of the Corporation is for the time being carried on and may extend improve alter close wholly or in part or remove any market-place market-house or any weighing-house or offices approach or convenience or any slaughter-house or dead meat market or any refrigerator or cold air stores belonging to the Corporation and may remove establish and regulate the same within such limits as they may think proper in any building or buildings or on any lands within the city for the time being belonging to them which they are authorised to appropriate and use for the purposes of the markets undertaking.

Limitation on power to discontinue market.

223.—(1) Before the Corporation in pursuance of the provisions of this Part of this Act shall discontinue and close wholly or in part the use for market purposes of the place at which any market or slaughter-house shall have been carried on by them at the passing of this Act they shall establish and provide for public use a new place for carrying on such market or slaughter-house and shall give at least three months' public notice of their intention so to discontinue by advertisement in one or more local newspapers circulating in the city and by placards conspicuously affixed to or near the market or slaughter-house so proposed to be wholly or in part discontinued and a statutory declaration by an officer of the Corporation to the

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effect that public notice has been given in accordance with this section shall be received as evidence of the facts thereby declared.

(2) On the closing of any market or slaughter-house as aforesaid the rights of all existing lessees and tenants shall at the option of the Corporation cease and determine but in the case of any lessee of any premises within the said market for a term whereof any period is then unexpired the Corporation shall pay to him such reasonable compensation in respect of the determination of his lease as may be agreed or in default of agreement as may be determined by arbitration in manner provided by the Arbitration Act 1889.

Application of Markets and Fairs Act 1847.

224. The Markets and Fairs Clauses Act 1847 (in this section referred to as "the Act of 1847") as incorporated with this Act shall apply to the markets undertaking as if the undertaking were authorised by this Act subject and according to the following provisions:—

(1) The markets fairs market-places and market-houses of the Corporation existing at the passing of this Act shall be deemed to have been duly opened for public use and completed fitted and certified for use of the persons resorting thereto and due notice of such opening shall be deemed to have been given within the meaning and for the purposes of and as prescribed by the Act of 1847:

(2) The limits of the markets and fairs shall be the city:

(3) The byelaws for the regulation of the markets in operation at the commencement of this Act shall be deemed to be byelaws within the meaning of and for the purposes of sections 14 and 42 of the Act of 1847:

(4) The tolls stallages rents and charges provided for by the section of this Act whereof the marginal note is "Tolls and charges" shall be deemed to be and shall be the stallages rents and tolls authorised by the special Act:

(5) The fairs shall be held on days in each year as follows:—

The summer fair on the Tuesday and Wednesday next following Whit-Monday;

The winter fair on the Tuesday and Wednesday next following Christmas Day or where Christmas Day shall fall on either Tuesday or Wednesday then on the two days next following such Christmas Day:

And fairs may also be held at such places within the city and on such other days as the Corporation shall from time to time determine and such days shall be the prescribed days within the meaning and for the purposes of the Act of 1847:

(6) The time of the passing of the special Act within the meaning and for the purposes of the Act of 1847 shall be deemed to be and shall be the twenty-first day of June one thousand eight hundred and forty-seven.

Abattoirs and slaughter-houses.

225.—(1) The Corporation may upon the lands by this Act authorised to be acquired for the purposes of the markets undertaking erect and maintain furnish fit up and equip markets slaughter-houses and abattoirs with all necessary buildings pens pastures yards railway sidings works and conveniences approaches buildings stalls standings and other accommodation and may use the same for the purposes of markets slaughter-houses abattoirs and any other purposes in connexion with the markets undertaking and may also provide and maintain buildings boilers engines machinery plant implements tools and other matters or things necessary or incidental thereto for the purpose of converting cleaning utilising or otherwise making merchantable tripe blood guts hides skins and other residuals and condemned meat.

(2) The Corporation may lease for such period let or otherwise dispose of in such manner and for such consideration and on such terms and conditions as they think fit portions of or accommodation in the abattoirs lairage or dead meat market erected by them and for that purpose may enter into and carry into effect contracts arrangements and agreements with any company body or person.

Byelaws as to abattoirs.

(3) The powers contained in section 169 of the Public Health Act 1875 to make byelaws with respect to slaughter-houses provided under that section shall extend to enable the Corporation to make byelaws with respect to the management

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of the abattoir undertaking and shall include the making and enforcement of byelaws for preventing the removal therefrom of any carcase or any part thereof until after inspection by an officer of the Corporation.

Power to make railways.

226.—(1) Subject to the provisions of this Act the Corporation for the purposes of the markets undertaking may make and maintain within the city and in the lines and according to the levels shown on the deposited plans and sections deposited with the Act of 1914 the railways hereinafter described with all proper sidings approaches works and conveniences connected therewith.

The railways hereinbefore referred to and authorised by this Act are—

A railway (No. 1) (1 furlong 0·3 chain in length) commencing by a junction with the branch line of the London and North Western Railway Company leading to the engine shed at Nunnery sidings at a point forty-eight yards or thereabouts north-west of the bridge carrying the occupation road leading from Aston Street to the said sidings over the Nunnery Colliery Railway and terminating on the south side of and adjoining the sidings of the London and North Western Railway Company at a point fifty-five yards or thereabouts south of the south-east corner of the Nunnery goods station:

A railway (No. 2) (2 furlongs 5 chains in length) commencing by a junction with Railway No. 1 hereinbefore described at a point one hundred and sixty-one yards or thereabouts west of the said bridge and terminating at a point forty-three yards or thereabouts south of the western end of the bridge carrying Woodbourn Road over the Nunnery Colliery Railway.

(2) In constructing the said railways the Corporation may deviate from the lines thereof shown on such deposited plans to the extent of the limits of deviation marked on those plans and may deviate from the levels thereof shown on the said deposited sections in accordance with the provisions of the Railways Clauses Consolidation Act 1845.

Power to lease standings in markets.

227. The Corporation may let (with the right if they think fit of assigning the same with their consent) any of the slaughter-houses shops stalls standing-places benches factors'

walks or other conveniences in any markets or market-places belonging to them or under their control to any person for any term not exceeding seven years.

Power to use and lease for other purposes shops &c. not required for markets.

228. The Corporation may use or permit to be used for any purposes whatsoever or may let for any term in such manner on such conditions and at such rent rate or prices as they may from time to time think reasonable any land shop office rooms or buildings or any ground attached thereto which shall not for the time being be required for the purposes of the markets undertaking.

Duration of licences for slaughter-houses.

229. Licences granted after the fourteenth day of August one thousand eight hundred and ninety for the use and occupation of places as slaughter-houses or knackers' yards shall be in force for such time or times only as the Corporation shall think fit to specify in such licences.

Notice to be given in case of change of occupation of a slaughter-house.

230. Until the Corporation shall have provided public slaughter-houses and shall have given public notice thereof the following enactment shall be in force:—

Upon any change of occupation of any building within the city registered or licensed for use and used as a slaughter-house the person thereupon becoming the occupier or joint occupier shall give notice in writing of the change of occupation to the inspector of nuisances and in case he fails or neglects to give such notice within one month after the change of occupation occurs he shall be liable to a penalty not exceeding five pounds.

Notice of this enactment shall be endorsed on all licences hereafter granted.

Slaughtering prohibited except in Corporation slaughter-houses when provided.

231. From and after the expiration of one month from the date of publication by the Corporation in two local newspapers circulating in the city of notice to the effect that they have provided slaughter-houses no person shall except with their consent slaughter any cattle within the city except in such slaughter-houses and any person acting in contravention of this section shall be liable for each offence to a penalty not exceeding five pounds:

Provided that the Corporation shall pay or tender compensation to the owner or occupier of any slaughter-house existing on the fourteenth day of August one thousand eight hundred

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and ninety and closed under the provisions of this section the amount of such compensation in case of dispute to be settled in manner provided by the Lands Clauses Acts for settling cases of disputed compensation:

Provided also that this section shall not apply to any person not being a butcher or the agent of a butcher slaughtering his own cattle on his own premises.

Registration &c. of slaughtermen.

232.—(1) Every person who shall act as a slaughterman or carry on the occupation of a slaughterman in any abattoir or slaughter-house provided by the Corporation shall register his name and place of abode in a book to be kept at the office of the Corporation for the purpose.

(2) A court of summary jurisdiction on complaint by the Corporation and on being satisfied that any person registered under this section is not a fit and proper person on the ground of ill-health incompetency or character to act as a slaughterman or carry on the occupation of a slaughterman may make an order cancelling or suspending the registration of such person Provided that the Corporation before making complaint shall give to such person not less than seven days' previous notice in writing of their intention so to do:

Provided that no such complaint on the ground of incompetency shall be made in respect of an apprentice learner or assistant when working with a registered slaughterman unless such apprentice learner or assistant shall be guilty of cruelty.

(3) A court of summary jurisdiction on conviction of any person registered under this section of any offence committed in the slaughter-houses and abattoirs or in acting as a slaughterman or carrying on the occupation of a slaughterman may if they think fit in addition to any punishment imposed for such offence make an order cancelling or suspending the registration of such person.

(4) The effect of any order made by a court of summary jurisdiction under this section shall be entered in the book to be kept as aforesaid at the office of the Corporation.

(5) Every person who acts as a slaughterman or carries on the occupation of a slaughterman in any abattoir provided by the Corporation (A) without having registered his name and place of abode in accordance with this section or (B) after his

registration has been cancelled or (c) during any period for which his registration shall have been suspended shall be liable on summary conviction to a penalty not exceeding five pounds and to a further penalty not exceeding forty shillings for every day on which he so acts as a slaughterman or continues to carry on such occupation after such conviction. A.D. 1918.

Penalty for slaughtering cattle &c.

233. If any person or persons shall kill slaughter singe scald or dress or cause to be killed slaughtered singed or dressed any beasts swine calf sheep or other cattle in any stall standing or other place in the markets within the city except in the slaughter-houses every person so offending shall be liable to a penalty not exceeding five pounds.

Tolls and charges.

234.—(1) The Corporation may demand and take such rents tolls duties pickage stallage or sum or sums of money in respect of the markets undertaking (in this Part of this Act referred to as "markets rents") as the Corporation may from time to time appoint not exceeding the several rents tolls duties pickage stallage and sum or sums of money specified in the Fifth Schedule to this Act or such other rents tolls duties pickage stallage or sum or sums of money as the Corporation may fix by resolution approved by the Board and may recover such rents tolls duties pickage stallage or sum or sums of money summarily as a civil debt.

(2) Provided that market rents payable in respect of the occupation or use of any stall shed standing station or place shall be paid not only by the original occupier or taker thereof for part of a day but also by any subsequent occupier or taker or occupiers or takers of the same for any subsequent part of the same day.

(3) Provided further that until the Corporation shall have provided the abattoir undertaking the provisions of this section shall not take effect with respect to accommodation for any such purpose and thereafter the charges to be made in respect of such accommodation shall be of such amounts as shall be as nearly as may be sufficient to meet the payments required to be made as set out in the section of this Part of this Act of which the marginal note is "Abattoir undertaking accounts and revenue."

(4) Provided also that for a period of five years next after the provision of the abattoir undertaking the charges to be

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made in respect of slaughtering and lairage shall not exceed the following amounts:—

	Per head.
For slaughtering—	*s.* *d.*
For every bull bullock cow ox steer or heifer	2 0
For every sheep or lamb	0 3
For every calf	0 4
For every head of swine	0 9
	Per head per night (From and after 6 p.m.)
For lairage—	*s.* *d.*
For every bull bullock cow ox steer or heifer	0 2
For every sheep or lamb	0 0½
For every calf	0 0½
For every head of swine	0 1

Provided also that for the like period the rent to be charged to a wholesale butcher in respect of a stand in the dead meat market for the sale of home-grown dead meat shall not exceed the sum of twopence per square foot per week.

Power to take possession of stalls for non-payment of rent.

235. If any tenant stall-holder or occupier shall not after any market rent has become due and payable to the Corporation in respect of any stand stall shed pen or place in any market market-house or market-place belonging to the Corporation and after demand has subsequently been made therefor pay the same within three days of the demand the Corporation may enter upon and take possession of such stand stall shed pen or place and re-let the same without prejudice to any other remedy for the recovery of such toll rent stallage or charge.

Markets undertaking accounts and revenue.

236.—(1) As from the commencement of the financial year next after the passing of this Act and subject to the provisions of the section of this Act of which the marginal note is "Abattoir undertaking accounts and revenue" the Corporation shall keep accounts in respect of their markets undertaking separate from all their other accounts (distinguishing therein capital from income) and shall apply the revenue of such undertaking as follows (that is to say):—

Firstly In payment of the costs charges and expenses of and incidental to the collecting and recovering of the revenue of the markets undertaking:

Secondly In payment of the working and establishment expenses and costs of management and maintenance of the markets undertaking:

Thirdly In providing the moneys required to pay the interest on the moneys borrowed by the Corporation for the purposes of the markets undertaking:

Fourthly In providing the requisite appropriations instalments or sinking fund payments in respect of the moneys borrowed for the purposes of the markets undertaking:

Fifthly In extending and improving the markets undertaking:

Sixthly In making good to the district fund any deficiency in the revenues of the Corporation in respect of the markets undertaking which may have been provided out of the district fund or general district rate:

Seventhly In providing a reserve fund for the markets undertaking if the Corporation think fit by setting aside such sum as they shall think reasonable and investing the same and the resulting income thereof in statutory securities and accumulating the same at compound interest until the fund so formed shall amount to the maximum reserve fund for the time being prescribed by the Corporation not exceeding a sum equal to one-fifth of the aggregate capital expended for the time being by the Corporation upon the markets undertaking which fund shall be applicable as the Corporation think fit in meeting expenses caused by accidents and other contingencies or to answer any deficiency at any time happening in the income of the Corporation from the markets undertaking or to meet any extraordinary claim demand or expenditure in respect of the markets undertaking and so that if that fund shall at any time be reduced it may thereafter be again restored to the limit hereinbefore prescribed and so from time to time as often as such reduction shall happen Provided that the Corporation may resort to the said reserve fund for the said purposes or either of them at any time notwithstanding that such fund may not at such time amount to the limit hereinbefore prescribed.

And the Corporation shall carry to the district fund so much of the balance remaining in any year of the income of

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the markets undertaking (including interest on the reserve fund when such fund amounts to the prescribed maximum) as may in the opinion of the Corporation not be required for carrying on the markets undertaking and paying the current expenses connected therewith.

(2) Any deficiency in the revenue of the markets undertaking shall forthwith be made good out of the district fund and general district rate.

Abattoir undertaking accounts and revenue.

237.—(1) The Corporation shall keep accounts in respect of the abattoir undertaking separate from all other accounts distinguishing capital from revenue.

(2) The Corporation shall in each year after the abattoir undertaking or any part thereof has been opened for public use carry to the revenue account of the said undertaking all moneys received by them in respect of the said undertaking (except borrowed money and money properly applicable to capital account) and shall apply the same as follows:—

In payment of the expenses properly chargeable to revenue of providing conducting working maintaining and otherwise carrying on the said undertaking:

In payment of the interest upon moneys borrowed by the Corporation for or in respect of the provision of or in connexion with the said undertaking:

In providing the requisite instalments appropriations annual repayments or sinking fund in respect of such last-mentioned borrowed moneys:

In providing a reserve fund for the said undertaking if they think fit by setting aside such moneys as they think reasonable not exceeding in any one year five hundred pounds and investing the same and the resulting income thereof in statutory securities and accumulating the same at compound interest until the fund so formed amounts to a sum equal to ten per centum of the aggregate capital expenditure on the said undertaking which fund may be applied to answer any deficiency at any time happening in the revenue of the Corporation from the said undertaking or to meet any extraordinary claim demand or liability at any time arising against or upon the Corporation in respect of the said undertaking or for payment of the cost of renewing any part of the said

undertaking or of the works connected therewith and so that if that fund is at any time reduced it may thereafter be again restored to the aforesaid amount and so from time to time as often as such reduction happens Provided that at any time when the reserve fund amounts to the aforesaid sum the interest therefrom shall be carried to the credit of the revenue of the said undertaking. A.D. 1918.

(3) Any surplus revenue remaining after the payments aforesaid shall be carried forward to the credit of the revenue of the said undertaking for the next year Provided that if such surplus at the end of any year shall exceed one thousand pounds the excess shall be applied towards the reduction of the tolls and charges in respect of the abattoir undertaking.

(4) Any deficiency in the receipts of the Corporation on account of the said undertaking when not answered out of the reserve fund shall be made good out of the revenue of the markets undertaking or the district fund as from time to time shall be determined by the Corporation.

For protection of London and North Western Railway Company under Part VII. of this Act.

238. The following provisions for the protection of the London and North Western Railway Company (in this section referred to as "the North Western Company") shall unless otherwise agreed apply and have effect in relation to the railways by this Act authorised :—

(1) The junction of Railway No. 1 with the siding of the North Western Company shall be constructed in such position within the limits of deviation and according to plans and sections to be approved in writing by the principal engineer of the North Western Company or in the event of difference by arbitration as hereinafter provided Provided that if the said principal engineer shall fail to disapprove of the said plans and sections for a space of one month after the same shall have been submitted to him he shall be deemed to have approved thereof in writing :

(2) Any interference with the works of the North Western Company or any additions to or alterations of such works which in the opinion of the said principal engineer may be necessary or convenient for effecting the said junction shall be executed by that company at the expense of the Corporation ;

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(3) If the North Western Company shall require at any future time to widen their railway or otherwise utilise for the purposes of their railways their lands adjoining thereto any extra costs (other than the cost of acquiring additional lands) to which they may be put to by reason or in consequence of the construction of Railways Nos. 1 and 2 shall be repaid to them by the Corporation:

(4) Notwithstanding anything in this Act contained the Corporation shall be responsible for and make good to the North Western Company all costs losses damages and expenses which may be occasioned to that company or to any of their railways works or property or to the traffic thereon or otherwise by reason of the execution or maintenance or by reason of the failure of Railways Nos. 1 and 2 or works in connexion therewith or any act or omission of the Corporation or of their contractors or of any of the persons in the employ of the Corporation or of their contractors and the Corporation shall effectually indemnify and hold harmless the North Western Company from all claims and demands upon or against them during or by reason of such execution maintenance failure act or omission:

(5) If in the opinion of the North Western Company it shall become necessary for the North Western Company to purchase or pay compensation for any minerals required to be left unworked under Railways Nos. 1 and 2 then the Corporation shall on demand pay to the North Western Company a fair proportion of all costs and expenses reasonably incurred by them in relation to any such purchase or payment of compensation:

(6) The Corporation shall not without the previous consent in writing of the North Western Company under their common seal purchase and take any land or property of the North Western Company but the Corporation may purchase and take and the North Western Company may and if required so to do shall sell and grant to the Corporation an easement or right of using the same so far as may be necessary for or in

connexion with the construction of Railways Nos. 1 and 2:

(7) If any difference shall arise between the Corporation and the North Western Company under this section or if the decision of the principal engineer under subsection (2) of this section is not accepted by the Corporation such matter in dispute shall be referred to and be determined by an engineer or other fit person to be mutually nominated by the respective engineers of the Corporation and the North Western Company or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of the Corporation or the North Western Company and the provisions of the Arbitration Act 1889 shall apply to any such reference.

Saving for general Act relating to animals.

239. Nothing in this Part of this Act shall interfere with the operation or effect of the Diseases of Animals Act 1894 or of any order or regulation of the Board of Agriculture and Fisheries or of any local authority made thereunder.

PART VIII.

MUSEUMS AND ART GALLERY.

Powers of Corporation as to museums &c.

240. In respect of the Mappin Art Gallery the Saint George's Museum and any other museum art gallery or other like institution for the time being under the control of the Corporation whether under the Public Libraries (England) Acts 1892 to 1901 or otherwise the Corporation shall have power from time to time—

(*a*) to make rules and regulations for the use of the said institutions by students and others and for the admission of the public thereto;

(*b*) to fix and to demand and receive fees and charges for instruction admission to lectures and special exhibitions on such days and occasions as the Corporation may determine Provided that nothing in this Act shall empower the Corporation to receive any fee or make any charge in respect of the Mappin Art Gallery and that the days on which the public shall be admitted free of charge to any other art gallery

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or museum under this section shall not be less than two hundred and fifty days in every year;

(*c*) to let any room for the purpose of an exhibition or entertainment.

Expenses of museums &c.

241.—(1) Any fees or charges received by the Corporation in respect of any such museum or institution as aforesaid shall be applied by them towards defraying the expenses of such museum or institution.

(2) So far as such expenses are not so defrayed they shall be met by the Corporation out of the rate applicable within the city to the execution of the Public Libraries (England) Acts 1892 to 1901 Provided that no expenditure shall be so met by the Corporation unless an estimate of the same has been previously submitted to and approved by the Corporation.

Part IX.

Burial Board and Crematorium.

Council to be burial board for city.

242.—(1) The council shall be the burial board of the city and shall have within the city to the exclusion of any other burial board all the powers rights duties and liabilities of a burial board under the Burial Acts 1852 to 1906.

(2) The approval of any vestries or vestry within the city shall not be requisite for the validity of any act of the council in their capacity of burial board and all powers and duties of the township burial boards within the city which were transferred to the council under section 62 of the Local Government Act 1894 shall be exerciseable and performable by the council for the benefit of the whole city and all property debts and liabilities of the said burial boards which were similarly transferred shall belong to and be borne by the whole city and not to and by any individual township and all expenses incurred by the council in the execution of the Burial Acts 1852 to 1906 shall be defrayed out of the district fund and general district rate.

Crematorium.

243. The crematorium provided at the passing of this Act in the cemetery or burial ground of the Corporation in City Road in the city shall be deemed to have been provided in pursuance of the provisions of the Cremation Act 1902 and the provisions of such Act shall apply and have effect accordingly.

As to rights of burial in Norton Burial Ground.

244. The inhabitants of the parish of Norton shall continue for a period of twenty years from the thirty-first day of October one thousand nine hundred and one to have the right of burial in the burial ground formerly belonging to the Norton Burial Board and now to the Corporation on and subject to the same terms and conditions as existed in relation to that right immediately before the passing of the Sheffield Corporation Act 1900 (by this Act repealed) and such right shall apply to any extension of such burial ground and to any burial ground or cemetery which shall be provided by the Corporation in lieu of the burial ground so transferred.

PART X.

LANDS.

Existing lands of Corporation to continue vested in them.

245. All lands vested in belonging to or used or enjoyed by the Corporation immediately before the commencement of this Act may be and continue to be held maintained and enjoyed by the Corporation.

Power to purchase land by agreement.

246. The Corporation in addition to their other powers in that behalf may by agreement purchase any lands buildings erections or easements which they may require for any of the purposes of this Act Provided that (except with the consent of the Board or in case of the tramways undertaking and the electricity undertaking of the Board of Trade) the area of land so to be acquired shall not exceed for the purposes of the waterworks undertaking two hundred acres and for any other purpose of this Act fifty acres.

Powers under section 33 of Local Government Act 1894 as to acquisition of rights of way.

247. Subject to the provisions of any Order which the Board may hereafter make the provisions of the Order dated the fifth day of April one thousand eight hundred and ninety-seven made by the Board and conferring upon the council of the then existing city the powers of a parish council under paragraph (*g*) of subsection (1) of section 8 of the Local Government Act 1894 with respect to the acquisition by agreement of rights of way shall be deemed to have effect as if any reference therein to such then existing city and the council of the then existing city extended and applied to the city and the council respectively.

Provision of shops on lands

248. The Corporation may upon any lands acquired by them under or appropriated by them for the purposes of the

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acquired under Housing of Working Classes Acts.

provisions of the Housing of the Working Classes Acts 1890 to 1909 provide or cause to be provided buildings with all necessary accessories or conveniences for use as shops by way of addition to (and if the circumstances so require or allow) in connexion with any accommodation which in accordance with a scheme confirmed or sanctioned under the Housing of the Working Classes Act 1890 or otherwise under that Act they are required or undertake to provide for persons of the working classes and the Corporation may borrow for the purposes of this section in like manner and subject to the like conditions as and for the purposes of Part III. of the said Act or where the circumstances so require of a scheme confirmed or sanctioned under that Act and the provisions of the said Act of 1890 of any scheme confirmed or sanctioned under that Act of any Order made by the Board in pursuance of such Act in relation to any such scheme and of the Housing of the Working Classes Act 1894 shall with the necessary modifications apply and have effect accordingly.

Power to retain appropriate use and sell lands.

249.—(1) Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts or otherwise to the contrary the Corporation may retain hold appropriate and use for such time and for any of the purposes of this Act or of the Public Health Acts the Municipal Corporations Acts and the Housing of the Working Classes Acts 1890 to 1909 or such other purpose as the Corporation may think fit and may from time to time sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest in lands which at the commencement of this Act are vested in used held or enjoyed by them or which after the commencement of this Act may be acquired or become vested in them Provided always that nothing in this section shall affect or authorise anything to the prejudice of any covenant restriction or trust relating to any such lands Provided also that in every case of appropriation of lands to a purpose other than that for which the same were originally acquired or to which the same have been previously appropriated a transfer of the value of the lands so appropriated shall be effected in the books of the Corporation.

(2) Nothing in this section shall be taken to dispense with the necessity for obtaining the approval of the Board or of the Board of Education to any alienation sale lease or other disposition of any lands for which such approval would be required but for the provisions of this Act and in particular the property of certain authorities and which was vested in the Corporation under section 27 of the Sheffield Corporation Act 1900 or section 27 of the Sheffield Corporation Act 1903 (both of which Acts are by this Act repealed) shall not be sold or otherwise disposed of except with the consent of and subject to such conditions as may be imposed by the Board and before any application shall be made for such last-mentioned consent the Corporation shall first cause notice thereof to be fixed on the town hall for one month and shall also cause a like notice to be published once at least in each of two successive weeks in some one and the same newspaper circulated in the city.

(3) Nothing in this section contained shall prejudice or affect the terms and provisions contained in certain heads of agreement bearing date the twenty-second day of February one thousand eight hundred and ninety-six and made between the Corporation and the Stocksbridge Railway Company and Samuel Fox and Company Limited so far as the same may be still subsisting and capable of taking effect.

(4) Nothing in this section shall be held to affect or apply to any lands which have been given or sold to the Corporation by the late Duke of Norfolk for the purpose of any public park recreation ground ornamental pleasure ground or other like public or non-remunerative purpose.

Power to acquire lands and easements.

250. Subject to the provisions of this Act the Corporation may enter upon take hold and use the lands and acquire the easement or right in this section mentioned which the Corporation were authorised to enter upon take use and acquire by the Acts (by this Act repealed) in this section hereinafter referred to (that is to say):—

(1) For the purposes of the electricity undertaking (but subject to the provisions contained in Part VI. (Electricity) of this Act) the lands delineated on the plans and described in the book of reference relating to the Act of 1917:

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Provided that notwithstanding anything contained in this Act or the Acts incorporated therewith the Corporation may purchase and acquire and the owners of and other persons interested in any property delineated on the said deposited plans if required so to do shall sell an easement or right of constructing maintaining and using the works by the section of this Act authorised of which the marginal note is "Power to construct electric lines" without the Corporation being obliged or compellable to purchase any greater interest therein than may be necessary for those purposes and the Corporation may give notice to treat in respect of such easements or rights describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements or rights as fully as if the same were lands within the meaning of those Acts:

(2) For the purposes of the markets undertaking the following lands within the city delineated on the plans and described in the book of reference relating to the Act of 1914 (that is to say):—

Certain lands lying between Cricket Inn Road and the Nunnery Colliery Railway and extending between Whites Lane and a point one hundred and thirty-eight yards or thereabouts east of the south end of Woodburn Road; and also

Certain lands on the south side of and adjoining Cricket Inn Road between points respectively thirty-seven yards and one hundred and ten yards or thereabouts west of the southern end of Woodbourn Road and extending southwards from Cricket Inn Road for a distance of two hundred and fourteen yards or thereabouts and also (subject to the provisions of the protective section with respect thereto in Part VII. (Markets Fairs and Slaughterhouses) of this Act contained) the lands which may be required for the purposes of the railways mentioned in the section in the said last-mentioned Part of this Act of which the marginal note is "Power to make railways":

Provided that notwithstanding anything contained in this Act the Corporation may purchase and acquire an easement or right of constructing in accordance with the last-mentioned plans and the sections deposited therewith maintaining and using the said railways over the Nunnery Colliery Railway and lands held in connexion therewith without the Corporation being obliged or compellable to purchase any greater interest in such lands:

(3) For the purposes of the street improvements or for the purpose of providing space for the erection of buildings adjoining or near thereto all or any of the lands delineated on the plans and described in the books of reference respectively referred to in the section of this Act of which the marginal note is "Power to construct street improvements":

(4) For the purpose of the extension of the Rockingham Street Fire Station of the Corporation and for purposes connected therewith so much of the lands delineated on the plans and described in the book of reference relating to the Act of 1912 as has not been acquired by the Corporation.

As to acquisition of easements in certain cases.

251. Notwithstanding anything in this Act contained or shown on the plans relating to the Acts (by this Act repealed) in this section mentioned the Corporation without being compellable to purchase any greater interests may acquire the easements or rights which the Corporation were authorised to acquire by those Acts respectively (that is to say) easements or rights for and of constructing maintaining and using—

(*a*) the widening of Walkley Lane (No. 12) over the bed banks and foreshore of the River Loxley first authorised by the Sheffield Corporation Act 1912;

(*b*) the street improvements and works over the Great Central Railway the River Don and the River Sheaf and of erecting and maintaining buildings and premises over the River Sheaf first authorised by the Sheffield Corporation Act 1914.

Period for compulsory purchase of lands.

252. The powers of the Corporation for the compulsory purchase of lands under the section of this Act of which the marginal note is "Power to acquire lands and easements" shall

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not be exercised as to the lands in subsection (1) thereof after the expiration of three years from the second day of August one thousand nine hundred and seventeen and as to the lands in subsection (2) thereof and as to such of the lands in subsection (3) thereof as are lands required for the purposes of the street improvements described in subsections (*a*) and (*c*) of the section of this Act of which the marginal note is "Power to construct street improvements" after the expiration of five years from the tenth day of August one thousand nine hundred and fourteen and as to the remainder of the lands in the said subsection (3) and as to the lands in subsection (4) of such first-mentioned section after the expiration of five years from the fourteenth day of February one thousand nine hundred and thirteen.

Correction of errors in deposited plans &c.

253. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the plans or specified in the books of reference relating to any Acts in this Part of this Act referred to the Corporation after giving ten days' notice to the owners lessees and occupiers of the land may apply to two justices acting for the area in which the lands are situate for the correction thereof and if it appear to the justices that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county in which the lands it affects are situate and such certificate shall be kept by such clerk of the peace with the other documents to which the same relates and thereupon the deposited plans and book of reference to which the same relates shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to take the lands or an easement therein (as the case may be) in accordance with such certificate.

Power to persons under disability to grant easements &c.

254. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall

extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

As to private rights of way over lands taken compulsorily.

255. All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the date of such acquisition be extinguished Provided that the Corporation shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

Owners may be required to sell parts only of certain lands and buildings.

256. And whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans thereof in this Act respectively referred to will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

(1) The owner of and persons interested in any of the properties whereof the whole or part is described in the Sixth Schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":

(2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:

(3) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such

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portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (hereinafter referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed:

(4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal:

(5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner:

(6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs

charges and expenses reasonably and properly incurred by him in consequence of such notice:

(7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit:

(8) The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

Costs of arbitration &c. in certain cases.

257. The tribunal to whom any question of disputed purchase money or compensation under this Act is referred shall if so required by the Corporation award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Corporation by the claimant giving sufficient particulars and in sufficient time to enable the Corporation to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Corporation has been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be paid by the claimant:

Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Corporation to amend the statement in writing of the claim delivered by him to the Corporation in case of discovery of any

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error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Corporation if they object to the amendment and such amendment shall be subject to such terms enabling the Corporation to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case:

Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice of the effect of this section.

Compensation in case of recently altered buildings.

258. In settling any question of disputed purchase money or compensation under this Act in respect of the lands by this Act authorised to be taken for the purposes of the street improvements referred to in Part XI. (Street Improvements) of this Act and therein described as street improvements first authorised by the Sheffield Corporation Act 1914 (by this Act repealed) the tribunal settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the thirtieth day of November one thousand nine hundred and thirteen if in the opinion of such tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under the said Act of 1914 or this Act.

Provisions as to lands on Rivelin Valley Road.

259. The Corporation may develop in such manner as they think fit any of the lands acquired by them for the purposes of or in connexion with the Rivelin Valley Road and abutting on or adjacent to the said road:

Provided that nothing in this section shall prejudice or affect any of the covenants by the Corporation or the provisions contained in certain indentures dated respectively the twenty-eighth day of July one thousand nine hundred and three the eighteenth day of May one thousand nine hundred and seven and the sixth day of January one thousand nine hundred and nine each made between the late Duke of Norfolk of the one part and the Corporation of the other part.

For protection of Chesterfield Rural District Council.

260. For the protection of the rural district council of Chesterfield the following provisions shall notwithstanding anything in this Act contained and unless otherwise agreed between the said council and the Corporation have effect (that is to say):—

(1) The Corporation shall not create or permit any nuisance on any lands within the Chesterfield Rural District purchased by them under the powers conferred by the section of this Act whereof the marginal note is "Power to purchase land by agreement":

(2) The Corporation shall not in the exercise of the powers conferred upon them by the section of this Act whereof the marginal note is "Power to retain appropriate use and sell lands" appropriate any lands within the Chesterfield Rural District for any purpose other than that for which the same were originally acquired except with the like approval and subject to the like conditions and provisoes as apply to the appropriation of lands under section 95 of the Public Health Acts Amendment Act 1907.

Part XI.

Street Improvements.

Power to construct street improvements.

261. Subject to the provisions of this Act the Corporation may in the lines and according to the levels shown on the respective plans and sections and described in the respective books of reference relating to the respective Acts in this section respectively mentioned as the Acts by which the street improvements and works in this section respectively described were first authorised make and maintain within and adjoining the city the street improvements and works hereinafter described together with all proper works and conveniences connected therewith which the Corporation were authorised to make and maintain by those respective Acts (that is to say):—

A.—As first authorised by the Sheffield Corporation Act 1907—

(8) The removal of the present bridge carrying Pinfold Lane (now called Staniforth Road) over the Sheffield Canal the erecting of a new girder bridge over the said canal and towing-path in connexion

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therewith and the widening and improving of Staniforth Road on both sides thereof commencing on the north-east side about two yards south-east of the south corner of the Theatre Royal Attercliffe and terminating about eighteen yards north-west of the north side of Roundel Street and commencing on the south-west side about four yards to the north-west of the north corner of the houses on the south side of the Sheffield Canal for about twenty-three yards north-west of the said corner.

B.—As first authorised by the Sheffield Corporation Act 1912—

(1) A widening of Barnsley Road on the east side thereof between Bolsover Road and a point twenty-two yards north thereof:

(2) A widening of Campo Lane on the south side thereof between points respectively eleven yards and eighteen yards east of Vicar Lane:

(3) A widening of Wadsley Lane on the north side thereof between the west boundary wall of the Park Hotel premises and a point three yards east of Dixon Road:

(4) A widening of Chesterfield Road on the north-west side thereof between Holmhirst Road and the eastern corner of the Abbey Hotel:

Also a widening of Chesterfield Road on the south-east side thereof between points respectively one hundred and two yards south of Cobnar Road and two hundred and twenty yards south of Abbey Lane:

(5) A widening of Nursery Street on the north-east side thereof between points respectively twenty-six yards north-west of The Wicker and Johnson Lane:

(6) A widening of Machon Bank Road on the south side thereof between points respectively twenty-two yards east of Violet Bank Road and twenty-eight yards north-west of Nether Edge Road:

(7) A widening of Clarkehouse Road on the south-east side thereof between Broomgrove Crescent and a point thirty-two yards north-east thereof:

(10) A widening of Holly Street on the east side thereof between Pinfold Street and Bow Street:

(11) A widening of Janson Street on the south-west side thereof between Attercliffe Common and a point thirty-five yards south-east of Spring Place:

(12) A widening of Walkley Lane on the north-east side thereof between a point fifteen yards south-east of Holme Lane and the public footpath leading to Langsett Road:

(13) A widening of Sandygate Road on the north side thereof between points respectively twenty-two yards west and seventy yards east of Pitchford Lane:

Also a widening of Sandygate Road and Pitchford Lane between points twenty yards west of Pitchford Lane and Sandygate Road respectively:

(14) A widening of Ecclesall Road on the east side thereof between points respectively twenty-two yards and seventy-five yards south of Marmion Road:

Also a widening of Ecclesall Road on the east side thereof between points respectively nineteen yards and fifty-two yards north of Psalter Lane:

(15) A widening of Ecclesall Road on the south side thereof between points respectively seventy yards and one hundred and eight yards west of Cemetery Road:

(16) A widening of Manchester Road and Fulwood Road between points twenty yards west of Fulwood Road and Manchester Road respectively:

(18) A widening of Penistone Road and Wood Street between points respectively nine yards north-west of Wood Street and eleven yards south-west of Penistone Road:

(20) A new street commencing at the north-eastern end of Burslem Street and terminating at the south-western end of Tyler Street:

(21) A widening of Scotland Street on the south side thereof between West Bar Green and a point ten yards east of Edward Street:

Also on the north side thereof respectively between West Bar Green and a point thirty yards west of West

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Bar Green and between Meadow Street and a point forty-seven yards east of Meadow Street:

Also an alteration of the levels of Scotland Street on the north side thereof between Snow Lane and a point twenty-five yards west thereof:

Also a widening of Meadow Street on the north-east side thereof between Scotland Street and a point twenty-three yards north-west thereof:

Also a widening of West Bar Green on the west side thereof between Scotland Street and Grindlegate.

c.—As first authorised by the Sheffield Corporation Act 1914—

(1) A widening of Waingate on the east side thereof commencing at the eastern end of the southern abutment of Lady's Bridge and terminating at Exchange Street:

Also a widening of Exchange Street on the north side thereof commencing at Waingate and terminating at Furnival Road and in connexion therewith an extension of the present bridge carrying Exchange Street over the River Sheaf:

Also a widening of Furnival Road on the west side thereof commencing at Exchange Street and terminating at Blonk Street:

Also a widening of Blonk Street on the south-west side thereof commencing at Furnival Road and terminating at the south-western end of the south-eastern abutment of the bridge carrying Blonk Street over the River Don:

Also a new street or road in continuation of Bridge Street commencing on the east side of Waingate at a point twelve yards or thereabouts measured in a southerly direction from the eastern end of the southern abutment of Lady's Bridge and terminating in Blonk Street at a point twenty-five yards or thereabouts measured in a south-easterly direction from the south-western end of the south-eastern abutment of the bridge carrying Blonk Street over the River Don and in connexion therewith a new bridge over the River Sheaf:

Also an alteration of line or levels and a regulation of both banks and a covering of the River Sheaf between the bridge carrying Exchange Street over the River Sheaf and the confluence of that river with the River Don and an alteration or diversion of the weir across the River Sheaf in the rear of Alexandra Theatre and an extension of the culvert leading therefrom to the Sheaf Works of Thomas Turton and Sons Limited:

(2) A widening of Middlewood Road on the east side thereof commencing at Hawksley Avenue and terminating at a point seven yards or thereabouts measured in a southerly direction from a point opposite the southern side of Lennox Road:

(3) A widening of Middlewood Road on the east side thereof commencing at a point thirty-three yards or thereabouts measured in a southerly direction from a point opposite the southern side of Withens Avenue and terminating at a point thirty-two yards or thereabouts measured in a northerly direction from a point opposite the northern side of Langsett Avenue:

(4) Widenings of Bradfield Road on the north side thereof commencing at a point eighty yards or thereabouts measured in an easterly direction from the east side of Middlewood Road and terminating at a point sixty-two yards or thereabouts measured in a westerly direction from the south-west side of Hawksley Road and also commencing at Owlerton Green and terminating at the south corner of the Royal Hotel situate at the junction of Bradfield Road with Penistone Road:

Also widenings of Bradfield Road on the south side thereof between points respectively eight yards and one hundred and nineteen yards or thereabouts measured in an easterly direction from Langsett Road and also commencing at a point opposite the east side of Hawksley Avenue and terminating on the south-west side of Penistone Road at a point thirty-two yards or thereabouts measured in a south-easterly direction from the south side of Bradfield Road:

(5) A widening of Leppings Lane on the south-east side thereof commencing at the north-east side of the River Don and terminating at Catch Bar Road:

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Also a widening of Leppings Lane on the north-west side thereof commencing at a point eighteen yards or thereabouts north of Vere Road and terminating at a point twenty yards or thereabouts north-east of Catch Bar Road and in connexion therewith a widening of the existing bridge carrying Leppings Lane over the River Don:

(6) A widening of Penistone Road on the east side thereof commencing at a point nine yards or thereabouts north of the River Don and terminating at a point twenty-three yards or thereabouts north of Bastock Road:

Also a widening of Penistone Road on the west side thereof commencing twenty-seven yards or thereabouts north of the River Don and terminating at the junction of Penistone Road and Park Side Road and in connexion therewith a new bridge in substitution for the existing bridge carrying Penistone Road over the River Don:

(8) Widenings of Coleridge Road on the south-west side thereof commencing at Abinger Street and terminating at a point eighteen yards or thereabouts south-east of Abinger Street and also commencing at a point opposite the north-west side of Calvert Road and terminating at a point fifteen yards or thereabouts south-east thereof:

Also a widening of Coleridge Road on the west side thereof commencing at a point seventeen yards or thereabouts measured in a south-easterly direction from a point opposite the south-east side of Calvert Road and terminating at a point twenty-five yards or thereabouts measured in a northerly direction from the north side of Fitzmaurice Road:

Also a widening of Coleridge Road on the east side thereof between points respectively twenty-four yards and seventy-six yards or thereabouts measured in a southerly direction from the south side of Palmer Road:

(9) A widening of Campo Lane on the north side thereof commencing at Paradise Street and terminating at Saint Peters Close.

(10) A widening of Broughton Lane on the south-west and west sides thereof commencing at a point opposite Surbiton Street and terminating at Tinsley Park Road:

Also a widening of Broughton Lane on the east side thereof commencing at a point sixty-two yards or thereabouts measured in a northerly direction from the north side of Tinsley Park Road and terminating at Tinsley Park Road and in connexion therewith new bridges in substitution for the existing bridges carrying Broughton Lane over the Great Central Railway and the Sheffield Canal and towing-path:

(11) A widening of Cricket Inn Road on the north side thereof commencing at a point twenty-nine yards or thereabouts measured in an easterly direction from a point opposite the east gable wall of the "Belle Vue" public-house and terminating at a point opposite Manor Lane:

Also widenings of Cricket Inn Road on the south side thereof commencing at a point fourteen yards or thereabouts measured in an easterly direction from a point opposite the east gable wall of the "Wybourn Hotel" and terminating at a point eight yards or thereabouts east of Whites Lane and also commencing at a point seventy-two yards or thereabouts measured in an easterly direction from Whites Lane and terminating sixty yards or thereabouts east of such point and also commencing at a point opposite Woodbourn Road and terminating at a point eighty-seven yards or thereabouts in a westerly direction from such point.

And for the purposes of the widening (2) of Middlewood Road by this Part of this Act authorised the Corporation may appropriate and use the portion of Hillsborough Park within the limits of deviation shown upon the deposited plans.

Limits of deviation for street improvements.

262. In the construction of the street improvements the Corporation may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the said plans thereof respectively and may deviate vertically from the levels shown on the said sections thereof respectively to any extent not exceeding two feet upwards and two feet downwards and in the

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case of the widenings (10) of Broughton Lane to any extent not exceeding four feet upwards and four feet downwards.

Period for completion of street improvements and works.

263. If the street improvements be not completed as to those described in subsection (*a*) of the section of this Act of which the marginal note is "Power to construct street improvements" within the period of five years from the second day of August one thousand nine hundred and fourteen as to those described in subsection (*b*) of the said section within the period of seven years from the fourteenth day of February one thousand nine hundred and thirteen and as to that described in subsection (*c*) of the said section and numbered (1) within the period of seven years and as to the remainder of those described in the said subsection (*c*) within the period of five years respectively from the tenth day of August one thousand nine hundred and fourteen then on the expiration of those periods respectively the powers of the Corporation under this Act for the execution of the same respectively shall cease except so far as the same shall have then been completed.

Power to make subsidiary works.

264. Subject to the provisions of this Act and within the limits defined on the said plans relating thereto the Corporation in connexion with the street improvements and for the purposes thereof may make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the street improvements and may raise lower or alter any vault arch cellar or area under or adjoining any roadway or footway and may make diversions widenings or alterations of lines or levels of any existing street for the purpose of connecting the same with the said street improvements or of crossing under or over the same or otherwise Provided that the Corporation shall make to the owners lessees and occupiers of and all other parties interested in any lands or houses injuriously affected by any such interference or alteration full compensation for all damage sustained by them or any of them by the exercise of the powers of this section.

Alteration of position of mains and pipes.

265. The Corporation may for the purposes of or in connexion with the street improvements and within the limits of deviation shown on the said plans relating thereto raise sink or otherwise alter the position of any watercourse water pipe or gas pipe belonging to or connected with any house or building adjoining or near to the said street improvements and also any

gas main or other pipe and also any pipe tube or apparatus laid down for telegraphic or other purposes and any pipe tube wire or apparatus laid down for supplying electricity and may remove any other obstruction making in cases of alteration proper substituted works in the meantime and causing as little detriment and inconvenience as circumstances admit and making reasonable compensation to any person who suffers damage by any such alteration:

Provided that the Corporation shall not raise sink or otherwise alter or in any way interfere with any pipe tube or apparatus laid down for telegraphic or other purposes and belonging to or used by His Majesty's Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878 Provided also that nothing in this section shall give the Corporation any further powers of interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 and 1888 than they may have under section 15 of the former Act.

Alteration of position of overhead wires &c.

266.—(1) The Corporation may for any purpose in connexion with the street improvements upon the lands acquired by them under the powers of this Act require the owner of any overhead wire conductor or cable used for the purposes of telegraphic or telephonic communication or of any support or attachment thereto to remove the same or alter the position thereof on giving to such owner one month's notice in writing and if such owner neglects or refuses to remove or alter the same the Corporation may themselves execute the necessary works.

(2) The Corporation shall bear and pay the expense of such removal or alteration and of all proper substituted works and shall also make reasonable compensation to such owner for any damage occasioned by such removal or alteration.

(3) If any difference arise between the Corporation and such owner touching the amount of any expenses or compensation under the provisions of this section to be paid by the Corporation to such owner or touching any work matter or thing with reference to such wires conductors cables supports or attachments under such provisions to be done or executed or the mode of doing or executing the same such difference shall be settled by an engineer to be agreed upon between the Corporation and such owner or failing agreement by such engineer as shall on the application of the Corporation or of such owner be named by

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the President of the Institution of Civil Engineers whose decision shall be final and binding and the costs of any such reference shall be borne as the referee may direct.

(4) Nothing in this section shall apply to any telegraphic line of the Postmaster-General but if the Corporation require for the purposes of the street improvements under this Act any removal or alteration of any such line they shall be subject to and shall comply with the provisions of the Telegraph Act 1878.

Temporary stoppage of streets.

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

As to materials excavated in executing works.

268. Any paving metalling or material excavated by the Corporation in the construction of any works authorised by this Part of this Act from any road under their jurisdiction and control shall absolutely vest in and belong to the Corporation and may be dealt with removed and disposed of by them in such manner as they may think fit.

Land laid into streets to form part thereof.

269. All lands acquired by the Corporation under this Act and laid into or appropriated as part of any street shall form part of that street and shall be maintained and repaired in all respects as the rest of that street is for the time being by law maintained and repaired.

Application of certain provisions of this Part of Act to works authorised by Sheffield Corporation Act 1912.

270. Notwithstanding anything in this Act contained the section of this Act of which the marginal note is "Limits of deviation for street improvements" and the last six preceding sections of this Act shall so far as applicable extend and apply to all the street improvements and works authorised by the Sheffield Corporation Act 1912 and such improvements and works may be carried out within the period of seven years from the fourteenth day of February one thousand nine hundred and thirteen Provided that on the expiration of that period the powers of the Corporation under this section for the execution of the same respectively shall cease except so far as the same shall then have been completed.

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Power to stop up certain streets.

271. The Corporation may stop up and discontinue as public streets and thoroughfares the whole or any part of the streets known as Grindlegate Castlefolds Lane Chandlers Row Castle Hill and Exchange Lane and so much of Aston Street as lies to the east of a point therein due north of Whites Lane and also so much of Woodbourn Road as lies between Aston Street and Cricket Inn Road and the site and soil of those streets when stopped up and discontinued are hereby vested in the Corporation and all rights of way over the same are hereby extinguished:

Provided that the Corporation shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

Power to county council to contribute to cost of certain works.

272. The county council may pay or contribute out of their county fund or out of moneys to be borrowed for the purpose towards the cost of the lands for and the construction and maintenance of the street improvements and works (5) and (6) in Leppings Lane and Penistone Road by the Sheffield Corporation Act 1914 first authorised and the county council and the Corporation may enter into and carry into effect contracts and agreements with respect thereto.

For further protection of Postmaster-General.

273. The Corporation shall in constructing the new bridge (in connexion with Work No. (6) by the Sheffield Corporation Act 1914 first authorised) carrying Penistone Road over the River Don provide a space not less than two feet four inches deep by one foot six inches wide under the footway on the east side of the said bridge for the accommodation of four three and one-quarter inch pipes containing telegraphic lines of the Postmaster-General The accommodation shall be provided and constructed in accordance with plans sections and particulars to be previously submitted to and reasonably approved by the Postmaster-General Provided that if within one month of the receipt of the said plans sections and particulars the Postmaster-General shall not have intimated to the Corporation his disapproval thereof or made any requirement with respect thereto he shall be deemed to have approved the same Provided further that any extra cost which the Corporation may reasonably incur in

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complying with the provisions of this section shall be borne and paid by the Postmaster-General.

For protection of Wortley Rural District Council under Part XI. of this Act.

274. Before commencing to carry out the widening by this Act authorised of any portion of Leppings Lane of which the Wortley Rural District Council (in this section referred to as "the rural council") are the road authority the Corporation shall deliver to the rural council a plan section and other particulars of the proposed work in connexion with such portion of widening for the approval of the surveyor of the rural council and if such surveyor shall fail to approve or disapprove of such plan section and other particulars for twenty-eight days after the same shall be delivered he shall be deemed to have approved thereof and the work shall be carried out by the Corporation in accordance with such plan section and particulars Provided that if within the said period such surveyor shall have expressed disapproval of the said plan section and other particulars the Corporation shall not commence the work unless and until a plan section and other particulars shall have been approved by an arbitrator to be appointed failing agreement by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

For protection of Great Central Railway Company under Part XI. of this Act.

275. The following provisions for the protection of the Great Central Railway Company (in this section referred to as "the company") shall in connexion with the powers conferred upon the Corporation by this Part of this Act unless otherwise agreed in writing between the company and the Corporation have effect:—

(1) The Corporation shall in connexion with the alteration and regulation of the banks and the covering in of the River Sheaf (being one of the street improvements) reconstruct in a suitable condition to bear any buildings or roads (including the traffic on such roads) which may be constructed over the said River Sheaf and in all respects to the reasonable satisfaction of the engineer of the company the shuttle at the confluence of the covered goit with the River Sheaf together with so much of the covered goit as lies between the point where the said goit crosses the southern side of Blonk Street as that street existed

at the date of the passing of this Act and the street when widened under the powers of this Act and together with so much as it may be reasonably necessary to reconstruct (having regard to the purposes for which the site thereof is intended to be utilised) of the portion of the said goit as lies between the reconstructed shuttle and the southern side of Blonk Street where widened under the powers of this Act and shall maintain the said shuttle and so much of the said goit as shall be reconstructed for a period of twelve months after the same has been completed and after the said period the company shall thereafter maintain the said shuttle and the said portion of the said goit:

(2) The Corporation shall at their own expense from and after the commencement of the alteration and regulation of the banks of the River Sheaf for ever maintain and keep in a sound and proper state of repair to the reasonable satisfaction of the engineer of the company the weir across the said River Sheaf adjoining the Alexandra Theatre:

(3) The Corporation shall give to the company all proper facilities including free access to the said shuttle and covered goit for the purpose of maintaining the said shuttle and the said goit:

(4) Notwithstanding anything contained in this Act or shown upon the plans deposited with the Act of 1914 the bridge to be constructed to carry Broughton Lane over the railway of the company so far as the same affects the works and property of the company shall be constructed so as to give a clear square span over the railway of the company and between the abutment walls of eighty feet and a minimum clear headway over the railway of fifteen feet:

(5) In executing the widening of Broughton Lane the Corporation shall not in any event carry out the structural works of the bridge to be constructed in substitution for the existing bridge carrying Broughton Lane over the Great Central Railway by this Part of this Act authorised but such works shall be carried out by the company in accordance with plans and

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estimates submitted to and approved and agreed by the Corporation The word "bridge" in this section shall include all works from back to back of the abutments of the bridge but shall not include any portion of the approaches to the bridge:

(6) The company shall commence such last-mentioned work within one calendar month after receipt of notice from the Corporation under the hand of the town clerk requiring them to execute such works and shall afterwards complete the same with all despatch and the Corporation shall repay to the company all sums properly and reasonably expended by them from time to time in or about the construction and carrying out of the said works and upon the materials required for the same including all reasonable costs of any inspectors and watchmen and of the preparation and settlement of any plans sections and specifications of such works and materials:

(7) The Corporation shall at their own reasonable expense and according to plans and sections to be previously submitted to and reasonably approved by the principal engineer of the company construct a retaining wall in place of the existing embankment on the west side of Broughton Lane and shall at the like expense and to the reasonable satisfaction of the said principal engineer at all times thereafter maintain repair strengthen and renew the said retaining wall or any portion thereof:

(8) The Corporation shall at all times maintain the whole surface of the roadway of the said bridge and of the approaches thereto:

(9) The company shall at all times maintain the structure of the said bridge in substantial repair and good order and condition and the Corporation shall pay to the company such annual or commuted lump sum as may be agreed or determined by arbitration as hereinafter provided in respect of the extra cost occasioned to the company in repairing so much of the said bridge as is occasioned by the said widening:

(10) If the company shall hereafter require to widen lengthen strengthen alter or repair the said bridge

or the approaches to such bridge or to widen or alter their line under the said bridge or roadway the Corporation shall afford to the company all reasonable and proper facilities for those purposes or any of them Provided that in any such event the gradients of the roadway shall not be made steeper:

(11) Any difference which may arise between the Corporation and the company under this section (other than any difference as to the proper interpretation thereof) shall be referred to an arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers on the application of either party and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

For protection of Sheffield and South Yorkshire Navigation Company under Part XI. of this Act.

276. For the protection of the Sheffield and South Yorkshire Navigation Company (in this section called "the navigation company") and unless otherwise agreed between the navigation company and the Corporation the following provisions shall in relation to the powers conferred upon the Corporation by the section of this Act of which the marginal note is "Power to construct street improvements" have effect and subsections (1) (7) (8) (9) (11) (12) (15) and (16) of such provisions shall in relation to the bridge by which Coleridge Road is carried over the canal have effect as if such bridge were a new bridge within the definition thereof in the said subsection (1) and a work authorised by this Part of this Act (that is to say):—

(1) In this section "the canal" means the Sheffield and Tinsley Canal and the towing-path and banks thereof "the existing bridges" means the bridges by which Staniforth Road and Broughton Lane respectively are carried over the canal and "the new bridges" means the new bridges by which Staniforth Road and Broughton Lane respectively are to be carried over the canal:

(2) In lieu of the existing bridges carrying Staniforth Road and Broughton Lane respectively over the canal the Corporation shall erect girder bridges each of one span and having throughout an average headway above the ordinary water level of the canal of not less than ten feet ten inches in the case of the Staniforth Road

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Bridge and ten feet three inches in the case of the Broughton Lane Bridge and a clear width between the abutments thereof which shall in each case be parallel to each other and to the centre line of the canal of not less than thirty feet measured on the square:

(3) The foundations of the abutments of the new bridges shall be carried down to such depth below the ordinary water level of the canal and shall be in such positions as shall be reasonably fixed by the principal engineer of the navigation company:

(4) The Corporation as well during the removal of the existing bridges and the construction of the new bridges as during any repairs of the new bridges or either of them shall leave the navigable waterway and towing-path free and uninterrupted except so far as may be reasonably agreed between the navigation company and the Corporation:

(5) All works connected with the removal of the existing bridges respectively and the erection of the new bridges respectively and all other works crossing or affecting the canal shall be executed in accordance with plans sections and specifications to be previously submitted to and reasonably approved in writing by the said engineer and no work shall be commenced or the existing bridges respectively in any way interfered with until the said engineer shall have signified his approval of such plans sections and specifications and his consent has been obtained in writing to the commencement of such work Provided that if such engineer do not signify his approval or disapproval of any such plans sections or specifications within one month after their submission to him he shall be deemed to have approved them:

(6) All works connected with the removal of the existing bridges respectively and the erection of the new bridges respectively and all other works crossing or affecting the canal shall except in case of strike accident or other inevitable delay be carried on uninterruptedly when commenced and shall be com-

pleted with all reasonable despatch and all scaffolding piling and materials affecting the waterway or towing-path shall be removed as soon as the work for which they are required has been completed and in the meantime shall be kept in proper repair:

(7) All the works by this Part of this Act authorised crossing or in any way affecting the canal shall be constructed and maintained so that the traffic on the canal shall not except as herein expressly provided be in any way obstructed impeded or interfered with and such maintenance shall be effected under the superintendence and to the reasonable satisfaction of the navigation company but in all things at the expense of the Corporation:

(8) The Corporation shall bear and on demand pay to the navigation company the reasonable expense of the employment by the navigation company of a sufficient number of inspectors and watchmen to watch the canal during the execution of the works by this Part of this Act authorised crossing or in any way affecting the canal and for preventing except as aforesaid any such obstruction or interference or any danger or accident from the acts or defaults of the Corporation or their contractors or the servants workmen or other persons in their respective employ:

(9) The Corporation shall at all times maintain the new bridges respectively and the roadways and footpaths thereon and the approaches to the same respectively and other works for such crossing of the canal in good and substantial repair and conditions to the reasonable satisfaction of the navigation company and so as not to cause any obstruction to the canal and in default thereof the navigation company may as well on the lands of the Corporation as on their own lands do all such works and things as they may think reasonably requisite in that behalf and the reasonable cost thereof shall on demand be paid by the Corporation to the navigation company:

(10) The Corporation shall at all times hereafter maintain the new bridges respectively of the minimum headways respectively hereinbefore in this section specified:

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(11) If by reason of the execution or maintenance of any of the works or any proceedings of the Corporation or any act or omission of the Corporation or their contractors or of any officer servant workman or other person employed by the Corporation or such contractors the canal or any of the works thereof be injured or damaged such injury or damage shall forthwith be made good by the Corporation at their own cost and in default thereof after seven days' notice in writing given by the navigation company to the Corporation the navigation company may make good the same and recover the reasonable cost thereof from the Corporation:

(12) The Corporation shall indemnify the navigation company for any loss or damage they may suffer and for any compensation they may be required to pay for any such obstruction (except as aforesaid) interruption or interference with the traffic of the canal or any accident which shall have been occasioned by any such act or default as in this section is mentioned:

(13) Nothing in this section shall extend to prevent the navigation company or any owner of vessels boats keels or barges using the canal from recovering from the Corporation any special damage that shall be sustained by them or him for or in consequence of any such act or default as in this section is specified:

(14) With respect to any lands belonging to the navigation company which the Corporation are by this Act authorised to enter upon take use or interfere with the Corporation shall not except by agreement with the navigation company purchase and take the same but the Corporation may purchase and take and the navigation company may and shall sell and grant to the Corporation accordingly an easement or right of using the same so far as may be necessary for the purpose of erecting the said new bridges and other works hereby authorised for crossing or in any way affecting the canal:

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(15) If any difference arise between the Corporation and the navigation company as to anything to be done or not to be done under this section or any money to be paid thereunder (except by way of compensation as in this section provided or for any such easement as aforesaid) such difference shall be determined by an engineer to be appointed (unless otherwise agreed on) on the application of either party by the President of the Institution of Civil Engineers but nothing in this Act shall be deemed to enable the said arbitrator to direct that any work shall be made of less dimensions than by this section is prescribed in that behalf:

(16) The Corporation and the navigation company may agree for any variation or alteration of the works in this section provided for or of the manner in which the same shall be executed.

For protection of Duke of Norfolk.

277. Notwithstanding anything in this Act contained or shown on the plans deposited with the Act of 1914 the following provisions for the benefit and protection of the successor in title of the late Duke of Norfolk and his sequels in estate (such successor in title and sequels in estate being in this section included in the expression and referred to as "the owner") shall unless otherwise agreed in writing between the owner and the Corporation have effect (that is to say):—

(1) The Corporation shall not under the powers of this Act enter upon take hold or use otherwise than by agreement any property of the owner shown on Sheet No. 8 of the said plans as being required for the purposes of the Sheffield Corporation Act 1914:

(2) Nothing in this Act shall prejudice or affect either of three agreements made between the late Duke of Norfolk of the one part and the Corporation of the other part of which short particulars are as follows (that is to say):—

(*a*) A conditional agreement bearing date the sixth day of May one thousand nine hundred and fourteen as varied by a supplemental agreement

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dated the twenty-third day of December one thousand nine hundred and sixteen for the sale and purchase of land lying to the north of Cricket Inn Road in the city of Sheffield as a site for abattoirs;

(*b*) An agreement bearing date the seventh day of May one thousand nine hundred and fourteen as to the widening of Cricket Inn Road;

(*c*) An agreement bearing date the eighth day of May one thousand nine hundred and fourteen as to option to purchase land in the city of Sheffield lying to the south of Cricket Inn Road.

For protection of William Jessop and Sons Limited and Sheffield District Railway Company.

278. For the protection of William Jessop and Sons Limited (in this section referred to as "the owners") and of the Sheffield District Railway Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed in writing between the owners and the company on the one hand and the Corporation on the other hand have effect (that is to say):—

The company with the consent of the owners or the owners themselves shall subject to the provisions of this section be entitled to maintain and use the existing railway constructed on the level across Weedon Street and connecting with a railway serving the works of the owners and beyond with the railway of the company Provided that the said right shall cease upon the expiration of a period of two years from the date of service upon the company by the Corporation of a notice under the seal of the Corporation determining the same which notice may be given so as to expire at any time in the year Provided also that if the Corporation shall serve such a notice as aforesaid they shall pay to the company the cost (not exceeding a sum of three thousand pounds) of building a retaining wall on the company's land between the south-eastern abutment of the Brightside Viaduct of the company's railway and the south-western wing of the bridge carrying the company's main line over the railway first referred to in this section on the north side of Weedon Street.

Part XII.

Streets and Buildings.

Approval and conditions of formation of streets.

279.—(1) Whenever application shall be made to the Corporation to approve the laying out of a new street (including in that expression the formation of a new street or the widening of an existing street or the widening or adaptation of a road footpath or way so as to form a new street) within the city the Corporation may require the owner of the estate or lands the development of which will be commenced or continued by the laying out of such new street to furnish the Corporation with plans and particulars showing the general scheme for the development or laying out of such estate or lands.

(2) Every person who fails to comply with the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Width of certain new streets.

280.—(1) Whenever application shall be made to the Corporation to approve the formation on any estate or lands of a new street which in the opinion of the Corporation will form a main thoroughfare or a continuation of a main thoroughfare or means of communication between main thoroughfares in the city or the continuation of a main approach or means of communication between main approaches to the city it shall be lawful for the Corporation to require that the new street shall be formed of such a width not exceeding eighty feet as they shall determine.

(2) Nothing contained in this section shall require any person to incur any greater expense in the execution of any street works than he would have been required to incur if the new street had been of no greater width than fifty feet and any additional expense incurred in the execution of street works by reason of the new street being of such greater width shall be borne by the Corporation.

(3) In the event of the Corporation determining that the width of any such new street shall exceed sixty feet they shall make full compensation to the owner and all other persons interested in the lands required to make such new street of a greater width than sixty feet for any damage loss or injury they may sustain by reason of such determination the amount of such compensation (failing agreement) to be determined by arbitration under the Arbitration Act 1889.

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Further provisions as to width of streets.

281. When a road or lane within the city is about to become a new street within the meaning of the Public Health Acts but the land on only one side of such street is about to be built on the Corporation may instead of requiring the owner of such land to widen such road or lane to a width prescribed by the byelaws in force within the city or determined by the Corporation in pursuance of the section of this Act of which the marginal note is "Width of certain new streets" as the case may be require such owner subject to the provisions of that section to widen such road or lane so as to give a width not less than one-half of such width prescribed or determined as aforesaid from the old centre line of such road or lane to the boundary thereof adjoining such land Provided that if and when the land on the opposite side of such road or lane shall be in course of being built on or prior to the Corporation approving plans for the erection of buildings upon the land on such opposite side the owner of such land shall subject as aforesaid complete the widening of such road or lane so as to give the complete width prescribed or determined as aforesaid.

As to adjustment of boundaries on exchange of lands.

282.—(1) It shall be lawful for the Corporation for the purpose of securing the proper laying out or development of any estate or lands in respect of or in connexion with which any application for the approval of the Corporation of the laying out of a new street (including in that expression the widening of an existing street or the widening or adaptation of a road footpath or way so as to form a new street) is made to require that provision shall be made for adjusting and altering the boundaries of any such estate or lands or any lands adjacent or near thereto and for effecting such exchanges of land as may be necessary or convenient for such purposes and the provision to be so made and the terms and conditions upon which such provision is to be made shall failing agreement between the Corporation and the respective owners of and other persons interested in such estates or lands (all of whom for the purpose of this section are included in the term "the owner") on the application of the Corporation or any such owner be determined by arbitration in accordance with the provisions of the Arbitration Act 1889 and the Corporation may for securing the execution of any such purposes agree to pay and may and shall pay to any such owner such sums as may be agreed upon or in default of agreement be determined by arbitration as aforesaid Provided that the payment of money by any

such owner shall not be made a term or condition of any award made under this section otherwise than with his consent.

(2) Any award made under the provisions of this section shall operate to effect any adjustment or alteration of boundaries or exchange of lands which may be provided for by such award or be necessary for giving effect thereto and shall be duly stamped accordingly and the costs charges and expenses of any such arbitration shall unless and except in so far as the award shall otherwise provide be borne and paid by the Corporation.

(3) Any lands or moneys received by any owner in or in respect of any adjustment or alteration of boundaries or exchange of lands under the provisions of this section shall be held by such owner subject to the same trusts (if any) and any lands so received shall also be held subject to the same covenants restrictions and conditions (if any) as the lands exchanged therefor.

Restrictions on placing rails beams &c. over across or along streets.

283.—(1) It shall not be lawful for any person to fix or place any overhead rail beam cable or pipe or other similar apparatus (other than apparatus for telegraphic telephonic or railway signalling purposes and apparatus carried along a railway for railway electrical working purposes) over across or along any street without the consent of the Corporation which consent shall be in writing under the hand of the town clerk and shall not be unreasonably withheld and may contain such reasonable terms and conditions as the Corporation think fit Any person acting in contravention of the provisions of this section and of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings Provided that nothing in this section shall extend to any works of any undertakers within the meaning of the Electric Lighting Act 1882 to which the provisions of the said Act apply.

(2) Nothing in this section shall extend to any apparatus belonging to His Majesty's Postmaster-General.

Intersecting streets.

284.—(1) No new street in which it is intended to erect dwelling-houses as in this section hereafter defined shall without the consent of the Corporation be laid out more than one hundred and fifty yards in length without an intersecting street.

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(2) No such dwelling-houses shall without the consent of the Corporation be erected in any new street which has not an intersecting street or as the case may be intersecting streets at intervals of not more than one hundred and fifty yards.

(3) For the purposes of this section "dwelling-house" means a dwelling-house of which the rental together with rates and taxes (whether payable by landlord or tenant) shall not exceed twenty-five pounds per annum.

Continuations of existing streets to be deemed new streets.

285. Every continuation of an existing street shall for the purposes of the Public Health Acts and of this Act and of any byelaws for the time being in force within the city be deemed to be a new street Provided always that such new street shall in no case be of less width than that specified in any such byelaws as aforesaid Provided also that this section shall not apply to or in the case of any continuation of any existing street the plan and section of which continuation have been approved of by the Corporation before the sixth day of August one thousand nine hundred.

Corporation may define future line of streets.

286.—(1) Where any street in the city for the time being repairable by the inhabitants at large is in the opinion of the Corporation narrow or inconvenient or without any sufficiently regular line of frontage the Corporation may by order prescribe what shall thereafter be the line of frontage to be observed on either side of such street in case of rebuilding any building or in case of erecting any building on any vacant land on such side of such street The line which in any case the Corporation propose so to prescribe 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 by order prescribe the line they shall give notice in writing of the deposit of the said plan to every owner interested in the property affected by the line proposed to be prescribed and to every other person interested in such property whose name and address the Corporation can ascertain No new building erection excavation or obstruction (being of a permanent character) shall after such line shall have been formally prescribed by order as aforesaid be made nearer to the centre of the street than such line Provided that nothing in this section shall apply to the construction of any cornice or

of oriel windows and balconies to any storey above the ground floor storey if the same are constructed in accordance with the byelaws relating to the construction of new buildings.

(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 to be paid by the Corporation under this section the benefits (if any) by reason of the widening or improvement of the street accruing in respect of the property of which the line of frontage shall have been so set back as aforesaid to the owner or other persons to whom such compensation shall be payable shall be fairly estimated and set off against the said compensation.

(6) If after any such line shall have been prescribed any person shall wilfully or negligently act contrary to this enactment with respect to such line he shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Gardens forecourts &c. to be fenced off from streets.

287. Whenever the person erecting any building shall be desirous of leaving an opening from a footpath or street into and of placing any step or steps or other projection in any forecourt area or garden left in front of such building such

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forecourt area or garden shall if required in writing under the hand of the town clerk be well and sufficiently fenced off from the footpath or street by a railing parapet or dwarf wall or otherwise to the satisfaction of the Corporation Provided that where there are no steps or other projection in any such forecourt area or garden or the building is used as a saleshop this section shall not apply.

Any person who shall offend against this enactment shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Surface-water channels to be kept in good repair.

288. The owner or owners of any premises the water from which is carried away by any covered or uncovered drain or channel crossing the footpath in any public street shall keep such drain or channel and all gullies traps grates and appurtenances thereto belonging in good repair and any person who after reasonable notice in writing from the Corporation shall fail to comply with the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may themselves if they think fit do the work and recover the expense incurred by them in that behalf from such owner or owners.

Substitution of drains for sewer for surface-water channels.

289.—(1) Where the slop or waste water from any premises is carried away by a covered or an uncovered surface-water channel crossing the footpath in any public street the Corporation may by written notice require the owner or owners of the premises within a reasonable time to be specified in the notice to abolish the same and to substitute a covered drain and to connect the drain with a sewer.

(2) If the owner or owners fail to do the required work within the time specified the Corporation may thereupon execute and do all works and things necessary for abolishing such channel and for substituting a covered drain and connecting the drain with a sewer and shall themselves bear and pay one-third of the reasonable costs charges and expenses thereby incurred by them and the remaining two-thirds shall be borne and paid by such owner and shall be deemed to be private improvement expenses and may be recovered accordingly.

(3) An appeal shall lie from any requirement of and as to the reasonableness of any costs charges and expenses claimed by or from the Corporation under this section to a court of

summary jurisdiction in the first instance and from the decision of such court to a court of quarter sessions as hereinafter provided. A.D. 1918.

For preventing soil and sand from being washed into streets.

290. The owners or occupiers of all lands abutting upon any public street and the owners or occupiers of all lands abutting upon any private street communicating with any public street shall so fence off channel or embank their lands as to prevent the soil and sand of such lands from falling upon or being washed or carried into any public street or sewer or gully in such quantities as will obstruct the highway or choke up such sewer or gully Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

For the purpose of this section "public street" means so much of a street repairable by the inhabitants at large as is sewered and "private street" means a street not so repairable:

Provided that such owner or occupier shall not be responsible for any soil and sand from land other than his own although such soil and sand may have passed over the land of such owner or occupier Provided further that this section shall not apply to any land of a bonâ fide agricultural character or to any woodland.

Trees or shrubs overhanging streets.

291. Where any tree hedge or shrub overhangs any street so as to obstruct or interfere with any telephone telegraph or electric wire or with the light from any public lamp or to interfere with the free passage of passengers the Corporation may serve a notice on the owner of the premises on which such tree hedge or shrub is growing requiring him within a reasonable time to be specified in such notice to lop the tree hedge or shrub so as to prevent such obstruction or interference and in default of compliance the Corporation may themselves carry out the requisition of their notice doing no unnecessary damage and the expenses thereof shall be recoverable summarily as a civil debt by the Corporation from the person in default.

As to existing and prevention of future projections in streets.

292.—(1) Section 69 of the Towns Improvement Clauses Act 1847 in its application to the city shall apply and have effect as if there had been inserted therein after the word "shed" the word "pent-house" and after the words "projecting window" the words "teagle crane windlass" and as if there had been substituted for the words "and which is

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an obstruction to the safe and convenient passage along any street" the words "so as to project over all or any part of the footpath of any street."

(2) As from the twenty-ninth day of June one thousand eight hundred and eighty-three it shall not be lawful for any person without the previous consent of the Corporation to construct or erect any crane or apparatus for hoisting or lowering goods or to place or make any other like projection or any projecting signboard advertising board or any other projection whatsoever at or from any building over any part of any public carriageway or footway and every person after the said date so constructing any such crane or apparatus or placing or making any such projection shall for every such offence be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Street orderly and sand bins.

293. The Corporation may provide and maintain orderly bins or other receptacles for the collection and temporary deposit of street refuse and waste paper and the storage of sand grit or shingle in upon or under the streets of the city of such dimensions and in such positions as they think fit.

Public conveniences and lavatories in streets.

294. The powers of the Corporation under section 39 (Public necessaries) of the Public Health Act 1875 and section 20 (Sanitary conveniences for public accommodation) of the Public Health Acts Amendment Act 1890 shall extend to authorise them to provide and maintain in proper and convenient situations sanitary conveniences in or under any street repairable by the inhabitants at large and to provide and maintain in proper and convenient situations lavatories in or under any such street for the use of the public and to use the soil of such street for those purposes and such powers shall also extend to authorise the Corporation to employ and pay attendants and to make reasonable charges for the use of any sanitary conveniences (other than a urinal) or of any lavatory so provided and the Corporation may make byelaws for the management of such sanitary conveniences and lavatories and as to the conduct of persons frequenting the same and may let any such sanitary conveniences and any such lavatories for such periods at such rents and subject to such conditions as to the charges to be made for the use thereof and otherwise as they may think proper.

Courts and passages to be paved drained &c.

295.—(1) The owner or owners of any existing or future court or passage or of any part thereof shall flag or pave such court or passage or part thereof and make a drain through or along the same or such part thereof as the Corporation require and keep such flagging or paving and drain in good repair to the satisfaction of the Corporation and if any such owner or owners for one month after notice in writing from the Corporation fail in any respect to comply with this enactment he or they shall be liable to a penalty not exceeding five pounds and to a daily penalty of ten shillings and the Corporation may themselves do the work and recover the expense incurred by them in that behalf from such owner or owners summarily or as private improvement expenses.

(2) For the purposes of this section flagging and paving shall include asphalt and cements of a quality in each case approved by the Corporation.

Crossings for horses or vehicles over footways.

296. Every owner or occupier of premises desirous of forming a communication for horses or vehicles across any footway so as to afford access to his premises from any street shall give at least seven days' notice in writing to the Corporation of his intention to do so and shall before permitting the use of such communication construct a carriage crossing over the footway of the street of such materials and in such manner as shall be satisfactory to the surveyor Any owner or occupier who makes default in complying with the provisions of this section shall be liable to a penalty not exceeding five pounds.

Charges for private street works.

297.—(1) Section 150 of the Public Health Act 1875 and section 41 of the Public Health Acts Amendment Act 1890 in relation to the city shall be construed and have effect as if the work of paving metalling and channelling included macadamising asphalting gravelling kerbing and every method of making a carriageway or footway.

(2) The Corporation shall be entitled to receive and may recover as part of any expenses which they may be entitled to recover under section 150 of the Public Health Act 1875 a commission not exceeding five per centum (in addition to the amount of such expenses) in respect of surveys superintendence and notices such commission when received to be paid to the treasurer and be by him carried to the credit of the district fund.

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For better securing private improvement expenses.

298. For better enabling the Corporation to secure and enforce repayment of any money due to them for expenses incurred by them under section 150 of the Public Health Act 1875 or for any private improvement expenses the following provisions shall have effect (that is to say) :—

(1) The Corporation may charge such expenses on the lands or premises in respect whereof the same have been incurred or paid by depositing for registration at the registry office for the West Riding of Yorkshire a memorandum in the form set forth in the Seventh Schedule to this Act or to the like effect:

(2) The registration of the memorandum shall constitute a charge on the lands or premises for the amount therein mentioned with interest at five per centum per annum within the meaning of section 257 of the Public Health Act 1875:

(3) The registration shall not be affected by any proceedings taken by the Corporation for the recovery of the money charged:

(4) On satisfaction of the debt the Corporation shall give a certificate of discharge in the form set forth in the Seventh Schedule to this Act which shall be deposited for registration at the said registry office and shall operate as a release of the lands or premises from the charge:

(5) Successive owners of the lands or premises charged shall be liable to the Corporation for the payment of the expenses charged thereon or such part thereof as may for the time being remain unpaid until the same shall have been fully paid and satisfied and such expenses or such part thereof as may for the time being remain unpaid shall constitute a debt due from each successive owner to the Corporation recoverable from him in a summary manner within six calendar months after his succession and after that period such debt may be recovered by the Corporation from the owner for the time being of the premises in any court of competent jurisdiction Provided that no debt shall be recovered under the provisions of this

section after the expiration of six years from the time of the completion of the works in respect of which such debt is due.

Contribution towards cost of private street works.

299. The Corporation may if they think fit at any time resolve to contribute the whole or a portion of the expenses incurred in the execution of any works of street improvement under and in pursuance of the provisions of section 150 of the Public Health Act 1875 and may pay the same out of the district fund or general district rate and the payment of the amount of such contribution shall be deemed to be a purpose for which the Corporation may with the sanction of the Board borrow money under and in accordance with the provisions of that Act.

Waste land to be fenced.

300. If the owner or occupier of any vacant or waste land which is in a state to cause danger or a nuisance to the public allows the same to remain unfenced or the fences thereof to remain out of repair after the expiration of seven days' notice from the surveyor the Corporation may cause the same to be fenced or may cause the fences to be repaired and the expenses thereby incurred shall be recoverable from such owner or occupier as damages.

Power to prohibit cellars in part of city liable to flood.

301. The Corporation may prohibit in any part of the city liable to be flooded from any stream or watercourse or abutting upon any stream or watercourse the construction of any cellar or basement storey in any new building being a dwelling-house and may regulate the level of the ground floor of any new building in such part of the city.

Power to require watercourses on building land to be culverted.

302. If any watercourse or ditch situate upon land in the city laid out for building or on which any such land abuts requires in the opinion of the Corporation to be wholly or partially filled up or covered over the Corporation may by notice in writing require the owner or owners of such land to substitute for such watercourse or ditch a pipe drain or culvert Provided that nothing in this section shall authorise the Corporation to require the filling up or covering over of any watercourse or ditch wholly or partly belonging to any person other than the owner of the land so laid out for building.

What to be deemed a new building.

303. From and after the passing of this Act—

The re-erection wholly or partially on the same site of any building which is pulled down to or within ten feet

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of the surface of the adjoining ground and of any frame building so far pulled down as to leave only the framework of the ground floor storey thereof;

The making of any addition to an existing building by raising any part thereof or making any projection therefrom but so far as regards such addition only;

The roofing or covering over of an open space between walls or buildings and (so far as relates to any new work done for the purpose of conversion or re-conversion) the conversion into one dwelling-house of two or more dwelling-houses constructed originally as two or more dwelling-houses;

The re-conversion into a dwelling-house of any building which has been discontinued for two years as or appropriated for any purpose other than a dwelling-house;

The conversion into a dwelling-room of any room or part of a room used as a shop;

shall for all purposes of this Act and of the Public Health Acts and of any byelaw made thereunder respectively be deemed to be the erection of a new building and the word "building" shall for all such purposes include an erection or building of a permanent character of whatever material constructed Provided always that any building which under any Act of Parliament or byelaws in force on the fourteenth day of August one thousand eight hundred and ninety is exempt from the operation of such Act or byelaws shall not be brought within the operation of such Act or byelaws by reason of anything in this section.

No building allowed until street defined.

304. No person except with the consent of the Corporation shall in any new street commence to erect any new building or to excavate for the foundation thereof until the whole length of the street shall have been defined by posts or in some other sufficient manner to the satisfaction of the Corporation to indicate the approved line and level thereof Any person offending against this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

When buildings to be deemed to be in a street.

305. Buildings and lands shall be deemed to be in a street when they abut on or have an access (covered or uncovered) to a street.

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Height of buildings.

306. No building shall without the approval of the Corporation be erected on the side of any street made after the first day of October one thousand nine hundred which shall exceed in height the distance from the front of such building to the opposite side of such street nor shall the height of any building at any time erected on the side of any such street be at any time subsequently increased without such approval as aforesaid so as to exceed such distance Provided that the approval of the Corporation shall not in the case of rebuilding any building existing on the first day of October one thousand nine hundred be withheld so as to involve a material sacrifice of property In determining the height of a building the measurement shall be taken from the level of the centre of the street immediately opposite the centre of the front of the building up to the top of the parapet or to the eaves of the roof as the case may be In case of a gable facing the street the measurement shall be to a point halfway between the level of the eaves and the ridge In the case of a roof which slopes away from the street at any greater angle to the horizon than sixty degrees the measurement shall be to the ridge of the roof and not to the eaves.

Erection of buildings to greater height than adjoining buildings.

307. In the case of any building erected or raised after the first day of October one thousand nine hundred to a greater height than any adjoining building any flues or chimneys of which are in the outer or party wall of or against the building so erected or raised the person erecting or raising such building shall at his own expense if so required in writing (before such building is completed) by the owner of the adjoining building build up those flues and chimneys so that the top thereof may be of the same height as the top of the chimneys of the building so erected or raised.

Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Further powers as to byelaws.

308. The Corporation may make byelaws with respect to the following matters or any of them (that is to say):—

(*a*) The quality of the materials with which new buildings shall be constructed;

(*b*) The manner in which and the materials with which grates stoves and fireplaces shall be set in new buildings;

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(*c*) The description or nature size materials position and level of waterclosets and waste-water closets and of the apparatus and the manner of flushing the same and the means to be provided for protection of the same from frost;

(*d*) Requiring the plans and sections deposited in pursuance of any enactment for the time being in force in the city to be drawn on tracing cloth.

Removal of dilapidated and neglected buildings.

309.—(1) Where an unoccupied building is ruinous or so far dilapidated as thereby to have become and to be unfit for use or occupation or is from neglect or otherwise in a structural condition prejudicial to the property in or the inhabitants of the neighbourhood a court of summary jurisdiction on complaint by the Corporation may order the owner to take down or repair such building (in this section referred to as a "neglected structure") or any part thereof or otherwise to put the same or any part thereof into a state of repair and good condition to the satisfaction of the Corporation within a reasonable time to be fixed by the order and may also make an order for the costs incurred up to the time of the hearing.

(2) If the order is not obeyed the Corporation may with all convenient speed enter upon the neglected structure or such ground as aforesaid and execute the order.

(3) Where the order directs the taking down of a neglected structure or any part thereof the Corporation in executing the order may remove the materials to a convenient place and (unless the expenses of the Corporation under this section in relation to such structure are paid to them within fourteen days after such removal) sell the same if and as they in their discretion think fit.

(4) All expenses incurred by the Corporation under this section in relation to a neglected structure may be deducted by the Corporation out of the proceeds of the sale and the surplus (if any) shall be paid by the Corporation on demand to the owner of the structure and if such neglected structure or some part thereof is not taken down and such materials are not sold by the Corporation or if the proceeds of the sale are insufficient to defray the said expenses the Corporation may recover such expenses or such insufficiency from the owner of the structure.

together with all costs in respect thereof in a summary manner but without prejudice to his right to recover the same from any lessee or other person liable to the expenses of repairs.

As to closet accommodation for new buildings where no sufficient sewer or water supply.

310.—(1) On the erection of any new building the Corporation may when a sufficient sewer and water supply are not reasonably available require that one or more proper and sufficient earth-closets or privies and ashpits shall be provided at or in connexion with such building.

(2) If the person erecting any new building makes default in complying with any such requirement of the Corporation he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

As to means of ingress and egress to and from places of public resort.

311. Section 36 (Means of ingress to and egress from places of public resort) of the Public Health Acts Amendment Act 1890 in its application to the city shall apply and have effect as if for the words "the adoption of this Part of this Act" there had been substituted the words "the twenty-ninth day of June one thousand eight hundred and eighty-three" and as if in subsection (6) thereof "building used as a hotel" had been included as a place of public resort.

As to alteration to old buildings.

312. Any external structural alteration or addition in to or upon any building erected before the seventh day of September one thousand eight hundred and sixty-four or in to or upon any building erected since that date after the roof has been covered in to the extent of such alteration or addition shall be subject to all enactments and byelaws to which new buildings in the city are from time to time subject.

Certain sections of Public Health Acts Amendment Act 1907 to apply within city.

313. The sections of the Public Health Acts Amendment Act 1907 of which the numbers and marginal notes are hereunder set out shall as and from the date of the passing of this Act extend and apply to and be in force in the city for the purposes of this Act as well as of the Public Health Acts (that is to say):—

Section 16 As to plans deposited with local authority;

Section 17 Power to vary position or direction and to fix beginning and end of new streets;

Section 25 Yards to be paved &c.;

Section 30 Dangerous places to be repaired or inclosed:

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And so far as the same relates to any provisions incorporated by this section—

Section 33 Exemption of buildings of railway companies and others.

Approval of plans and sections.

314.—(1) The approval by the Corporation of any plan and section of new buildings shall be null and void if the execution of the work shown in such plan and section be not commenced within three years from the date of such approval and at the expiration of that period fresh notice deposit and approval shall unless the Corporation otherwise determine be requisite.

(2) The foregoing provisions of this section shall apply to plans and sections of new streets.

Certificate required that houses fulfil certain requirements.

315.—(1) No building which was not on the first day of October one thousand nine hundred occupied as a dwelling-house and no new building shall be so occupied until the drainage thereof shall have been made and completed and a proper water supply shall have been laid on thereto nor until a certificate shall have been granted to the owner by the surveyor that such house is in every respect in accordance with the byelaws and requirements for the time being in force and after application for and before the giving of any such certificate the drains of any building which was not on the fourteenth day of February one thousand nine hundred and thirteen occupied as a dwelling-house and of any new building to be so occupied may be subjected to and shall be capable of bearing and shall bear such reasonable test as the Corporation shall from time to time determine and this notwithstanding that such drains may have been previously tested.

(2) If the surveyor shall fail to give such certificate within twenty-one days after a written application for it shall have been made to him by the owner of such building and shall not in the meantime have specified to the owner which of the aforesaid byelaws and requirements have not been complied with with respect to such building then such building shall be thenceforth deemed to be in every respect in accordance with the aforesaid byelaws and requirements and may be occupied as a dwelling-house.

(3) If any building shall be occupied contrary to the provisions of this section the owner of such building if he shall

occupy or shall allow to be occupied and every person who shall wilfully and knowingly occupy such building as a dwelling-house shall be deemed to have committed an offence against the provisions of this section and shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding ten shillings.

As to restriction of air space.

316. No alteration or addition shall without the consent of the Corporation be made to any building within the city which in the event of the existing air space about such building being the minimum or less than the minimum prescribed by any byelaw in force within the city for the time being would still further limit or reduce such air space or which in the event of the air space about such building being greater than the minimum prescribed by any byelaw would reduce such air space below the minimum prescribed by such byelaw.

As to erection of retaining walls.

317.—(1) Before any person shall erect on any land within the city a retaining wall of greater height than six feet he shall submit to the Corporation plans sections and specifications thereof and no such wall shall be erected except in accordance with such plans sections and specifications as approved by the Corporation.

(2) Any person who shall erect a retaining wall contrary to the provisions of this section or any owner who after erection shall after reasonable notice in writing from the Corporation requiring him so to do fail to put such wall in proper repair shall without prejudice to any other right or remedy of the Corporation be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Work done on two or more properties.

318. Where under the provisions of this Part of this Act the Corporation shall construct or do any works for the common benefit of two or more buildings belonging to different owners the expenses recoverable by the Corporation from the owners shall be paid by such owners in such proportions as shall be determined by the surveyor by notice in writing to be given to such owners.

Amendment of section 75 of Towns Improvement Clauses Act 1847.

319. Notwithstanding the provisions of section 75 of the Towns Improvement Clauses Act 1847 it shall not be incumbent upon the surveyor to cause a hoard or fence to be put up in the case of a dangerous chimney.

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Powers on inspection.

320. In exercising any powers of entry and inspection of any building or works in course of construction the surveyor and his assistants shall have from the builder of or contractor for such building or works free of expense all reasonable use and assistance of ladders scaffolding and plant in and about such building or works.

Power of inspector on inspecting.

321. If the surveyor on inspecting any building or work finds that the same is so far advanced that he cannot ascertain whether anything has been done contrary to any enactments or byelaws in force in the city or to the plans and sections approved by the Corporation in pursuance of any such enactments or byelaws or whether anything required by any such enactments byelaws or plans and sections has been omitted to be done the surveyor may within twenty-four hours after such inspection give to the owner or his agent or to the builder or person engaged in erecting such building or doing such work notice in writing requiring such builder or person within forty-eight hours from the service of such notice to cause so much of any building or work as prevents such surveyor from ascertaining whether anything has been done or omitted to be done as aforesaid to be to a sufficient extent cut into laid open or pulled down and such builder or other person shall forthwith comply with the notice so given Provided always that the expense of cutting into laying open or pulling down as the case may be any such building or work and of reinstating the same and compensation for any unnecessary delay occasioned thereby shall be borne and paid by the Corporation if it shall appear on inspection that there has not been any infringement of any such enactments byelaws plans and sections or if the surveyor failed or omitted to inspect the building or work within three days after having had notice from such owner agent builder or person so to do before the building or work was so advanced.

Appeal and arbitration under certain sections of Part XII. of this Act.

322—(1) If any person shall deem himself aggrieved by any condition order judgment determination prohibition apportionment or requirement made or the making or withholding or refusal of any licence consent or approval of or by the Corporation or any of its officers under the sections of this Part of this Act of which the marginal notes are hereunder set out and shall within one month after the making of such condition order judgment determination prohibition apportionment or requirement or the making or withholding or refusal of [any

licence consent or approval as aforesaid give notice in writing to the Corporation that he deems himself aggrieved thereby and desires to appeal in respect thereof then and in such case there shall be deemed to be a dispute or difference between the person so giving notice and the Corporation.

(2) In case of any dispute or difference within the meaning of this section there shall be deemed to be a submission thereof to arbitration within the meaning of the Arbitration Act 1889 and such dispute or difference shall unless otherwise agreed be referred to two arbitrators one to be appointed by the Corporation and the other by the person aggrieved or an umpire to be agreed upon by the arbitrators or appointed in case of difference by the President of the Sheffield Society of Architects and Surveyors and such arbitration shall in other respects be under and in accordance with and subject to the provisions of the Arbitration Act 1889.

(3) Pending the decision of the arbitrators or the umpire as the case may be in any dispute or difference under this section no proceedings which have been or shall or might be instituted or maintained in respect of any offence or for the recovery of any penalties forfeitures costs or expenses under this Act which would involve the decision of any question arising in such dispute or difference shall be held in abeyance and such decision of the arbitrators or the umpire shall be binding upon any court before whom such proceedings shall be or have been instituted.

(4) The marginal notes of the sections of this Part of this Act to which this section applies are as follows:—

Approval and conditions of formation of streets:

Width of certain new streets:

Further provisions as to width of streets:

As to adjustment of boundaries on exchange of lands:

Restrictions on placing rails beams &c. over across or along streets:

Intersecting streets:

Continuations of existing streets to be deemed new streets:

Corporation may define future line of streets:

Gardens forecourts &c. to be fenced off from streets:

For preventing soil and sand from being washed into streets:

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Trees or shrubs overhanging streets:

Power to prohibit cellars in part of city liable to flood:

Power to require watercourses on building land to be culverted:

Height of buildings:

As to erection of retaining walls:

Power of inspector on inspecting.

Saving for railway companies.

323. Nothing in this Part of this Act or any byelaws to be made thereunder shall apply to any buildings (not being a dwelling-house) walls or works belonging to any railway company and used by such railway company as a part of or in connexion with their railway under any Act of Parliament.

Part XIII.

Overhead Wires.

Part II. of Public Health Acts Amendment Act 1890 to apply within city.

324. The provisions of Part II. (Telegraph &c. Wires) of the Public Health Acts Amendment Act 1890 shall as and from the date of the passing of this Act extend and apply to and be in force in the city for the purposes of this Act as well as of the Public Health Acts.

Restrictions on placing wires &c. other than telegraph wires &c. over across or along streets.

325. It shall not be lawful for any person to fix or place any post wire tube or other similar apparatus (other than wires tubes or other apparatus for telegraphic telephonic electrical signalling or railway signalling purposes and apparatus carried along a railway for railway electrical working purposes) above ground over across or along any street without the consent in writing of the Corporation which consent may contain such terms and conditions as the Corporation think fit Any person acting in contravention of the provisions of this section or of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings:

Provided that in every case where the consent of the Corporation is given under the provisions of this section to the fixing or placing by some person other than the Corporation of a wire or other apparatus above ground and such wire or apparatus will be situate under over or alongside the wires of

a railway company the fixing or placing of such wire or other apparatus shall not be commenced if in the opinion of the principal engineer of such railway company it is advisable that the electric telegraphic telephonic or signal wire or apparatus belonging to the railway company should be altered until the railway company have executed any works reasonably necessary for such alterations. The reasonable expense of executing such works shall be borne by the person or persons to whom such consent of the Corporation is given.

If any difference arises under this section between the Corporation and the railway company the same 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.

Telegraph &c. communications between offices of Corporation.

326. The Corporation may from time to time provide and maintain for their offices waterworks and other establishments including the stations of any volunteer or other fire brigades and the private residences of the firemen thereof such telegraphic or telephonic or other electrical communication between such parts of the city as they may deem fit but such communications shall not be used for the purpose of transmitting telegrams which are within the exclusive privilege conferred upon His Majesty's Postmaster-General by the Telegraph Acts 1863 to 1916 and in relation to any such telegraphs or telephones or other electrical communications the Corporation shall for the purposes of the Telegraph Act 1863 be deemed to be and shall be in the like position in all respects as a company authorised by special Act of Parliament to construct and maintain telegraphs but so that it shall not be requisite for the Corporation to give any notice respecting the opening for the purposes of telegraphs or telephones or other electrical communications of any streets or court under their own management:

Provided always that the Corporation shall not place any works over under in upon or along any railway railway station works streets roads or approaches belonging or leased to or occupied by any railway company except with the consent of such company which consent shall not be unreasonably withheld and such works shall be executed to the reasonable satisfaction of such company and under the superintendence of their engineer and in case of any difference arising thereout or out of any

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application for such consent as aforesaid the same shall be determined by an engineer to be appointed upon the application of either party by the Board of Trade.

Saving for posts wires &c. of Postmaster-General.

327. Nothing in this Part of this Act shall extend or apply to any posts wires tubes or other property of His Majesty's Postmaster-General.

Saving for works of electric lighting undertakers.

328. Nothing in this Part of this Act shall extend to any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of the said Acts apply.

PART XIV.

STREAMS AND BRIDGES.

For cleansing &c. rivers.

329. The Corporation may from time to time cleanse improve and scour as they think fit the waterway or bed and course or any part or parts thereof respectively of any river stream brook or watercourse within the city or of so much as is within or adjoining the city of any river which forms the boundary of the city and may also by such ways and means as they may find most effectual disinfect and purify the same and the waters thereof and shall make compensation to the owners lessees and occupiers of all or any parts of the said rivers streams brooks or watercourses who may be injured by such cleansing improving scouring disinfecting or purifying such compensation in case of difference to be settled in a summary way before two justices and all expenses incurred by the Corporation including compensation payable by them under this section may be paid out of the district fund or general district rate.

Casting refuse and other matter in streams sewers and drains.

330.—(1) No person shall place or cast any matter or thing whatsoever into or suffer or permit the same to be placed or cast into or placed in such a position as to be liable to fall flow or be washed or carried into any river brook stream or watercourse within the city so as to impede the free flow of the water down or in such river stream brook or watercourse.

(2) No person shall place or cast any cinders refuse earth soil or other substance into or suffer or permit the same to be placed or cast into or placed in such a position as to be liable to fall flow or be washed or carried into any drain or sewer within the city.

(3) In addition to any other remedy the Corporation may remove any such matter or thing cinders refuse earth soil or other substance from any such river brook stream watercourse drain or sewer and repair any damage caused by the same or by the removal thereof and may recover the expenses of so doing from the offender in a summary manner.

(4) If any such matter or thing cinders refuse earth soil or other substance shall be placed in such a position on any premises as to be liable to fall or flow or be washed or carried contrary to the provisions of this section into any such river brook stream watercourse drain or sewer the Corporation may by a notice in writing to be served upon the owner of or posted on such premises require a sufficient wall or fence to be erected and maintained in good repair and condition by such owner on such premises for the purpose of preventing any such matter or thing cinders refuse earth soil or other substance flowing or falling or being washed or carried into such river brook stream watercourse drain or sewer contrary to the provisions of this section.

(5) Any person offending against the provisions of this section or failing to comply with any such notice of the Corporation shall for every such offence or failure be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

For preventing encroachments in rivers &c.

331. No person shall at any time hereafter without the consent of the Corporation build erect or place or cause to be built erected or placed within the city any building erection or thing of a permanent character in or over the bed course or waterway or any part of the bed course or waterway of any river or stream within the city If at any time hereafter any person shall so build erect or place or cause to be built erected or placed any such building erection or thing as aforesaid the Corporation shall cause such person or the owner of such building erection or thing to be summoned before two justices to show cause why such building erection or thing should not be removed and if such person or owner fail to appear according to the summons or to satisfy the justices that such building erection or thing is not in contravention of the provisions of this section the justices may order such person or owner to remove the same within a time to be specified in

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the order not exceeding one month after the date thereof and to pay to the Corporation their reasonable costs in the premises to be ascertained by the justices and specified in the order and if such person or owner disobey such order he shall forfeit a sum not exceeding ten pounds and a further sum not exceeding five pounds for every day after the first during which such order shall be disobeyed and the Corporation may on such default if they think fit (without prejudice to any such penalties) do the work required by the order and recover the expenses thereof as damages from the person or owner in default:

Provided always that any riparian owner who may desire to build erect or place or cause to be built erected or placed any building erection or thing of a permanent character in or over any part of the bed course or waterway of any river or stream within the city may give notice in writing of such his desire to the town clerk and if for one calendar month after such notice has been served upon the town clerk he does not signify in writing to such riparian owner that the Corporation refuse their consent to such building erection or placing as aforesaid the Corporation shall be deemed to have consented thereto and in the event of the town clerk signifying in writing to such riparian owner within the period aforesaid the refusal of the Corporation to consent then such riparian owner may appeal from such refusal of the Corporation in manner following:—

(*a*) The appellant or his agent shall within thirty days from the receipt of the town clerk's written statement of the refusal of the Corporation to consent give to the town clerk notice in writing of his intention to appeal:

(*b*) The appeal shall be made to the next practicable court of quarter sessions for the city holden not less than fifteen days after service of the notice of appeal:

(*c*) The court of appeal shall determine whether the said refusal is justified or whether it would be reasonable for the Corporation to give their consent subject to any conditions:

(*d*) If the court of appeal do not determine that the said refusal is justified or if the said court determine that it would be reasonable for the Corporation to give their consent subject to certain conditions then

the appellant shall be at liberty to build erect or place the building erection or thing mentioned in his said notice to the town clerk subject to such conditions (if any) as may be imposed by the said court notwithstanding that the Corporation refuse or withhold their consent thereto:

(*e*) The court of appeal may make such order as to costs to be paid by either party as the court thinks just.

Making of sluice doors in and cleansing of weirs &c.

332.—(1) The Corporation may after one month's written notice under the hand of the town clerk given to the owner and occupier of any weir or other contrivance for making a dam in any river within the city whether made for the purpose of diverting such river or for any other purpose do all or any of the following things:—

(*a*) Construct and fix in such weir or contrivance a sluice door or sluice doors of such dimensions and in such position or positions as the Corporation shall think fit with necessary appliances for opening and closing the same:

(*b*) Cleanse the dam caused by such weir or other contrivance of all accumulations of mud earth or rubbish therein.

(2) The Corporation shall pay the cost of all the works required for constructing and fixing any such sluice door or sluice doors and of keeping the same in repair and also the cost of cleansing the dam caused by any such weir or other contrivance.

(3) Any person who wilfully obstructs the Corporation in executing the works authorised to be done by this section or in keeping in repair any such works shall be liable to a penalty not exceeding forty shillings.

(4) The Corporation shall not open any sluice door or sluice doors or take any other steps for cleansing any dam in any such river as aforesaid except at times when the level of the water in the river is at least six inches above the crest of the weir belonging to the dam or dams about to be cleansed and in doing any act or carrying out any works in cleansing any such dam they shall take all reasonable precautions to protect the owner and occupier of the dam from being deprived

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of the maximum supply of water to which he may be entitled under or by virtue of the provisions of this Act.

(5) The Corporation shall make full compensation to the owner and occupier of any such dam for any loss or injury he or they may sustain by reason of the exercise of any of the powers of this section the amount of such compensation unless agreed on between the parties to be ascertained in manner provided by the Lands Clauses Acts for settling cases of disputed compensation by a single arbitrator to be appointed by the President of the Institution of Civil Engineers.

Provisions as to watercourses choked up.

333.—(1) Any river stream or watercourse or any part or parts thereof respectively within the city so choked or silted up as to obstruct or impede the proper flow of water along the same and thereby to cause or render probable an overflow of such river stream or watercourse on to or into the land and property adjacent thereto or to hinder the usual effectual drainage of water through the same shall be deemed to be a nuisance within the meaning of section 91 (Definition of nuisances) of the Public Health Act 1875 and all the provisions of that Act relating to nuisances shall apply to every such river stream or watercourse notwithstanding that the same may not be injurious to health.

(2) A dam mill-pond or goit used in connexion with or adjacent to any works or manufactory shall not be deemed to be a river stream or watercourse within the meaning of this section.

Part XV.

Sewers and Drains.

Extending section 16 of Public Health Act 1875 to carrying pipes &c. under rivers &c.

334. The provisions contained in section 16 (Power for making sewers) of the Public Health Act 1875 shall subject to the provisions contained in section 308 of the same Act extend and be applicable to the carrying of any pipe for sanitary or drainage purposes through across or under any river or stream but not so as to impede the flow of the river or the lawful use of the waterway thereof.

Appropriation of existing sewers for

335.—(1) The Corporation may from time to time by resolution declare that any sewer or sewers for the time being belonging to them shall thenceforth be appropriated and used

separate system of sewerage.

as and for a sewage sewer and they may also declare that any other sewer or sewers for the time being belonging to them shall thenceforth be appropriated and used as and for a surface-water sewer and after such appropriation no sewage shall be permitted to flow into a surface-water sewer of the Corporation or into any drain gutter or watercourse leading thereto and no surface water shall except with the consent in writing of the Corporation be permitted to flow or pass into any sewage sewer of the Corporation:

Provided however that notice in writing shall be given of such resolution to all persons whose property is connected with any such sewer or sewers.

(2) Where at the time of any such appropriation sewage from any premises shall flow or pass through any drain communicating with any surface-water sewer or any surface water from any premises shall flow or pass through any drain communicating with any sewage sewer the Corporation shall at their own cost execute and do such works and things as may be necessary to cause such drain to communicate with the appropriate sewer.

(3) If after any such appropriation and the completion of any necessary works by the Corporation under the provisions of the preceding subsection any person shall construct any drain or sewer so as to cause any sewage to flow or pass into any surface-water sewer or without the consent in writing of the Corporation shall construct any drain or sewer so as to cause any surface water to flow or pass into any sewage sewer the person so offending shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings and the Corporation may close any drain or sewer so constructed and may recover in a summary manner from the person offending any expense thereby incurred:

Provided that no penalty or expenses shall be incurred by any person in respect of communications with any sewer existing at the time of the passing of the resolution appropriating any such sewer.

(4) In this and the next succeeding section "sewage sewer" shall mean a sewer appropriated and used for sewage and "surface-water sewer" shall mean a sewer appropriated and used for surface water.

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As to separate system of sewers in new streets.

336.—(1) Where under the provisions of any Acts for the time being in force in the city the Corporation have power to require any street which shall be laid out and constructed after the fourteenth day of February one thousand nine hundred and thirteen to be sewered they may require the provision of separate sewage sewers and surface-water sewers and the provisions of those Acts shall apply to such sewers accordingly:

Provided that the provisions of this subsection shall not be exercised unless and until sewers adequate and proper for the purpose of receiving the sewage from such separate sewage sewers and sewers or other outlets adequate and proper for the purpose of receiving the surface water from such separate surface-water sewers shall have been provided.

(2) Where in any such street separate sewage sewers and surface-water sewers shall be provided or where in any other street separate sewage sewers and surface-water sewers have prior to the passing of this Act been provided no sewage shall be allowed to pass from any premises in any such street into the surface-water sewers and so far as practicable no surface or storm water shall be allowed to pass into the sewage sewers except with the consent in writing of the Corporation.

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

Corporation may in certain circumstances require enlarged sewer to be made.

337. The Corporation may require an enlarged or more costly or expensive sewer to be made or constructed than is necessary for the effectual drainage of the house or premises belonging to any person required to make or construct a sewer if in the opinion of the Corporation such sewer is required for the purposes of the drainage of any house or premises near or contiguous thereto and in such case shall as compensation pay the difference in cost to such person.

Provision in lieu of section 19 of Public Health Acts Amendment Act 1890.

338.—(1) Where two or more houses or premises are connected with a single private drain which conveys their drainage into a public sewer or into a cesspool or other receptacle for drainage the Corporation shall have all the powers conferred by section 41 of the Public Health Act 1875 and the Corporation may recover any expenses incurred by them in executing any works under the powers conferred on them by that section from the owners of the houses in such proportions as shall be

settled by the surveyor or (in case of dispute) by arbitration under the Public Health Act 1875 or by a court of summary jurisdiction and such expenses shall be recoverable summarily as a civil debt or the Corporation may declare them to be private improvement expenses and may recover them accordingly.

(2) Section 19 of the Public Health Acts Amendment Act 1890 shall cease to be in force within the city.

(3) For the purposes of this section the expression "drain" includes a drain used for the drainage of more than one building whether owned or occupied by the same person or not.

Corporation may allow houses to be drained by a combined drain.

339. If it appear to the Corporation that two or more houses belonging to the same owner plans for which have been approved after the sixth day of August one thousand nine hundred may be drained more economically or advantageously in combination than separately and a sewer of sufficient size already exists or is about to be constructed within one hundred feet of any part of such houses the Corporation may allow such houses to be drained by a combined drain to be constructed repaired and maintained either by the Corporation if they so decide or by the owner in such manner as the Corporation shall direct and the costs of such construction and the expenses of the repair and maintenance of such combined drain shall be borne by the owner of such houses but in case such costs and expenses have been incurred by the Corporation they may be recovered by the Corporation from such owner in a summary manner as a civil debt.

Power to reconstruct drain if laid in contravention of Public Health Act 1875.

340. Where any person has been convicted of causing any drain to be constructed in contravention of section 25 of the Public Health Act 1875 the Corporation may cause the drain in respect of which default has been made to be laid re-laid or amended or remade as the case may require and may recover the expenses incurred by them in so doing from such person.

As to reconstruction of drains.

341. It shall not be lawful for any person to reconstruct or alter the course of any drain communicating with any sewer of the Corporation except in accordance with the provisions of the byelaws relating to the drainage of new buildings.

Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

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Corporation may make communications between private drains and their sewers on payment &c.

342. If the owner or occupier of any premises within the city desires that any private sewer or any drain from such premises shall be made to communicate with any sewer of the Corporation the Corporation may and shall make so much of such private sewer or drain as is to be constructed under any public highway and also the junction of such sewer or drain with the sewer of the Corporation and may and shall execute all necessary works for those purposes upon the reasonable cost or estimated cost thereof being paid to the Corporation or the payment thereof to them being secured to their satisfaction.

Corporation may agree to make drains at expense of owner.

343. The Corporation may agree with the owner or occupier of any premises that any sewer or drain required to be made altered or enlarged by such owner or occupier or any part of such sewer or drain shall as to so much thereof as shall be in a street be constructed made altered and enlarged by the Corporation and the cost price of preparing the requisite plans and sections for and superintending making altering or enlarging such sewer or drain and also the cost of the execution of the works as estimated or certified by the surveyor shall be paid in advance to the Corporation by the owner or occupier so agreeing.

PART XVI.

SANITARY PROVISIONS AND INFECTIOUS DISEASE.

Amendment of section 94 of Public Health Act 1875.

344.—(1) A notice given by the Corporation under section 94 (Local authority to serve notice requiring abatement of nuisances) of the Public Health Act 1875 or this Part of this Act requiring any person to abate a nuisance or to execute works may prescribe the description of the work required to be done or of the materials to be used or the acts required to be done and anything so prescribed shall be deemed to be a requisition of the notice within the meaning of the Public Health Act 1875.

(2) Any person receiving any such notice as aforesaid containing a prescription by the Corporation may appeal against such prescription to a court of summary jurisdiction and the provisions of the section of this Act of which the marginal note is "As to appeal" shall apply with respect to any order of such court made on such appeal:

Provided that where any such notice as aforesaid was given under section 94 of the Public Health Act 1875 and the person receiving the same desires to appeal against such notice and not only against any prescription therein contained the provisions of section 268 of that Act shall apply in lieu of the procedure specified in this subsection.

Power to appoint deputy medical officer of health.

345.—(1) The Corporation may appoint as deputy medical officer of health and pay a person legally qualified for the practice of medicine surgery and midwifery to assist the medical officer in the proper execution of the provisions of the Public Health Acts and of this Act and any local Acts in force within the city.

(2) In case of the illness or absence of the medical officer and at other times to such extent as the Corporation shall by resolution direct all things required or authorised to be done by or to the medical officer may be done by or to the deputy medical officer.

Defining establishment of a new business for purposes of section 112 of Public Health Act 1875.

346.—(1) For the purposes of section 112 (Restriction on establishment of offensive trade in urban district) of the Public Health Act 1875 as extended by section 51 of the Public Health Acts Amendment Act 1907 a trade business or manufacture shall be deemed to be established not only if it is established for the first time but also if it is removed from one set of premises to any other premises or if it is renewed on the same set of premises after having been discontinued for a period of six months or upwards or if any premises on which it is for the time being carried on are enlarged without the consent in writing of the Corporation but a trade business or manufacture shall not be deemed to be established for the first time on any premises by reason only that the ownership of such premises is wholly or partially changed or that the building in which it is established having been wholly or partially pulled down or burnt down has been reconstructed without any extension of its area.

(2) Any consent of the Corporation to the establishment of any offensive trade or to the enlargement of any premises on which any offensive trade is carried on may be given so as to continue in force for such period only as the Corporation may prescribe by such consent and section 112 of the Public Health Act 1875 and this section shall be construed accordingly.

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(3) If any person shall carry on such offensive trade beyond the period aforesaid he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Discontinuance of offensive trade.

347.—(1) In any case where premises are being used for the carrying on of an offensive trade within the meaning of section 112 of the Public Health Act 1875 as extended by section 51 of the Public Health Acts Amendment Act 1907 and in the opinion of the Corporation it is inexpedient in the interests of public health that such trade should be carried on in such premises the owner or occupier of the same may be required after six months' notice in writing by the Corporation under the hand of the town clerk to cease to use such premises for the carrying on of such offensive trade:

Provided that the formation or expression by the Corporation of an opinion under this subsection shall be deemed to be a determination of the Corporation within the meaning of the section of this Act of which the marginal note is "As to appeal" and that the provisions of that section shall accordingly apply with respect to such opinion as well as to any requirement by the Corporation under this subsection.

(2) Any person who fails or neglects to comply with the provisions of subsection (1) of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) If the Corporation require any person to cease to use such premises for the carrying on of an offensive trade before the expiration of any period during which but for such requirement the premises could have continued to be so used they shall pay compensation to such person for any loss sustained by him in consequence of the action of the Corporation.

(4) The powers of this section shall be in addition to and not in derogation of the existing powers of the Corporation with reference to offensive trades.

Extension of powers of veterinary inspector to section 116 of Public Health Act 1875.

348. Every veterinary inspector of the Corporation may exercise the powers of section 116 (Power of medical officer of health to inspect meat &c.) of the Public Health Act 1875 in the same manner as the medical officer or the inspector of nuisances and the Public Health Acts [shall apply within the

city as if such veterinary inspector were mentioned in the said section in addition to the medical officer and the inspector of nuisances.

Appointment of inspectors of nuisances.

349. The Corporation may appoint and pay as many inspectors of nuisances as may in their judgment be necessary for the proper execution of the provisions of the Public Health Act 1875 and of the local Acts in force in the city Provided that the powers of the Board under section 191 of the Public Health Act 1875 and any regulations made by the Board under that section shall apply to any inspectors so appointed.

Application of certain provisions of Part III. of Public Health Acts Amendment Act 1890.

350. The provisions of Part III. of the Public Health Acts Amendment Act 1890 except section 18 (Provision as to local authority making communications with or altering &c. drains and sewers) and section 19 (Extension of 38 & 39 Vict. c. 55. s. 41) thereof shall as and from the date of the passing of this Act extend and apply to and be in force in the city for the purposes of this Act as well as of the Public Health Acts Provided that in such application the provisions of section 17 (Chemical refuse steam &c. not to be turned into sewers) of the said Act shall have effect as if the words "or is likely to cause" were inserted in that section after the word "causes" therein and provided that the provisions of subsection (2) of section 22 (Sanitary conveniences for manufactories &c.) of the said Act of 1890 as to the report of the surveyor shall extend and apply to the medical officer and inspectors of nuisances and such subsection so far as the same affects the city shall be read as if the words "their surveyor medical officer or inspectors of nuisances" were inserted instead of the words "their surveyor."

Certain sections of Public Health Acts Amendment Act 1907 to apply within city.

351. The sections of the Public Health Acts Amendment Act 1907 of which the numbers and marginal notes are hereunder set out shall as and from the date of the passing of this Act extend and apply to and be in force in the city for the purposes of this Act as well as of the Public Health Acts (that is to say):—

Section 46 Provision for filling up cesspools &c.:

Section 49 Summary power to provide sinks and drains for buildings:

Section 56 Filthy and dangerous articles to be purified:

Section 59 Provision as to library books:

Section 61 Removal of person from infected premises:

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Section 63 Prohibiting conveyance of infected persons in public vehicles:

Section 65 Section 124 of 38 & 39 Vict. c. 55 to apply to persons who cannot be isolated:

Section 67 Provision of nursing attendance by local authority:

Section 68 Wake not to be held over body of person dying of infectious disease.

Regulations as to ashtubs and ashbins.

352.—(1) Every ashtub or other receptable for the deposit of ashes fœcal matter or refuse shall be of such size pattern and construction as the Corporation approve Any ashtub or other receptacle which does not satisfy the requirements of the Corporation shall be deemed insufficient within the meaning of the provisions of the Public Health Act 1875.

(2) The Corporation may by notice in writing to the owner of any premises require such owner within a reasonable time to be specified in such notice not being less than one month and in the same or a different position as may be most suitable to provide an ashpit with movable ashbin in substitution for any fixed ashpit in connexion with a watercloset system and the reasonable cost of so doing shall be borne as to one-half by such owner and the other half by the Corporation Any requirement by the Corporation under the provisions of this subsection shall be deemed to be a requirement to do a work within the meaning of the section of this Act of which the marginal note is "As to expenses of persons required to erect buildings &c."

(3) If the owner makes default in complying with such notice the Corporation may execute and do the necessary work and one-half of the costs charges and expenses thereby reasonably incurred by them shall be borne and paid by such owner and shall be deemed to be private improvement expenses and may subject to the right of payment by instalments under the provisions of the said section of this Act of which the marginal note is "As to expenses of persons required to erect buildings &c." be recovered accordingly.

Occupier to be liable for removal of solid matter or refuse.

353. When the ashpit belonging to any house or premises contains any solid matter or refuse which will not pass through a grate or riddle with a half-inch mesh the occupier of such house or premises shall be liable to the Corporation for the cost

of removing such solid matter or refuse and the same shall be recoverable from him before two justices and the owner of such premises shall provide near to such ashpit a place or receptacle or utensil for the deposit of all such solid matter or refuse as will not pass through such grate or riddle When the ashpit is used in common by the occupiers of separate premises such occupiers shall be liable for the cost in equal proportions but the Corporation may recover the whole amount or any part thereof against all or any one or more of them and in the event of the Corporation recovering from one or more of them such one or more may recover a proportionate part from the others or other of them The owner of any premises who shall not within two months after having received written notice from the town clerk to provide any such place receptacle or utensil provide the same shall be liable to a penalty of not exceeding forty shillings for every day after the expiration of the said two months during which such place receptacle or utensil shall not be provided but nothing in this section shall be held to release the Corporation from their obligation to remove house refuse.

Improper construction or repair of watercloset or drain.

354. If a watercloset or drain is so constructed or repaired as to be a nuisance or injurious or dangerous to health the person who undertook or executed such construction or repair shall unless he shows that such construction or repair was not due to any wilful act neglect or default be liable to a fine not exceeding twenty pounds:

Provided that where a person is charged with an offence under this section he shall be entitled upon information duly laid by him to have any other person being his agent servant or workman whom he charges as the actual offender brought before the court at the time appointed for hearing the charge and if the person charged proves to the satisfaction of the court that he had used due diligence to prevent the commission of the offence and that the said other person committed the offence without his knowledge consent or connivance he shall be exempt from any penalty and the said other person may be summarily convicted of the offence.

Maintenance and repair of watercloset used in common.

355.—(1) Where it appears to the Corporation on the report of the medical officer of health or of an inspector of nuisances that the structure or apparatus of any watercloset used in common by the occupiers of two or more buildings or of separate

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parts of the same building is in bad repair or is otherwise in a defective or insanitary condition the Corporation may by written notice require the owner of such watercloset to repair and to maintain the structure and apparatus thereof in good order and condition.

(2) If the owner fails to do the required work within a reasonable time the Corporation may enter on the premises where the watercloset is situate and may execute and do the required work themselves and the expenses of such work shall be deemed to be private improvement expenses and may be recovered accordingly.

(3) An appeal shall lie from any requirement of and as to the reasonableness of any costs charges and expenses claimed by or from the Corporation under this section to a court of summary jurisdiction in the first instance and from the decision of such court to a court of quarter sessions as hereinafter in this Act provided.

Byelaws as to closet accommodation.

356. The Corporation may from time to time make byelaws with respect to waterclosets and waste-water closets and may by means of such byelaws prescribe the description or nature size materials position and level thereof and of the apparatus and the manner of flushing the same and the means to be provided for protection of the same from frost.

Wilful damage to drains watercloset &c.

357. If any person causes any drain watercloset earthcloset privy or ashpit to be a nuisance or injurious or dangerous to health by wilfully destroying or damaging the same or any water supply apparatus pipe or work connected therewith or by otherwise wilfully stopping up or wilfully interfering with or improperly using the same or any such water supply apparatus pipe or work he shall be liable to a penalty not exceeding five pounds:

Provided that nothing in this section shall prejudice any right which the owner or occupier of any premises aggrieved by any such act may have to recover compensation in respect of any damage suffered by him by reason of such act.

Penalty on throwing slops into ashpits.

358. Any person who throws slops or slopwater into any ashpit connected with a privy or any ashpit constructed and adapted only as a receptacle for ashes dust and dry refuse shall for each such offence be liable on summary conviction to a penalty not exceeding twenty shillings.

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Inspection for nuisances.

359.—(1) On complaint made on oath by the surveyor medical officer or the inspector of nuisances that he or they have reasonable grounds for believing the existence of a nuisance any justice may grant a warrant to the surveyor medical officer or inspector of nuisances to jointly or severally inspect any drain closet or cesspool or any water supply sink trap syphon pipe or other work or apparatus connected therewith and on such warrant being granted for the purpose of ascertaining the course of any such work the surveyor medical officer or inspector of nuisances at all reasonable times in the daytime after not less than twenty-four hours' notice in writing has been given to the occupier of the premises to which such drain closet or cesspool water supply sink trap syphon pipe or other work or apparatus is attached or if they are unoccupied to the owner or if such owner or occupier is not known or cannot be found left on such premises may enter and cause the ground to be opened wherever the surveyor medical officer or inspector of nuisances think fit doing as little damage as may be.

(2) If any person obstruct or attempt to obstruct or incite any person to obstruct the surveyor medical officer or inspector of nuisances or assistants in the exercise of any of the powers conferred by this section he shall for every such offence be liable to a penalty not exceeding five pounds.

(3) If any such drain closet or cesspool water supply sink trap syphon pipe or other work or apparatus be found on inspection to be properly made in accordance with the Acts and byelaws in force within the city at the time when the same was constructed and in proper order and condition the Corporation shall cause the same to be reinstated and made good as soon as may be and the expenses of examining reinstating and making good the same shall be defrayed by the Corporation and full compensation shall be made by them for all damage or injury done or occasioned by such examination.

(4) If any such drain closet or cesspool water supply sink trap syphon pipe or other work or apparatus be found on inspection not to have been properly made as aforesaid or to be in bad order and condition and to require cleansing alteration or amendment or to be filled up the Corporation shall cause notice to be served on the owner or occupier of the premises upon or in respect of which the inspection was made requiring

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him forthwith or within a reasonable time specified in the notice to do what is necessary to place the work in proper order and condition.

(5) If such notice is not complied with the said owner or occupier shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation if they think fit in lieu of proceeding for a penalty may enter on the premises and execute the works and may recover the expenses incurred by them in so doing from the person in default in a summary manner.

(6) For the purposes of this section the word "drain" includes any sewer which is not vested in the Corporation.

Power to enforce alteration of privies ashpits &c.

360.—(1) Where any privy ashpit or cesspool is certified by the medical officer to be prejudicial to health or an annoyance to the public or neighbourhood or to be so situate that the removal of refuse therefrom is prejudicial to health or an annoyance to the public or neighbourhood the Corporation may by written notice require the owner of the same within a reasonable time to be specified in the notice to convert such privy into a watercloset or to substitute therefor a new watercloset in the same or a different position and to abolish such ashpit or cesspool and to provide an ashpit with a movable ashbin or ashbins as the case may require to the satisfaction of the Corporation Any requirement by the Corporation under the provisions of this subsection shall be deemed to be a requirement to do a work within the meaning of the section of this Act of which the marginal note is "As to expenses of persons required to erect buildings &c."

(2) Within one month from service of any such notice as aforesaid the owner may by notice in writing require the Corporation to and thereupon the Corporation shall execute and do all works and things necessary to give effect to such first-named notice including the constructing and connecting of all necessary drains and the laying on of water to any watercloset and shall themselves bear and pay one-third of the costs charges and expenses thereby incurred by them and the remaining two-thirds shall be borne and paid by such owner and shall be deemed to be private improvement expenses and may subject to the right of payment by instalments under the provisions of the said section of this Act of which the marginal note is "As to

expenses of persons required to erect buildings &c." be recovered accordingly:

Provided that where any privy ashpit or cesspool is dilapidated or out of repair the Corporation shall be bound to pay only one-third of the costs charges and expenses of such of the works above mentioned after deducting therefrom such sum as would have been necessarily expended to put the said privy ashpit or cesspool in a reasonably good state of repair and condition and the residue of such cost shall be borne and paid by the owner as above mentioned but no such deduction shall be made in any case unless in such case the Corporation before proceeding with the work of conversion or substitution shall estimate the amount (if any) required to place such privy ashpit or cesspool in a proper state of repair and shall give notice of such amount to the owner:

Provided also that by and in the notice which may under the provisions of this subsection be served upon the Corporation the owner may also require the contractor named therein to be employed by the Corporation to carry out the work required to be done and in any such case the Corporation shall be bound to employ such contractor if he be willing to carry out the work at a price not exceeding that at which any other contractor may be willing to execute such work or at which the Corporation could themselves execute such work.

(3) If the owner shall not comply with the requirements of any notice from the Corporation under subsection (1) of this section and shall not give to the Corporation notice as provided by subsection (2) of this section the Corporation may then execute and do all such necessary works and things in the same manner and subject to the same consequences including the obligation to bear only one-third part of the cost as above described as if the owner had given the said notice to the Corporation.

(4) An appeal shall lie under this section to a court of summary jurisdiction as to—

(*a*) any requirement of the Corporation or the amount of an estimate made by the Corporation as provided by subsection (2) within fourteen days from service of notice thereof; and

(*b*) the reasonableness of any costs charges and expenses claimed by or from the Corporation within one month from demand thereof.

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(5) In any case in which an owner shall to the satisfaction of the Corporation convert any privy or substitute any new watercloset or abolish any ashpit or cesspool or provide an ashpit with a movable receptacle the Corporation may pay to such owner such sum as they may think reasonable in lieu of the part of the cost which such owner would have been entitled to under the provisions of this section if required by the Corporation to make such conversion substitution or provision.

Power to require removal of urinal.

361. The Corporation may from time to time give notice in writing to the owner or occupier of any building or land requiring him within one month thereafter to remove or to make structural alterations of any urinal or similar convenience belonging thereto or thereon which shall in the opinion of the Corporation be so situate or constructed as to be a nuisance or offensive to public decency and if such owner or occupier shall make default in complying with such requirement within the time in such notice prescribed he shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding that amount or the Corporation may if they think fit after they have given such owner or occupier an opportunity of appealing to and being heard by their health committee remove such urinal or similar convenience or may execute the alterations so required and may recover summarily from such owner or occupier the expenses incurred by them in so doing.

Houses infested with vermin to be cleansed.

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

(2) Where on the certificate of the medical officer 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 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 (subject as hereinafter provided) 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 enquire 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 the 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.

Provisions for notification of tuberculosis of lung.

363.—(1) (*a*) Where the medical officer certifies that the cleansing and disinfecting of any building (including in that term any ship vessel boat tent shed or similar structure used for human habitation) would tend to prevent or check tuberculosis of the lung the town clerk shall give notice in writing to the owner or occupier of such building that the same or any part thereof will be cleansed and disinfected by the Corporation at the cost of the Corporation unless the owner or occupier of such building informs the Corporation within twenty-four hours from the receipt of the notice that he will cleanse and disinfect the building or the part thereof to the satisfaction of the medical officer within the time to be fixed in the notice If within twenty-four hours from the receipt of such notice the owner or occupier of such building has not informed the Corporation as aforesaid or if having so informed the Corporation he fails to have the building or the part thereof disinfected as aforesaid

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within the time fixed by the notice the building or the part thereof shall be cleansed and disinfected by the officers and at the cost of the Corporation under the superintendence of the medical officer Provided that any such building or part thereof may without any such notice being given as aforesaid but with the consent of the owner or occupier be cleansed and disinfected by the officers of and at the cost of the Corporation under the superintendence of the medical officer:

(*b*) For the purpose of carrying into effect the provisions of this subsection the Corporation may by any officer authorised in that behalf who shall produce his authority in writing enter on any premises between the hours of ten o'clock in the forenoon and six o'clock in the afternoon:

(*c*) Every person who shall wilfully obstruct any duly authorised officer of the Corporation in carrying out the provisions of this subsection shall be liable to a penalty not exceeding forty shillings and if the offence is a continuing one to a daily penalty not exceeding twenty shillings.

(2) (*a*) The medical officer generally empowered by the Corporation in that behalf may by notice in writing require the owner of any household or other articles books things bedding or clothing which have been exposed to the infection of tuberculosis of the lung to cause the same to be delivered over to an officer of the Corporation for removal for the purpose of disinfection and any person who fails to comply with such requirement shall be liable on summary conviction to a penalty not exceeding five pounds:

(*b*) Such articles books things bedding and clothing shall be disinfected by the Corporation and shall be brought back and delivered to the owner free of charge.

(3) If any person sustains any damage by reason of the exercise by the Corporation of any of the powers of subsections (1) and (2) of this section in relation to any matter as to which he is not himself in default full compensation shall be made to such person by the Corporation and the amount of compensation shall be recoverable in and in the case of dispute may be settled by a petty sessional court.

(4) No provisions contained in any general or local Act of Parliament relating to infectious disease shall apply to tuberculosis of the lung or proceedings relating thereto under this section.

(5) All expenses incurred by the Corporation in carrying into effect the provisions of this section shall be chargeable on the district fund and general district rate.

To prevent spread of infectious disease amongst children in Sunday Schools.

364.—(1) No person being the parent or having the care or charge of a child who is or has been attending any school which has been closed by order of the Corporation with the view of preventing the spread of infectious disease shall permit such child to attend any Sunday School in the city without having procured from the medical officer a certificate (which shall be granted free of charge upon application) that in his opinion such child may attend such Sunday School without undue risk of communicating disease to others.

(2) Any person who shall offend against this section shall for every such offence be liable to a penalty of not exceeding forty shillings.

Further powers for removal to hospital of infected person.

365.—(1) On the certificate of the medical officer or other legally qualified medical practitioner that any person within the city is suffering from any dangerous infectious disease and is without proper lodging or accommodation enabling the case to be properly isolated so as to prevent the spread of the disease or to be properly treated the Corporation may give written notice to the head of the family (resident in the same building) to which the person so suffering belongs requiring the removal within a reasonable time to be specified in such notice of such person to any hospital belonging to them or under their control Provided that if there is no such head of the family or if such head of the family is absent from the city or cannot be found such notice may be given to the person so suffering.

(2) If the person to whom such notice is given consents the Corporation may forthwith remove the person so suffering to such hospital as aforesaid but if the person to whom such notice is given refuses to consent to such removal or to be removed or is by reason of age disease or otherwise incapable of giving such consent any justice may on the application of the Corporation make an order for the removal of the person so suffering to such hospital as aforesaid and for his detention there as long as may be necessary Such order may be addressed to an officer of the Corporation or to any constable of the city and any person who disobeys or obstructs the execution of such order shall be liable

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to a penalty not exceeding five pounds and to a daily penalty not exceeding ten shillings.

(3) Any expenses incurred in respect of the conveyance of such person to such hospital and his maintenance and treatment therein shall be defrayed by the Corporation.

Removal of body of person dying of infectious disease.

366. When any person suffering from infectious disease whereof notice shall have been given to the medical officer shall die in the city of such disease and the medical officer shall give notice thereof to the person responsible for the conduct of the burial of the body of such person it shall not be lawful to transport such body by railway or other public conveyance (not being a conveyance reserved for such purpose) unless and until the medical officer has certified that every precaution necessary for the public safety has been adopted to his satisfaction and any undertaker and any person so responsible who shall after the giving of such notice knowingly remove or assist in removing such body without such certificate and any person who unless unaware of such notice shall procure or endeavour to procure the removal of such body without having obtained such certificate shall be liable to a penalty not exceeding ten pounds.

Corpses not to be carried in public conveyance.

367. Any person who hires or uses a public conveyance other than a hearse for the conveyance of the corpse of a person who had died from any infectious disease shall be liable to a penalty not exceeding five pounds.

Prohibition on infected person carrying on business.

368. No person suffering from an infectious disease or who is living in a house in which there is a case of infectious disease shall milk any animal or pick fruit or engage in any occupation connected with food intended for the use of man or carry on any trade or business in such a manner as to be likely to spread the infectious disease and if he does so he shall be liable to a penalty not exceeding forty shillings.

Persons to furnish names of laundrymen to whom clothes &c. from infected houses sent.

369. If the medical officer shall at any time receive notice of a case of infectious disease he may apply to the person who is required by section 3 of the Infectious Disease (Notification) Act 1889 to send a notice of the case of infectious disease for the name and address of any laundryman to whom any clothes or other things may from time to time during the continuance of the infectious disease be sent for washing or mangling from the house in which the case of infectious disease exists and such

person shall forthwith furnish such information accordingly Any person who offends against this enactment shall for every such offence be liable to a penalty not exceeding five pounds.

Persons engaged in washing or mangling clothes to furnish lists of owners of clothes in certain cases.

370. Whenever it shall be certified to the Corporation by the medical officer that it is desirable with a view to prevent the spread of infectious disease that they should be furnished with a list of the customers of any person or company earning a livelihood or deriving gain by the washing or mangling of clothes the Corporation may require such person or company to furnish to them a full and complete list of the names and addresses of the owners of clothes for whom such person or company washes or mangles or has washed or mangled during the past six weeks and such person or company shall furnish such list accordingly and the Corporation shall pay to him her or them for every such list the sum of sixpence and at the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed three shillings Every person who wilfully offends against this enactment shall for each such offence be liable to a penalty not exceeding forty shillings.

Prohibition of blowing or inflating carcases.

371. It shall not be lawful to blow or inflate the carcase or any part of the carcase of any animal slaughtered within or brought into the city and any person so blowing or inflating any carcase or part of a carcase or exposing or depositing for sale within the city a carcase so blown or inflated or any part thereof shall be liable to a penalty not exceeding five pounds.

Byelaws prohibiting sale of certain meat.

372. The Corporation may make byelaws for prohibiting the sale or exposure or deposit for sale for the food of man of any part of any calf slaughtered within fourteen days after birth.

For regulating manufacture and sale of ice-cream &c.

373.—(1) Any person being a manufacturer of or vendor or merchant or dealer in ice-cream or other similar commodity who within the city—

(*a*) causes or permits ice-cream or any similar commodity or any materials used in the manufacture thereof to be manufactured sold or stored in any sleeping-room or in any room cellar or place which is in a condition likely to render such commodity injurious to health or in which there is an inlet or opening to a drain; or

(*b*) in the manufacture sale or storage of any such commodity does any act or thing likely to expose such commodity to infection or contamination or omits to take

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any proper precaution for the due protection of such commodity from infection or contamination; or

(*c*) omits on the outbreak of any infectious disease amongst the persons employed in his business to give notice thereof to the medical officer;

shall be liable for every such offence upon summary conviction therefor to a penalty not exceeding forty shillings.

(2) In the event of any inmate of any building (any part of which is used for the manufacture of ice-cream or similar commodity) suffering from any infectious disease the medical officer may seize and destroy all ice-cream or similar commodity or materials for the manufacture of the same in such building and the Corporation shall compensate the owner of the ice-cream commodity or materials so destroyed.

(3) Every dealer in ice-cream or other similar commodity vending his wares from any cart barrow or other vehicle or stand shall have his name and address legibly painted or inscribed on such cart barrow vehicle or stand and any person who shall fail to comply with this subsection shall be liable upon conviction to a penalty not exceeding forty shillings.

(4) Any officer duly authorised by the Corporation in that behalf shall at all reasonable times have the same power of entry into and inspection of the premises of any manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity for the purpose of inspecting such premises and the materials or commodities or articles of food therein as an officer of the Corporation would have under section 102 (Power of entry of local authority) of the Public Health Act 1875 in the cases therein mentioned and any person refusing entry into or inspection of such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable upon conviction to a penalty not exceeding forty shillings for each offence.

(5) Any expenses of the execution by the Corporation of this section shall be defrayed out of the district fund and general district rate.

For prevention of infection arising from sale of oysters &c.

374.—(1) In case the medical officer is in possession of evidence that any person in the city is suffering from infectious disease attributable to oysters or other shell fish brought from any particular oyster bed or place and sold within the city or that the consumption of oysters or other shell fish brought from

any particular oyster bed or place and sold within the city is likely to cause infectious disease to any person residing in the city he shall report thereon to the Corporation and the Corporation may thereupon give notice to the vendor to appear before them within such time not less than twenty-four hours as may be specified in the notice to show cause why an order should not be made requiring him not to sell oysters or other shell fish brought from the oyster bed or place or places mentioned in the notice until such order has been withdrawn by the Corporation and if in the opinion of the Corporation he fails to show such cause then the Corporation may make such order as aforesaid and shall forthwith give notice of the facts to the Board.

An order made by the Corporation under this section shall be forthwith withdrawn on the Corporation or the medical officer on their behalf being satisfied that the cause of infection has been removed.

Any person selling any oysters or other shell fish within the city in contravention of an order under this section shall be liable to a penalty not exceeding five pounds Provided that no vendor of oysters or other shell fish shall be liable to an action for breach of contract if the breach be due to an order of the Corporation under this section.

Offences under this section may be prosecuted and penalties may be recovered by the Corporation before a petty sessional court having jurisdiction in the place where the oyster bed is situate or the offence is committed and not otherwise.

(2) A person on whom an order has been made under the preceding subsection of this section may appeal against such order or against the refusal of the Corporation to withdraw such order either to a petty sessional court having jurisdiction within the city or at his option to the Board who shall appoint an officer to hear such appeal Such officer shall fix a time and place of hearing within the city and give notice thereof to the person on whom such order was made and the town clerk not less than forty-eight hours before the hearing Such officer shall for the purposes of the appeal have all the powers of an inspector of the Board under section 296 of the Public Health Act 1875.

The Board may at any stage require payment to them by the person on whom such order was made of such sum as they deem

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right to secure the payment of any costs incurred by the Board in the matter of the appeal.

The court or the Board as the case may be may confirm vary or withdraw the order which is the subject of the appeal and may direct to and by whom the costs of the appeal (including any sum paid or payable to the Board as aforesaid) are to be paid but pending the decision of the appeal the order shall remain in force unless previously withdrawn by the Corporation.

If an order is made without due cause or if the Corporation unreasonably refuse to withdraw the order the person on whom such order was made shall if not himself in default be entitled to recover from the Corporation full compensation for any damage which he has sustained by reason of the making of the order or of the refusal of the Corporation to withdraw the order.

The court or the Board may determine and state whether an order the subject of appeal has been made without due cause and whether the Corporation have unreasonably refused to withdraw the order and whether the person on whom such order was made has been in default.

Any dispute as to the fact whether the order has been made or maintained without due cause or as to the fact of default where any such fact has not been determined by the court or Board or as to the fact of damage or as to the amount of compensation shall be determined in the manner provided by section 308 of the Public Health Act 1875 and that section shall accordingly apply and have effect as if the same were herein re-enacted and in terms made applicable to any such dispute as aforesaid.

Penalty on withholding information from medical officer required.

375. —(1) The occupier of any building in the city which is used for human habitation and in which there is or has been any person suffering from a dangerous infectious disease shall on the application of the medical officer or the deputy or assistant medical officer at any time during the illness of such person or within six weeks from the occurrence of such illness furnish such information within his knowledge as the medical officer or the deputy or assistant medical officer may reasonably require for the purpose of enabling measures to be taken to prevent the spread of the disease.

(2) Any occupier refusing to furnish such information or knowingly furnishing false information shall be liable on summary conviction to a penalty not exceeding forty shillings. A.D. 1918.

(3) "Occupier" shall have the same meaning as in the Infectious Disease (Notification) Act 1889.

Part XVII.

Provisions as to Milk Supply.

Penalty for selling milk of diseased cows.

376. Every person who knowingly sells or suffers to be sold or used for human consumption within the city the milk of any cow which is suffering from tuberculosis of the udder shall be liable to a penalty not exceeding ten pounds.

Penalty on failing to isolate diseased cow.

377. Any person the milk of the cows in whose dairy is sold or suffered to be sold or used for human consumption within the city who after becoming aware that any cow in his dairy is suffering from tuberculosis of the udder keeps or permits to be kept such cow in any field or shed or other building along with other cows in milk shall be liable to a penalty not exceeding five pounds.

Obligation to notify cases of tuberculosis.

378. Every dairyman who supplies milk within the city and has in his dairy any cow affected with or exhibiting signs of tuberculosis of the udder shall forthwith give written notice of the fact to the medical officer stating his name and address and the situation of the dairy or premises where the cow is Any dairyman failing to give such notice as required by this section shall be liable to a penalty not exceeding forty shillings.

Power to take samples of milk.

379.—(1) It shall be lawful for the medical officer or any person provided with and if required exhibiting the authority in writing of such medical officer to take within the city for examination samples of milk produced or sold or intended for sale within the city.

(2) The like powers in all respects may be exercised outside the city by the medical officer or such authorised person if he shall first have obtained from a justice having jurisdiction in the place where the sample is to be taken an order authorising the taking of samples of the milk which order any such justice is hereby empowered to make:

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Provided that in the exercise of the said power at any railway station or railway premises the medical officer or the person so authorised by him shall conform to the reasonable requirements of the railway company owning or using such station or premises so that the working of the traffic thereat may not be obstructed or unduly interfered with.

Power to inspect cows and to take samples of milk.

380.—(1) If milk from a dairy situate within the city is being sold or suffered to be sold or used within the city the medical officer or any person provided with and if required exhibiting the authority in writing of the medical officer may if accompanied by a properly qualified veterinary surgeon at all reasonable hours enter the dairy and inspect the cows kept therein and if the medical officer or such person has reason to suspect that any cow in the dairy has given tuberculous milk or is suffering from emaciation due to tuberculosis or from tuberculosis of the udder he may require the cow to be milked in his presence and may take samples of the milk and the milk from any particular teat shall if he so requires be kept separate and in all cases a separate and sealed sample thereof shall be furnished.

(2) If the medical officer is of opinion that tuberculosis is caused or is likely to be caused to persons residing in the city from consumption of the milk supplied from a dairy situate within the city or from any cow kept therein he shall report thereon to the Corporation and his report shall be accompanied by any report furnished to him by the veterinary surgeon and the Corporation may thereupon serve on the dairyman notice to appear before them within such time not less than twenty-four hours as may be specified in the notice to show cause why an order should not be made requiring him not to supply any milk from such dairy within the city until the order has been withdrawn by the Corporation.

(3) If the medical officer has reason to believe that milk from any dairy situate outside the city from which milk is being sold or suffered to be sold or used within the city is likely to cause tuberculosis in persons residing within the city the powers conferred by this section may in all respects be exercised in the case of such dairy provided that the medical officer or other authorised person shall first have obtained from a justice having jurisdiction in the place where the dairy is

situate an order authorising such entry and inspection which order any such justice is hereby empowered to make.

(4) Every dairyman and the persons in his employment shall render such reasonable assistance to the medical officer or such authorised person or veterinary surgeon as aforesaid as may be required by such medical officer person or veterinary surgeon for all or any of the purposes of this section and any person refusing such assistance or obstructing such medical officer person or veterinary surgeon in carrying out the purposes of this section shall be liable to a penalty not exceeding five pounds.

(5) If in their opinion the dairyman fails to show cause why such an order may not be made as aforesaid the Corporation may make the said order and shall forthwith serve notice of the facts on the Board and if the dairy is situate outside the city on the county council of any administrative county in which it is situate and on the council of the borough or district in which it is situate.

(6) The said order shall be forthwith withdrawn on the Corporation or the medical officer being satisfied that the milk supply has been changed or that it is not likely to cause tuberculosis to persons residing in the city.

(7) If any person after any such order has been made supplies any milk within the city in contravention of the order or sells it for consumption therein he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(8) A dairyman shall not be liable to an action for breach of contract if the breach be due to an order under this section.

(9) The dairyman may appeal against an order of the Corporation under this section or the refusal of the Corporation to withdraw any such order either to a petty sessional court having jurisdiction within the city or at his option if the dairy is situate outside the city to the Board of Agriculture and Fisheries who shall appoint an officer to hear such appeal Such officer shall fix a time and place of hearing within the city and give notice thereof to the dairyman and the town clerk not less than forty-eight hours before the hearing Such officer shall for the purposes of the appeal have all the powers of a petty sessional court.

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(10) The Board of Agriculture and Fisheries may at any stage require payment to them by the dairyman of such sum as they deem right to secure the payment of any costs incurred by the Board of Agriculture and Fisheries in the matter of the appeal.

(11) The court or the Board of Agriculture and Fisheries as the case may be may confirm vary or withdraw the order which is the subject of the appeal and may direct to and by whom the costs of the appeal (including any sum paid or payable to the Board of Agriculture and Fisheries as aforesaid) are to be paid but pending the decision of the appeal the order shall remain in force unless previously withdrawn by the Corporation.

Milk dealers to supply information respecting source of their milk supply and of customers when required.

381. Whenever it shall be certified to the Corporation by the medical officer that the spread of infectious disease is in the opinion of such medical officer attributable to milk supplied by any purveyor of milk (whether wholesale or retail) or occupier of a dairy or to milk supplied by one or other of several purveyors of milk (whether wholesale or retail) or occupiers of dairies the Corporation may require such purveyor or occupier or several purveyors or occupiers to furnish to them within a time limited by the requisition a full and complete list of the names and addresses—

(*a*) of the farmers cowkeepers milk dealers or other parties from whom during the period specified in the requisition the milk or any part of the milk sold or distributed by him or them was obtained;

(*b*) of all his customers within the city and the Corporation shall pay to him for every such list of customers after the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed two shillings.

Every person who wilfully offends against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Medical officer may inspect dairies &c. beyond city in certain cases.

382. In case the medical officer shall have reasonable cause to believe that any person in the city is suffering from infectious disease attributable to milk supplied within the city from any farmhouse dairy cowshed milk-store milk-shop or place situate beyond the city or that the consumption of milk from

such farmhouse dairy cowshed milk-store milk-shop or place is likely to cause infectious disease to any person residing in the city such medical officer shall if authorised in that behalf by an order of a justice having jurisdiction in the place where such farmhouse dairy cowshed milk-store milk-shop or place is situate have power to inspect such farmhouse dairy cowshed milk-store milk-shop or place and if on such inspection he shall be of opinion that infectious disease is caused or is likely to arise from consumption of the milk supplied therefrom he shall report thereon to the Corporation who may thereupon give notice to the occupier of such farmhouse dairy cowshed milk-store milk-shop or place not to supply any milk therefrom within the city until such notice has been withdrawn by the Corporation and the Corporation shall forthwith give notice of the facts to the local authority acting in execution of the Diseases of Animals Act 1894 of the district in which such farmhouse dairy cowshed milk-store milk-shop or place is situate and also to the Board in order that such further measures may be adopted in relation thereto as may be considered proper and as may be within the provinces of such authorities respectively.

Any person refusing to permit the medical officer on production of such order as aforesaid to inspect any such farmhouse dairy cowshed milk-store milk-shop or place or after any such notice by the Corporation has been given supplying any milk therefrom within the city or selling it for consumption therein until such notice has been withdrawn shall be deemed guilty of an offence against this Act and shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding ten shillings Provided that proceedings for the recovery of any penalty under this enactment shall be taken before the justices of the peace having jurisdiction in the place where the said farmhouse dairy cowshed milk-store milk-shop or place is situate.

Power to establish sterilised milk depôt.

383. The Corporation may establish maintain manage and carry on a depôt for the sale of sterilised milk dried milk and humanised milk and may appropriate and use such lands as may be necessary or expedient for that purpose and may provide laboratories plant and machinery and may buy sterilise dry humanise and sell milk for infants under two years of age Such depôt shall be subject to the medical supervision of the medical officer and shall be carried on in accordance with regulations to be approved by the Board In this section the expression

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"humanised milk" means milk specially treated so as to be suitable for consumption by infants under two years of age The Corporation shall apply all moneys from time to time received by them in respect of such depôt other than moneys (if any) received on capital account as follows (that is to say):—

Firstly In payment of the working and establishment expenses and cost of maintenance of such depôt;

Secondly In payment of the interest on moneys borrowed by the Corporation for the purpose of such depôt;

Thirdly In providing the requisite instalments or payments in respect of moneys borrowed by the Corporation for the purposes of such depôt;

Fourthly In extending improving and constructing (if the Corporation think fit) any works for the purposes of such depôt:

And the Corporation shall carry to the credit of the general district rate so much of any balance remaining in any year as may in the opinion of the Corporation not be required for carrying on the said depôt and paying the current expenses connected therewith Any deficiency in the revenue or receipts of the Corporation on account of such depôt shall be made good out of the general district rate The Corporation shall keep separate accounts in respect of such depôt and such accounts. shall be kept separate from all other accounts distinguishing therein capital from revenue.

The provisions of this section shall cease to be in force within the city at the expiration of five years from the date of the passing of this Act unless they shall have been continued by Act of Parliament or by Provisional Order made by the Board and confirmed by Parliament which Order the Board are hereby empowered to make in accordance with the provisions of the Public Health Act 1875.

Procedure.

384. Offences under this Part of this Act may be prosecuted and penalties may be recovered by the Corporation before a petty sessional court having jurisdiction in the place where the dairy is situate or the offence is committed and not otherwise.

Expenses of execution of this Part of Act.

385. All expenses incurred by the Corporation in carrying into execution the provisions of this Part of this Act shall be chargeable on the district fund and general district rate and the

Corporation may also charge on the same fund and rate any expenses incurred by them in the application by a veterinary surgeon of the tuberculin or other reasonable test for the purpose of discovering tuberculosis to any cow whose milk is or was recently being supplied within the city Provided that no such test shall be applied except with the previous consent of the owner of such cow.

Execution of this Part of Act by committee.

386. This Part of this Act may be carried into execution by a committee of the council formed in accordance with and subject to the provisions of the Fourth Schedule to the Diseases of Animals Act 1894 except that the committee shall consist wholly of members of the council.

Cessor of certain provisions of this Part of Act.

387. This Part of this Act shall be deemed to be a local Act to which subsection (3) of section 21 of the Milk and Dairies (Consolidation) Act 1915 applies.

PART XVIII.

COMMON LODGING-HOUSES AND HOUSES LET IN LODGINGS.

Part V. of Public Health Acts Amendment Act 1907 to apply within city.

388. The provisions of Part V. of the Public Health Acts Amendment Act 1907 (except subsection (1) of section 75 thereof) shall as and from the date of the passing of this Act extend and apply to and be in force in the city for the purposes of this Act as well as of the Public Health Acts.

As to periods of letting as affecting common lodging-houses.

389. No house or part of a house within the city shall be exempt from the provisions with respect to common lodging-houses of the Public Health Acts 1875 to 1907 or of this Part of this Act or any byelaws made thereunder on the ground that accommodation in such house or part of a house is let for a longer period or longer periods than one day or is not let for a less period than one week.

Power medically to examine inmates of common lodging-houses where infectious disease is supposed to exist.

390. Whenever the medical officer shall report in writing to the Corporation that there is a prevalence of dangerous infectious disease in the city or any adjoining county or neighbouring county borough and that there are reasonable grounds to apprehend the spread or communication of such disease to persons within the city by persons resorting to common lodging-houses the Corporation may by resolution declare that by reason of the prevalence of the dangerous infectious disease named in

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the resolution it is expedient that the medical officer should be entrusted with the special powers hereinafter mentioned and subject as hereinafter provided the following provisions shall thereupon be in force within the city for such period as the Corporation having regard to the circumstances of the case shall in the resolution determine (that is to say):—

(1) The medical officer may when authorised by warrant granted by any justice on complaint on oath by the medical officer that he has reason to believe that the dangerous infectious disease named in the resolution of the Corporation may exist or has recently existed in any common lodging-house in the city medically examine any person found in any common lodging-house in the city with a view to ascertaining whether such person is suffering or has recently suffered from such disease Any person obstructing the medical officer in making the examination aforesaid shall be liable to a penalty not exceeding forty shillings for each offence:

(2) A copy of every such resolution shall forthwith be sent by the Corporation to every keeper of a registered common lodging-house in the city and to the Board:

(3) Unless approved by the Board any such resolution shall cease to be in force at the expiration of fourteen days after it is passed or any earlier date fixed by the Board:

(4) A warrant granted under this section may authorise the medical officer to exercise the powers of examination hereinbefore conferred during such period not exceeding the period during which the provisions aforesaid shall be in force as may be specified in such warrant.

Byelaws as to lodging-houses.

391. Section 90 of the Public Health Act 1875 shall operate so as to empower the Corporation to make byelaws with respect to the following matters relating to houses which are let in lodgings or occupied by members of more than one family (that is to say):—

(1) For requiring a placard to be affixed in each room so let or occupied setting forth the cubical content and accommodation thereof;

(2) For requiring a separate approach to each such room or tenement separately occupied without passing through any other room or tenement. A.D. 1918.

Part XIX.

Rates.

Limit of library rate extended.

392. In order to provide for the proper maintenance of the Mappin Art Gallery and Saint George's Museum and for the better and more effectually carrying into execution the powers and duties of the Corporation under the Public Libraries (England) Acts 1892 to 1901 those Acts shall be read and have effect as if the limit thereby imposed on the amount authorised to be paid out of or levied by a rate were extended so as not to exceed the sum of twopence in the pound.

Power to levy rates by instalments.

393. The Corporation may levy any rate they are for the time being authorised to make either in one sum or by any number of instalments (not being more than four) of such amounts and to be paid at such times within the financial year as they shall from time to time fix and determine at the time of making the rate but if the rate is made payable by instalments the demand note shall in addition to other requisite particulars state the time appointed for payment of each instalment and all the powers rights and remedies of the Corporation and their officers for levying and recovering of rates shall extend and apply to each instalment as if the same were a separate rate.

General district rate may be assessed as borough rate.

394.—(1) The Corporation may if they think fit in lieu of themselves levying the general district rate leviable by them within the city or any part thereof order such rate to be made in the same manner as a borough rate and assess the contribution to such rate on the several townships or parishes within the city and enforce the payment thereof from the overseers in the same manner as in the case of a borough rate but in assessing such rate regard shall be had to the exemptions (partial or otherwise) for the time being applicable to such general district rate in respect of any property in such township or parish and if any such order be made by the Corporation such rate shall be assessed levied and collected by the overseers in the same manner and under the same provisions (including if the Corporation shall so determine the

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provisions as to rating of owners instead of occupiers compositions and appeals) as in the case of the poor rate but subject to the exemptions aforesaid and such rate may be assessed levied and collected either separately or together with the poor rate assessed and levied in respect of the hereditaments rateable to such rate.

(2) In the event of the Corporation making any order as in the preceding subsection mentioned the overseers shall recover and enforce the poor rate in the same manner as the general district rate is recoverable and enforceable under the Public Health Act 1875 and the provisions of section 2 of the Distress for Rates Act 1849 with respect to the recovery and enforcement of the poor rate shall cease to apply.

(3) In the event of the Corporation making an order in pursuance of this section the accounts of the overseers and collectors of poor and other rates relating to the general district rate shall be submitted to and be audited by the district auditor in the manner provided by section 37 (Rates made by overseers not now audited made subject to the audit of district auditor) of the Divided Parishes and Poor Law Amendment Act 1876 and that rate shall be deemed to be a rate within the meaning of that section.

(4) The overseers shall prepare and submit to the district auditor at every audit of their accounts a financial statement in duplicate in the form and containing the particulars from time to time prescribed by the Board in respect of the general district rate One of such duplicates shall have the stamp chargeable according to the scale contained in the District Auditors Act 1879 affixed thereon and calculated according to the total of the sums paid to the Corporation during the period to which the statement relates and the provisions of the District Auditors Act 1879 as to the duties of the auditor with reference to such duplicates shall apply as if the said duplicates were prepared and submitted under that Act.

(5) The Corporation shall repay to the said overseers the amount of any stamp duty which may be paid by them upon any financial statement pursuant to the provisions of this Act.

(6) The provisions of section 5 (Regulations as to audit) and section 6 (Stamp duties under Inland Revenue) of the

District Auditors Act 1879 shall apply to the accounts of the overseers and collectors and to the stamp duty on such financial statements as aforesaid and any overseer who shall fail to comply with the provisions of this Act with respect to a financial statement shall be liable to the penalty provided in section 7 (Failure to submit financial statement) of the last-mentioned Act.

(7) The expenses of the overseers in connexion with the assessment levying and collection of the general district rate shall be paid out of the district fund.

Rates may be amended to accord with poor rate and with new or supplementary valuation list.

395. The powers of section 221 (Rates may be amended) of the Public Health Act 1875 shall extend to enable the council to amend any rate made by them in pursuance of such Act so as to make the assessment to such rate accord with any entry in a current poor rate for any parish or township within the city in pursuance of the provisions of section 38 of the Poor Law Amendment Act 1868 or with any new or supplementary valuation list for any such parish or township respectively made during the currency of such first-mentioned rate.

As to rates in Tinsley in respect of Rivelin Valley Road.

396. Notwithstanding anything in this Act contained no addition for the purpose of repaying moneys expended in the purchase of lands for and in the construction of the Rivelin Valley Road for the borrowing of which moneys power is given in the section of this Act whereof the marginal note is "Borrowing powers of Corporation" shall be made to any general district or other rate to be levied in those parts of the city which are now comprised in the parish of Tinsley.

Differential rating in Bradfield Urban parish.

397.—(1) The total amount in the pound of the general district rate to be levied in any one year by the Corporation in respect of any hereditament in the parish of Bradfield Urban in the city shall not exceed such an amount in the pound as when added to the amount in the pound of the poor rate and any rate other than the general district rate made by the Corporation in the same year and levied in respect of that hereditament will make up—

(*a*) During a period of five years from the first day of October one thousand nine hundred and fourteen a total of six shillings and threepence in the pound;

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(*b*) During a period of five years from the first day of October one thousand nine hundred and nineteen a total of seven shillings and sixpence in the pound; and

(*c*) During a period of five years from the first day of October one thousand nine hundred and twenty-four a total of eight shillings and ninepence in the pound.

Differential rating in Tinsley township.

(2) The total amount in the pound of the general district rates to be levied by the Corporation in any one year in respect of any hereditament in the township of Tinsley in the city (other than a hereditament in the city added area) shall be—

(*a*) During a period of seven years from the first day of April one thousand nine hundred and twelve one shilling and fourpence; and

(*b*) During a period of five years from the first day of April one thousand nine hundred and nineteen one shilling and elevenpence; and

(*c*) During a period of five years from the first day of April one thousand nine hundred and twenty-four two shillings and eightpence.

Part XX.

Financial Provisions.

Borrowing powers of Corporation.

398.—(1) Subject to the provisions of this Act all statutory borrowing powers under any enactment repealed by this Act which are current and in force immediately before the passing of this Act shall (notwithstanding the repeal by this Act of any Act or Order under which the same were created) continue to be in force and to have effect as fully and effectually as if this Act had not been passed Provided that (except so far as is otherwise hereafter enacted in this Part of this Act) all moneys borrowed or to be borrowed under such statutory borrowing powers shall be primarily chargeable on the respective revenues funds and rates on which the same were originally authorised to be borrowed and charged.

(2) The Corporation may borrow at interest for the purposes set forth in the first column of the following table any sums

not exceeding the respective sums set forth in the second column thereof and all moneys so borrowed shall be primarily chargeable on the respective revenues funds and rates set forth in the third column of the said table and shall be repaid within the periods respectively set forth in the fourth column thereof (that is to say):—

Purpose.	Amount.	Primary Charge.	Period for Repayment.
	£		
For the construction and equipment of the authorised tramways of 1918.	180,603	Revenue of tramways undertaking.	25 years from the date or dates of borrowing.
For the provision of motor omnibuses.	13,200	Revenue of tramways undertaking.	6 years from the date or dates of borrowing.
For extensions to the Rockingham Street Fire Station.	22,370	District fund and general district rate.	30 years from the date or dates of borrowing.
For the costs and expenses of this Act as hereinafter defined.	The sum requisite.	Borough fund and borough rate.	5 years from the passing of this Act.

(3) In addition to the moneys which the Corporation are by the foregoing provisions of this section authorised to borrow they may borrow such sums of money for tramway purposes as the Board of Trade may sanction and such sums of money for any other purposes mentioned in the statutory borrowing powers in this section before referred to or in this Act as the Board may sanction and any moneys borrowed under any such sanction shall be primarily chargeable on the revenue fund or rate to which moneys in respect of the purpose for which such further sums of money shall be sanctioned shall be chargeable and shall be repaid by the Corporation within the periods sanctioned by the said boards respectively.

(4) The powers of borrowing moneys by this Act given shall not be restricted by any of the regulations contained in section 234 of the Public Health Act 1875 and in calculating the amount which the Corporation may borrow under that Act any of the moneys the subject of this section (other than so much thereof as was originally authorised to be borrowed under the powers and provisions of such Act) and any other moneys borrowed under this Act or under any Act other than the said Public Health Act 1875 shall not be reckoned.

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(5) The provisions of this section prescribing the revenues funds or rates which may be primarily charged shall not limit the powers conferred upon the Corporation by the sections of this Act whereof the marginal notes are "Security for principal moneys" and "Provisions as to mortgages" respectively.

Repayment of existing loans.

399. The sums borrowed by the Corporation under the provisions of the Acts repealed by this Act which have not yet been repaid shall notwithstanding such repeal be repaid within the respective periods within which they were required to be repaid by or under those provisions but subject as aforesaid the provisions of this Act shall apply to such sums as if they were borrowed under this Act.

Extension of periods for repayment of loans or redemption of stock in respect of cost of lands appropriated for purposes of Housing of Working Classes Acts.

400. In any case in which the Corporation have appropriated or may hereafter appropriate any lands or property in pursuance of the section of this Act of which the marginal note is "Power to retain appropriate use and sell lands" for the purposes of the section of this Act of which the marginal note is "Provision of shops on lands acquired under Housing of Working Classes Acts" the outstanding balance of any loan raised or any Corporation stock issued to defray the cost of acquiring the land or property so appropriated shall notwithstanding any enactment regulating the repayment of the loan or the provision to be made for the redemption of the stock or the terms of any sanction relating to the borrowing of any such loan be repaid or provision shall be made for the redemption of the requisite amount of stock within such period not exceeding in any case eighty years from the date of the appropriation as the Board may approve and the last-mentioned section shall apply and have effect accordingly.

Mode of raising moneys.

401. The Corporation may (subject to the provisions of this Part of this Act as to the water annuities) raise all or any moneys which for the time being they may be authorised to borrow or re-borrow by mortgage or by the creation and issue of adequate amounts of Sheffield Corporation Redeemable [Consolidated] [Debenture] Stock or Sheffield Corporation Bills subject and according to the provisions of the Corporation Acts.

Application of moneys borrowed.

402. All moneys borrowed by the Corporation under any statutory borrowing power shall be applied only to the purposes for which they are authorised to be borrowed and to which

capital is properly applicable Provided that moneys which may have been borrowed in excess of the amount required shall be applied in repayment of moneys borrowed or be paid into the sinking fund or the loans fund as the case may be or shall be applied in such manner as the Corporation with the approval of the Board determine.

Security for principal moneys.

403. All principal moneys shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation and the interest for the time being payable on any such principal moneys shall rank equally with the interest or dividends on all other securities of the Corporation at any time after the twelfth day of January one thousand eight hundred and eighty-four created or granted in pursuance of any statutory borrowing power and such interest and dividends shall be the first charge upon all the revenues of the Corporation.

Interest fund for principal moneys.

404.—(1) For payment of interest on the principal moneys there shall be established and formed a fund called "the interest fund."

(2) In each year the Corporation shall pay into the interest fund a sum or sums equal to the aggregate amount of interest payable in that year on the principal moneys.

(3) The Corporation shall from time to time apply the interest fund in paying the interest on the principal moneys.

(4) As parts of the general account of the interest fund the Corporation shall keep separate accounts distinguishing and showing in relation to each undertaking or fund for or in respect of which any of the principal moneys are borrowed by them all moneys paid into the interest fund from the revenues of the Corporation in respect of the interest on the several amounts of the principal moneys chargeable to that undertaking or fund.

(5) The amount to be charged to each such undertaking or fund in respect of interest on principal moneys shall be—

(*a*) in the case of principal moneys in respect of which provision for repayment is made by the payment of equal annual instalments of principal or of principal and interest combined the amount payable as and for interest under the bond or mortgage creating the charge; and

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(*b*) in the case of principal moneys in respect of which provision for repayment is made by means of a sinking fund the amount ascertained to be required in that behalf which amount shall be apportioned among the several revenues of the Corporation according to the respective amounts on which interest is properly payable out of such revenues respectively.

Repayment of principal moneys.

405. The Corporation shall pay off any principal moneys either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or others of them.

Method of repayment of principal moneys by means of sinking fund.

406.--(1) In case the Corporation decide to repay any of the principal moneys by means of a sinking fund they shall each year throughout the prescribed periods respectively pay to such fund a sum or sums equal to the aggregate amount of all sums payable in that year for the purpose of providing within the prescribed periods respectively sums equal in amount to the respective amounts of the principal moneys for the repayment of which the fund is established Provided that if the Corporation desire to accelerate the repayment of any of the principal moneys they may increase the amount of any of the said sums so to be paid as aforesaid.

(2) The yearly sums to be paid into the fund in respect of each amount of the principal moneys for the repayment of which the fund is established shall be such as the Corporation shall determine provided that the same shall not be less than either—

(*a*) The equal annual sum which if accumulated at compound interest at a rate not exceeding for a period of ten years from the passing of this Act three pounds ten shillings per centum per annum and in respect of moneys borrowed thereafter three pounds per centum per annum (or in either case such higher rate as may from time to time be approved by the Board) would be sufficient after payment of all expenses to repay that amount in the prescribed period and accumulations of the said equal annual sums at compound interest at the rate per centum on which the said equal annual sum is calculated; or

(*b*) The equal annual sum which if continued throughout the prescribed period would be sufficient without accumulations to repay that amount within the prescribed period.

The said yearly payments in respect of each amount of the principal moneys shall be continued throughout the prescribed period.

(3) If it appears to the Board at any time that the said several yearly sum or sums as aforesaid or any of them are insufficient to provide within the prescribed periods sums equal in amount to the amount of the principal moneys in respect of which such yearly sum or sums respectively are paid the amount of such yearly sum or sums shall be increased to such extent as the Board may determine and the Corporation with the consent of the Board may at any time reduce such yearly sum or sums either temporarily or permanently in any case in which it appears to the Board that such yearly sum or sums would if maintained be more than sufficient to provide within the prescribed period a sum equal in amount to the amount of the principal moneys in respect of which such yearly sum or sums are required to be paid and if the amount paid into the sinking fund at any time in respect of any particular amount of the principal moneys is in the opinion of the Board sufficient with the accumulations to arise thereon (if any) to provide within the prescribed period a sum equal in amount to the amount of such principal moneys the Corporation with the consent of the Board may discontinue the payment of the yearly sum or sums to the sinking fund in respect of that amount of the principal moneys.

(4) All moneys which on the thirty-first day of March one thousand nine hundred and eighteen are standing to the credit of any sinking fund in respect of principal moneys and not applied in repayment thereof shall be deemed to be and shall be transferred to the sinking fund established under this Act and the sums so transferred shall be taken into account in calculating the future payments to be made to the sinking fund under this section.

Payment of sale money &c. to sinking fund.

407. Unless the Board otherwise direct the Corporation shall apply in discharge of principal moneys or shall pay into the sinking fund and then shall carry to the proper separate

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account forming part of the general account of the sinking fund all such money being capital or in the nature of capital and not being wholly or in part otherwise appropriated or required to be otherwise applied as shall arise from any sale lease or other disposition of land of the Corporation in respect of or for which any of the principal moneys have been borrowed and as shall arise from any other source.

Account of sinking fund for principal moneys.

408.—(1) As part of the general account of the sinking fund for principal moneys the Corporation shall keep—

(*a*) An account showing the securities on which all sums paid into the sinking fund are from time to time invested; and

(*b*) Separate accounts relative to each undertaking or purpose for or in respect of which any principal moneys for the repayment of which the sinking fund is established were borrowed; and

(*c*) Separate accounts relative to such last-mentioned principal moneys in respect of each statutory borrowing power so exercised.

(2) The said separate accounts shall distinguish and show—

(*d*) The amounts of principal moneys outstanding for the time being chargeable to each undertaking or purpose and respectively attributable to the exercise of the several statutory borrowing powers if more than one relating to that undertaking or purpose; and

(*e*) The several amounts of principal moneys discharged by application of the sinking fund.

(3) The said separate accounts shall further distinguish and show in relation to each undertaking or purpose—

(*f*) All money being capital or in the nature of capital paid into the sinking fund and in the judgment of the Corporation properly attributable to that undertaking or purpose; and

(*g*) All money and securities transferred to the sinking fund as having formed part of any other sinking fund; and

(*h*) All money paid into the sinking fund as contributions from the revenues of the Corporation in respect of the discharge of those several amounts of principal moneys.

Application of income in reduction of contributions for sinking fund.

409. The section of this Part of this Act of which the marginal note is "Application of income in reduction of contributions to loans fund" shall with the necessary modifications apply to contributions to sinking fund.

Application of sinking fund for principal moneys.

410. The Corporation may at any time apply the whole or any part of the sinking fund for principal moneys as follows:—

(1) In or towards the discharge of the principal moneys or any of them for the repayment of which the fund is established provided that the yearly sums to be paid to the fund shall not be affected by such application:

(2) Where the Corporation are authorised by any statutory borrowing power to raise money for any purpose they may instead of exercising such borrowing power by the issue of any fresh security in respect thereof exercise the said power and raise the said money either wholly or partially by using for such purpose any money for the time being forming part of the sinking fund and moneys so raised shall for the purposes of this Act be deemed to be moneys borrowed under a statutory borrowing power Provided that when exercising this power the Corporation shall—

(*a*) Withdraw from the sinking fund a sum equal to the amount of the statutory borrowing power proposed to be exercised by the user of moneys from such sinking fund;

(*b*) Credit such account or accounts in the sinking fund as the Corporation may determine with the repayment of an amount of the principal moneys for the repayment of which the fund is established equal to the sum withdrawn from the sinking fund and thereupon the amount so credited shall be deemed to be principal moneys discharged by application of such sinking fund under subsection (1) of this section;

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(*c*) Debit the account of the statutory borrowing power proposed to be exercised with an amount of the principal moneys equal to the sum withdrawn from the sinking fund and thereupon the statutory borrowing power shall be deemed to have been exercised as fully as if the said amount had been raised by the issue of a fresh security and the provisions of this Part of this Act as to repayment and re-borrowing shall apply thereto accordingly:

(3) When any of the principal moneys are discharged by the application of any part of the sinking fund the principal moneys so discharged shall be deemed to be in respect of such one or more of the statutory borrowing powers under which the principal moneys for the repayment of which the sinking fund is established were borrowed and if in respect of more than one in such proportions as the Corporation shall determine Provided that the amount of the principal moneys deemed to be discharged in respect of any statutory borrowing power shall not exceed the amount of the contributions paid into the sinking fund in respect of that borrowing power and the accumulations (if any) thereon:

(4) If in any year the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards those equal annual payments.

Investment of sinking fund.

(5) Pending or in default of any such application of the sinking fund as in this section hereinbefore provided the Corporation shall invest the same in any statutory security and the dividends income and annual proceeds thereof may be applied towards paying the yearly sums required to be paid to the sinking fund under the section of this Act the marginal note whereof is "Method of repayment of principal moneys by means of sinking fund."

Payments to interest and sinking funds for principal moneys how to be provided.

411.—(1) The yearly sum or sums to be provided for the interest and sinking funds for principal moneys respectively under the provisions of this Part of this Act to be established shall be provided by contributions from the several revenues of the Corporation (if any) specifically made liable to provide the same by or under any statutory borrowing power or by any resolution of the Corporation having reference to the respective borrowing powers and if as regards any statutory borrowing power there is no such specific liability then from the several revenues out of which the respective contributions would be properly payable and in default thereof or subject thereto out of the borough fund and borough rate or out of the district fund and general district rate as the Corporation having regard to the provisions of this Act and the objects for which the statutory borrowing power was exercised may consider equitable.

(2) The Corporation shall from time to time in order to raise the amounts of the several contributions as aforesaid out of their several revenues do all such acts exercise all such powers collect all such moneys and make and levy all such rates as they lawfully can or ought to do exercise collect make and levy for the purpose of or in relation to the respective statutory borrowing power in exercise whereof the several principal moneys are raised.

Determination as to charge of principal moneys.

412. For the purposes of any contribution or account in respect of principal moneys under this Part of this Act the Corporation if they think fit having regard to all the circumstances of the case and subject to the terms on which any principal moneys were borrowed may from time to time by resolution with the approval of the Board determine and declare on which of the Corporation revenues any of such moneys is or shall be deemed to be primarily or collaterally charged or determine and declare that any such moneys and the interest thereon shall be apportioned as regards the charge thereof between or among any of the Corporation revenues and every such determination and declaration shall be effectual to all intents.

Power to re-borrow principal moneys.

413. The Corporation shall except as hereinafter provided have power to re-borrow for the purpose of paying off any principal moneys which have not been repaid and are intended to be forthwith repaid or in respeet of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation and which at the time of the repay-

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ment it was intended to re-borrow Provided that the Corporation shall not have power to re-borrow in respect of any principal moneys repaid by instalments or annual payments or discharged by means of the sinking fund or out of moneys derived from the sale of land or out of any capital moneys properly applicable to the purpose of such repayment other than moneys borrowed for that purpose Provided also that any principal moneys re-borrowed shall be deemed to form the same loan as the money in respect of the repayment of which the re-borrowing has been made and shall be repaid within the prescribed period.

Receiver in case of unpaid principal moneys or interest.

414.—(1) If at any time any principal money or interest shall remain unpaid for six months after the same shall have accrued due and after demand thereof in writing by the person entitled thereto such person may apply to the High Court for a receiver and the court may if it thinks fit appoint a receiver on such terms as it thinks fit Provided that no such application shall be entertained unless the sum or sums due and owing to the applicant amount to one thousand pounds or unless a joint application is made by two or more mortgagees or other persons to whom there may be due after such lapse of time and demand as last aforesaid moneys collectively amounting to that sum.

(2) The receiver shall have the like power of collecting receiving recovering and applying all money which ought to be paid under the Corporation Acts and of assessing making and recovering all rates for the purpose of obtaining the same as the Corporation or any officer thereof would or might have and such other powers and such duties as the court thinks fit and shall apply all money so collected after payment of expenses and costs as the court directs for the purposes of the Corporation Acts.

(3) The court may at any time discharge the receiver and shall have full jurisdiction over him and all persons interested in his acts.

Protection of lender from inquiry.

415. A person lending any principal moneys to the Corporation shall not be bound to inquire as to the observance by the Corporation of any provisions of this Act or of the conditions attaching to the statutory borrowing power under which the money is borrowed or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent or of any part thereof.

Provisions as to mortgages.

416.—(1) The forms of mortgage and transfer of mortgage respectively contained in the Eighth Schedule to this Act or forms to the like effect varied as circumstances may require may be used and shall be sufficient for the purposes of this section.

(2) Subject to the provisions of this Act as regards the form of mortgage and transfer of mortgage—

Section 236 (Form of mortgage);

Section 237 (Register of mortgages); and

Section 238 (Transfer of mortgages)

of the Public Health Act 1875 shall apply with the necessary modifications to all mortgages granted by the Corporation.

Provision as to ten pounds mortgages.

(3) Any mortgage granted by the Corporation under the powers of any public or local Act may be for any sum not less than ten pounds Provided as follows:—

(*a*) Every mortgage for a sum of ten pounds shall be granted subject to a condition entitling the holder to repayment of the principal moneys thereby secured on the anniversary of the date of the mortgage if he has served one month's notice on the Corporation requiring repayment and to repayment at any time on the expiration of six months' notice served by him on the Corporation and requiring repayment;

(*b*) Entries of all such mortgages comprising the particulars mentioned in the said section 237 of the Public Health Act 1875 shall be made in a separate part of the register required to be kept under that section or in a separate register.

Information and returns to Board as to principal moneys.

417.—(1) The Corporation shall furnish all such information and returns (if any) to the Board with regard to the exercise of the powers contained in this Part of this Act as the Board shall from time to time require and in particular the treasurer shall within forty-two days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to the sinking fund in pursuance of the provisions of this Act in respect of any of the principal moneys or in

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respect of the Sheffield Corporation Water Annuities Sinking Fund and at any other time when the Board may require such a return to be made transmit to the Board a return in such form as may be prescribed by the Board and if required by the Board verified by statutory declaration of the treasurer showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and also in the case of moneys lent by the Corporation to any borrowing authority and raised otherwise than by the issue of Corporation stock showing the amounts which have been received from the borrowing authority for principal together with in any case such further information (if any) as the Board shall require and in the event of his failing to make such return the treasurer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by the Board out of the High Court.

(2) If it appears to the Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for the sinking fund (whether such instalment or annual payment or sum is required by this Act or by the Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of the sinking fund to any purposes other than those authorised the Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of Mandamus to be obtained by the Board out of the High Court.

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Provisions as to raising money by bills.

418. Principal moneys raised by means of Corporation bills shall be subject to and such bills shall be issued in accordance with the following provisions:—

(1) Bills issued by the Corporation shall be called "Sheffield Corporation bills":

(2) A Sheffield Corporation bill shall be a bill in the form prescribed by regulations made in pursuance of this Act for the payment of the sum named therein in the manner and at the date therein mentioned so that the date be not less than three or more than twelve months from the date of the bill:

(3) Such bills may be offered for purchase by tender in such manner on such conditions and after public advertisement in such manner as the Corporation determine:

(4) The bills shall be issued under the authority of a warrant sealed by the Corporation:

(5) Each bill shall be for the amount directed by the Corporation not being less than one thousand pounds:

(6) Each bill shall be under the seal of the Corporation:

(7) A register of the bills issued or renewed by the Corporation shall be kept by the treasurer or such other person as may be appointed by the Corporation and such register shall show the amount of each bill the principal money raised by such bill the statutory borrowing power in respect of which the bill is issued the date of issue the date when the same falls due and the date of payment thereof Such register shall at all reasonable times be open to inspection without payment of any fee by any creditor of the Corporation:

(8) The Corporation shall before issuing any bill under this Act from time to time make regulations with respect to bills subject to and in accordance with this Act and shall furnish to the Board a copy of any regulations so made Such regulations shall provide—

(*a*) for regulating the preparation form mode of issue mode of payment and cancellation of bills;

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(*b*) for regulating the issue of a new bill in lieu of one defaced lost or destroyed;

(*c*) for preventing by the use of counterfoils or of a special description of paper or otherwise fraud in relation to bills;

(*d*) for the proper discharge to be given upon the payment of a bill:

(9) The Corporation may enter into such arrangements with any bank for carrying into effect the provisions of this Act with respect to the issue of bills and to the payment of the principal sum named therein and to all matters relating thereto and for the proper remuneration of such bank with reference thereto as they may think proper Such remuneration shall be paid out of the fund or rate to which the principal money so raised is charged:

(10) The difference between the amount payable in respect of a bill and the amount received in respect thereof shall be deemed to be interest on principal moneys and shall be payable out of the interest fund:

(11) The aggregate amount payable on bills current at any one time shall in no case exceed the sum of five hundred thousand pounds except by the amount payable on bills issued shortly before any other bills fall due in order to pay off those bills:

(12) The Corporation may subject to the provisions of the preceding subsection renew bills at maturity:

(13) For the repayment of the principal money raised by bills the Corporation may raise money by the creation of stock or issue of mortgages or further bills but save as aforesaid the powers given to the Corporation to raise moneys by the creation of stock or mortgages shall be suspended to the extent to which moneys have been raised by the issue of bills:

(14) Where any stock is issued in order to raise money for the purpose of paying off bills the payments in respect of that stock into the loans fund for the redemption and extinction of such stock shall be such as in the opinion of the Corporation with the approval of the Board are

sufficient to provide for the extinction of the stock within the remainder of the period for which the moneys originally raised by the bills were authorised to be borrowed:

(15) A Sheffield Corporation bill shall entitle the holder to payment at maturity of the sum expressed in such bill to be payable and shall be charged on all the revenues of the Corporation.

As to water annuities.

419.—Subject as hereinafter in this section provided the provisions of this Part of this Act with respect to principal moneys (with the necessary modifications) shall apply to the water annuities as if in lieu of such annuities principal moneys had been raised carrying interest equal in amount to the said annuities and the said annuities had been interest in respect of principal moneys Provided as follows:—

(*a*) The water annuities shall be primarily chargeable on the revenue of the water undertaking:

(*b*) The water annuities shall be payable by equal half-yearly payments on the thirtieth day of June and the thirty-first day of December in every year and a warrant to order therefor shall be delivered or sent by post in a prepaid letter addressed to his registered address by the Corporation to each annuitant:

(*c*) Certificates of the annuities and transfers thereof respectively may be in the forms in the Ninth Schedule to this Act or to the like effect and by agreement one certificate may include any number of annuities:

(*d*) Any water annuity may be divided at the option of the annuitant into two or more annuities of any amount not being less than one pound and any annuity or annuities whether the same have been subdivided or not may be consolidated with other annuities as the annuitant may direct:

(*e*) Any of the water annuities may from time to time be redeemed at such price as may be agreed between the Corporation and the annuitant and at any time after the thirty-first day of December one thousand nine hundred and forty-seven the Corporation shall be entitled to redeem any such annuities by giving one month's notice of their intention to the owner

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thereof and on payment to him of a sum equal to twenty-five years' purchase of the amount of the annuity Provided that every annuity redeemed shall be extinguished:

(*f*) There shall be established in respect of the water annuities a separate sinking fund to be called the Sheffield Corporation Water Annuities Sinking Fund and to such fund the amount at the passing of this Act standing to the credit of the existing sinking fund in respect of the water annuities shall be deemed to be and shall be transferred and the annual payments to the said fund shall be such as with the annual accumulations will enable the Corporation to extinguish the whole of the water annuities within ninety years from the eighth day of August one thousand eight hundred and eighty-seven.

Corporation not to regard trusts.

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

Saving for power to sell lands &c.

421.—(1) Nothing in this Part of this Act shall affect any power or duty of the Corporation to sell lease or otherwise dispose of any land or property of the Corporation or to apply any purchase money or other money arising thereby in discharge of any charge on that land or property or the revenues thereof or affect any claim of any person under such first-mentioned charge.

(2) The said land or property shall in the hands of the purchaser or other person taking the same under the sale lease

or other disposition be by virtue of this Act absolutely freed from the charge of principal moneys or stock and he shall not be concerned to see to the application of the purchase money or other money or be answerable for any loss or misapplication thereof.

Creation of Corporation stock.

422.—(1) Where the Corporation have for the time being any statutory borrowing power then subject and according to the provisions of this Part of this Act the Corporation may from time to time by resolution of the Council exercise the same by the creation of redeemable stock to be from time to time issued for such amount within the limit of the power at such price to bear such half-yearly or other dividends and to be so transferable (that is to say in books or by deed) as the Corporation by the resolution direct.

(2) All stock at any time and from time to time so created shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of any resolution for creation of any portion of stock or in the date of issue of any portion of stock or on any other ground whatsoever and shall rank equally with all other securities of the Corporation at any time after the twelfth day of January one thousand eight hundred and eighty-four granted or created by the Corporation in pursuance of any statutory borrowing power.

(3) Each resolution for creation of stock shall specify that the stock thereby created is redeemable at the option of the Corporation or is to be redeemed by the Corporation at par after the expiration of such period not exceeding sixty years from the date of creation as shall be fixed by such resolution.

(4) Stock so created shall be designated by the Corporation as Sheffield Corporation Redeemable [Consolidated] [Debenture] Stock with the addition if so resolved by the Corporation of descriptive particulars as to dividend or year of issue or the like.

Saving for power of revocation of creation of stock.

423. The Corporation may revoke at any time in whole or in part any resolution as aforesaid for the creation of Corporation stock theretofore passed by the council if and as far as the same has not been acted on by the issue of stock thereunder.

Borrowing power to be exerciseable

424.—(1) Each statutory borrowing power of the Corporation shall be construed to authorise the Corporation to create

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for actual sum raisable and to include expenses of issue of stock.

and issue Corporation stock from time to time to such nominal amounts as in the aggregate will according to the price of issue produce the actual amount of money for the time being lawfully raisable by the Corporation under that power or some portion of that actual amount or (as the case may be) the actual amount of money properly payable by the Corporation as consideration on payment off or redemption by the Corporation of any mortgage bond debenture debenture stock annuity rentcharge rent or other security granted or created by the Corporation.

(2) The expenses incurred or to be incurred by the Corporation in or about the creation and issue of any amount of Corporation stock including any sum paid by them for composition for stamp duty and any other expenses being in their judgment properly chargeable to capital shall be deemed money raisable by virtue of and under but by way of addition to the amount authorised by the statutory borrowing power in exercise whereof the amount of stock has been or shall be issued.

Charge of Corporation stock.

425.—(1) All Corporation stock for the time being issued and the dividends thereon shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation.

(2) The dividends for the time being payable on all Corporation stock shall (subject as aforesaid) rank equally with the interest on all other securities of the Corporation at any time after the twelfth day of January one thousand eight hundred and eighty-four created or granted in pursuance of any statutory borrowing power and the same dividends and interest shall be the first charge upon all the revenues of the Corporation.

Establishment of consolidated loans fund.

426.—(1) For payment of dividends in respect of each class of Corporation stock and for redemption and extinction or purchase and extinction of such stock there shall be established and formed a fund called the Sheffield Corporation Consolidated Loans Fund with the addition of a distinguishing number as regards each fund so established and formed and each fund so established and formed is in this Part of this Act referred to as "the loans fund."

(2) Provided that the several loans funds existing at the date of the passing of this Act shall be continued in respect of

the same class or classes of stock and with the same distinguishing names and numbers (if any) as at the said date.

Contributions to loans fund for dividends.

427.—(1) In each year the Corporation shall pay into the loans fund a sum or sums equal to the aggregate amount of all dividends payable in that year on the several portions of Corporation stock issued in exercise of the respective statutory borrowing powers of the Corporation and remaining outstanding and in respect of which the loans fund is established.

(2) They shall provide the sum or sums aforesaid by contributions from the several Corporation revenues if any specifically made liable to provide the same by or under any Act of Parliament or by any resolution of the Corporation having reference to those respective statutory borrowing powers and if as regards any statutory borrowing power there is no such specific liability then from the several Corporation revenues out of which interest would have been payable on money borrowed by the Corporation under that power if that money had been raised and remained secured otherwise than by Corporation stock and in default thereof or subject thereto they shall provide the same out of the borough fund and borough rate or out of the district fund and general district rate as the Corporation having regard to the provisions of this Part of this Act and to the objects for which the statutory borrowing power was exercised may consider equitable.

(3) The amounts of those several contributions (subject to any payment in reduction thereof authorised by this Part of this Act) shall be the sums ascertained to be required in that behalf by apportionment of the aggregate amount of dividends among the several Corporation revenues according to the amount of stock the dividends whereon are properly payable thereout respectively.

Contributions to loans fund for extinction of stock.

428.—(1) In each year the Corporation shall pay into the loans fund a sum or sums equal to the aggregate amount of all sums payable in that year for redemption and extinction or purchase and extinction of the several portions of Corporation stock issued in exercise of the respective statutory borrowing powers of the Corporation and remaining outstanding and in respect of which the loans fund is established Provided that if the Corporation desire to accelerate the repayment of moneys

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borrowed under any statutory borrowing power and raised by the issue of stock as aforesaid they may increase the amount of any of the said sums so to be paid as aforesaid.

(2) They shall provide the sum or sums last aforesaid by contributions from the several Corporation revenues if any specifically made liable to provide the same by or under any Act of Parliament or by any resolution of the Corporation having reference to those respective statutory borrowing powers and if as regards any statutory borrowing power there is no such specific liability then from the several Corporation revenues out of which any yearly or other sums would have been payable towards a sinking fund for discharge or towards payment off by instalments appropriations annual repayments or otherwise of money borrowed by the Corporation under that power if that money had been raised and remained secured otherwise than by Corporation stock and in default thereof or subject thereto they shall provide the same out of the borough fund and borough rate or out of the district fund and general district rate as the Corporation having regard to the provisions of this Part of this Act and the objects for which the statutory borrowing power was exercised may consider equitable.

(3) The amount of the contribution payable in respect of any portion of Corporation stock (subject to any payment authorised by this Act in reduction of that amount) shall be such sum as will with accumulations at compound interest at a rate not exceeding for a period of ten years from the passing of this Act three pounds ten shillings per centum per annum and in respect of moneys borrowed thereafter three pounds per centum per annum (or in either case such higher rate as may from time to time be approved by the Board) be sufficient after payment of all expenses to purchase the amount of stock at par within the period within which under the statutory borrowing power the money represented by the amount of stock is to be repaid.

(4) The Corporation shall from time to time by investment on statutory securities of the sums paid into the loans fund in respect of those several contributions or of proper parts thereof and by like investment of the interest and annual proceeds arising from those securities make and maintain such accumulations as are in this section referred to.

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Application of loans fund in redemption &c. of stock.

(5)—(*a*) If before the expiration of the prescribed period the Corporation apply a part of the loans fund in the redemption or purchase and extinction of stock then a sum equal to the interest which the part of the loans fund so applied would have produced at the rate per centum on which the payments to the loans fund are calculated shall in each year until the expiration of the prescribed period be paid into the loans fund out of the revenues of the Corporation chargeable with payment of the contributions to the loans fund in respect of the amount of stock so redeemed or purchased and extinguished Provided that if any amount of stock extinguished by application of part of the loans fund as aforesaid is purchased by the Corporation at a rate exceeding one hundred pounds sterling for an amount of stock of the nominal value of one hundred pounds the interest payable into the loans fund under this section shall be calculated as if only one hundred pounds sterling had been applied out of the loans fund for each amount of stock of the nominal value of one hundred pounds which may have been purchased and the Corporation shall pay into the loans fund during the year in which the purchase is made an additional sum or sums equal in amount to the sum or sums paid in excess of the said rate for the purchase of stock in that year and the additional sum or sums shall be paid out of the revenues of the Corporation chargeable with the payment of the contributions to the loans fund in respect of that amount of stock:

(*b*) When the Corporation redeem or purchase and extinguish stock by the application of any part of the loans fund the stock so redeemed or purchased and extinguished shall be deemed to be stock issued in respect of such one or more of the statutory borrowing powers exercised by the issue of stock and if in respect of more than one in such proportions as the Corporation shall direct Provided that no larger amount of stock shall be redeemed or purchased and extinguished in respect of any statutory borrowing power than the amount which according to the actual price of redemption or purchase could be redeemed or purchased with the contributions paid into the loans fund in respect of that borrowing power and the accumulations (if any) thereon applicable to the extinction of stock.

As to sufficiency of contributions to loans

(6)—(*a*) If it appears to the Corporation at any time that the contributions which are being made to the loans fund will not be sufficient to redeem or to purchase and extinguish the amount

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fund for extinction of stock.

of Corporation stock in respect of which the said contributions are made within the prescribed period the amount of those contributions shall be increased to such extent as will be sufficient for that purpose and the amount of any such increased contributions shall be paid out of the revenues of the Corporation chargeable with the payment of the contributions Provided that if it appears to the Board that any such increase is necessary the Corporation shall increase the contributions to such extent as the Board may direct:

(*b*) The Corporation with the consent of the Board may at any time reduce the contributions to be made to the loans fund as aforesaid either temporarily or permanently in any case in which it appears to the Board that the said contributions would if maintained be more than sufficient to redeem or to purchase and extinguish the amount of Corporation stock in respect of which those contributions are made within the prescribed period:

(*c*) If the amount in the loans fund at any time is in the opinion of the Board sufficient with accumulations to redeem or to purchase and extinguish any amount of Corporation stock within the prescribed period the Corporation with the consent of the Board may discontinue the payment of contributions to the loans fund in respect of that amount of stock:

(*d*) If it appears to the Corporation at any time that the amount in the loans fund to the credit of any loan together with the probable accumulations thereof will be more than sufficient to provide for the redemption and extinction of the amount of stock outstanding in respect of the loan within the prescribed period the Corporation with the consent of the Board may transfer a part of the amount in the loans fund to an account of the loans fund relating to some other loan or may apply any income from the said amount in the loans fund in excess of the amount which will be sufficient to provide for the redemption and extinction of the stock as aforesaid towards the payment of dividends upon the stock outstanding in respect of the loan or upon stock outstanding in respect of any other loan:

(*e*) Any surplus of the loans fund remaining after the redemption or purchase and extinction of the whole of the stock to the redemption of which the fund is applicable shall be applied to such purpose or purposes as the Corporation with the consent of the Board may determine.

Raising of contributions to loans fund.

429.—(1) The Corporation shall from time to time in order to raise the amounts of the several contributions of the two kinds aforesaid out of the several Corporation revenues do all such acts exercise all such powers collect all such money and make and levy all such rates as they lawfully can or ought to do exercise collect make and levy for the purposes of or in relation to the respective statutory borrowing powers in exercise whereof the several portions of Corporation stock are issued.

(2) If by reason of any limit of a rate or for any other reason there is a deficiency in any Corporation revenue in respect of any required contribution the Corporation shall advance the amount of the deficiency out of the borough fund and borough rate or district fund and general district rate as the Corporation may consider equitable having regard to the provisions of this Part of this Act and the objects for which the statutory borrowing power was exercised.

(3) The amount so advanced shall if the Corporation so determine be a debt due from the Corporation revenue in which the deficiency existed to the fund or rate out of which the advance is made and interest shall be payable thereon at a rate to be determined from time to time by the Corporation until repayment and the same debt and interest shall as soon as in the judgment of the Corporation reasonably may be be raised and paid out of the Corporation revenue on which the deficiency existed.

Payment of sale money to loans fund.

430.—(1) The Corporation shall apply in the extinction of stock or shall pay into the loans fund and shall carry to the proper separate account forming part of the general account of the loans fund all such money being capital or in the nature of capital and not being otherwise wholly or in part appropriated or made applicable by law or by valid contract as shall from time to time arise from any sale lease or other disposition of land of the Corporation or as shall arise from any other source:

Any sums paid into the loans fund in pursuance of this subsection shall be applied in the extinction of Corporation stock or be invested in statutory securities and accumulated as the sums paid into the loans fund in respect of contributions under the section of this Act of which the marginal note is "Contributions to loans fund for extinction of stock" are required to be invested and accumulated.

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(2) The Corporation before making any payment into the loans fund under this section may deduct from any moneys to which this section applies any costs and expenses properly incurred by the Corporation in or about any sale lease or other disposition as in this section before provided.

Application of loans fund.

431.—(1) The Corporation shall from time to time apply the loans fund first in paying the dividends on the Corporation stock in respect of which the loans fund is established and next in redeeming the Corporation stock in respect of which the loans fund is established according to the terms of issue and purchasing for extinction such Corporation stock.

In lieu of issuing additional stock.

(2) Where the Corporation are authorised by any statutory borrowing power to raise money for any purpose the Corporation instead of exercising such borrowing power by the creation and issue of additional Corporation stock may exercise the said power either wholly or partially by using for such purpose any money for the time being forming part of the loans fund and not required for the payment of dividends on Corporation stock.

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

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

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

(4) The provisions of this Act shall apply to the moneys used from the loans fund and to the stock so transferred as aforesaid as though such moneys had been raised by the issue of further stock and to such transferred stock as though it were stock issued at the date of the transfer.

(5) On every transfer of stock as aforesaid when the whole amount of stock standing to the debit of the particular account is not transferred the amounts payable to the loans fund in respect of the stock not transferred shall be such as the Board approve.

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

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

Extinction of stock redeemed or purchased.

432. All Corporation stock redeemed by the Corporation and all Corporation stock purchased by the Corporation for extinction shall be forthwith cancelled by the Corporation and on such cancellation the same and all dividends thereon (not already accrued) shall be and the same are by virtue of this Act extinguished.

Account of loans fund.

433.—(1) As parts of the general account of the loans fund the Corporation shall keep separate accounts relative to—

(*a*) Each undertaking or purpose for or in respect of which any statutory borrowing power is exercised by them by the issue of stock in respect of which the fund is established; and

(*b*) Each statutory borrowing power so exercised.

(2) Those separate accounts shall distinguish and show—

(*c*) The portions of Corporation stock for the time being unextinguished and chargeable to each undertaking or purpose and respectively attributable to the exercise of the several statutory borrowing powers if more than one relating to that undertaking or purpose; and

(*d*) The amounts of those several portions of Corporation stock redeemed or purchased by means of the loans fund and cancelled and extinguished.

(3) Those separate accounts shall further distinguish and show in relation to each undertaking or purpose—

(*e*) All money being capital or in the nature of capital paid into the loans fund and in the judgment of the Corporation properly attributable to that undertaking or purpose and the securities on which that money or any part thereof is from time to time invested; and

(*f*) All money from time to time received as interest and annual proceeds of the last-mentioned money and securities; and

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(*g*) All money and securities transferred to the loans fund as having formed part of a sinking fund and all money from time to time received as interest and annual proceeds of the last-mentioned money and securities; and

(*h*) All money paid into the loans fund as contributions from the Corporation revenues in respect of dividends on the several portions of Corporation stock chargeable to that undertaking or purpose; and

(*i*) All money paid into the loans fund as contributions from the Corporation revenues in respect of redemption and extinction or purchase and extinction of those several portions of Corporation stock.

Application of income in reduction of contributions to loans fund.

434.—(1) Where any money is standing on a separate account in the loans fund being money paid into the loans fund but not being capital or in the nature of capital the Corporation may deal with the same as in this section provided.

(2) Where any money standing on a separate account in the loans fund and required by this Act to be invested and accumulated produces in any year a sum in excess of that which it would have produced at the rate of interest on which the payments to the loans fund are calculated the Corporation may if they think fit deal with the excess so produced in accordance with the provisions of subsection (3) of this section.

(3) The Corporation may if they think fit from time to time apply the money described in subsection (1) of this section and the excess referred to in subsection (2) of this section to either of the purposes following or partly to one and partly to the other in such proportions as the Corporation from time to time may consider equitable and expedient (that is to say):—

(*a*) In reduction of such contributions out of the Corporation revenues as are payable into the loans fund in respect of dividends on the portion of Corporation stock in relation to which the separate account on which the money or interest and annual proceeds is or are standing is kept;

(*b*) In reduction of the contributions out of the Corporation revenues payable into the loans fund for redemption or purchase and extinction of that portion of stock.

Determination as to charge of stock.

435. For the purposes of any contribution or account under this Part of this Act the Corporation if they think fit having regard to all the circumstances of the case and subject to the terms on which any loan of the Corporation was contracted or any Corporation stock was issued may from time to time determine and declare on which of the Corporation revenues any loan of the Corporation or any portion of Corporation stock is or shall be deemed to be primarily or collaterally charged or determine and declare that any loan of the Corporation or any portion of Corporation stock shall be apportioned as regards the charge thereof between or among any of the Corporation revenues and every such determination and declaration shall be effectual to all intents.

Payment off or substitution for existing securities by means of stock.

436.—(1) Where any mortgage bond debenture debenture stock annuity rentcharge or other security granted or created before or after the passing of this Act by the Corporation under any statutory borrowing power is outstanding or payable and the Corporation have power with the consent of the holder of that security or otherwise to pay off the amount thereby secured or represented or to redeem the same they may pay off or redeem the security accordingly with money raised by Corporation stock or they may with the consent of the holder thereof issue Corporation stock in substitution for the security.

(2) The Corporation may in every such case make such reasonable payment as they may think fit to the holder of any security for his consent or for otherwise compensating him for the payment off or redemption of or substitution for his security and any such payment may be either in money or Corporation stock or partly in one and partly in the other.

(3) The Corporation may create and issue Corporation stock to such amount as may be requisite for the purposes of this section and that stock shall be deemed to be created and issued and any money raised thereby shall be deemed to be raised by virtue of the statutory borrowing power under which the security was granted or created and any money so raised shall be applied in payment off or redemption of the security.

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(4) In every such case of payment off redemption or substitution the Corporation shall pay and transfer into the loans fund the whole or a proportionate part (as the case may require) of any money and securities forming part of any sinking fund applicable to the discharge of the security and the same (unless applied in the redemption or purchase or extinction of Corporation stock) shall be invested in statutory securities and accumulated as the sums paid into the loans fund under the provisions of the section of this Act of which the marginal note is "Contributions to loans fund for extinction of stock" are required to be invested and accumulated.

(5) Where the holder of the security is one of the persons described in section 7 of the Lands Clauses Consolidation Act 1845 and by that Act enabled to sell land thereunder that person may consent to payment or redemption of or substitution for the money secured or represented by that security and may accept money for giving that consent as if the person so consenting were the absolute owner of that security and that person is hereby indemnified for so doing and his receipt shall be a good discharge for the same.

(6) Money received by the holder of any security as authorised by this section and Corporation stock issued to him in substitution for any security shall be subject to the same trusts powers testamentary and other dispositions provisions and incumbrances as the money secured or represented by the security was subject to immediately before the payment off redemption or substitution and every testamentary or other disposition shall take effect with reference to the whole or a proportionate part of the money or stock received or substituted as the case may be.

Extinction or suspension of borrowing power on issue of stock.

437. On the issue of any portion of Corporation stock the statutory borrowing power in exercise whereof that stock is issued shall be affected as follows (namely):—

(*a*) If the stock is issued for the whole term limited for the continuance of any loan or for the continuance of payment of or in respect of any mortgage bond debenture debenture stock annuity rentcharge rent or other security granted or created by the Corporation under that statutory borrowing power then that power to the extent of the money raised by that stock shall be and the same is by virtue of this Act extinguished; but

(*b*) If the stock is issued for part only of that term then so much of the money raised by that stock as has not been paid off out of the loans fund may be re-borrowed by the Corporation for the residue of that term or any part thereof and so from time to time.

Temporary investment of money raised by stock.

438.—(1) The Corporation may from time to time invest temporarily on statutory securities money raised by Corporation stock and not for the time being applied to or required for the undertaking or purpose for which it is raised and shall from time to time pay the interest and annual proceeds of those securities into the loans fund.

(2) The Corporation may if they think fit from time to time apply the interest and annual proceeds aforesaid or any part thereof in reduction of such contributions out of the Corporation revenues as are payable into the loans fund in respect of dividends on the respective portions of Corporation stock by the issue whereof that money is raised.

Appointment of registrar.

439.—(1) The Corporation may if they think fit and on and subject to such terms and instructions not inconsistent with the provisions of this Part of this Act as they think expedient appoint and keep appointed an officer of the Corporation or other person or the Bank of England or any other bank or a banker as registrar for all or any of the purposes of this Part of this Act (in this Part of this Act referred to as "the registrar").

(2) The Corporation in relation to the provisions of this Part of this Act and the registrar shall respectively be deemed a banker within the Bankers Books Evidence Act 1879.

Stock registers.

440.—(1) The Corporation or the registrar shall keep books in which shall be entered the names and addresses and descriptions of holders from time to time of Corporation stock and the amounts held by them (in this Part of this Act referred to as "the Corporation stock registers").

(2) The Corporation stock registers shall be primâ facie evidence of any matter entered therein in accordance with this Part of this Act and of the title of the persons entered therein as holders of stock.

Certificates of proprietorship of stock.

441.—(1) On demand of a holder of Corporation stock the Corporation may if they think fit give to him a certificate of

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the proprietorship thereof under their common seal specifying the amount of Corporation stock to which he is entitled (in this Part of this Act referred to as a "stock certificate").

(2) A stock certificate shall be primâ facie evidence of the title of the person therein named his executors administrators successors or assigns to the stock therein specified but the want of a stock certificate if such want be accounted for to the satisfaction of the Corporation shall not prevent the holder of stock from disposing of and transferring the same.

(3) If a stock certificate is worn out or damaged the Corporation on production thereof may cancel it and give a similar stock certificate to the party in whom the property in the stock certificate and in the stock therein specified is then vested.

(4) If a stock certificate is lost or destroyed the Corporation on proof thereof to their satisfaction may give a similar stock certificate to the party entitled to the stock certificate lost or destroyed.

(5) An entry of the issue of a stock certificate or a substituted certificate as the case may be shall be made in the Corporation stock registers.

Power for stockholders to transfer.

442. Subject to the provisions of this Part of this Act every Corporation stockholder may transfer all or any part of his stock.

Transfer of stock in books.

443. If and where the resolution for the creation of any portion of Corporation stock makes the same transferable in books and not by deed the provisions of this section shall apply and have effect but not otherwise:—

(1) The Corporation or the registrar shall keep books wherein transfers of Corporation stock so transferable shall be entered in this Part of this Act referred to as "the Corporation stock transfer books":

(2) Every such entry shall be expressed in proper words for the purpose of transfer and shall be signed by the party making the transfer or if he is absent by his agent thereunto lawfully authorised in writing under his hand attested by a witness:

(3) Where the Bank of England is the registrar they may if they think fit require that the agent be so

authorised by power of attorney under the hand and seal of the party making the transfer attested by two credible witnesses:

(4) The person to whom a transfer is made may if he thinks fit underwrite his acceptance thereof:

(5) Except as otherwise provided by Act of Parliament and subject to the provisions of this Part of this Act respecting the stocks and securities of the Corporation existing at the commencement of this Act or respecting any portion of Corporation stock which the resolution for the creation thereof makes transferable by deed no mode of transferring Corporation stock other than that prescribed in this section shall be good in law.

Transfer of stock by deed.

444. If and where the resolution for the creation of any portion of Corporation stock makes the same transferable by deed and not in books the provisions of this section shall apply and have effect but not otherwise:—

(1) Every transfer of the stock so transferable shall be by deed:

(2) The deed of transfer shall relate only to the transfer and shall not contain any recital trust power or proviso whatsoever:

(3) The deed of transfer when duly executed together with the certificate representing the stock which or any part of which is expressed in the deed to be transferred shall be delivered to and kept by the Corporation or the registrar and the Corporation or the registrar shall enter a memorial thereof in a book to be called the register of transfers of Corporation stock and shall indorse on the deed of transfer a notice of that entry:

(4) The Corporation or the registrar shall on demand and on delivery up of the old stock certificate or on proof satisfactory to the Corporation of its absence deliver a new stock certificate to the purchaser and in any case where a part only of the stock represented by such old certificate is transferred to the purchaser shall deliver to the transferor a new stock certificate for the amount of the stock represented by such old certificate and not transferred:

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(5) Until the deed of transfer with the old stock certificate before mentioned has been so delivered to the Corporation or the registrar or proof satisfactory to the Corporation has been given of its absence the Corporation or the registrar shall not be affected thereby and the purchaser of the stock shall not be entitled to receive any dividend thereon.

Evidence on transfer of stock.

445.—(1) The Corporation or the registrar before allowing any transfer of stock may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming a right to make the transfer.

(2) That evidence shall be a statutory declaration of one or more competent persons or of such other nature as the Corporation or the registrar with the approval of the Corporation may require.

Closing of transfer books.

446.—(1) The Corporation or the registrar with the approval of the Corporation may as regards any portion of Corporation stock close the Corporation stock transfer books or the register of transfers of Corporation stock (as the case may be) on any day in the month next before that in which dividends on that portion of Corporation stock are payable but so that the books be not at any time kept closed for more than fifteen days.

(2) The persons who on the day of such closing are inscribed as Corporation stockholders shall as between them and their transferees of Corporation stock be entitled to the dividend next payable thereon.

Stamp duty on transfers of stock.

447. Unless the Corporation have compounded for stamp duty all stock issued by the Corporation shall notwithstanding anything in any resolution of the Corporation be transferable by deed and not in books and every deed of transfer of stock transferable by deed shall be duly stamped and the consideration shall be truly stated therein.

Transmission of stock.

448.—(1) The interest in Corporation stock of a stockholder dying shall be transferable by his executors or administrators notwithstanding any specific bequest thereof.

(2) The Corporation or the registrar shall not be required to allow any executors or administrators to transfer any stock until the probate of the will of or the letters of administration of the estate of the deceased has or have been left with the

Corporation or the registrar for registration and may require all the executors who have proved the will or all the administrators to join in the transfer.

(3) If the interest in any Corporation stock has become transmitted by any lawful means other than a transfer or the death of a stockholder satisfactory evidence of the transmission shall if required be furnished to the Corporation or the registrar by a statutory declaration of one or more competent persons or in such other manner as the Corporation or registrar require.

(4) If the transmission is in consequence of the death of a joint stockholder the declaration shall if the Corporation or the registrar so require set forth a copy of the register of the death or burial of the deceased stockholder and declare the identity of the deceased person with the deceased stockholder and if the transmission is in consequence of the marriage of a female stockholder the declaration shall if the Corporation or the registrar so require set forth a copy of the register of the marriage of the stockholder and declare the identity of the married person with the stockholder.

(5) The name of the person entitled under the transmission shall be entered in the Corporation stock registers.

(6) Until such evidence has been furnished the Corporation or the registrar shall not be affected by the transmission and no person claiming by virtue thereof shall be entitled to receive any dividend on the stock.

(7) In this section the term "transmission" includes any case of apparent transmission in consequence of the change of name of the stockholder although the actual ownership of the stock may remain unaltered.

As to death of joint owner of stock.

449. Where two or more persons are registered as joint owners of any stock such persons shall be deemed to be joint owners with right to survivorship between them.

Payment of dividends on stock.

450. The Corporation may pay by the registrar the dividends on Corporation stock.

Dividends on stock to executors.

451. The Corporation or the registrar shall not be required to allow any executors or administrators to receive any dividend on Corporation stock held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the Corporation or the registrar for registration.

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Evidence of title to dividends on stock.

452. The Corporation or the registrar before allowing the receipt of any dividend on any Corporation stock may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming a right to receive the dividend and that evidence shall be a statutory declaration of competent persons or of such other nature as the Corporation or the registrar may require.

Dividends on stock to joint holders.

453.—(1) Where more persons than one are registered as joint holders of any Corporation stock any one of them may give an effectual receipt for any dividend thereon unless notice to the contrary has been given to the Corporation or the registrar by any other of them.

(2) Where Corporation stock is standing in the name of an infant or person of unsound mind jointly with any person not under legal disability a letter of attorney for receipt of the dividends on the stock shall be sufficient authority in that behalf if given under the hand and seal of the person not under disability attested by two or more credible witnesses but the Corporation or the registrar before acting on the letter of attorney may if they or he think fit require proof to their or his satisfaction of the alleged infancy or unsoundness of mind by a statutory declaration of one or more competent persons.

Dividends on stock warrants by post.

454.—(1) Where a Corporation stockholder desires to have his dividends sent to him by post he may make a request for that purpose to the Corporation or to the registrar in writing signed by him in a form approved by the Corporation and shall give to the Corporation or the registrar an address in the British Islands to which the letters containing the warrants are to be sent.

(2) The Corporation or the registrar may send by post in a prepaid letter addressed to the registered address of each Corporation stockholder a warrant for any dividend which may be due to such stockholder on the Sheffield Corporation three-and-a-half per centum Consolidated Stock or on any future issues of Corporation stock.

(3) The posting by the Corporation or the registrar of a letter containing a dividend warrant addressed to a stockholder in pursuance of the provisions of this section at the address given by him shall as respects the liability of the Corporation

and of the registrar be equivalent to the delivery of the warrant to the stockholder himself.

(4) Every warrant so sent by post shall be deemed a cheque and the Corporation and the registrar shall in relation thereto be deemed a banker within the Bills of Exchange Act 1882.

(5) This section shall not apply to cases within section 4 of the National Debt Act 1889.

Unclaimed dividends on stock.

455.—(1) If at any time any dividend on any Corporation stock is unclaimed at the time for payment thereof the same shall nevertheless on demand at any subsequent time whatsoever be paid to the person showing his right thereto but without interest in the meantime.

(2) Where any such dividend remains unclaimed for five years from the time for payment thereof the Corporation shall cause notice thereof to be sent by post in a registered letter addressed to the stockholder named in their books by the description and at the address therein appearing and so at the expiration of three other successive periods of five years.

(3) At the end of every successive period of five years from the first day of September one thousand eight hundred and eighty-four the Corporation shall publish an advertisement in a newspaper circulating in the city stating what if any dividends on Corporation stock other than those falling due at the then last half-yearly or other day of payment are then unclaimed and the names and addresses appearing in the Corporation stock registers of the holders of the stock on which the dividends are unclaimed.

(4) At the end of every successive period of ten years from the said first day of September one thousand eight hundred and eighty-four the Corporation unless it has been otherwise agreed between them and the registrar may require the registrar to repay to them all dividends unclaimed during that period and then in his hands and the Corporation shall pay the same into the loans fund and may deal therewith as they are by this Part of this Act empowered to deal with money paid into the loans fund as interest on cash balances received by them without prejudice nevertheless to the rights of any person to those dividends.

Provisions respecting stock certificates and

456.—(1) On demand of a Corporation stockholder the Corporation or the registrar may issue to the stockholder a Corporation stock certificate to bearer that is to say a certificate

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coupons to bearer.

of title to his stock or any part thereof entitling the bearer to the stock therein specified and transferable by delivery with coupons entitling the bearer of the coupons to the dividends on the stock but so that no such certificate or coupons shall give a title to dividends beyond the time limited for redemption of the stock.

(2) A Corporation stock certificate to bearer shall not be issued in respect of any sum of stock other than ten pounds or a multiple of ten pounds.

(3) No trustee shall apply for purchase take or hold a Corporation stock certificate to bearer unless he is in express words authorised to do so by the instrument creating his trust and any contravention of this provision by a trustee shall be deemed a breach of trust but this provision shall not impose on the Corporation or registrar an obligation to inquire or to take notice whether a person applying for or holding a stock certificate to bearer is or is not a trustee or subject the Corporation or the registrar to any liability in case of their or his with or without notice issuing to a trustee a stock certificate to bearer or invalidate any stock certificate to bearer issued.

(4) Where a Corporation stock certificate to bearer is outstanding the stock represented thereby shall cease to be transferable in books or by deed under and according to the provisions of this Part of this Act.

(5) The bearer of a Corporation stock certificate to bearer may on delivery up to the Corporation or the registrar of the certificate and of all unpaid coupons belonging thereto require to be entered in the Corporation stock registers as the holder of the stock described in the certificate under which he derives title and thereupon the stock shall be re-entered in the registers as transferable and shall become and again be transferable in the Corporation stock transfer books or by deed as the case may require and shall as regards the mode of payment of the dividends thereon be in the like condition as if no stock certificate to bearer had been issued in respect thereof.

(6) The coupons issued with a Corporation stock certificate to bearer shall comprise the dividends to be paid in respect of the stock therein specified for such period as the Corporation approve.

(7) At the end of that period fresh coupons may be issued for such further period as the Corporation approve and so for successive periods during the continuance in force of the stock certificate but the Corporation or the registrar may in lieu of issuing fresh coupons in respect of any stock certificate give in exchange a fresh stock certificate with coupons.

(8) Payment to the bearer of a coupon of the amount expressed therein shall be a full discharge to the Corporation and to the registrar from all liability in respect of that coupon and the dividend represented thereby.

(9) Where the Bank of England is the registrar coupons shall be payable at the chief establishment of that bank at the expiration of three clear days from the day of presentation and at any branch establishment of that bank situate more than ten miles from the chief establishment at the expiration of five clear days from the day of presentation.

(10) If a Corporation stock certificate to bearer or coupon is worn out or damaged the Corporation or the registrar on production and delivery up thereof may cancel it and issue a new certificate or coupon.

(11) If a Corporation stock certificate to bearer or coupon is lost or destroyed the Corporation or the registrar may issue a new certificate or coupon on receiving indemnity to the satisfaction of the Corporation against the claims of all persons deriving title under the certificate or coupon lost or destroyed.

(12) All coupons issued under this Act in respect of any Corporation stock certificate to bearer shall for the purposes of the Acts relating to stamp duties be deemed to have been attached to and issued with such stock certificate.

(13) Corporation stock specified in a stock certificate to bearer shall be charged on the same securities and be subject to the same powers of redemption and other powers and save as regards the mode of transfer and of payment of dividends thereon and save as far as a stock certificate to bearer is a negotiable instrument shall be subject to the same incidents in all respects as if that stock had continued to be registered in the Corporation stock registers as transferable in books or by deed.

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Nature of stock.

457.—(1) Corporation stock is personal property.

(2) Corporation stock is not liable to foreign attachment by the custom of London or otherwise.

(3) No notice of any trust expressed implied or constructive in respect of any Corporation stock or of any Corporation stock certificate to bearer or coupon shall be entered in the Corporation stock registers or in any other book kept by the Corporation or the registrar or be receivable by the Corporation or the registrar or affect the Corporation through the registrar or otherwise.

Receiver in case of unpaid dividends on stock.

458.—(1) If at any time the Corporation for two months after demand in writing fail to pay any dividend due on any Corporation stock the person entitled thereto may apply to His Majesty's High Court of Justice in the Chancery Division for a receiver and the court may if it thinks fit appoint a receiver on such terms as it thinks fit.

(2) The receiver shall have the like power of collecting receiving recovering and applying all money which ought to be paid under this Part of this Act into the loans fund and of assessing making and recovering all rates for the purpose of obtaining the same as the Corporation or any officer thereof would or might have and such other powers and such duties as the court thinks fit and shall apply all money so collected after payment of expenses and costs as the court directs for the purposes of this Part of this Act.

(3) The court may at any time discharge the receiver and shall have full jurisdiction over him and all persons interested in his acts.

For protection of holders of stock.

459. A person taking or holding Corporation stock shall not be concerned to inquire or to take notice whether the creation or issue thereof was or was not within any statutory borrowing power of the Corporation or otherwise in accordance with this Part of this Act or whether or not the council or any meeting thereof was properly constituted or convened or whether or not the proceedings at any meeting of the council were legal or regular or to see to the application of any money raised by Corporation stock or be answerable for any loss or misapplication thereof.

Regulations as to stock forms.

460. Where the Bank of England is the registrar they may with the consent of the Corporation from time to time issue any forms that may be required for carrying into effect the provisions of this Part of this Act and may also from time to time make any regulations that are not inconsistent with this Part of this Act relative to the following things and when made may alter vary or repeal any such regulations and make other regulations instead thereof or in addition thereto and any such regulations for the time being in force shall be duly observed:—

(*a*) The period for which coupons are to be given:

(*b*) The mode in which that Bank is to act in issuing stock certificates to bearer or entering in the transfer books the bearers of stock certificates to bearer:

(*c*) The mode of proving the title of or identifying any person applying for a stock receipt or stock certificate or stock certificate to bearer:

(*d*) With respect to anything necessary for carrying into effect the provisions of this Part of this Act which relate to or affect that bank.

As to stock forms fees and expenses.

461. For the purpose of carrying into effect the provisions of this Part of this Act—

(1) The forms given in the Tenth Schedule to this Act may be used for the purposes therein indicated and the same or forms to the like effect with such variations or additions as circumstances require shall be effectual for those purposes:

(2) Fees not exceeding those specified in the Tenth Schedule to this Act may be taken by or on behalf of the Corporation in the cases therein mentioned:

(3) The proceeds of fees shall be applied towards the expenses of bookkeeping and management and other current expenses from time to time incurred by the Corporation in the execution of this Part of this Act and so far as such fees shall be insufficient therefor such expenses shall be defrayed as the ordinary expenses of the Corporation as a municipal body are or may be defrayed.

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Special provision as to existing stock.

462. The existing stock created and issued by the Corporation as and upon the terms and conditions set out in the Eleventh Schedule to this Act shall so far as such terms and conditions are not inconsistent therewith and subject thereto be deemed to be Corporation stock issued under and by virtue of the provisions of this Act and to be transferable by deed.

Provision as to outstanding redeemable three and a half per centum stock.

463.—(1) Notwithstanding anything contained in this Act the Corporation may resolve that all Sheffield Corporation three and a half per centum Redeemable Stock which had been created and issued by them prior to the passing of this Act under the provisions of the Sheffield Corporation Act 1883 (by this Act repealed) and which has not been redeemed at the date of the resolution shall be redeemed on the thirty-first day of December one thousand nine hundred and thirty-six.

(2) Notice of such resolution shall be sent by registered letter to every holder of any portion of such stock and if any such holder within twelve months from the despatch of the notice to him dissents in writing addressed to the treasurer the resolution shall not apply to or affect the portion of stock held by him unless and until he or a subsequent owner of such portion of stock assents to the application.

(3) Trustees guardians and committees of lunatics are hereby authorised to give consents for the purposes of this section and are hereby indemnified for so doing.

(4) As regards all stock not held by an owner who has dissented from such resolution as aforesaid the resolution shall be operative and take effect.

(5) Nothing in this section shall impair or affect the obligations of the Corporation in regard to the annual sums payable to the Sheffield Corporation Consolidated Loans Fund or shall alter or affect the period for repayment of any loan.

Scheme for fixing equated periods.

464.—(1) The Corporation may at any time hereafter and from time to time make a scheme for prescribing one or more equated periods within which all or any loans contracted by them under statutory borrowing powers shall be discharged and such scheme may extend or vary the periods within which such loans shall be discharged and may make provision in regard to all matters incidental thereto.

(2) No scheme made by the Corporation under this section shall have any force or effect until confirmed by the Board who may confirm the same with or without modifications and when so confirmed the scheme shall notwithstanding any enactment order or sanction to the contrary have full force and effect and such scheme shall be deemed to be within the powers of this Act Provided that nothing in any scheme made under this section shall prejudice or affect the security rights and remedies of any mortgagee under any mortgage existing at the time of the confirmation of the scheme or of the holder of any Corporation stock existing at that time except with the consent of such mortgagee or holder.

(3) Any sums necessary for the purpose of giving effect to such scheme and for compensating the holders of securities of the Corporation for their consent thereto are hereby declared to be a purpose of this Act for which the Board as in this Act provided may sanction money to be borrowed.

(4) Any scheme confirmed under this Act may be altered extended amended or annulled by any other scheme prepared and confirmed in like manner as the original scheme.

As to temporary borrowing.

465.—(1) For the purpose of providing temporarily during any financial year for their current expenses as a municipal or sanitary authority (whether under the provisions of public general or local Acts) or for the current expenses of their water electricity tramway or market undertakings respectively 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 each case an amount equal to one-third of the amount of the before-mentioned expenses for the immediately preceding financial year for any such purpose as aforesaid and any amount so borrowed shall form a charge upon the rates or the revenue of the 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

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equal annual payments to such sinking fund are based as they may resolve Provided that—

(*a*) Any sum so borrowed together with the interest thereon shall in the case of any sum borrowed on the credit of a rate be repaid out of such rate within the financial year during which the same was borrowed and in any other case the same shall be repaid out of the income on the credit of which the sum was borrowed within three months after the expiration of such financial year:

(*b*) The treasurer shall within forty-two days after the end of each financial year furnish to the Board 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 Board shall approve or require:

(*c*) The Board may make such investigation as may be necessary to satisfy themselves that the requirements of this section as to repayment have been complied with and if it appear to the Board 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 Board 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 ten years from the thirty-first day of March one thousand nine hundred and nineteen unless they shall have been continued by Act of Parliament or Provisional Order made by the Board and confirmed by Parliament which Order the Board are hereby empowered to make in accordance with the provisions of the Public Health Act 1875 and in the event of the Board making any such Order they are hereby empowered to make such modifications or amendments in the provisions of this section as may appear to them to be necessary.

Corporation may lend money to certain public bodies.

466.—(1) Subject to the provisions of this Act the Corporation may from time to time advance by way of loan to any borrowing authority such sum or sums of money as the borrowing authority is by law for the time being authorised to

borrow and is desirous of borrowing from the Corporation (but not exceeding in the whole four hundred thousand pounds) upon the security of any property rates or funds which the borrowing authority is authorised to charge for the repayment of the money borrowed and every loan so advanced shall be for a period not exceeding the period for which the borrowing authority is authorised to borrow or re-borrow the same.

Power to raise amount to be lent.

(2) The Corporation may borrow any moneys required by them for a loan to any borrowing authority and any moneys so borrowed shall be primarily chargeable on the borough fund and borough rate.

Corporation may make regulations as to notices to be given by borrowing authorities.

(3) The Corporation may from time to time make vary and amend regulations as to the notices to be given to them by the borrowing authorities of the intention of such authorities to borrow from the Corporation and as to the terms and conditions on which the Corporation will lend money to the borrowing authorities.

As to repayments by borrowing authorities.

(4) Any sum hereafter lent by the Corporation to a borrowing authority shall be repaid by equal annual instalments of principal or of principal and interest combined.

(5) If any sum payable to the Corporation for principal in respect of any sum already lent or hereafter to be lent to a borrowing authority shall not be received within six months of the time appointed for the payment thereof a like sum shall be set apart out of the borough fund and if after the application or investment of the sum so set apart or the payment thereof into the loans fund as hereinafter provided the whole or any part thereof shall be received by the Corporation the sum so received shall be carried to the credit of the borough fund.

(6) The following provisions shall apply to moneys now or hereafter borrowed and not raised by the issue of stock:—

(*a*) Every sum so borrowed shall be repaid by the Corporation within a period to expire not more than one year after that for which the same was lent by them to the borrowing authority:

(*b*) All sums received from any borrowing authority for interest shall be applied towards the payment of interest payable in respect of moneys so borrowed the balance (if any) being carried to the credit of the borough fund:

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(*c*) All sums received from any borrowing authority for principal and all sums set apart out of the borough fund under subsection (5) of this section shall be applied towards the repayment of the principal payable in respect of moneys so borrowed and until so applied shall be invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments The interest derived from such investments shall be applied in making good any loss or deficiency of or in the principal moneys so invested that may arise by depreciation of the investments or otherwise and if not required for that purpose shall be applied as if the same had been received for interest from a borrowing authority.

(7) The following provisions shall apply to moneys now or hereafter raised by the issue of Corporation stock :—

(*a*) All sums received from any borrowing authority for interest shall be paid into the loans fund and shall be applied in paying the dividends on the stock so issued :

(*b*) All sums received from any borrowing authority for principal and all sums set apart out of the borough fund in pursuance of subsection (5) of this section shall be paid into the loans fund and shall be applied in the redemption or purchase and extinction of stock or shall be invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments The interest derived from such investments shall be applied in making good any loss or deficiency of or in the principal moneys so invested that may arise by depreciation of the investments or otherwise :

(*c*) If the sum received as interest from any borrowing authority or derived from such investments as aforesaid is more than is required for the purpose to which the same is to be applied as above mentioned the surplus may be applied in reduction of any contributions payable out of Corporation revenues in respect of dividends on stock.

(8) If any doubt shall arise as to how much of any sum received by the Corporation from any borrowing authority is to be regarded as principal or interest the question shall be determined by the Board.

Separate accounts

(9) The Corporation shall keep separate accounts of each loan made by them to the said public bodies and of the moneys borrowed or raised by them under this Part of this Act for the purposes thereof and each such account shall show—

(*a*) The sums advanced with the date of each advance:

(*b*) The amount from time to time received by the Corporation in repayment of principal:

(*c*) The amount from time to time received on account of interest:

(*d*) The sums from time to time borrowed or raised for the purposes of the loan and the securities on which the same were respectively so borrowed or raised and the date of each mortgage or charge:

(*e*) The sums from time to time paid off by means of instalments or the sinking fund:

(*f*) The sums paid on account of interest:

(*g*) The sums carried to the sinking fund.

Suspension of payments into sinking fund in respect of Broomhead and More Hall reservoirs.

467. Notwithstanding anything in this Act or in any other Act contained it shall not be obligatory upon the Corporation to commence the repayment to any sinking fund or otherwise of any money borrowed or to be borrowed by the Corporation for the purposes of the construction of the Broomhead or More Hall reservoirs and works connected therewith respectively until the expiration of in the case of the Broomhead Reservoir twelve years and in the case of the More Hall Reservoir nineteen years from the fourteenth day of February one thousand nine hundred and thirteen or until the completion of the said works respectively whichever shall first happen.

Saving for securities subsisting.

468. Nothing in or done under this Part of this Act shall affect any security or charge granted or payable by the Corporation before and subsisting at the twelfth day of January one thousand eight hundred and eighty-four and the Corporation shall whenever required by the holder of any security or charge aforesaid apply all such money do all such acts exercise all such

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powers collect all such money and make and levy all such rates as they would or ought to have applied done exercised collected made and levied for his benefit and security if this Part of this Act had not been enacted.

Saving for power to borrow otherwise.

469. Nothing in this Part of this Act shall affect any power of the Corporation to raise otherwise than by Corporation stock any money which they do not think fit to raise by Corporation stock but whenever from time to time the Corporation raise money otherwise than by Corporation stock they shall cause to be given to each lender of money so raised notice in writing signed by the town clerk or other authorised officer of the Corporation of the equality of charge which Corporation stock has by virtue of this Part of this Act.

Consent of Treasury to borrowing during war.

470. Notwithstanding anything in this Act the Corporation shall not under the powers of this Act borrow any money (other than moneys required for the purposes mentioned in the sections of this Act of which the marginal notes respectively are "Power to re-borrow principal moneys" and "Costs of Act") during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained.

Annual return to Board as to Corporation stock.

471.—(1) Once in every year at a time appointed by the Board the Corporation shall send to the Board an abstract of the accounts of the Corporation relating to Corporation stock and the loans fund in a form prescribed by the Board and verified by a statutory declaration of the treasurer if required by the Board.

(2) In case of wilful default therein by the Corporation the Corporation shall on each occasion be liable to a fine not exceeding two hundred pounds and in case of wilful default therein by the treasurer the treasurer shall on each occasion be liable to a fine not exceeding twenty pounds and every fine under this section shall be recoverable summarily on the prosecution of the Board and not otherwise.

(3) If by any such abstract or otherwise it appears to the Board that the Corporation have failed to comply with any requisition of this Part of this Act in relation to any payment application or investment or otherwise in relation to Corpora-

tion stock or the loans fund the Board may notwithstanding any proceedings for the recovery of any fine or any other proceeding taken by the Board by order require the Corporation to make good the default within a time therein limited.

Orders of Board.

472. Any order of the Board under this Part of this Act may contain such directions as the Board think necessary or proper for giving effect thereto and shall be enforceable by writ of Mandamus to be obtained by the Board out of the High Court and may be from time to time cancelled or varied by the Board as the circumstances of the case may require but the Board shall not make any such order without first hearing the Corporation if desirous of being heard which hearing may be in the form of a public inquiry with or without a published report or in such other form as the Board having regard to the circumstances think just and expedient and sections 294 and 296 of the Public Health Act 1875 shall apply to hearings inquiries and other proceedings to which this section relates.

Apportionment of items.

473. In all cases in which the Corporation keep separate accounts for separate purposes they may apportion between those accounts or carry to either of them any receipts credits payments and liabilities which from time to time it appears to them ought to be so apportioned or carried.

Audit of accounts.

474. The provisions of the Municipal Corporations Acts relating to the keeping and auditing of accounts and the accounts kept of sums of money received and paid under those Acts shall extend to the keeping and auditing of accounts and to the accounts kept of sums of money received and paid under the Corporation Acts.

Date of making up Corporation accounts.

475. All the accounts of the Corporation may if the Corporation so resolve be made up each year to the thirty-first day of March in that year.

Expenses of execution of Act.

476. Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made may be defrayed by the Corporation out of the borough fund and borough rate or the district fund and general district rate as the Corporation may in their discretion having regard to the object of the expenditure deem just.

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PART XXI.

FIRE INSURANCE AND ACCIDENT FUNDS.

Fire insurance fund.

477.—(1) The Corporation may if they think fit establish a fund to be called "the fire insurance fund" with a view of providing a sum of money which in the event of a fire shall be available for the purpose of reconstructing rebuilding repairing restoring replacing and making good any loss or damage by or in consequence of fire to any buildings works and property belonging or on loan to or under the care custody or control of the Corporation.

(2) In each year after the establishment of the fire insurance fund the Corporation shall pay into that fund such a sum as shall in their opinion be equal to the aggregate amount of the premiums payable in the event of the Corporation insuring such buildings works and property as aforesaid in some public fire insurance office in England but when the fund shall amount to the sum of one hundred thousand pounds the Corporation may if they think fit discontinue such yearly payments but so that if the fund is at any time reduced the Corporation shall recommence and continue the yearly payment until that fund be restored to the sum of one hundred thousand pounds Provided that nothing in this Act shall affect the power of the Corporation to insure any of such buildings works and property against loss or damage by fire in any public insurance office in England and if the Corporation so insure any of such buildings works and property the yearly sums payable to the fire insurance fund shall during the continuance of any such insurance be reduced by the amount of the premiums payable in respect of such insurance.

(3) The Corporation shall provide the yearly payments aforesaid by contributions from the rents and revenues of the lands buildings and undertakings or from the respective funds or rates which if the buildings works and property were insured in a public insurance office would be properly chargeable with the payment of the premiums of such insurance and if there be no rents or revenue specially chargeable then by contributions from the borough fund and borough rate.

(4) Except so far as the fire insurance fund and the proceeds of sale of securities in which that fund is invested may be necessary to meet losses from or in consequence of fire all moneys for the time being standing to the credit of the fire insurance fund shall be invested in statutory securities and the interest and annual proceeds arising from those securities shall be invested and accumulated until the fund amounts to the sum of one hundred thousand pounds and when and so long as the fund amounts to that sum the interest and annual proceeds of the securities shall be carried to the credit of the fund or funds to which the same are properly applicable as the Corporation shall from time to time determine.

(5) If at any time and from time to time the fire insurance fund shall be insufficient to make good any loss or damage sustained by the Corporation by or in consequence of fire they may with the sanction of the Board and on such security as the Board may prescribe borrow at interest under and subject to the provisions of this Act such sums of money as will be necessary to make up the deficiency.

Power to create accident fund.

478. The Corporation may if they think fit form a fund to be called "the accident fund" to provide for meeting claims upon them under the common law the Employers' Liability Act 1880 the Workmen's Compensation Act 1906 or any Act or Acts for the time being amending or extending those Acts or otherwise in respect of any accident whether to their officers servants and workmen or third parties occurring in the execution of any of their powers and such fund shall be formed by annually appropriating thereto such sums out of any of their revenues as they from time to time deem expedient and such sums shall be invested at compound interest in or upon any statutory security but when the fund shall amount to the sum of twenty-five thousand pounds the Corporation may if they think fit discontinue such yearly payments but so that if the fund is at any time reduced the Corporation shall recommence and continue the yearly payment until the fund be restored to the sum of twenty-five thousand pounds Provided that the Corporation may from time to time or at any time resort to that fund for any purpose mentioned in this section notwithstanding that the same shall not then have reached or shall have been reduced below the said sum of twenty-five thousand pounds.

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Part XXII.

Weights and Measures.

Powers to inspectors of weights and measures.

479. Every inspector of weights and measures within the city shall and may have and exercise the following powers within the limits of the district for which he is appointed:—

He shall inspect all public or other weighing-machines where vehicles loaded or unloaded are weighed for hire or where any charge is made for the weighing thereof and shall have and exercise in respect of such weighing-machines or in respect of any machines scales or weights which are or may be used for the purpose of weighing vehicles for hire the same rights and powers as in the case of weighing-machines scales weights or measures kept for use for trade within the meaning of the Acts relating to weights and measures which are or may be in force at the time And the owner user or possessor of any weighing-machine scale or weights which upon such examination shall be found unjust shall be dealt with in like manner as the owners users or possessors of other unjust weighing-machines scales weights or measures are liable at law to be dealt with.

As to testing of scale balances used for weighing coal and affixing test stamp.

480.—(1) The inspector of weights and measures shall examine and test every scale balance steelyard or other machine to be used for the weighing of coal to be sold by retail which shall be brought to him for that purpose and if he shall find the same correct he shall affix thereon a stamp or mark (in this section called "the test stamp") indicating that it is correct.

(2) Every person selling coal by retail and using for that purpose a scale balance steelyard or other machine with the test stamp thereon shall whenever required by the inspector of weights and measures and (whether or not required) before the expiration of one year from the date of the last examination bring such scale balance or steelyard to the inspector of weights and measures to be re-verified and so from time to time and the inspector of weights and measures shall examine and test every scale balance and steelyard and other machine so brought to him and if found correct shall affix a new test stamp thereon.

(3) The inspector of weights and measures shall be entitled to charge one shilling for every examination and testing of a

scale balance steelyard or other machine under this Act except when a scale balance steelyard or other machine brought upon his requisition to be re-tested before the expiration of a year from the date of the test stamp shall be found upon examination and testing to be correct.

(4) No test stamp shall have any force or validity after the expiration of one year from the day on which it was affixed.

(5) Any person who uses in and for the purposes of the sale of coal by retail a scale balance steelyard or other machine which has not affixed upon it a proper test stamp or who (not being the inspector of weights and measures or acting under his authority) affixes a test stamp or stamp or mark intended to pass or be taken as a test stamp shall for every such offence be liable to a penalty not exceeding forty shillings.

Penalty for resisting an inspector of weights and measures.

481. If any person shall resist any inspector of weights and measures lawfully acting in the exercise of the powers by this Part of this Act conferred upon him or shall prevent obstruct or hinder him in the performance of his duty he shall be liable to the same pains and penalties as he would have incurred if he had resisted prevented obstructed or hindered such inspector in the performance of his ordinary duty of examining and testing weights and measures.

Part XXIII.

Marine Store Dealers.

Registration of marine store dealers.

482.—(1) Every person who shall carry on business as a broker or dealer in old metals or as a dealer in marine stores shall register his name and every place of business warehouse store and place of deposit occupied or used by him for the purpose of such business at the town hall in a book to be kept by the Corporation for the purpose.

(2) Every person who after the expiration of one month from the commencement of this Part of this Act shall carry on such business without having so registered shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) For every registration under this Part of this Act there shall be paid to the Corporation such fee not exceeding five shillings as the Corporation shall direct.

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(4) Every person so carrying on business as aforesaid shall correctly enter in a book to be kept by him for that purpose the description and price of all articles purchased or otherwise acquired by him and the name address and occupation of the person from whom the same is purchased or otherwise acquired.

(5) If a person so carrying on business neglect or refuse to keep such book or to make such entries he shall be liable to a penalty not exceeding five pounds.

(6) The Corporation their officers and servants and persons authorised in that behalf by the Corporation shall have free access at all reasonable times to every place of business warehouse store and place of deposit required by this Part of this Act to be registered to inspect the same and to inspect the books by this Part of this Act required to be kept and every person who shall prevent hinder or obstruct any officer servant or person so authorised in the execution of his duty under this section shall be liable for every such offence to a penalty not exceeding forty shillings.

(7) A person shall be disqualified for registration under this Part of this Act if before the date of his application he has been convicted of larceny or any similar offence which in the opinion of the Corporation shall render it expedient that such person should not be registered.

(8) Any person may by order of any court of summary jurisdiction before whom such person shall be convicted of any offence which in the opinion of the court shall render it expedient that such person should be so disqualified be disqualified for any period named in such order from being and he shall accordingly not be entitled to register any place of business warehouse store or place of deposit under the provisions of this Part of this Act.

(9) Nothing in this Part of this Act contained shall be deemed to affect persons carrying on the business of pawnbrokers and duly licensed for that purpose.

(10) No person carrying on business as a bonâ fide converter of steel or iron and rateable in respect of manufacturing premises with converting furnaces therein and using scrap or old metal in the ordinary course of manufacture shall be deemed to be a dealer in old metals within the meaning of this section.

Part XXIV.

Police and Fire Provisions and Offences.

Amendment of provisions of Public Health Act 1875 as to smoke.

483. Where a person is convicted in respect of non-compliance with an order made under section 96 of the Public Health Act 1875 to abate a smoke nuisance within the meaning of section 91 of the said Act the court may if they see fit impose a daily penalty not exceeding five pounds Provided that this section shall only apply to orders made in proceedings taken by the direction of the Corporation and shall have no application to reheating annealing hardening forge converting and carburising furnaces.

Application of further provisions of Public Health Acts Amendment Act 1907.

484. Part VIII. (Fire Brigade) of the Public Health Acts Amendment Act 1907 shall as and from the date of the passing of this Act extend and apply and be in force in the city for the purposes of the Public Health Acts and this Act.

Dancing music singing boxing and other public entertainments.

485. Part IV. (Music and Dancing) of the Public Health Acts Amendment Act 1890 shall as and from the date of the passing of this Act extend and apply and be in force in the city for the purposes of the Public Health Acts and this Act Provided that section 51 of the said Act shall have effect as if after the word "music" therein there were added the words "singing boxing boxing displays exhibitions" and as if from subsection (1) of the said section there were omitted the words "after the "expiration of six months from the adoption of this Part of "this Act."

Power to enter used theatres &c.

486. Any justice may by order in writing authorise any constable to enter into any building or part of a building or any place in the city kept or used or suspected to be kept or used for stage plays or dramatic entertainments into which admission is obtained by payment of money and which is not a licensed theatre at any time when the same is opened for the reception of persons resorting thereto and to take into custody any person found therein without lawful excuse And every person keeping using or knowingly letting any building or part of a building or any place for the purposes aforesaid or any of them shall be liable to a penalty not exceeding twenty pounds and every person performing or being therein without lawful excuse shall be liable to a penalty not exceeding forty shillings and if the person

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charged alleges that the building part of a building or place is a licensed theatre the burden of proving that it is a licensed theatre shall be upon the person keeping the same.

Constables may enter certain premises.

487. Any constable shall have power by virtue of his office at any time to enter any premises or other place of the following description (viz.):—

(1) Any house building room or place licensed or used for public billiard playing:

(2) Any place to which the public are admitted by payment and used for the purpose of stage plays or dramatic musical or other entertainments or for any show circus or exhibition:

(3) Any music singing or dancing saloon hall or room eating-house coffee-house or other such place:

(4) Any house or building or common brothel for the reception of prostitutes or usually frequented by thieves or loose and disorderly persons:

and therein to aid in the preservation of order and in the restoration of order in case of disturbance and in carrying into effect the provisions of this Act and every occupier or keeper of any such premises or other place or other person having the charge thereof who shall not admit such constable when required shall be liable to a penalty not exceeding ten pounds.

Proceedings when offender refuses to give his name.

488. If any person charged with any offence cognisable by a court of summary jurisdiction within the city refuses to disclose his name all the necessary proceedings may be had and carried on against him for the recovery of any penalty forfeiture or damage imposed or incurred by the description of his person and of the offence committed without stating his name or if one only of his names is known all those proceedings may be had and carried on against him by that name only.

Justices may order goods wrongfully detained under fifteen pounds value to be delivered to proper owner.

489.—(1) On complaint made to any justice by any person claiming to be entitled to the property or possession of any goods which are detained by any other person within the city the value of which is not greater than fifteen pounds and not being deeds muniments or papers relating to any property of greater value than fifteen pounds it shall be lawful for such justice to summon the person complained of to appear before a court of summary jurisdiction.

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(2) The court shall inquire into the title to such goods or to the possession thereof and if it appear to the court that such goods have been detained without just cause after due notice of the claim made by the person complaining and that the person detaining such goods has no lien or right to detain the same by way of security for the payment of money or the performance of any act by the owner thereof the court may order the goods to be delivered to the owner thereof either absolutely or on tender of the amount appearing to be due by such owner (which amount the court are hereby authorised to determine) or on performance or tender and refusal of the performance of the act for the performance whereof such goods are detained as security or if such act cannot be performed then on tender of amends for non-performance thereof the nature or amount of which amends the court are hereby authorised to determine.

(3) Any person who neglects or refuses to deliver up the goods according to such order shall forfeit to the party aggrieved the full value of such goods not being greater than the sum of fifteen pounds such value to be determined by the court and the court whatever may be its determination as to the title of the goods or to the possession thereof may award such costs to either party as it thinks fit.

(4) An order under this section shall not bar any person from recovering possession of the goods or money so delivered or forfeited by action from the person to whose possession such goods or money shall come by virtue of such order so that such action be commenced within six months next after the making of such order.

Penalty for keeping obscene pictures &c. for sale.

490.—(1) Any person who deposits or keeps any obscene or indecent print picture or drawing at any premises within the city for the purposes of sale or distribution or exhibition for purposes of gain and any person being the occupier of premises who allows any such print picture or drawing to be deposited or kept at such premises for any of the purposes aforesaid shall be liable to a penalty not exceeding for the first offence five pounds for the second offence ten pounds for the third and every subsequent offence fifty pounds.

(2) The possession of any obscene or indecent print picture or drawing upon premises upon which prints pictures or drawings of any description are sold or kept for sale or for exhibition shall

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be primâ facie evidence that such obscene or indecent print picture or drawing is deposited or kept for the purpose of sale or exhibition.

(3) Any justice of the peace for the city if satisfied by information on oath made before him that there is reasonable cause to believe that any obscene or indecent print picture or drawing is deposited or kept at any premises within the city for any of the purposes aforesaid may issue a warrant under his hand by virtue of which it shall be lawful for any city constable named therein to enter such premises at any reasonable time by day and to search therefor and seize and take away all such prints pictures or drawings found upon such premises and any print picture or drawing so seized shall be taken before a petty sessional court and in the event of any person being convicted in respect of any print picture or drawing so seized as aforesaid of an offence under the provisions of this section such print picture or drawing shall be destroyed but otherwise any such print picture or drawing shall be restored to the occupier of the premises in which it was seized and the court shall make an order accordingly.

(4) The chief constable of the city shall furnish to the Secretary of State such returns as he may require of any proceedings taken under the provisions of this section.

(5) The provisions of this section shall cease to be in force within the city at the expiration of five years from the date of the passing of this Act unless they shall have been continued by Act of Parliament or by Provisional Order confirmed by Parliament which Order the Secretary of State is hereby empowered to make in accordance with the provisions of the Public Health Act 1875 relating to Provisional Orders amending local Acts and in the application of those provisions to the purposes of this section the Secretary of State shall be substituted for the Board.

Power to make regulations as to traffic.

491.—(1) The Corporation may from time to time make regulations with regard to such streets to be specified in the regulations as are specially liable to be obstructed by reason of the amount and nature of the traffic—

(*a*) Prescribing the line to be kept at any street crossing by all persons riding or driving; and

(*b*) Requiring the drivers of heavy and slow-moving vehicles to keep their vehicles to a particular portion of the street.

(2) All regulations under this section shall be subject to the approval of a Secretary of State.

(3) Any person who shall contravene any such regulation after warning given by word or signal by a police constable stationed in the street to direct the traffic shall be liable to a penalty not exceeding forty shillings.

(4) Any such driver of a heavy and slow-moving vehicle who shall on two or more occasions within a period of twenty-one days contravene any such regulation shall be liable on the second or any subsequent occasion to a penalty not exceeding forty shillings provided that warning shall have been given to him on a previous occasion within the said period by word or signal by a police constable stationed in any street to direct the traffic and that as soon as may be thereafter notice in writing to observe such regulations shall have been given to him by or on behalf of the chief constable of the city Such notice in writing may be served personally or by post and a copy thereof may be given in evidence without a notice to produce the original.

Power to lord mayor to make regulations as to traffic.

492. The lord mayor of the city may from time to time on special occasions direct the passage and stoppage of vehicles along or in particular streets so as to prevent obstruction therein and facilitate the transit through the same of vehicles animals and foot passengers and may on such occasions direct particular routes to be taken for particular descriptions of traffic and prohibit the passage or stoppage of particular vehicles through or in certain streets at certain times of the day or night.

Extending section 28 of Town Police Clauses Act 1847 to certain offences.

493. Section 28 of the Town Police Clauses Act 1847 as applicable within the city shall extend and apply to the following offences as if the same respectively had been specially mentioned in that section (that is to say):—

Every person who occupying a blacksmith's whitesmith's or nailmaker's shop having a door or window or other opening fronting or opening into or towards a street does not by good and close doors or shutters every evening not later than half an hour after sunset prevent the light from such shop shining into any street:

Every person who to the obstruction annoyance or danger of any resident or passenger in any street or court keeps

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any gaslight or other light flaring or unprotected extending to or over any street:

Every person who discharges smoke or steam from a building (otherwise than from the top thereof) into a street or who constructs or uses a steam pipe flue or funnel (not being the funnel of a locomotive engine) so that the condensed water or moisture must usually fall into a street:

Every person who at one time drives more than one cart:

Every person who throws down goods produce wares or merchandise out of an upper storey of a warehouse or of any other building used for any trade manufacture or business and every person being the occupier of any warehouse or other such building out of which goods produce wares or merchandise are or is so thrown down but so that one penalty only be recoverable for the same offence.

Powers as to licensing porters' carts and drovers.

494.—(1) The Corporation may from time to time license for a year such number of porters (that is to say persons following the business of carrying errands messages parcels or luggage for hire) drovers (that is to say persons offering themselves to lead or drive cattle for hire) and porters' carts to apply for hire within the city as they think fit.

(2) The Corporation may from time to time make byelaws for all or any of the following purposes (that is to say):—

For regulating the mode of application for and the issuing of licences for porters drovers and porters' carts the form the conditions the duration the custody the production the delivery up of such licences and the conditions on which the same are to be held or may be revoked or suspended and matters relating thereto;

For regulating the conduct of porters and drovers in their employments and determining whether porters and drovers shall wear any and what badges and for regulating the hours within which they may exercise their calling;

For the numbering and identification of porters' cards;

For fixing the stands of porters and drovers and the distance to which they may be compelled to go in the exercise of

their calling not exceeding in the case of porters three miles and in the case of drovers twenty miles beyond the boundary of the borough;

For fixing the charges as well for time as for distance to be paid to porters or drovers and for securing the due publication of such charges;

For securing the safe custody and re-delivery of any property accidentally left with porters or drovers or in any porters' carts and fixing the charges to be paid in respect thereof.

(3) Any person who shall commit any of the following offences shall be liable to a penalty of forty shillings (that is to say):—

(*a*) Shall act as a porter or drover without having been licensed:

(*b*) Being the proprietor of or interested in any cart or carriage shall permit the same while unlicensed to be used as a porters' cart plying for hire:

(*c*) Shall be found standing or plying for hire with any cart while it is unlicensed:

(*d*) Shall with intent to deceive affix or carry on his person or affix or place on any porters' cart any badge figure or number to resemble any badge figure or number appointed by the Corporation to be carried by a licensed porter or drover or to be affixed on any licensed porters' cart.

Byelaws as to crying newspapers and advertising vans.

495. The power to make byelews conferred on the Corporation by section 23 of the Municipal Corporations Act 1882 shall enable the Corporation to make byelaws for all or any of the following purposes (that is to say):—

(1) For prohibiting any person or persons during the whole of Sundays and during week days between the hours of eleven p.m. and five a.m. in any street within the city from crying or calling out for sale any newspaper journal or serial or from advertising by any cry or calling out any newspaper journal or serial or from ringing any bell or using any horn whistle or noisy instrument or creating any noise whatsoever for

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the purpose of selling any newspaper journal or serial or attracting or attempting to attract the attention of any person or persons by means of any noise whatsoever whether vocal or otherwise for the purposes aforesaid or any of them:

(2) For regulating the size construction and use of advertising vans and other vehicles of the like description and prohibiting the use within the city of all such vans or vehicles as shall not be made and used in conformity with the byelaws in force for the time being.

Penalty for riotous or indecent behaviour in police office &c.

496. If any person is guilty of any violent disorderly or indecent behaviour in any police office or police station or in any street in the city he shall be liable to a penalty not exceeding forty shillings or in the discretion of the court before whom he is convicted to be imprisoned for any term not exceeding seven days.

Restriction on sale of petroleum in highways &c.

497. Petroleum shall not be hawked sold or exposed for sale upon any highway street public thoroughfare or public place within the city.

If any petroleum is hawked sold or exposed for sale in contravention of this section—

(1) The person hawking selling or exposing for sale the same shall be liable to a penalty not exceeding forty shillings; and

(2) All or any part of the petroleum which is so hawked or exposed for sale or is found in the possession of any person convicted under this section may be forfeited.

Penalty for bringing diseased animals in streets.

498. If any person exposes or offers for sale or brings or attempts to bring through any street any animal infected with or labouring under any infectious or contagious disease knowing the same to be infected with or labouring under any such disease he shall he liable to a penalty not exceeding twenty pounds.

Compensation to be paid for injuring lamps &c.

499. Every person who breaks throws down or otherwise damages any public lamp or lamp-post or street orderly bin or other receptacle for the temporary deposit and collection of dust ashes and rubbish or street sand bins whether carelessly neligently or wilfully shall make full compensation to the Corporation for

the damage done and the amount of such compensation (to be settled by a justice in case of dispute) shall be recoverable in a summary manner before a court of summary jurisdiction.

Penalty for injury to churches.

500. If any person injures or defaces any church chapel or other public building or any tomb monumental stone or inscription in any churchyard or burial ground he shall be liable to a penalty not exceeding five pounds and shall make good all damage done or occasioned thereby.

PART XXV.

ASSAY OF GOLD.

Sheffield to be a city for assaying gold plate.

501. The city shall be a city for the assaying and marking of wrought gold plate in like manner as the city of Birmingham under the Birmingham Assay Office Act 1824 (in this Part of this Act called "the Act of 1824").

Guardians of standard of wrought plate empowered to assay gold plate.

502. The guardians of the standard of wrought plate within the city appointed by virtue of an Act passed in the thirteenth year of the reign of His late Majesty King George the Third intituled "An Act for appointing wardens and assay masters for assaying wrought plate in the towns of Sheffield and Birmingham" and the Acts amending the same shall exercise and perform in the city in respect of wrought gold plate the same powers and duties be entitled to make the same charges and be subject to the same obligations and penalties as the guardians of the standard of wrought plate in the city of Birmingham under the Act of 1824 are under that Act and the Acts amending the same or under any general Act now in force relating to the assaying of wrought gold plate authorised to exercise and perform and are authorised to make and are subject to in respect of wrought gold plate within the city of Birmingham The peculiar or distinguishing mark to be used in respect of wrought gold plate assayed in the city shall be a York rose.

PART XXVI.

MISCELLANEOUS.

Bands of music in parks &c.

503. The Corporation may pay or contribute towards the payment of a band or bands of music to perform in any park or pleasure or recreation ground or open space or building for the

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time being belonging to or held by the Corporation or elsewhere in the city as they may direct and the Corporation may inclose an area within which such band shall play and make byelaws for regulating the time and place for the playing of the band the payments to be made for admission within such building or inclosure and for securing good and orderly conduct during the playing of the band Provided that the payments or contributions of the Corporation for or towards such band shall be paid out of the district fund and general district rate and shall not in any one year exceed by more than one hundred pounds an amount which would be produced by a rate of one-eighth of a penny in the pound on the assessable value of the city to the general district rate.

Public drinking fountains.

504. The Corporation may in proper and convenient situations in any street or public place within the city put up and continue drinking fountains and cattle-troughs with proper conveniences for the gratuitous supply of water for drinking and for watering of cattle and horses at such fountains or troughs respectively and may remove or discontinue the same.

Power to extend municipal buildings.

505. The Corporation may apply the sum of seventeen thousand six hundred and fifty pounds six shillings and tenpence being the proceeds of the sale of the Westbar Vestry Hall and certain securities transferred to the Corporation in pursuance of Part II. (Extension of the City) of the Sheffield Corporation Act 1900 (by this Act repealed) in the provision upon lands now owned by the Corporation and adjoining the existing town hall of an extension of the town hall and municipal buildings and a rate-receiving office for the overseers of the Sheffield township with all necessary and convenient offices rooms and appurtenances and may for such purpose alter adapt extend or otherwise deal with the existing buildings belonging to the Corporation.

Power to establish a golf course.

506.—(1) The Corporation may by agreement purchase or acquire or take on lease and hold and use for the purposes of a golf course and let on lease or otherwise to any club company body or person such lands as may be necessary or expedient for that purpose and may upon any such lands form alter maintain regulate manage and use a golf course with all proper and convenient houses pavilions works buildings and conveniences and may make such charges for the use thereof or may let the same as they think fit.

(2) The Corporation shall apply all moneys from time to time received by them under and in pursuance of the exercise of the powers of this section other than moneys (if any) received on capital account as follows (that is to say):—

Firstly In payment of the working and establishment expenses and cost of maintenance of such golf course if maintained by them:

Secondly In payment of the interest on moneys borrowed by the Corporation for the purpose of such golf course:

Thirdly In providing the requisite instalments or payments in respect of moneys borrowed by the Corporation for the purposes of such golf course:

Fourthly In extending and improving such golf course:

And the Corporation shall carry to the credit of the district fund so much of any balance remaining in any year as may in the opinion of the Corporation not be required to carry on the said golf course and paying the current expenses connected therewith.

Any deficiency in the revenue or receipts of the Corporation on account of such golf course shall be made good out of the district fund and general district rate.

(3) The Corporation shall keep separate accounts in respect of such golf course and such accounts shall be kept separate from all other accounts distinguishing therein capital from revenue.

(4) The Corporation may make and enforce byelaws with respect to such golf course and for regulating the use thereof.

Power to grant gratuities in certain cases.

507.—(1) The Corporation may if they think fit in cases not within the Workmen's Compensation Act 1906 grant a gratuity of any sum (not exceeding one year's pay) to any of their officers or servants who may be disabled or injured in their service or may become incapacitated through age or other infirmity or to the widow or family of any such officer or servant who may die in their service.

(2) Every such gratuity shall be charged on and paid out of the fund or funds on or out of which the salary wages or emoluments of such officer or servant would have been charged or paid if he had continued in his office or service.

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(3) In and for the purposes of this section the expression "officers or servants" shall include any teacher who at the date of the passing of this Act is or shall thereafter be permanently and exclusively employed by the Corporation as the local education authority for the city or permanently and exclusively employed in any public elementary school in the city (whether provided by the Corporation as the local education authority or not so provided) or permanently and exclusively employed in any school college or hostel provided by the Corporation as the local education authority for the purposes of Part II. of the Education Act 1902.

Consent of Corporation to be in writing.

508. All consents given by the Corporation under the provisions of this Act shall be given in writing and unless otherwise prescribed shall be given under the hand of the town clerk.

As to breach of conditions of consent of Corporation.

509. Where under this Act or under any general or local Act for the time being in force in the city the Corporation 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 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 consent.

Power to execute works &c. in default of persons liable.

510. Whenever by or in pursuance of this Act or any byelaw in force within the city any work act or thing is required to be done by any owner occupier or other person and default is made therein or if any such work act or thing is in the opinion of the surveyor or other duly authorised officer of the Corporation improperly or insufficiently done the Corporation may cause such work act or thing to be executed re-executed or done (as the case may require) and the expenses incurred by the Corporation in any such case or incidental thereto shall be repaid to them by the person making default in the execution or doing of or improperly or insufficiently executing or doing such work act or thing as the case may be notwithstanding any penalty may be imposed on such person by any Act or byelaw and such amount may be recovered summarily.

In executing works instead of

511. Whenever the Corporation or the surveyor under this Act or any general or local Act or any byelaw 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.

owner Corporation only liable for negligence.

512. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall extend and apply to the purposes of this Act as if the same were re-enacted herein.

Corporation and persons acting in execution of Act not to be liable personally.

513.—(1) Where any notice or demand under this Act or under any local Act Provisional Order or byelaw for the time being in force within the city requires authentication by the Corporation the signature of the town clerk treasurer surveyor or other duly authorised officer of the Corporation shall be sufficient authentication.

Authentication and service of notices &c.

(2) Notices demands orders and other documents required or authorised to be served under this Act or under any local Act Provisional Order or byelaw for the time being in force within the city may be served in the same manner as notices under the Public Health Act 1875 are by section 267 (Service of notices) of that Act authorised to be served:

Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

514. 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.

Compensation how to be determined.

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South Rotherham Handsworth and Kiveton Park Isolation Hospital District.

515. The township of Tinsley shall not form part of the South Rotherham Handsworth and Kiveton Park Isolation Hospital District and the South Rotherham Handsworth and Kiveton Park District Isolation Hospital (West Riding of Yorkshire) Order 1897 shall have effect as if references to the parish of Brinsworth as constituted at the date of the passing of this Act were substituted therein for references to the parish of Brinsworth as existing at the date of the said Order and references to the township of Tinsley were omitted therefrom.

Powers under Public Health Acts Amendment Act 1907 in parish of Brinsworth.

516. The provisions of the Order of the Board dated the twenty-second day of July one thousand nine hundred and nine and declaring to be in force in the rural district and in the contributory place of Tinsley certain sections of the Public Health Acts Amendment Act 1907 shall not be in force in the township of Tinsley but shall have effect in relation to the parish of Brinsworth as if any reference in those provisions to the contributory place of Brinsworth extended and applied to the contributory place of Brinsworth as constituted at the date of the passing of this Act.

As to sewage of part of parish of Brinsworth.

517. If at any time the local authority for the area comprising the part of the former parish of Tinsley amalgamated with the parish of Brinsworth by the Sheffield (Extension) Order 1911 by this Act repealed shall request the Corporation so to do the Corporation shall make all reasonable provision for the reception treatment and disposal of sewage and drainage coming from the said part into and at sewers and works of the Corporation and shall undertake the reception treatment and disposal of such sewage and drainage on such terms and conditions as failing agreement between the Corporation and such local authority may be determined by an engineer or other person to be appointed on the application of either party by the Board and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such reference.

Restrictions on interference with works of Yorkshire Electric Power Company.

518. Nothing in this Act shall extend to or authorise any interference with any works of the Yorkshire Electric Power Company to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

Saving for powers of Yorkshire Electric Power Company.

519. Nothing in this Act shall prejudicially affect the undertaking or powers of the Yorkshire Electric Power Company under the Yorkshire Electric Power Act 1901 and the Yorkshire Electric Power Act 1910 in relation to that part of the area added to the city by the Sheffield (Extension) Order 1911 which is under the powers of this Act added to the borough and in relation to such part as aforesaid of that area the two first-mentioned Acts shall continue to apply as if within the meaning of those Acts such part of that area were an urban district of which the Rotherham Corporation were the council and formed no part of the borough and as if no consent of a distributing authority were required in any case to enable the said company to supply energy in such part of that area.

Inquiries by Board.

520.—(1) The Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon them or the giving of any consents under this Act and the inspectors of the Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by the Board under the Public Health Act 1875.

(2) The Corporation shall pay to the Board any expenses incurred by the Board in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by the Board not exceeding three guineas a day for the services of such inspector.

Confirmation of byelaws.

521. 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 or of any enactment incorporated therewith (except byelaws made under the provisions of the section of this Act of which the marginal note is "Byelaws as to crying newspapers and advertising vans" and except byelaws to which the provisions of the Tramways Act 1870 are applicable under this Act) provided that as regards confirmation of byelaws under the sections of this Act of which the marginal notes respectively are "Registration of marine store dealers" and "Powers as to licensing porters' carts and drovers" and inquiries in relation thereto the Secretary of State shall be substituted for the Board.

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Informations by whom to be laid.

522. Save as herein expressly provided all informations and complaints under or for the breach of any of the provisions of this Act or of any byelaws made thereunder may be laid and made by an officer of the Corporation authorised in that behalf or by the town clerk.

As to expenses of persons required to erect buildings &c.

523.—(1) In all cases where any owner or person shall be legally required by the Corporation by virtue of this Act to erect any building or do any other work and the cost of such building or work exceeds ten pounds then and in any such case such cost shall in the first instance be paid by the Corporation and the same or such portion thereof as shall under the provisions of this Act be payable by the owner or person so required to erect the building or do the work shall either be repaid at once to the Corporation or such owner or person may at his own option repay the same by equal half-yearly instalments extending over a period of seven years with interest at the rate of five pounds per centum per annum upon the amount from time to time unpaid And the Corporation if any of such instalments becomes three months in arrear shall for the purpose of recovering and enforcing payment thereof have all the same powers and remedies under the Conveyancing and Law of Property Act 1881 or otherwise as if they were mortgagees having powers of sale and of appointing a receiver The person or owner by whom any instalments are for the time being payable under the provisions of this section may at any time pay the balance for the time being due from him with interest at the rate aforesaid up to the date of such payment.

(2) The Corporation shall keep an alphabetical register of the names of all persons by whom any instalments are payable under the provisions of this section and the same shall be open to the inspection of any person upon payment of a fee not exceeding one shilling.

As to appeal.

524. Any person deeming himself aggrieved by any condition order judgment determination prohibition apportionment or requirement or the withholding of any certificate licence consent or approval of or by the Corporation or of or by any officer of the Corporation under the provisions of this Act or by any conviction or order made by a court of summary jurisdiction or a petty sessional court under the provisions of this Act may if no other mode of appeal is provided by this Act appeal to the next practicable court of quarter sessions

under and according to the provisions of the Summary Jurisdiction Acts and in regard to any such order made by a court of summary jurisdiction or a petty sessional court the Corporation may in like manner appeal.

Recovery of penalties &c.

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

Damages and charges to be settled by court.

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

Evidence of appointments authority &c.

527. Where in any legal proceedings taken by or on behalf of the Corporation under this Act or under any general or local Act in force in the city it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Corporation or of any committee of the Corporation or to prove any resolution of the Corporation or of any committee of the Corporation a certificate of such appointment authority or resolution purporting to be authenticated by the signature of the lord mayor of the city or the town clerk shall be primâ facie evidence of such appointment authority or resolution without further proof of the holding of any meeting or the production of any minute book or other record or document.

Saving for indictments &c.

528. 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 consequences 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.

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Recovery of demands.

529. Proceedings for the recovery of any demand made under the authority of this Act 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 county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Judges not disqualified.

530. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of being liable to any rate.

Powers of Act cumulative.

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

Crown rights.

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

Costs of Act.

533. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation.

PART XXVII.

REPEAL.

Repeal of Acts.

534.—(1) Subject to the provisions of this Act the Acts and Orders specified in the Twelfth Schedule to this Act (in this section referred to as "the repealed Acts") are hereby repealed except the provisions thereof mentioned in the third column of that schedule and set forth at length in the Thirteenth Schedule to this Act Provided that such repeal shall not affect any powers of the Corporation under the repealed Acts or any of them with respect to the compulsory acquisition thereunder

by the Corporation of any lands and any such powers (together with the benefit of any provisions of any other of the repealed Acts incorporated therewith) shall remain in full force and be exerciseable to the same extent and subject to the same conditions and restrictions as if this Act had not been passed.

Savings from effect of repeal.

(2) Notwithstanding the repeal of the repealed Acts as aforesaid—

(*a*) All existing annuities bonds mortgages stock bills or other securities granted payable or created by the Corporation under any of the repealed Acts shall be and continue valid and available for all purposes and for and against all parties and the holders of all such annuities bonds mortgages stock bills or other securities shall be in the like position and entitled to the like powers rights and remedies as if the same had been respectively granted or issued under the Corporation Acts:

(*b*) All property vested in the Corporation at the passing of this Act shall continue vested in the Corporation and all acts works matters and things before the commencement of this Act done or commenced under the powers of the repealed Acts or any of them and which were at the commencement of this Act valid and available or in progress and all existing notices notices to treat agreements awards conveyances contracts covenants deeds instruments leases obligations rights and remedies shall be and continue valid and available for all purposes and for and against all parties and may be continued enforced and completed as if this Act had not been passed:

(*c*) All actions arbitrations prosecutions and proceedings (including adjustments of financial relations (if any) consequent upon any extensions of former boundaries of the city and not made or completed) by with or against the Corporation by reason of any matter or thing done before the commencement of this Act in execution of or in relation to the repealed Acts or any of them may be continued commenced taken made or prosecuted by against or with the Corporation as if this Act had not been passed:

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(*d*) All existing byelaws rules regulations orders and licences shall continue in force until repealed, altered or revoked under the provisions of this Act or until their expiration and may be enforced in like manner and with the same penalties as if made for like purposes respectively under the provisions of this Act:

(*e*) All rates rents tolls and other sums at the commencement of this Act due or accruing due to the Corporation may be collected and recovered by the Corporation as if this Act had not been passed:

(*f*) All books and documents which under any of the repealed Acts or otherwise would have been receivable in evidence shall be receivable in evidence as if this Act had not been passed.

The SCHEDULES referred to in the foregoing Act. A.D. 1918.

THE FIRST SCHEDULE.

Names of the Wards of the City.

No. 1	St. Peter's Ward.	No. 9	Heeley Ward.
No. 2	St. Philip's Ward.	No. 10	Sharrow Ward.
No. 3	Neepsend Ward.	No. 11	Ecclesall Ward.
No. 4	Brightside Ward.	No. 12	Broomhall Ward.
No. 5	Burngreave Ward.	No. 13	Hallam Ward.
No. 6	Attercliffe Ward.	No. 14	Crookesmoor Ward.
No. 7	Darnall Ward.	No. 15	Walkley Ward.
No. 8	Park Ward.	No. 16	Hillsborough Ward.

THE SECOND SCHEDULE.

Corporation Tramways.

Part I.—Constructed at the Passing of this Act.

Tramway No.	Description of the Tramways and of the Streets along which the same are laid.	Length excluding Crossovers Sidings and Junctions.	
		Double Track.	Single Track.
		M. f. yds.	M. f. yds.
1	From Fitzalan Square to Firth Park by way of Haymarket Waingate Lady's Bridge Wicker Spital Hill Burngreave Road Barnsley Road and Firth Park Road.	3 0 77	—
2	From Spital Hill (junction with No. 1) to Petre Street at Carwood Road by way of Ellesmere Road and Petre Street.	0 4 159	—
3	From Firth Park Road (junction with No. 1) to Brightside Lane (junction with No. 4) by way of Page Hall Road Owler Lane and Upwell Street.	0 7 47	0 0 142
4	From Wicker Arches (junction with No. 1) to Brightside (near Weeden Street) by way of Savile Street Savile Street East and Brightside Lane.	2 1 147	—

Tramway No.	Description of the Tramways and of the Streets along which the same are laid.	Length excluding Crossovers Sidings and Junctions.	
		Double Track.	Single Track.
		M. f. yds.	M. f. yds.
5	From Brightside Lane (junction with No. 4) to Attercliffe Road (junction with No. 6) by way of Newhall Road.	0 3 100	—
6	From Savile Street (junction with No. 4) to Tinsley at end of Weeden Street by way of Attercliffe Road and Attercliffe Common.	2 2 126	—
7	From Attercliffe Road (junction with No. 6) to Park Lane Handsworth by way of Staniforth Road Main Road Handsworth Hill and Main Road Handsworth.	2 0 59	0 1 157
8	From Fitzalan Square to Intake by way of Commercial Street Sheaf Street Broad Street Duke Street City Road and Main Road Intake.	1 7 59	0 6 60
9	From the Wicker (junction with No. 1) to Broad Street (junction with No. 8) by way of Blonk Street Furnival Road and Exchange Place.	0 1 213	—
10	From Commercial Street (junction with No. 8) to London Road Heeley (junction with No. 13) by way of Sheaf Street Leadmill Road Suffolk Road and Queen's Road.	1 3 96	0 0 202
11	From Leadmill Road (junction with No. 10) to Queen's Road (junction with No. 10) by way of Shoreham Street.	0 6 183	—
12	From corner of Pond Street and Sheaf Street (junction with No. 10) to junction with No. 13 at Moorhead by way of Paternoster Row Brown Street and Furnival Street.	0 1 183	0 1 103
13	From Fitzalan Square to Woodseats by way of High Street Fargate Pinstone Street Moorhead South Street Moor London Road and Chesterfield Road.	3 1 200	—
14	From Queen's Road (junction with No. 10) to Abbeydale Road (junction with No. 15) by way of Wolseley Road.	0 1 153	—
15	From London Road (junction with No. 13) to Millhouses by way of Abbeydale Road.	1 6 85	—
16	From South Street Moor (junction with No. 13) to Nether Edge by way of Cemetery Road Washington Road Wostenholm Road Montgomery Road and Moncrieffe Road.	1 1 51	0 0 40
17	From South Street Moor (junction with No. 13) to Banner Cross by way of Ecclesall Road and Ecclesall Road South.	1 6 165	0 0 18
18	From Ecclesall Road (junction with No. 17) to Nether Green (junction with No. 19) by way of Rustlings Road Oakbrook Road and Nether Green Road.	1 0 170	—

Tramway No.	Description of the Tramways and of the Streets along which the same are laid.	Length excluding Crossovers Sidings and Junctions.	
		Double Track.	Single Track.
		M. f. yds.	M. f. yds.
19	From High Street (junction with No. 13) to Nether Green (junction with No. 18) by way of Church Street Bow Street West Street Glossop Road Hounsfield Road Western Bank Whitham Road and Fulwood Road.	2 6 215	0 0 214
20	From Broomhill (junction with No. 19 at Crookes Road) to Heavygate Road by way of Crookes Road Crookes and Northfield Road.	1 1 80	0 0 30
21	From Western Bank (junction with No. 19 at top of Hounsfield Road) to Walkley by way of Winter Street Crookes Valley Road Barber Road Commonside Howard Hill Howard Road and South Road Walkley.	1 2 34	—
22	From Bow Street (junction with No. 19) to Pinstone Street (junction with No. 13) by way of Leopold Street.	0 1 86	—
23	From Market Place (junction with No. 13) to City Boundary in Middlewood Road by way of Market Place Angel Street Snig Hill West Bar Gibralter Street Moorfields Shalesmoor Infirmary Road Langsett Road and Middlewood Road.	2 7 132	0 2 64
24	From Hillsborough Bridge (junction with No. 23) to Malin Bridge by way of Holme Lane.	0 3 104	0 0 106
25	From Snig Hill (junction with No. 23) to Lady's Bridge (junction with No. 1) by way of Bridge Street.	0 1 66	—
26	From Shalesmoor (junction with No. 23) to Hillfoot Bridge (junction with No. 27) by way of Penistone Road.	0 5 39	—
27	From Lady's Bridge (junction with No. 1) to Middlewood Road (junction with No. 23) by way of Nursery Street Bridgehouses Mowbray Street Neepsend Lane Hillfoot Bridge Penistone Road and Parkside Road.	2 3 103	0 1 136
	Total - - - -	37 5 55	2 0 172

Totals reduced to single track.

M.	f.	yds.
77	3	62

PART II.—AUTHORISED TO BE CONSTRUCTED AT THE PASSING OF THIS ACT.

Tramway No.	Short Description of the Tramways and of the Streets along which the same are proposed to be laid.	Length excluding Crossovers and Sidings.		No. on deposited Plans.
		Double Track.	Single Track.	
	As first authorised by the Sheffield Corporation Act 1907 :—	M. f. chs.	M. f. chs.	
1	Chesterfield Road —Chantrey Road to Abbey Hotel.	0 2 7·5	—	3
2	Ecclesall Road South (late Ecclesall Road)—Brincliffe Edge Road to Carterknowle Road.	0 1 9·4	—	5 (Part).
	As first authorised by the Sheffield Corporation Act 1912 :—			
3	Woodseats to Beauchief viâ Chesterfield Road and Abbey Lane.	1 2 3·4	—	2
4	Millhouses to Beauchief viâ Abbeydale Road South.	0 7 1·6	—	3
5	Ecclesall Road South (late Ecclesall Road) — Carterknowle Road to Silver Hill.	0 1 7	—	4
6	Fulwood Road—Tom Lane to Canterbury Lane.	0 4 4·5	—	8
7	Albert Terrace Road and Oxford Street—Infirmary Road to Crookes Valley Road.	0 5 1·8	—	9
8	Junction Tramway—Infirmary Road to Albert Terrace Road.	0 0 1·4	—	9A
9	Doublings of Lines—Staniforth Road between Chelmsford Street and Broad Oaks.	—	0 0 9·1	13
10	Doublings of Lines—City Road and Main Road — Intake (cemetery to terminus).	—	0 6 2·5	14
11	Leopold Street to West Bar viâ Townhead Street Tenter Street and West Bar Green.	0 2 8·5	—	15
12	Junction Tramway — Church Street to Townhead Street.	0 0 1·8	—	15A
13	Junction Tramway—West Bar Green to West Bar.	0 0 1·8	—	15B
14	Scotland Street Meadow Street Watery Street Tenter Street to Netherthorpe (Saint Philips Road).	0 4 2·2	—	16
15	Junction Tramway—Scotland Street to West Bar Green.	0 0 2·1	—	16A
16	Meadow Street to Upperthorpe (Library) viâ Netherthorpe Place and Upperthorpe Road.	0 2 6	—	17
17	Junction Tramway — Oxford Street to Upperthorpe Road.	0 0 1·1	—	17A
18	Junction Tramway — Upperthorpe Road to Albert Terrace Road.	0 0 1·1	—	17B

Tramway No.	Short Description of the Tramways and of the Streets along which the same are proposed to be laid.	Length excluding Crossovers and Sidings.		No. on deposited Plans.
		Double Track.	Single Track.	
	As first authorised by the Sheffield Corporation (Tramways) Act 1915 :—	M. f. chs.	M. f. chs.	
19	Bawtry Road Tinsley—Sheffield Road to City Boundary.	0 4 4·9	—	1
20	Junction Tramway — Bawtry Road to Sheffield Road.	0 0 1·3	—	1A

Part III.—Authorised to be constructed by this Act.

Tramway No.	Description of the Tramways and of the Streets along which the same are proposed to be laid.	Length excluding Crossovers Sidings and Junctions.		No. on deposited Plans.
		Double Track.	Single Track.	
		M. f. chs.	M. f. chs.	
1	Commencing in Firth Park Road in the city by a junction with the existing Corporation tramways therein at a point thirty-seven yards or thereabouts measured in a north-westerly direction from the south-east corner of Bellhouse Road and Firth Park Road passing thence into and along Stubbin Lane Barnsley Road Sheffield Lane across the boundary of the city and thence along the main road from the city to Barnsley and terminating in such main road at the junction of Church Lane and Chapeltown Road in the parish of Ecclesfield in the rural district of Wortley.	2 2 9·7	—	1
2	Commencing in Chesterfield Road in the city by a junction with the authorised Tramway No. 1 in Part II. of this schedule described at the point of the termination of such tramway passing thence into and along Meadow Head in the city across the boundary of the city and thence along the Chesterfield main road in the parishes of Norton Coal Aston and Dronfield Woodhouse and the parish and urban district of Dronfield the Sheffield Road in the said parish of Dronfield and terminating in the Chesterfield Road in the last-mentioned parish at a point opposite the west side of Green Lane.	2 7 9·2	—	2

THE THIRD SCHEDULLE.

CORPORATION TRAMWAYS.

RATES AND CHARGES FOR THE CONVEYANCE OF PARCELS.

	Any distance. s.	d.
For any parcel not exceeding seven pounds in weight - -	0	3
For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight - - - - - - - -	0	5
For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight - - - - - -	0	7
For any parcel exceeding twenty-eight pounds and not exceeding fifty-six pounds in weight - - - - - - - -	0	9
For any parcel exceeding fifty-six pounds but not exceeding five hundred pounds in weight such sum as the Corporation may think fit.		

Provided always that articles sent in large aggregate quantities although made up in separate parcels such as bags of sugar coffee meal and the like shall not be deemed small parcels but that term shall apply only to single parcels in separate packages.

THE FOURTH SCHEDULE.

ELECTRICITY.

LANDS FOR GENERATING STATIONS.

1 Lands at Kelham Island:

All that piece of land situate in the city and township of Sheffield containing an area of one acre and twenty-nine-and-a-half perches or thereabouts bounded on the north and north-east by the River Don on the south-east by land now or late of the Kelham Rolling Mills on the south-west by a goit and on the north-west by land now or late of Wheatman and Smith Limited.

2 Lands at Neepsend:

All that piece of land situate in the city and township of Sheffield containing an area of ten acres two roods thirteen perches or thereabouts fronting to Clubmill Lane and adjoining land of the trustees of Lady Burgoyne's family settlement the Great Central Railway from Manchester to Sheffield and land of the late Duke of Norfolk.

3 Lands at Sheaf Street and Commercial Street:

(*a*) All that piece of land situate in the city and township of Sheffield containing an area of eight perches and twenty-two square yards or thereabouts and fronting to Commercial Street and Wheel Hill and adjoining land of the Sheffield Gas Company:

(*b*) All that piece of land situate in the city and township of Sheffield containing an area of two roods and six perches or thereabouts fronting to Sheaf Street Wheel Hill and Shude Lane and adjoining land of His Majesty's Postmaster-General and George Senior and Sons Limited:

(*c*) All that piece of land (partly covered with water) situate in the city and township of Sheffield containing an area of two roods and twenty-seven perches or thereabouts fronting to Shude Lane and adjoining land of George Senior and Sons Limited the Sheffield Pure Ice and Cold Storage Company Limited William Jessop and Sons Limited and Marsh Brothers and Company.

4 Lands at Blackburn Meadows:

All that piece or parcel of land situate in the city and township of Sheffield containing an area of twenty-eight acres and thirteen perches or thereabouts bounded on the north-west north and north-east by the sewage works of the Corporation at Blackburn Meadows on the west south-west and south by the railway of the Great Central Railway Company and on the south-east by the River Don.

THE FIFTH SCHEDULE.

LIST OF MARKET RENTS TOLLS STALLAGES &C.

If let for a Week or any longer Period.	After the rate per week of— *s.*	*d.*
Shop not movable - per superficial foot inside measure	0	4
Office desk or box whether movable or not per superficial foot outside measure	0	4
Table stand bench or stall whether movable or not per superficial foot	0	9
Cellar or basement - per superficial foot inside measure	0	1½
Space of the surface of the ground not being a shop table stand or stall per superficial foot if in a market place covered over from the weather - - - -	0	4
Space of the surface of the ground in a place not covered over from the weather - - - per superficial foot	0	3

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If let by the Day or for a Term less than a Week.	Per day. s.	d.
Office desk or box whether movable or not per superficial foot outside measure	0	2
Table stand bench stall or cage whether movable or not per superficial foot	0	3
Space of the surface of the ground not being a shop table stand bench or stall in a place covered over from the weather - - - - - per superficial foot	0	2
Space of the surface of the ground not being a shop table stand bench or stall in a place not covered over from the weather - - - - - per superficial foot	0	1½

During the fairs double the amount of toll stallages or rents above mentioned may be taken for stalls stands benches or spaces of ground occupied only by the day (except for spaces occupied for exhibitions of wild beast or other shows or performances).

The above-mentioned tolls and stallages in the markets and fairs to be paid and payable in respect of the occupation of any office desk box table stand bench stall or space of ground as well by the original taker or occupier thereof for a portion of the day or space of time as by any subsequent taker or occupier of the same for any other portion of the day or space of time.

	s.	d.
For every exhibition of wild beast or other shows and performances occupying a space not exceeding 40 feet superficial measure for each day not exceeding - - - -	10	0
And if occupying a larger space than 40 feet then for every additional superficial foot for each day not exceeding -	0	4

Offer or Exposure for Sale.	Per day. s.	d.
Any person offering or exposing any article saleable in the market by sample either within the market or adjacent thereto and not having any shop office desk box table stand bench or stall and not renting any space of the surface of the ground - - - - - -	1	0
Any person offering or exposing any article saleable in the market supported by hand or by or about the person in basket or otherwise - - - - - -	0	6
Every wagon load of hay straw green fodder or other agricultural produce exposed or offered for sale in the market or in any street or place within a distance of 500 yards therefrom - - - - - - -	0	8
Ditto when retailed - - - - - - -	1	4

	Per day. s.	d.
Every load of hay straw green fodder or other agricultural produce not being a wagon load so exposed or offered -	0	4
Ditto when retailed - - - - - -	0	8
Every horse gelding or mare - - - - -	1	0
Every colt filly foal mule or ass - - - -	0	6
Every bull ox cow bullock steer or heifer - - -	0	4
Every calf - - - - - - -	0	1
Every head of swine not being a sucking pig - -	0	2
Every sucking pig - - - - - -	0	1
Every sheep - - - - - - -	0	1

For Weighing and Measuring.

	Amount of rate. s.	d.
A hide - - - - - - - -	0	1
A flitch of bacon - - - - - -	0	1
A skin - - - - - - - -	0	1
A sheep lamb or calf - - - - - -	0	2
A pig - - - - - - - -	0	3
A bull cow bullock steer or heifer - - - -	0	4
Quarter of a bull cow bullock steer or heifer - - -	0	1
Every load of hay straw or agricultural produce - -	0	6
Wool for each hundredweight and any fractional part of a hundredweight - - - - - -	0	6
Any article not included in the above description if less than one hundredweight - - - - - -	0	1
If more than one hundredweight for each hundredweight and any fractional part of a hundredweight - - -	0	1
For measuring any cereals sold by measure for each bushel or part of a bushel and for any fractional part of a bushel if more than a bushel - - - - -	0	1

Provided that the tolls to be demanded in respect of the weighing of live cattle sheep or swine shall not exceed those authorised by the Markets and Fairs (Weighing of Cattle) Act 1887 or by any Act amending the same.

For Slaughtering.

	Per head. s.	d.
For every bull bullock cow ox steer or heifer - -	2	6
For every sheep or lamb - - - - -	0	6
For every calf - - - - - - -	1	0
For every head of swine - - - - -	1	0
For every other animal slaughtered in the Corporation abattoirs	2	0

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The following substances to be the property of the Corporation viz. all manure and other substances thrown down as refuse by the butchers.

Lairage.	Per head. s.	d.
For every bull bullock cow ox steer or heifer per day or part of a day - - - - - - -	0	6
For every sheep or lamb per day or part of a day - -	0	1
For every calf per day or part of a day - - -	0	2
For every head of swine per day or part of a day - -	0	2

Fodder when supplied by the Corporation and labour in feeding to be in addition to the above lairage charges.

Every person slaughtering dressing penning lairing or sorting animals before or after the ordinary business hours fixed by the Corporation to pay double the ordinary charges:

Provided that the ordinary business hours shall include such time after sunset on Saturday evenings as may reasonably be required for all operations connected with the killing of animals and preparation of meat for consumption by persons of the Jewish faith.

Dead Meat Market.	Per carcase. s.	d.
Animals whether slaughtered in the Corporation abattoirs or not and hung in a portion of the market not let:—		
For every carcase of beef - - - - - -	2	6
For every sheep or lamb - - - - - -	0	6
For every calf - - - - - - - -	0	6
For every head of swine - - - - - -	1	0

The Corporation shall be entitled to demand and take the same tolls in respect of any dead meat which shall be sold when in the slaughter hall or cooling hall or elsewhere in the abattoirs as they would be entitled to demand and take if such dead meat had been hung and sold in a portion of the dead meat market not let.

Tripery Offal Stores Gut-houses Blood-house Hide-house &c.

The rates or charges to be such as may be levied from time to time by the Corporation.

Chill Rooms and Cold Storage.

The rates and charges in respect of storage to be such as may be levied from time to time by the Corporation.

Business Premises.

The rent payable in respect of saleshops dwelling-houses public-houses store-rooms warehouses works premises and any other premises having an entrance from outside the respective market halls to be such sum or sums of money as the Corporation may fix from time to time.

Auction Sales.

For every sale by auction of whatever kind and nature such sum or sums as the Corporation may fix in addition to the sums otherwise payable as tolls or rents under this Act.

THE SIXTH SCHEDULE.

Describing Properties of which Portions only are required to be taken.

Work.	Township or Parish.	Nos. on deposited Plans.
Sheffield Corporation Act 1907 :—		
Improvement No. 8 - - -	Sheffield -	1 2 3 4.
Sheffield Corporation Act 1912 :—		
Street Improvement No. 1 - -	Sheffield -	1 2 3.
Street Improvement No. 3 - -	Sheffield -	1 to 9 (inclusive).
Street Improvement No. 4 - -	Ecclesall -	1 and 2.
Street Improvement No. 5 - -	Sheffield -	51.
Street Improvement No. 6 - -	Ecclesall -	1.
Street Improvement No. 7 - -	Ecclesall -	1 2.
Street Improvement No. 9 - -	Sheffield -	1 to 6 (inclusive).
Street Improvement No. 11 - -	Sheffield -	29 to 41 (inclusive).
Street Improvement No. 12 - -	Ecclesall -	2.
Street Improvement No. 14 - -	Ecclesall -	1 to 12 (inclusive).
Street Improvement No. 15 - -	Ecclesall -	1 to 7 (inclusive).
Street Improvement No. 16 - -	Ecclesall -	1.
Street Improvement No. 17 - -	Ecclesall -	1 2.
Street Improvement No. 18 - -	Ecclesall -	1 2.
Street Improvement No. 21 - -	Sheffield -	153 187.
Sheffield Corporation Act 1914 :—		
Street Improvement No. 3 - -	Sheffield -	1 to 17 (inclusive).
Street Improvement No. 4 - -	Ecclesall -	33 to 37 (inclusive) 44 and 47 to 79 (inclusive).
	Sheffield -	80 81 and 86 to 90 (inclusive).

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Work.	Township or Parish.	Nos. on deposited Plan.
Sheffield Corporation Act 1914—*cont.*		
Street Improvement No. 5 - -	Sheffield -	1 and 6.
	Ecclesfield -	4.
Street Improvement No. 6 - -	Sheffield -	10 to 24 (inclusive) 26 to 31 (inclusive) and 37 to 40 (inclusive).
	Ecclesfield -	33 and 35.
Street Improvement No. 7 - -	Sheffield -	1.
Street Improvement No. 8 - -	Sheffield -	1 to 13 (inclusive).
Street Improvement No. 10 - -	Sheffield -	1 2 and 3.
Street Improvement No. 11 and lands for new abattoirs markets &c.	Sheffield -	40 to 43 (inclusive) 46 52 and 53.
Railways Nos. 1 and 2 - - -	Sheffield -	1 and 2.

THE SEVENTH SCHEDULE.

FORM OF REGISTER CHARGE OF PRIVATE IMPROVEMENT EXPENSES.

CITY OF SHEFFIELD.

The lord mayor aldermen and citizens of the city of Sheffield do hereby in pursuance of the Sheffield Corporation (Consolidation) Act 1918 charge the lands tenements hereditaments and premises hereunder mentioned with the sum hereunder stated the same being due and payable to them in respect thereof for private improvement expenses together with interest thereon at five pounds per centum per annum from the date of the registration thereof.

Given under the corporate common seal of the said city this day of one thousand nine hundred and .

Description of Property.	Name and Address of Owner or reputed Owner.	Name of Occupier (if any).	Amount charged.

(L.S.)
Town Clerk.

FORM OF CERTIFICATE OF DISCHARGE.

CITY OF SHEFFIELD.

The lord mayor aldermen and citizens of the city of Sheffield do hereby certify that the sum of pounds charged on the lands tenements hereditaments and premises hereunder stated for private improvement expenses with interest thereon at five per centum per annum from the date of the registration thereof has been paid.

Given under the corporate common seal of the said city this day of one thousand nine hundred and

Description of Property.	Name and Address of Owner or reputed Owner.	Name of Occupier.	Amount charged.

(L.S.)
Town Clerk.

THE EIGHTH SCHEDULE.

FORM OF MORTGAGE.

By virtue of the Sheffield Corporation (Consolidation) Act 1918 and of other their powers in that behalf them enabling the lord mayor aldermen and citizens of the city of Sheffield (hereinafter referred to as "the Corporation") in consideration of the sum of pounds paid to the treasurer of the city by (hereinafter referred to as "the mortgagee") do hereby grant and assign unto the mortgagee (his) executors administrators and assigns such proportion of the revenues of the Corporation in the said Act defined as the said sum so paid doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee (his) executors administrators and assigns from the day of the date of these presents until the said sum of shall be fully paid and satisfied with interest for the same (subject as hereinafter provided) at the rate of per centum per annum from the day of one thousand nine hundred and until payment of the said principal sum such interest to be paid half-yearly on the day of and the day of in each year And it is hereby agreed that the said principal sum of pounds shall be repaid at the town hall in the said city [(subject as hereinafter provided) on

A.D. 1918.

the day of one thousand nine hundred and]
[by]:

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be agreed upon and mentioned in an endorsement to be made hereon under the hands of the lord mayor or the chairman of the finance committee and the town clerk of the city for the time being respectively and that upon any such endorsement being made whether relating to extension of time only or to extension of time with alteration of rate of interest the provisions thereof shall be incorporated herewith and shall operate and take effect as though they had been originally inserted herein.

In witness whereof the Corporation have caused their corporate seal to be hereunto affixed this day of one thousand nine hundred and .

THE ENDORSEMENT WITHIN REFERRED TO.

The within-named consenting the within-mentioned time for repayment of the within-mentioned principal sum of is hereby extended to the day of one thousand nine hundred and (and the interest to be paid thereon on and from the day of one thousand nine hundred and is hereby declared to be at the rate of per centum per annum).

Dated this day of one thousand nine hundred and .

FORM OF TRANSFER OF MORTGAGE.

I (the within-named of) in consideration of the sum of pounds paid to me by of (hereinafter called "the transferee") do hereby transfer to the transferee (his) executors administrators and assigns (the within-written security) (the mortgage number of the revenues of the lord mayor aldermen and citizens of the city of Sheffield bearing date the day of) and all my right and interest under the same subject to the several conditions on which I hold the same at the time of the execution hereof and I the transferee for myself my executors administrators and assigns do hereby agree to take the said mortgage security subject to the same conditions.

Dated this day of one thousand nine hundred and .

THE NINTH SCHEDULE.

Form A.

Form of Certificate of Annuity.

Sheffield Corporation Water Annuities.

No. £

By virtue of the Sheffield Corporation (Water) Act 1887 [*or* the Sheffield Corporation (Consolidation) Act 1918] the lord mayor aldermen and citizens of the city of Sheffield (hereinafter called "the Corporation") do hereby certify that of [is] under and subject to the provisions of that Act entitled to an annuity [*or* to annuities] (*as the case may be*) of charged on and issuing out of the revenue of the water undertaking of the Corporation and on and out of the district fund and general district rate for the time being of the city of Sheffield which annuity is [*or* annuities are] (*as the case may be*) payable to the said [his] executors administrators or assigns clear of all deductions (except for income tax) by equal half-yearly payments on the thirtieth day of June and the thirty-first day of December in each year.

The annuity represented by this certificate is redeemable by the Corporation at any time by agreement with the annuitant or after the year one thousand nine hundred and forty-seven at the option of the Corporation upon giving to the annuitant one month's notice and upon payment in cash of a sum equal to twenty-five years' purchase of the annuity.

Given under the common seal of the lord mayor aldermen and citizens of the city of Sheffield this day of one thousand nine hundred and .

L.S.

Form B.

Form of Transfer of Annuity.

I of in consideration of the sum of pounds paid to me by of do hereby transfer to (hereinafter called "the transferee") the annuity [or annuities] (*as the case may be*) of numbered created under the Sheffield Corporation (Water) Act

A.D. 1918.

1887 [*or* the Sheffield Corporation (Consolidation) Act 1918] and all my right and interest therein and thereto to hold unto the transferee his executors administrators and assigns subject to the several conditions on which I hold the same at the time of the execution hereof and I the transferee do hereby agree to take the same annuity [*or* annuities] (*as the case may be*) subject to the same conditions.

As witness our hands and seals this day of one thousand nine hundred and .

L.S.

L.S.

THE TENTH SCHEDULE.

FORMS.

(A.)

RESOLUTIONS ON CREATION OF STOCK.

CITY OF SHEFFIELD.

[Twenty-ninth September one thousand nine hundred and .]

At a meeting of the council of the city of Sheffield holden on [Wednesday the twenty-ninth day of September one thousand nine hundred and] at [eleven o'clock in the forenoon] in the [council chamber within the] town hall [as a special council].

Present:

[*A.B.*] Lord Mayor and a full Council.

Resolved first—

That under the authority and subject to the provisions of the Sheffield Corporation (Consolidation) Act 1918 the Corporation acting by the council do hereby in exercise of their several statutory powers create stock to be called Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock and to be issued to an amount which

shall be sufficient for the following purposes but not exceeding [*state the sum in words*] pounds [*state the sum in figures*]:—

A. For raising the following sums (amounting in the aggregate to the sum of pounds which has not been raised) (that is to say):—

(1) The sum of pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [ ] Acts for the purchase-money for [ ] and the cost of reconstruction of portions thereof;

(2) The sum of pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [ ] Acts for the cost of construction of [ ]:

(3) The sum of pounds on account of the money which the Corporation have authority to raise by borrowing under the powers conferred upon them by the [ ] Acts for the purposes of [sewering and paving within the city]:

B. For raising instead of re-borrowing the sum of pounds required by the Corporation for the purpose of paying off when due sums amounting to pounds which will fall due before the [first January one thousand nine hundred and] being a portion of their debts now subsisting on the security of outstanding securities granted by the Corporation for raising money for the purposes of the following Acts (that is to say):—

and which sums the Corporation are under those Acts authorised to re-borrow:

C. For raising the sum of pounds for repaying the amount temporarily borrowed by the Corporation from [the Bank of England] in order to enable the Corporation to meet sums which amount to pounds being a portion of their debt secured on outstanding securities granted by the Corporation for raising money for the purposes of the following Acts (that is to say):—

and which sums the Corporation are under those Acts authorised to re-borrow:

A.D. 1918.

D. For raising the sum of pounds for paying off or redeeming statutory securities granted by the Corporation under the following Acts and now outstanding (that is to say):—

E. For the purpose of issuing stock in substitution for statutory securities granted by the Corporation under the following Acts and now outstanding (that is to say):—

Resolved secondly—

That such stock shall be issued at the price and shall bear the dividends and be transferable in the manner hereinafter specified (that is to say):—

A. The minimum price of issue to be [pounds] per centum the first dividend to be payable on the [first January one thousand nine hundred and]:

B. Tenders for stock to be made to [the Bank of England] A deposit of five per centum on the amount of stock tendered for to be paid at [the Bank of England] at the time of the delivery of the tender:

C. The dates for the further payments on account of the said tenders when accepted to be as follows On [Wednesday the twentieth day of October one thousand nine hundred and] so much of the amount tendered and accepted as when added to the deposit will leave seventy-five pounds (sterling) to be paid for each one hundred pounds of stock On [Friday the twenty-sixth day of November one thousand nine hundred and] twenty-five per centum On [Tuesday the eleventh day of January one thousand nine hundred and] twenty-five per centum On [Tuesday the first day of March one thousand nine hundred and] twenty-five per centum In case of default in the payment of any instalment at its proper date the deposit and instalments previously paid will be liable to forfeiture:

D. Dividends at [ ] per centum per annum payable [quarterly]:

E. Dividends on the total amount of stock (calculated from [the first of October one thousand nine hundred and]) to be payable on [the first January one thousand nine hundred and]:

F. Scrip certificates to bearer with coupons attached for the dividends payable [first January one thousand nine hundred and] and [first April one thousand nine hundred and] to be issued in exchange for the provisional receipts:

G. In the event of the receipt of tenders of a larger amount of stock than that proposed to be issued at or above the minimum price the tenders at the lowest price accepted to be subject to proportionate diminution:

H. Stock to be issued in sums of not less than ten pounds:

J. Stock to be transferable in books and not by deed.

Resolved thirdly—

That such stock shall be redeemable as follows [*state terms*].

Resolved fourthly

That subject to the approval of the Commissioners of Inland Revenue an agreement be entered into with the said Commissioners for the payment to the said Commissioners of composition under the provisions of section 115 of the Stamp Act 1891 for the stamp duty on transfers of stock issued under the foregoing resolutions.

(B.)

Stock Receipt.

Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock (Pounds per Centum).

Transfer Days:

Monday

Tuesday

Wednesday

Thursday

Friday.

Holidays excepted.

Received this day of one thousand nine hundred and of

hereinafter called the said transferee the sum of being the consideration for

interest or share in the Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock (per centum) transferable at [the Bank of England] and all my property and interest in and right to the same and the dividends thereon by this day transferred unto the said transferee.

Witness hand

Witness

☛ The Proprietors to protect themselves from fraud are recommended to accept by themselves or their attorneys all transfers made to them.

£ *s.* *d.*

A.D. 1918.

[Indorsement.]

NOTICE TO HOLDERS OF SHEFFIELD CORPORATION REDEEMABLE [*or* CONSOLIDATED *or* DEBENTURE] STOCK (POUNDS PER CENTUM).

Payment of Dividends.

Dividends are due on [the first January first April first July and first October] unless any of these days falls on a Sunday or day observed as a holiday by the Bank of England in which case the dividends will be payable on the following day.

Dividends will be paid in one of the following modes:—

I. To the stockholders personally or to their attorneys at the [Bank of England].

N.B.—Stockholders may arrange for the receipt of their dividends free of charge at any of the country branches on application to the agent.

II. By transmission of dividend warrants by post at the risk of the stockholder under the following regulations:—

1. Any stockholder residing within the United Kingdom who desires to have his dividend warrant sent to his address by post must fill up a form of application to be obtained at the Bank or at any of its branches.

2. In the case of joint accounts the application must be signed by all the members of the account directing the warrant to be sent to one of them at a given address.

3. Post dividend warrants will be crossed "& Co" and will only be payable through a banker They will be drawn to the order of the stockholder and must be indorsed.

☛ Stockholders whose warrants are sent by post should give notice to the Bank if they are not received on the day on which they ought to be delivered but need not acknowledge those that arrive in due course.

Stock Certificates to Bearer.

Stock certificates to bearer of the denominations of [ten pounds or any multiple of ten pounds] with coupons for the quarterly dividends attached may be obtained in exchange for inscribed stock.

(C.)

CORPORATION STOCK CERTIFICATE.

CITY OF SHEFFIELD.

Number

This is to certify that *A.B.* of [ ] is the proprietor of [ ] pounds of Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock subject to the Acts of Parliament relating thereto.

Given under the common seal of the lord mayor aldermen and citizens of the city of Sheffield this [ ] day of [ ] one thousand nine hundred and [ ].

(D.)

TRANSFER IN BOOKS.

SHEFFIELD CORPORATION REDEEMABLE [*or* CONSOLIDATED *or* DEBENTURE] STOCK (PER CENTUM).

No.

		£	*s.*	*d.*
Entered by	this day of in the year of our Lord one thousand nine hundred and do assign and transfer			
Witness to the identity of	interest or share in the Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock (per centum) transferable at [the Bank of England] and all my property and interest in and right to the same and the dividends thereon unto			

Executors administrators or assigns Witness hand

Witness

do freely and voluntarily accept the above stock transferred

Witness to

A.D. 1918.

(E.)

APPLICATION FOR ISSUE OF POWER OF ATTORNEY.

[BANK OF ENGLAND] the day of one thousand nine hundred and .

From *A.B.* and *C.D.* [the registered Stockholders in the Bank Books].

pounds SHEFFIELD CORPORATION REDEEMABLE [*or* CONSOLIDATED *or* DEBENTURE] STOCK (PER CENTUM).

To *G.H.* [the intended Attorney].

Examined by | Dr. folio Posted by | Cr. folio Posted by | Transfer Book.

(F.)

POWER OF ATTORNEY FOR SALE AND TRANSFER AND FOR RECEIPT OF DIVIDENDS.

Corporate Account.

SHEFFIELD CORPORATION REDEEMABLE [*or* CONSOLIDATED *or* DEBENTURE] STOCK.

Acceptance Sale of *Pounds and Dividends.*

We
our attorneys and attorney.
for us and in our name and on our behalf—

First to accept all transfers made or to be made to us of any sum of

SHEFFIELD CORPORATION REDEEMABLE [*or* CONSOLIDATED *or* DEBENTURE] STOCK;

Secondly to sell and transfer all or any part of the sum of

said stock standing in our name in the books of [the Governor and Company of the Bank of England];

Thirdly to receive and give receipts for all dividends or payments due or to become due on any sum of the said stock from time to time standing in our name in the books of [the Governor and Company of the Bank of England];

And also to do whatever is necessary or proper to be done for the purposes aforesaid or any of them.

In witness whereof we have hereunto affixed our corporate seal this day of in the year of our Lord one thousand nine hundred and .

Sealed with the corporate seal and delivered in the presence of .

N.B.—The execution of this letter must be attested by [two witnesses who are] not of the corporate body and who must be present when the corporate seal is affixed.

[Indorsement.]

INSTRUCTIONS FOR EXECUTING THE WITHIN LETTER OF ATTORNEY.

Corporate Account.

The date must be inserted in words and not in figures.

The execution must be attested by [two credible witnesses who are] not of the corporate body and who must add [their addresses and their qualities professions or occupations].

A witness resident in a town must give the number of the house as well as the name of the street.

If clerks or servants are witnesses they must give the names and addresses of their employers.

When a witness is a female she must state whether she is a spinster wife or widow and if a wife she must give her husband's name address and quality profession or occupation.

A wife is not a valid witness to the execution of this letter of attorney when her husband's name appears in the letter as attorney or transferee.

If any alteration interlineation or erasure be made in this letter of attorney it must be particularly stated in the attestation subscribed to by the witnesses that such alteration interlineation or erasure was made previously to the execution of the letter.

Demand to act by this letter of attorney this day of one thousand nine hundred and .

Witness .

A.D. 1918.

(G.)

Deed of Transfer.

City of Sheffield.

I *A.B.* of [ ] in consideration of the sum of [ ] pounds paid to me by *C.D.* of [ ] (hereinafter called "the said transferee") do hereby transfer to the said transferee the sum of [ ] pounds Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock standing [*or* part of the stock standing] in my name in the books of the lord mayor aldermen and citizens of the city of Sheffield to hold unto the said transferee his executors administrators and assigns [*or* successors and assigns] subject to the several conditions on which I hold the same at the time of the execution hereof and I the said transferee do hereby agree to take the said stock subject to the same conditions.

As witness our hands and seals the [ ] day of [ ].

(H.)

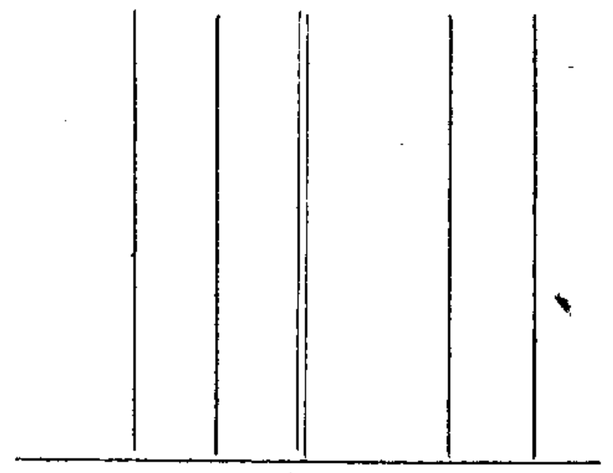
Dividend Warrant.

Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock (Pounds per Centum).

To the [Cashiers of the Bank of England].

Pay to bearer the sum of _____

for one quarter of a year's dividend on the sum of pounds Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock (pounds per centum) due one thousand nine hundred and . Less property tax at per pound.



I do hereby acknowledge to have received of [the Bank of England] the above-mentioned sum in full payment for one quarter of a year's dividend due as aforesaid.

Witness

Witness my hand this one thousand nine hundred and .

A.D. 1918.

(I.)

Dividend Warrant by Post.

1.

Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock (Pounds per Centum).

Request for Transmission of Dividend Warrants by Post.

To the [Governor and Company of the Bank of England].

A sum of pounds Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock (pounds per centum) is now standing in name as follows:— — Amount. — "my" or "our".

_____

_____

_____ — Names addresses and descriptions as recorded in the bank books.

As the person entitled to the dividends upon the above-mentioned amount of stock hereby authorise the [Accountant-General of the Bank of England] for the time being in the name of to draw upon [the Governor and Company of the Bank of England] for the amount of the quarterly dividends due and to become due on the said amount of stock or on the amount for the time being standing in name : — "I" or "we". — "myself" or "our nominee". — "my" or "our".

And hereby request the said [Accountant-General] to send through the post at risk and until further notice the warrants so drawn to— — "I" or "we". — "my" or "our".

Name _____ — If the account is a sole one insert here the name and address of the stockholder.

Present address _____

_____

SIGN HERE.

In the case of joint stockholders or of co-executors all must sign.

_____

_____

_____

_____ — If the account is a joint one insert here the name and address of one of the stockholders as nominee.

Date one thousand nine hundred and

A.D. 1918.

[On second half-sheet of same form.]

This half-sheet is to be retained by the stockholder it will often save unnecessary correspondence. Reference to

NOTICE TO HOLDERS OF SHEFFIELD CORPORATION REDEEMABLE [*or* CONSOLIDATED *or* DEBENTURE] STOCK (POUNDS PER CENTUM).

Transmission of Dividend Warrants by Post.

Dividends upon the above-named stock may be transmitted through the post to the stockholder in sole accounts and to any one of the stockholders in joint accounts at their risk upon a form of request being duly filled up and forwarded to the [Accountant-General Bank of England] (Forms are obtainable at the [Bank of England and at any of its branches].)

N.B.—This arrangement does not apply to stockholders whose addresses are beyond the United Kingdom.

Persons receiving dividends under letter of attorney cannot have the warrants for such dividends sent to them by post.

A separate form must be used for each separate holding of stock.

When forwarding a form of request care should be taken to state the number of overdue dividends if any.

Dividends are payable on [first January first April first July and first October].

When the [first] happens on a Sunday or a day observed as a holiday by the Bank of England the dividends are not payable until the [second].

Forms of request may be delivered at the [Bank] at any date either by hand or through the post but when received between the day on which the balance for a dividend is struck and the day on which the dividend is payable the warrants for such next dividend will be forwarded as soon as possible but the [Bank] will not guarantee their being posted on the day before the dividend is payable.

For the dividend payable [first January] the balance is struck on or about the [first December].

For the dividend payable [first April] the balance is struck on or about the [first March].

For the dividend payable [first July] the balance is struck on or about the [first June].

For the dividend payable [first October] the balance is struck on or about [first September].

Warrants for overdue dividends will be forwarded as promptly as possible but not necessarily by return of post.

Any change of address of the stockholder in sole accounts or of the nominee in joint accounts should be notified at once to [the

Accountant-General] When any such notification reaches the [Bank] less than a fortnight before the next dividend is due there may be a delay of a few days in the delivery of the warrant for such next dividend.

In the absence of any notification to the contrary it will be taken for granted that dividend warrants have duly reached their destinations When they are not received on the correct day notice should be given to [the Accountant-General] without delay.

As postal dividend warrants are made payable to order they must be signed on the face thereof When crossed in blank they are only payable on presentation by a banker (The [Bank] will not undertake to cross postal dividend warrants with the names of particular bankers.)

Instructions to transmit warrants by post remain in force although the stock may have been added to or a part sold.

Stockholders selling stock by attorney if they wish to continue to receive their dividends through the post should instruct their bankers or brokers to obtain letters of attorney for sale only.

All communications with reference to postal dividend warrants should be addressed to [the Accountant-General Bank of England] and the postage should be prepaid.

2.

POST DIVIDEND WARRANT.

SHEFFIELD CORPORATION REDEEMABLE [*or* CONSOLIDATED *or* DEBENTURE] STOCK.

(Pounds per Centum.)

To [the Governor and Company of the Bank of England London].

Pay to me or my order on demand the sum of

being one quarter of a year's dividend at pounds per centum per annum due on the first day of one thousand nine hundred and on the sum of pounds.

Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock (pounds per centum).

Less property tax at per pound.

A.D. 1918.

Accepted for [the Governor and Company of the Bank of England].

Per pro

[ ]
[Chief Cashier]

[Accountant-General].

Signature of stockholder.

(K.)

STOCK CERTIFICATE WITH COUPONS TO BEARER.

SHEFFIELD CORPORATION REDEEMABLE [*or* CONSOLIDATED *or* DEBENTURE] STOCK CERTIFICATE TO BEARER.

Interest at pounds per centum per annum.

[Ten pounds] [A00000]

This is to certify that the bearer of this certificate is entitled to [ten pounds] Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock with interest thereon at the rate of pounds per centum per annum transferable at [the Bank of England] pursuant to the Sheffield Corporation (Consolidation) Act 1918.

Dated one thousand nine hundred and .

[For the Governor and Company of the Bank of England]

[ ]

Countersigned

[ ]

[Chief Accountant Bank of England]

[A00000] [Ten pounds]

The coupons attached to this certificate are payable at [the chief establishment of the Bank of England or at any of the country branches].

When the coupons are exhausted this certificate will be exchanged on presentation at [the Chief Cashier's Office Bank of England] for a new certificate with fresh coupons attached.

COUPONS.

5 Div.

Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock.

Coupon for eight shillings and ninepence (less income tax) being three months' dividend at three pounds ten shillings per centum per annum.

A00000. Due first January one thousand nine hundred and on certificate for [fifty pounds] Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock.

[£0 8*s.* 9*d.*] Payable at [the Bank of England].

5 Div.
Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock.
Due 1st Jan. 19 .
A00000.
£0 8 9

---

4 Div.

Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock.

Coupon for eight shillings and ninepence (less income tax) being three months' dividend at three pounds ten shillings per centum per annum.

A00000. Due first October one thousand nine hundred and on certificate for [fifty pounds] Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock.

[£0 8s. 9*d.*] Payable at [the Bank of England].

4 Div.
Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock.
Due 1st Oct. 19 .
A00000.
£0 8 9

---

3 Div.

Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock.

Coupon for eight shillings and ninepence (less income tax) being three months' dividend at three pounds ten shillings per centum per annum.

A00000. Due first July one thousand nine hundred and on certificate for [fifty pounds] Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock.

[£0 8*s.* 9*d.*] Payable at [the Bank of England].

3 Div.
Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock.
Due 1st July 19 .
A00000.
£0 8 9

A.D. 1918.

2 Div.

Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock.

Coupon for eight shillings and ninepence (less income tax) being three months' dividend at three pounds ten shillings per centum per annum.

A00000. Due first April one thousand nine hundred and on certificate for [fifty pounds] Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock.

[£0 8*s.* 9*d.*] Payable at [the Bank of England].

2 Div.
Sheffield Corporation Redeemable [*or* Consolidated *or* Debenture] Stock.
Due 1st April 19 .
A00000.
£0 8 9

Fees.

	£	*s.*	*d.*
On original issue of stock receipt or certificate - - -	0	2	6
On any new stock certificate - - - - - -	0	2	6
On transfer including certificate - - - - - -	0	5	0
On any issue of stock certificate to bearer in respect of every ten pounds of stock specified therein - - -	0	0	6
On re-entry in Corporation Stock Register of stock specified in stock certificate to bearer - - - - - -	0	5	0
On indemnity in respect of lost stock certificate - - -	1	1	0

THE ELEVENTH SCHEDULE.

EXISTING CORPORATION STOCKS.

Description.	Nominal Value.	Dividends.		No. of Issue.	Date of Issue.	Terms and Conditions of Issue.
		Rate.	How Payable.			
* Sheffield Corporation £3½ per centum Redeemable Stock	£ s. d. 340,804 8 1	3½	Half-yearly 1st March and 1st September	1	12th January 1884	Redeemable on purchase by agreement or at par as follows:— During 1925 - £238,802 2 3 „ 1930 - £25,448 18 0 „ 1934 - £24,160 0 0 „ 1935 - £13,260 0 0 „ 1936 - £39,133 7 10 £340,804 8 1
		do.	do.	2	18th December 1884	
		do.	do.	3	4th November 1886	
* Sheffield Corporation £3 per centum Redeemable Stock	3,140,336 16 11	3	do.	1 2 3 4 5 6 7 8 9 10	13th June 1889 14th April 1892 14th July 1892 12th January 1893 4th January 1894 12th September 1895 26th June 1900 9th March 1901 17th October 1901 5th March 1903	Redeemable on purchase by agreement or at par on the 30th September 1925.
† Sheffield Corporation £2½ per centum New Redeemable Stock	210,985 0 0	2½	do.	1	21st July 1897	Redeemable on purchase by agreement or at par at the option of the Corporation during or after the year 1925 upon three months' notice being given but must be redeemed not later than 1957.
‡ Sheffield Corporation £3½ per centum Consolidated Stock	1,440,909 15 7	3½	Half-yearly 1st January and 1st July	1	10th June 1908	Redeemable on purchase by agreement or at par on the 1st June 1968.
	£5,133,036 0 7					

* Loans Fund No. 1 includes 3½ per centum Redeemable and 3 per centum Redeemable Stocks.

† Loans Fund No. 2 includes 2½ per centum Redeemable Stock.

‡ Loans Fund No. 3 includes 3½ per centum Consolidated Stock.

A.D. 1918.

THE TWELFTH SCHEDULE.

I.—Local Acts Repealed.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
10 & 11 Vict. c. xlv. - -	The Sheffield Markets Act 1847	
16 Vict. c. xxii. - - -	The Sheffield Waterworks Act 1853	
23 Vict. c. lxx. - -	The Sheffield Waterworks Act 1860	
27 & 28 Vict. c. cccxxiv. -	The Sheffield Waterworks Act 1864	
29 & 30 Vict. c. cclxxxvi. -	The Sheffield Waterworks Act 1866	
30 Vict. c. lxxxvii. - -	The Sheffield Waterworks (Amendment) Act 1867	
30 Vict. c. xcvii. - - -	The Sheffield Water (New Works) Act 1867	
34 & 35 Vict. c. lxxix. -	The Sheffield Improvement Act 1871	
35 & 36 Vict. c. cxliii. - -	The Sheffield Tramways Act 1872	
35 & 36 Vict. c. lix. - -	The Sheffield Market Act 1872	The whole of the Act.
36 Vict. c. iii. - - -	The Sheffield Waterworks Act 1873	
44 Vict. c. xxvi. - - -	The Sheffield Waterworks Act 1881	
46 & 47 Vict. c. lvii. - -	The Sheffield Corporation Act 1883	
50 & 51 Vict. c. clxxviii. -	The Sheffield Corporation (Water) Act 1887	
52 Vict. c. iii. - - -	The Sheffield Corporation Act 1889	
53 & 54 Vict. c. ccxxv. -	The Sheffield Corporation Act 1890	
56 Vict. c. xlii. - - -	The Sheffield Corporation (Water) Act 1893	
56 Vict. c. l. - - -	The Sheffield Corporation (Street Widenings) Act 1893	
59 & 60 Vict. c. liii. - -	The Sheffield Tramways Act 1896	
59 & 60 Vict. c. cxxxvi. -	The Sheffield Corporation Tramways Act 1896	
59 & 60 Vict. c. cxc. - -	The Sheffield Corporation Water Act 1896	The whole of the Act except sections 65 66 67 68 69 and the First Schedule.
60 & 61 Vict. c. cii. - -	The Sheffield Corporation (Streets and Tramways) Act 1897	The whole of the Act.
61 & 62 Vict. c. ccxx. - -	The Sheffield Electric Lighting (Transfer) Act 1898	
62 & 63 Vict. c. ccxi. - -	The Sheffield Corporation (Markets) Act 1899	

Session and Chapter.	Title or Short Title.	Extent of Repeal.
63 & 64 Vict. c. ccxxii. -	The Sheffield Corporation Act 1900	The whole of the Act.
1 Edw. 7. c. cviii. - -	The Sheffield Corporation Act 1901	
3 Edw. 7. c. cclv. - -	The Sheffield Corporation Act 1903	
7 Edw. 7. c. xciii. - -	The Sheffield Corporation Act 1907	The whole of the Act except section 35.
2 & 3 Geo. 5. c. clxvii. -	The Sheffield Corporation Act 1912	The whole of the Act.
4 & 5 Geo. 5. c. clxxxix. -	The Sheffield Corporation Act 1914	
5 & 6 Geo. 5. c. xxvii. - -	The Sheffield Corporation (Tramways) Act 1915	
7 & 8 Geo. 5. c. xlvii. - -	The Sheffield Corporation Act 1917	

II.—Provisional Orders Repealed.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
38 Vict. c. x. -	The Sheffield Order 1875 confirmed by the Local Government Board's Provisional Orders Confirmation Act 1875 (No. 1)	The whole of the Order and so much of the Act as relates thereto.
52 & 53 Vict. c. lxi.	The Sheffield and Handsworth Order 1889 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1889	
55 & 56 Vict. c. ccxix.	The Sheffield Electric Lighting Order 1892 confirmed by the Electric Lighting Orders Confirmation (No. 4) Act 1892	
55 & 56 Vict. c. cc.	The Sheffield Order 1892 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1892	
57 & 58 Vict. c. xlv.	The Sheffield (Housing of Working Classes) Order 1894 confirmed by the Local Government Board's Provisional Orders Confirmation (Housing of Working Classes) (No. 2) Act 1894	
57 & 58 Vict. c. cxxiii.	The Sheffield Order 1894 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1894	
61 & 62 Vict. c. xcix.	The Sheffield (Housing of Working Classes) Order 1898 confirmed by the Local Government Board's Provisional Orders Confirmation (Housing of Working Classes) Act 1898	
2 Edw. 7. c. cxci.	The Sheffield Order (No. 1) 1902 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1902	
2 Edw. 7. c. lxxxiii.	The Sheffield Order (No. 2) 1902 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1902	

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Session and Chapter.	Title or Short Title.	Extent of Repeal.
5 Edw. 7. c. lxxii.	The Sheffield Order 1905 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1905	The whole of the Order and so much of the Act as relates thereto.
5 Edw. 7. c. cx.	The Sheffield Order (No. 2) 1905 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 16) Act 1905	
6 Edw. 7. c. cvi.	The Sheffield Order 1906 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act 1906	
7 Edw. 7. c. cliv.	The Sheffield Order 1907 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1907	
10 Edw. 7. and 1 Geo. 5. c. lxxxi.	The Sheffield Order (No. 1) 1910 confirmed by the Local Government Board's Confirmation (No. 4) Act 1910	
10 Edw. 7. and 1 Geo. 5. c. lxxxvi.	The Sheffield Order (No. 2) 1910 and the Sheffield Order (No. 3) 1910 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1910	
1 & 2 Geo. 5. c. clxxxiv.	The Sheffield (Extension) Order 1911 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act 1911	
2 & 3 Geo. 5. c. clxii.	The Sheffield (Extension) Financial Adjustments Order 1912 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 15) Act 1912	
5 & 6 Geo. 5. c. xcii.	The Sheffield Order 1915 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1915	
6 & 7 Geo. 5. c. xxix.	The Sheffield Order 1916 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1916	

THE THIRTEENTH SCHEDULE.

Sections and Provisions of Acts of Parliament excepted from Repeal.

The Sheffield Corporation Water Act 1896.

Scheduled Agreements with the Corporations of Rotherham and Doncaster.

Confirmation of scheduled agreements with corporations of Rotherham and Doncaster.

65. The agreement and the supplemental agreement made respectively between the Sheffield Corporation of the first part the Rotherham Corporation of the second part and the Doncaster Corporation of the third part as set out in the First Schedule to this Act and in this Act called "the scheduled agreements" are hereby respectively confirmed and made binding on the parties thereto.

As to water supplied under scheduled agreements.

66. The water supplied by the Sheffield Corporation under the provisions of the scheduled agreements to the Doncaster Corporation and the Rotherham Corporation respectively shall on and after its delivery to those corporations respectively be deemed to form part of the water furnished by the respective water undertakings of those corporations respectively and the enactments regulating those respective undertakings shall be construed and applied accordingly.

Power of Doncaster Corporation to borrow.

67. The Doncaster Corporation are hereby authorised to borrow with the sanction of the Local Government Board on the security of their water revenue and of their borough fund and borough rate such sums of money as they may from time to time require for the purpose of carrying into effect the provisions of the scheduled agreements or either of them and the period for and mode of repayment of the moneys so borrowed shall be such as may be prescribed or sanctioned by the Local Government Board.

Power of Rotherham Corporation to borrow.

68. The Rotherham Corporation are hereby authorised to borrow with the sanction of the Local Government Board on the security of their water revenue and of their borough fund and borough rate such sums of money as they may from time to time require for the purpose of carrying into effect the provisions of the scheduled agreements or either of them and the period for and mode of repayment of the moneys so borrowed shall be such as may be prescribed or sanctioned by the Local Government Board.

Amending Acts of Rotherham Corporation relating to moneys borrowed by them for waterworks purposes and to charges by them for water.

69. Whereas at the passing of the Rotherham Corporation Act 1882 (in this section referred to as "the Act of 1882") the amount of the moneys borrowed for waterworks purposes under the Rotherham and Kimberworth Local Board of Health Acts 1863 and 1870 the Rotherham Corporation Act 1875 and the Public Health Acts and then still owing by the Corporation was ninety-one thousand two hundred and eighty-three pounds eighteen shillings and ninepence:

And whereas pursuant to the Act of 1882 the Rotherham Corporation issued ninety thousand six hundred and seventy-four pounds sixteen shillings and fourpence Rotherham Corporation Four per centum Redeemable Stock in substitution for the said sum of ninety-one thousand two hundred and eighty-three pounds eighteen shillings and ninepence:

And whereas on the twenty-fifth day of March one thousand eight hundred and ninety-five eighty-five thousand three hundred and three pounds sixteen shillings and fourpence of the said ninety thousand six hundred and seventy-four pounds sixteen shillings and fourpence Rotherham Corporation Four per centum Redeemable Stock remain unextinguished:

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And whereas having regard to the exceptionally heavy expenses incurred by the Rotherham Corporation and their predecessors the local board of health for the district of Rotherham and Kimberworth in the past on waterworks account by reason of the great difficulties encountered in providing water for their district of supply and having regard to the expenses which must be incurred by the Rotherham Corporation on waterworks account in carrying into execution the provisions of this Act which are to be executed by them it is expedient that the amount of the sums payable by the Corporation in each year into the loans fund in section 10 of the Act of 1882 mentioned for redemption and extinction or purchase and extinction of the said eighty-five thousand three hundred and three pounds sixteen shillings and fourpence Rotherham Corporation Four per centum Redeemable Stock be reduced and that the powers of the Rotherham Corporation of charging for supplies of water for domestic purposes be increased as hereinafter provided:

Be it therefore enacted as follows:—

(1) This section shall be carried into execution by the Rotherham Corporation acting by their council:

(2) Notwithstanding anything in section 10 of the Act of 1882 or in any other Act or in any Provisional Order confirmed by Act of Parliament the amounts of the contributions to the loans fund in the said section 10 mentioned in respect of the recited sum of eighty-five thousand three hundred and three pounds sixteen shillings and fourpence Rotherham Corporation Four per centum Redeemable Stock shall from and after the thirty-first day of August one thousand eight hundred and ninety-six be such as with accumulations at the rate of three per centum per annum shall be from time to time calculated to be sufficient to purchase such stock at its nominal amount within sixty years from the dates when the loans referred to in this section were respectively borrowed and so that each of such loans shall be paid off within the period of sixty years from the date of borrowing:

(3) From and after the passing of this Act section 9 of the Rotherham and Kimberworth Local Board of Health Act 1870 shall be read and have effect as if—

(*a*) the word "eight" were therein inserted instead of the word "seven"; and

(*b*) the words "eight shillings" were therein inserted instead of the words "six shillings."

THE FIRST SCHEDULE.

AGREEMENT BETWEEN THE CORPORATIONS OF SHEFFIELD ROTHERHAM AND DONCASTER.

AN AGREEMENT made the twelfth day of June one thousand eight hundred and ninety-five between the MAYOR ALDERMEN AND CITIZENS OF THE CITY OF SHEFFIELD in the county of York (hereinafter called "the Sheffield Corporation") of the first part the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF ROTHERHAM in the same county (hereinafter called "the Rotherham Corporation") of the second part and the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF DONCASTER in the same county (hereinafter called "the Doncaster Corporation") of the third part.

WHEREAS the Dewsbury and Heckmondwike Waterworks Board and the corporation of Barnsley are promoting in the present session of Parliament Bills whereby they seek for power to construct waterworks in the valley of the Little Don or Porter River in the said county and to impound the waters of such river and its tributaries or some of them for the purpose of supplying the districts of the said board and corporation respectively with water:

And whereas the waters of the said Little Don River and the tributaries thereof are part of the head waters of the River Don which flows through Sheffield Rotherham and Doncaster and through and by many populous districts in the valley of that river and the three corporations parties to these presents are of opinion that such waters belong naturally and geographically to the inhabitants of that valley:

And whereas each of the said corporations (parties hereto) is opposing the Bills promoted by the Dewsbury and Heckmondwike Waterworks Board and the Barnsley Corporation in the present session of Parliament and the three corporations (parties hereto) have approached one another with a view of effecting an arrangement whereby they should each do their utmost to defeat the Bills promoted by the Dewsbury and Heckmondwike Waterworks Board and the Barnsley Corporation as aforesaid and they have arranged that an agreement shall be entered into by them that in case the opposition to the Bills of the Dewsbury and Heckmondwike Waterworks Board and the Barnsley Corporation shall be successful the Sheffield Corporation shall in the session of Parliament of 1896 promote a Bill seeking for power to construct reservoirs and impound the waters of the said Little Don River and its tributaries and on obtaining such powers shall construct (amongst such others as they may think fit) a reservoir to be called the Langsett Reservoir and shall furnish to the Rotherham Corporation

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and the Doncaster Corporation a supply of water on the terms and conditions hereinafter expressed:

Now these presents witness that in pursuance of the premises and in consideration of the mutual advantages which this agreement will give to each of the three corporations (parties hereto) and the inhabitants of the towns and districts to which they supply water it is hereby agreed by and between the corporations (parties to these presents) as follows:—

1. Each of such corporations will do its utmost at its own expense to defeat in the present session of Parliament the Bills being promoted as aforesaid by the Dewsbury and Heckmondwike Waterworks Board and the Barnsley Corporation and will in such opposition render to each other all such aid as may be required by any one of the three Corporations from the others or other of them.

2. In case the Bills of the said Waterworks Board and the Barnsley Corporation are thrown out the Sheffield Corporation shall in the year one thousand eight hundred and ninety-six promote a Bill seeking for power to construct reservoirs and do other works in the valley of the Little Don River and thereby to intercept and impound the waters of that river and its tributaries to lay such mains as are hereinafter mentioned and do all other necessary works to enable them to carry out their engagements under this agreement The Rotherham Corporation and the Doncaster Corporation will each of them render to the Sheffield Corporation its utmost aid for obtaining the Act of Parliament so to be promoted in the session of 1896 by the Sheffield Corporation (hereinafter referred to as "the Sheffield Act of 1896").

3. In case such application to Parliament by the Sheffield Corporation be unsuccessful the costs of the corporations of Sheffield Rotherham and Doncaster shall be added together and paid by Sheffield and the corporations of Rotherham and Doncaster shall together contribute to the corporation of Sheffield a fair proportion not to exceed one-fifth of the costs so incurred in promoting such Bill and in case such proportion within the maximum aforesaid cannot be fixed by agreement it shall be fixed by arbitration between the Sheffield Corporation and the corporation or corporations parties hereto with which they may not be able to agree As between Rotherham and Doncaster the costs to be paid by them shall be borne in equal proportions.

4. If the Sheffield Corporation be successful in obtaining the Sheffield Act of 1896 and the powers to be sought thereby the following provisions shall have effect and shall be observed by the corporations parties hereto.

5. The Sheffield Corporation will from their present waterworks system lay a water main (part of the trunk main hereinafter men-

tioned) from the nearest available point in the city of Sheffield to the Boston Castle Reservoir belonging to the Rotherham Corporation and situate within that borough and so soon as such main is completed shall until the completion of the said Langsett Reservoir or until the thirty-first December one thousand nine hundred and one whichever shall first happen deliver into the said reservoir at Boston Castle the following supply of water for the Rotherham Corporation (namely) during the years one thousand eight hundred and ninety-seven and one thousand eight hundred and ninety-eight a quantity of three hundred thousand gallons each day during the year one thousand eight hundred and ninety-nine a quantity of four hundred thousand gallons each day during the year one thousand nine hundred a quantity of five hundred thousand gallons each day and during the year one thousand nine hundred and one a quantity of six hundred thousand gallons each day and into the main pipe to be laid as hereinafter provided in clause 12 the following supply of water for the Doncaster Corporation (namely) during the years one thousand eight hundred and ninety-seven and one thousand eight hundred and ninety-eight a quantity of two hundred thousand gallons each day during the year one thousand eight hundred and ninety-nine a quantity of two hundred and fifty thousand gallons each day during the year one thousand nine hundred a quantity of three hundred thousand gallons each day and during the year one thousand nine hundred and one a quantity of three hundred and fifty thousand gallons each day or of such a less daily quantity for each Corporation in similar proportion as shall be convenient to the Sheffield Corporation in their judgment and discretion having regard to the requirements of their own water district and each of the corporations of Rotherham and Doncaster shall pay for such temporary supply to it at the rate of fivepence per thousand gallons supplied in addition to interest and sinking fund payments at the rate and in the proportions hereinafter mentioned in Part IV. of clause 9 hereof on so much of the permanent trunk main from Langsett as it may be necessary to construct for the purpose of giving the supply in this clause mentioned.

6. From and after the completion of the said Langsett Reservoir and the trunk mains to be constructed by the Sheffield Corporation under the powers of the said Act or from and after the thirty-first day of December one thousand nine hundred and one whichever shall occur the first the Sheffield Corporation shall supply to the Rotherham Corporation who shall take from them in perpetuity a quantity of water (hereinafter referred to as "the permanent supply") of not less than seven hundred thousand gallons per day delivered into the said Boston Castle Reservoir until notice shall be given by the Rotherham

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Corporation in pursuance of the power in that behalf hereinafter contained requiring a further supply up to the maximum hereinafter mentioned and the Sheffield Corporation shall from the same time supply to the Doncaster Corporation who shall take from them in perpetuity a quantity of water (hereinafter referred to as "the permanent supply") of not less than six hundred thousand gallons per day delivered at a point within the borough of Rotherham where a junction will be made between the trunk main from the Langsett Reservoir and the main to be laid as hereinafter provided in clause 12 until notice shall be given by the Doncaster Corporation in pursuance of the power in that behalf hereinafter contained requiring a further supply up to the maximum hereinafter mentioned The Rotherham Corporation shall at all times give the Doncaster Corporation any needful facility for receiving and carrying forward the supply of water so to be delivered for the Doncaster Corporation into the said main proposed to be laid as hereinafter provided from Rotherham to Doncaster and to be situate partly within the borough of Rotherham.

7. The Rotherham Corporation may as often as they desire before the expiration of seven years from the first day of September one thousand eight hundred and ninety-six (that is to say before the first day of September one thousand nine hundred and three) give five years' notice to the Sheffield Corporation requiring them to deliver to the Rotherham Corporation an increased quantity of water up to but not exceeding (including the previous "permanent" supply) a maximum of one million six hundred thousand gallons per day in perpetuity and the Doncaster Corporation within the same period may as often as they desire give a notice of the same duration to the Sheffield Corporation requiring them to deliver to the Doncaster Corporation an increased quantity of water up to but not exceeding (including the previous "permanent" supply) a maximum of one million gallons per day in perpetuity and from and after the expiration of any such notice the Sheffield Corporation shall supply in perpetuity to the corporation giving such notice a quantity of water up to but not exceeding the said maximum hereinbefore prescribed in its favour:

Provided always that if at the expiration of any of the notices given under this clause by either of the corporations of Rotherham and Doncaster the Langsett Reservoir shall not have been completed the corporation who shall have given such notice shall notwithstanding the quantity mentioned in such notice not be compellable until such reservoir shall be completed to take and pay for a larger quantity than they actually require (such quantity not being less than the minimum).

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8. The Rotherham Corporation at their Boston Service Reservoir and the Doncaster Corporation at their Thrybergh Reservoir shall construct and for ever maintain in proper condition a house or building to contain the meters to be provided and maintained by the Sheffield Corporation (to whom all necessary access thereto shall at all times be given) for the purpose of measuring the quantity of water delivered to the two first-named corporations respectively together with all necessary pipes mains basins tanks or other apparatus to receive the water after its discharge from the said meters and to convey the same into the service reservoir or other works of the said corporations of Rotherham and Doncaster respectively.

9. Each of the corporations of Rotherham and Doncaster shall except in the event mentioned in clause 10 pay to the Sheffield Corporation for or in respect of the permanent supply to it referred to in clauses 6 and 7 annually for sixty years (or for such other period of the sinking fund as may be prescribed by the Sheffield Act of 1896) (First) The actual interest paid by the Sheffield Corporation from time to time upon such proportion of the capital expenditure upon and in connexion with the construction of the said Langsett Reservoir as is equal to the proportion of the available water supply from the reservoir which for Rotherham that corporation and for Doncaster that corporation shall from time to time take from the Sheffield Corporation (Second) A similar proportion of the sinking fund payments which the Sheffield Corporation will be required to pay from time to time during the period to be prescribed by the Sheffield Act of 1896 for repayment of the capital raised by them under the Act for the works in question (Third) Interest at the rate of one quarter per centum per annum upon the same proportion of the capital expenditure as is hereinbefore prescribed for payment of actual interest and the sinking fund and (Fourth) The actual interest and the actual sinking fund payments (in the proportions of Rotherham Corporation eight-thirteenths and Doncaster Corporation five-thirteenths) paid by the Sheffield Corporation on or in respect of seventy thousand pounds (and every part thereof) an agreed sum for the cost of the trunk main to Rotherham to be laid by the Sheffield Corporation for delivering the water into and near the said Boston Castle Reservoir and also interest at one-quarter per centum per annum upon such sum of seventy thousand pounds Provided that the corporation of Rotherham shall bear the whole cost of constructing the necessary main from Bow Bridge at Rotherham to the Boston Castle Reservoir and the before-mentioned sum of seventy thousand pounds shall be reduced by the amount of such cost And in addition to the above sums enumerated 1 to 4 each of the corporations of Rotherham and Doncaster shall pay to the Sheffield Corporation in perpetuity towards the cost of management and maintenance of the Langsett Reservoir or

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other works including the maintenance of the main from Bow Bridge to Boston Castle Reservoir aforesaid from or by means of which the supply may be afforded a fixed annual sum to be calculated after the rate of two thousand pounds per annum for each million gallons of water per day and so in proportion for a greater or less quantity taken by the corporations of Rotherham and Doncaster respectively in pursuance of these presents All the annual sums payable by each of the said corporations under the provisions aforesaid shall be paid to the Sheffield Corporation by equal half-yearly instalments on each first day of March and first day of September during the periods aforesaid and shall be applied by the Sheffield Corporation as part of their water revenue.

10. The price to be paid for the permanent supply for any period after the thirty-first of December one thousand nine hundred and one until the completion of the Langsett Reservoir (if it be not completed by that date) shall subject to the proviso in clause 7 be at the rate of fivepence per thousand gallons supplied in addition to interest and sinking fund payments at the rate and in the proportions hereinbefore mentioned in Part IV. of clause 9 hereof on so much of the permanent trunk main from Langsett as it may be necessary to construct for the purpose of giving the supply in this clause mentioned.

11. In case either of the corporations of Rotherham and Doncaster shall exercise the option hereinbefore given for the taking of a further quantity of water the corporation requiring such further supply shall upon the expiration of the notice to be given as aforesaid to the Sheffield Corporation pay to that corporation in gross a sum of money which shall be equal to the aggregate of the annual payments of interest proportion of sinking fund the additional interest of five shillings per centum per annum and the annual sum for management for the period which shall have elapsed from the date of the completion of the said Langsett Reservoir up to the time of the expiration of that notice and the commencement of the further supply required thereby and also interest and compound interest upon such annual payments the intention of the parties hereto being that in case such notice shall be given and an increased supply furnished the Sheffield Corporation shall be entitled to the same money as they would have received in case such increased supply had been furnished by them to the Corporation giving such notice as aforesaid from the time of the completion of the said Langsett Reservoir Any such sum in gross may be paid to the Sheffield Corporation either in cash or in stock or mortgages of the Corporation by which it will be payable at the then market value of the same stock or mortgages.

12. The Sheffield Corporation in their proposed Act of Parliament will seek for power either for themselves or for the corporation of

Doncaster to construct a main forward from near the said Boston Castle Reservoir in the borough of Rotherham to the reservoir at Thrybergh belonging to the Doncaster Corporation If under the powers of the said Act the Sheffield Corporation construct such main and thereby carry the Doncaster supply of water into their said reservoir at Thrybergh the corporation of Doncaster will pay upon the capital outlay of the Sheffield Corporation in or in connexion with the construction of that main for the sinking fund period to be obtained by the Act upon the same footing and at the same rate as is hereinbefore prescribed with reference to the proportion of interest sinking fund maintenance and other payments to be paid by the Doncaster Corporation upon the capital expenditure incurred upon the construction of the said Langsett Reservoir and the trunk main to Rotherham but if the Doncaster Corporation shall give notice of their desire themselves to construct that continuing main from near Boston Castle Reservoir to Thrybergh Reservoir as aforesaid then this clause shall have no effect and the Doncaster Corporation shall be at liberty to make their own arrangements for carrying forward their supply of water to their said reservoir.

13. The Sheffield Corporation Act of 1896 shall contain such clauses as may be necessary to authorise the corporations of Rotherham and Doncaster to raise such capital sum as each may desire to raise for the purpose of giving effect to the provisions of this agreement whether under clause 11 hereinbefore contained or as regards Doncaster the construction of requisite mains and other works and for the extension of the powers at present possessed by the Rotherham Corporation and the Doncaster Corporation of charging for water supply to the water taken by each of such authorities under this agreement.

14. The costs to be incurred by the Sheffield Corporation in promoting and obtaining the Sheffield Act of 1896 and interest during construction of works on the capital expended thereupon shall be treated as part of the capital expenditure of the construction of the Langsett Reservoir aforesaid upon which the corporations of Rotherham and Doncaster are to pay a proportion of interest and sinking fund as aforesaid.

15. Each of the corporations parties hereto shall exercise due diligence in promoting the Sheffield Act of 1896 and thereafter in carrying out the terms of this agreement.

16. The Sheffield Corporation shall at all times be at liberty to deal with all the available supply of water contained in the Langsett Reservoir or in the valley of the Little Don and its tributaries over and above the supplies of water hereinbefore agreed to be furnished

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by the Sheffield Corporation to the Rotherham and Doncaster corporations without any interference from or by or on the part of either of the two last-mentioned corporations it being the intention of the parties hereto that all waters of the Little Don and the tributaries thereof to be impounded by the Sheffield Corporation under and in pursuance of the Sheffield Act of 1896 beyond that which they have hereby agreed to furnish to the Rotherham Corporation and the Doncaster Corporation as aforesaid shall belong to the corporation of Sheffield and be dealt with by them as they think fit and neither of the corporations of Rotherham and Doncaster shall at any time hereafter seek for independent powers to construct waterworks in the Don watershed above Sheffield Provided always that in the event of the Sheffield Corporation desiring to supply water to any other authority or water company from the watershed of the Little Don or its tributaries on more favourable terms as to price than those contained in this agreement then the terms of this agreement as to price shall be reduced in a similar manner and be deemed to be amended accordingly.

17. If at any time owing to convulsion of nature or any accident for which the Sheffield Corporation shall not be held answerable the Langsett Reservoir or the said trunk main to Rotherham shall incur injury or be destroyed in whole or in part all consequences of every such convulsion or accident shall be borne by the three corporations in such manner as may be agreed by them or failing agreement as may be prescribed by Parliament.

18. The Rotherham Corporation and the Doncaster Corporation shall be entitled to access at all reasonable times to the accounts of the Sheffield Corporation relating to the costs of the reservoir at Langsett and any proportion of trunk main which may be used for the delivery of water under clause 5 or for the permanent supply (other than from Langsett Reservoir) and to the verification of such accounts.

19. If at any time any difference shall arise between the corporations parties hereto or between any one and the other or either of them in regard to the construction (if any) of the articles herein contained or to any division act or thing to be made or done in pursuance hereof or to any other thing relating to these presents other than the matters mentioned in clause 16 such difference shall on the application of the said corporations parties hereto or any one of them be referred to an arbitrator to be appointed by the President for the time being of the Board of Trade whose decision shall be final and binding.

This agreement is made subject to any alterations which Parliament may see fit to make therein but if any material alteration be made therein to which either party objects it shall be competent for the

objecting party to withdraw from this agreement and the same shall be no longer binding on either party. A.D. 1918.

In witness whereof the corporate common seals of the corporations parties hereto are hereunto affixed.

L.S. Corporation of Sheffield.

L.S. Corporation of Rotherham.

L.S. Corporation of Doncaster.

SUPPLEMENTAL AGREEMENT BETWEEN THE CORPORATIONS OF SHEFFIELD ROTHERHAM AND DONCASTER.

AN AGREEMENT made the twenty-first day of November one thousand eight hundred and ninety-five between the MAYOR ALDERMEN AND CITIZENS OF THE CITY OF SHEFFIELD (hereinafter called "the Sheffield Corporation") of the first part the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF ROTHERHAM in the county of York (hereinafter called "the Rotherham Corporation") of the second part and the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF DONCASTER in the same county (hereinafter called "the Doncaster Corporation") of the third part and supplemental to an Agreement dated the twelfth day of June one thousand eight hundred and ninety-five made between the parties hereto.

WHEREAS in consequence of the dissolution of Parliament the consideration in the House of Commons of the Bill promoted by the Barnsley Corporation in the last session which had passed the House of Lords as amended by the House of Lords Committee and been sent down to the House of Commons was suspended until the next ensuing session of Parliament:

And whereas so much of the Bill of the Dewsbury and Heckmondwike Waterworks Board as related to the proposal to construct works in the Little Don Valley was rejected by the House of Lords

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Committee and the remainder of the Bill passed with certain amendments:

And whereas it has become desirable to alter and vary the said agreement in certain respects:

Now therefore it is hereby agreed by and between the corporations (parties to these presents) as follows:—

1. Notwithstanding anything contained in the said agreement of the twelfth June one thousand eight hundred and ninety-five the Sheffield Corporation in the session of Parliament of 1896 shall whether the before-mentioned Bill of the Barnsley Corporation be passed into law or not promote a Bill seeking for power to construct reservoirs and do other works in the valley of the Little Don or Porter River and thereby to intercept and impound the waters of that river and its tributaries to lay such mains as are mentioned in the said agreement and do all other necessary works to enable them to carry out their engagement under such agreement and the Rotherham Corporation and the Doncaster Corporation will each of them render to the Sheffield Corporation its utmost aid for securing the passing into law of such Bill so to be promoted in the session of 1896 by the Sheffield Corporation (hereinafter and in the said agreement referred to as "the Sheffield Bill of 1896").

2. The works to be constructed under the Sheffield Bill of 1896 shall be such works as may be necessary for intercepting and impounding the whole of the waters of the Little Don or Porter River and its tributaries or in the event of the Bill of the Barnsley Corporation becoming law for intercepting and impounding so much of the waters of that river and its tributaries as shall not have been included in the scheme of the Barnsley Corporation Bill and the cost of all such works shall be borne by the three corporations parties hereto pro rata according to the proportions of the available water supply from the works which each of the corporations shall from time to time be entitled to take and in the same way as if such works had been substituted in the agreement of twelfth June one thousand eight hundred and ninety-five for the Langsett Reservoir alone The costs of the three corporations of securing the passing into law by the corporation of Sheffield of the Sheffield Bill of 1896 and of their opposition to the Barnsley Bill in the session of 1896 shall be capitalised and deemed to form part of the costs of construction of such works.

3. In the event of Parliament insisting upon the provision of works for the filtration of the waters of the Little Don or Porter River and its tributaries the cost of the requisite filtration works shall be deemed to be a part of the cost of the construction of the reservoirs and works of which the Rotherham Corporation and the Doncaster Corporation have agreed and are willing to bear their proportion.

4. The annual expenses of the maintenance of the works of filtration should such be required to be constructed and the annual expenses of treating the water by such works shall be borne by the three corporations parties hereto pro rata according to the proportions of the available water supply from the works which each of the corporations shall from time to time be entitled to take.

5. The term "maintenance" throughout the principal agreement and these presents shall include all payments rates outgoings and expenses in connexion with the works in question.

6. The Corporation of Sheffield shall in their Bill of 1896 seek powers to construct the following additional works and in the event of the same Bill becoming law shall construct the same (namely) a main forward from or near Boston Castle Reservoir in Rotherham to or near the filter beds at the Thrybergh Reservoir of the Doncaster Corporation such main to be of a capacity equal to the delivery of one million gallons of water in a continuous flow for twenty-four hours a meter house meters gauges or other measuring apparatus as may be agreed upon between the engineers of the two corporations as necessary to be erected at the termination of the said main on the land of the Doncaster Corporation at Thrybergh which said main and other works are hereinafter called "the additional works."

7. Payment shall be made by the Doncaster Corporation to the Sheffield Corporation for the cost of the construction of the additional works annually for sixty years (or for such other period of the sinking fund as may be prescribed by the Sheffield Act of 1896) (First) The actual interest paid by the Sheffield Corporation from time to time upon the actual cost of the construction of the additional works (Second) The actual sinking fund payments which the Sheffield Corporation will be required to pay from time to time during the period to be prescribed by the Sheffield Act of 1896 for repayment of the capital raised by them in the Act for the works in question (Third) Interest at the rate of one quarter per centum per annum upon the said capital expenditure The aforesaid payments to the Sheffield Corporation shall be made by equal half-yearly instalments on the first day of March and the first day of September during the aforesaid period.

8. The point of delivery of the quantities of water to which the Doncaster Corporation in pursuance of the principal agreement shall from time to time be entitled shall be the meter house to be constructed at Thrybergh and the Doncaster Corporation shall permit the engineer or other official or servant of the Sheffield Corporation duly appointed for that purpose to have access at all reasonable times to the said meter house for the purpose of inspection and testing of the measuring apparatus.

9. Upon the completion of the additional works the maintenance of the same shall either be undertaken by the Sheffield Corporation

A.D. 1918.

upon terms to be agreed upon between the two corporations or at the option of the Doncaster Corporation or failing agreement shall be maintained by the Doncaster Corporation Provided always that in the event of the additional works being maintained by the Doncaster Corporation such corporation shall be under an obligation to the Sheffield Corporation to make good and repair any damage or defects in the same within a reasonable time after any such damage or want of reparation shall have come to the notice of the Doncaster Corporation and that it shall be open to the Sheffield Corporation in case such damage or defects shall be likely to cause considerable damage or injury or loss of water to be entitled to cut off and discontinue at Rotherham the water supply into such additional works for Doncaster until such damage or defects shall have been made good Provided lastly and the said Doncaster Corporation hereby agree with the said Sheffield Corporation to indemnify and guarantee that corporation against all damages costs loss expenses and injury whether immediate or consequential which the Sheffield Corporation shall sustain suffer incur pay or be put unto by reason or in consequence of the failure or giving way of such additional works in respect of which section 68 of the Sheffield Act of 1853 may apply.

10. Save as altered by these presents the agreement between the corporations parties hereto dated the twelfth day of June one thousand eight hundred and ninety-five is hereby confirmed and shall be carried into effect in all respects whether the Bill of the Barnsley Corporation does or does not become law.

In witness whereof the corporations parties hereto have respectively affixed their corporate common seals the day and year first hereinbefore written.

L.S.
Corporation
of Sheffield.

L.S.
Corporation
of Rotherham.

L.S.
Corporation
of Doncaster.

Sheffield Corporation Act 1907. A.D. 1918.

For protection of corporations of Rotherham and Doncaster.

35. For the protection of the mayor aldermen and burgesses of the county borough of Rotherham and the mayor aldermen and burgesses of the borough of Doncaster or either of them (in this section called "the two corporations") the following provisions shall apply and have effect (that is to say):—

(1) The Underbank Gauge provided for under this Act shall be taken to be the gauge provided for under the Sheffield Corporation Water Act 1896 and the provisions of that Act and of the agreements contained in the First Schedule thereto relating to the last-mentioned gauge shall apply to the Underbank Gauge:

(2) Save as is in the previous subsection of this section provided the two corporations shall not be required to contribute to the cost of any works provided for or sanctioned by or under this Act:

(3) Nothing contained in this Act or the agreement scheduled hereto shall in any way prejudicially affect alter or impair the rights and obligations of the two corporations under the Sheffield Corporation Water Act 1896 and the agreements between the Corporation and the two corporations scheduled thereto.

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