



### CHAPTER 'cvii.

An Act to empower the mayor aldermen and burgesses of the borough of Keighley to construct further waterworks and a street improvement to provide and work a trolley vehicle system to provide and work motor omnibuses on additional routes to extend the powers of the Corporation with regard to the health local government and improvement of the borough and for other purposes. A.D. 1912.

[7th August 1912.]

**W**HEREAS the borough of Keighley in the West Riding of the county of York is a municipal borough under the local government and management of the mayor aldermen and burgesses of the borough (in this Act called "the Corporation"):

And whereas the Corporation are by the Keighley Waterworks Extension and Improvement Act 1869 (hereinafter called "the Act of 1869") the Keighley Corporation Act 1891 (hereinafter called "the Act of 1891") and the Keighley Corporation Act 1898 authorised to construct certain waterworks and by the Keighley Corporation Act 1908 the time limited for the construction of such of the works as at the date of the passing of that Act were not made was extended:

And whereas the Corporation have commenced the construction of the last-named works but it has been found impossible to proceed with the new Bully Trees reservoir authorised by the Act of 1891 and it is therefore expedient to empower the Corporation to abandon the construction of that reservoir and the Bully Trees conduit required to be constructed by the Act of 1869 and to construct partly on the site of the Lower Laithe reservoir authorised by the Act of 1869 the reservoir by this Act authorised:

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And whereas it is expedient that the other powers with regard to the water undertaking of the Corporation set forth in this Act should be conferred upon the Corporation and that the provisions with regard to compensation water contained in the Act of 1869 should be partly repealed and that the provisions with regard to discharging compensation water from the reservoir authorised by this Act should be enacted in lieu thereof:

And whereas it is expedient to authorise the Corporation to execute the street improvement referred to in this Act:

And whereas the Corporation own and work tramways within the borough and own and work motor omnibuses within and beyond the borough and it is expedient to authorise them to provide and work vehicles moved by electrical power transmitted thereto from some external source and to confer upon the Corporation all necessary powers with regard thereto and also to enable them to run motor omnibuses upon additional routes beyond the borough:

And whereas it is expedient to make further provision with regard to the electricity undertaking of the Corporation:

And whereas it is expedient that better provision should be made with reference to streets buildings sewers and drains within the borough and that the powers of the Corporation in relation to the health local government and improvement of the borough should be enlarged as by this Act provided:

And whereas it is expedient to authorise the Corporation to discharge the existing mortgage debt on the premises known as the Keighley Institute and to carry out certain extensions of such premises:

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

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

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned and such estimates are as follows:—

For the purchase of lands for and for and in connection with the waterworks authorised by Part II. of this Act	£
	208,750

	£	A.D. 1912.
For the purchase of lands for and for and in connection with the construction of the street improvement authorised by Part III. of this Act - - - - -	27,150	
For the provision of 'trolley vehicles and the electrical equipment and other works necessary for working trolley vehicles - - - - -	27,100	
For and in connection with the extension and improvement of the Keighley Institute - - - - -	27,000	

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

And whereas an absolute majority of the whole number of the council at a meeting held on the twelfth day of December one thousand nine hundred and eleven after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Bradford Daily Telegraph a local newspaper circulating in the borough such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the district fund and general district rate :

And whereas the said resolution was published twice in the Keighley News a local newspaper circulating in the borough and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice in the Keighley News on the ninth day of January one thousand nine hundred and twelve being not less than fourteen days after the deposit of the Bill in Parliament :

And whereas in relation to the promotion, of the Bill for this Act the requirements contained in the First Schedule to the Borough Funds Act 1903 have been observed :

And whereas plans and sections showing the lines and levels of the works authorised by this Act and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act

A.D. 1912. were duly deposited with the clerk of the peace for the West Riding of the county of York and are in this Act respectively referred to as the deposited plans sections and book of reference :

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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 Keighley Corporation Act 1912.

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

- Part I.—Preliminary.
- Part II.—Water.
- Part III.—Street work.
- Part IV.—Lands.
- Part V.—Trolley vehicles and motor omnibuses.
- Part VI.—Electricity.
- Part VII.—Streets.
- Part VIII.—Sewers and drains.
- Part IX.—Financial.
- Part X.—Miscellaneous.

Incorporation of Acts. 3. The following Acts and parts of Acts so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act are hereby incorporated with this Act:—

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

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 except section 83 relating to accounts) 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:

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands

near the railway during the construction thereof and in such provisions for the purposes of this Act "the railway" means the reservoir by this Act authorised and "the centre of the railway" means the boundaries of the reservoir: A.D. 1912.

The following provisions of the Tramways Act 1870 namely:—

- Section 3 Interpretation of terms;
- Part II. Relating to the construction of tramways (except sections 22 25 28 and 29);
- Section 45 Tolls &c.
- Section 46 Byelaws by local authority Promoters may make certain regulations;
- Section 47 Penalties may be imposed in byelaws;
- Section 48 Power to local authority to license drivers conductors &c.;
- Section 49 Penalty for obstruction of promoters in laying out tramway;
- Section 51 Penalty on passengers practising frauds on the promoters;
- Section 52 Transient offenders;
- Section 53 Penalty for bringing dangerous goods on the tramway;
- Section 55 Promoters or lessees to be responsible for all damages;
- Section 56 Recovery of tolls penalties &c.;
- Section 61 Power for local or police authorities to regulate traffic in roads:

Provided that the provisions of the Tramways Act 1870 incorporated with this Act shall be read and have effect as if the works to be constructed in the streets for moving trolley vehicles by electrical power were tramways and as if trolley vehicles were carriages used on tramways.

4. The several words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned shall in this Act have the same respective meanings unless there is something in the subject or context repugnant to such construction And in this Act unless the subject or context otherwise requires— Interpretation.

"The Corporation" means the mayor aldermen and burgesses of the borough of Keighley;

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- “The borough” means the borough of Keighley;
- “The council” means the council of the borough;
- “The town clerk” “the treasurer” and “the surveyor” mean respectively the town clerk the treasurer and the surveyor of the borough and respectively include any person duly authorised to discharge temporarily the duties of those offices;
- “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 borough;
- “Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing 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;
- “Daily penalty” means a penalty for each day on which any offence is continued by a person after conviction;
- “The tribunal” means the jury arbitrators umpire or other authority to whom any question of disputed purchase money or compensation under this Act is referred;
- “The Act of 1869” means the Keighley Waterworks Extension and Improvement Act 1869 “the Act of 1872” means the Keighley Waterworks and Improvement Act 1872 “the Act of 1891” means the Keighley Corporation Act 1891 “the Act of 1898” means the Keighley Corporation Act 1898 and “the Act of 1908” means the Keighley Corporation Act 1908;
- “The Worth millowners” means the Worth millowners as defined by the Act of 1869.

PART II.

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WATER.

5. The Corporation may and shall abandon the construction of the following works authorised by the Act of 1898 and the Act of 1869 respectively (namely):—

Abandonment of works authorised by Act of 1898 and Act of 1869.

- (A) The new Bully Trees reservoir:
- (B) The Bully Trees conduit.

6. The abandonment by the Corporation under the authority of this Act of the works hereinbefore authorised to be abandoned shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Corporation on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of the work and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Corporation to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845.

Compensation for damage to land by entry &c. for purposes of works abandoned.

7. Where before the passing of this Act any contract has been entered into or notice given by the Corporation for the purchasing of any land for the purposes of or in relation to the works authorised to be abandoned by this Act the Corporation shall (if the Corporation so desire) be released from all liability to purchase or to complete the purchase of any such land (so far as such land is not required for the purpose of the works by this Act authorised) but notwithstanding full compensation shall be made by the Corporation to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Compensation to be made in respect of works abandoned.

8. Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands delineated upon the deposited plans and described in

Power to make water-works.

A.D. 1912. the deposited book of reference and according to the levels shown on the deposited sections the works in the West Riding of the county of York hereinafter described (that is to say):—

Work No. 1.—A reservoir (to be called “the New Lower Laithe reservoir”) in the parishes of Haworth and Stanbury (being an enlargement of the Lower Laithe reservoir authorised by the Act of 1869) to be formed by means of a dam or embankment 15·30 chains or thereabouts in length across the Sladen Beck at a point thereon 522 yards or thereabouts measured in a south-westerly direction from the up-stream face of Sladen Bridge and extending in a westerly direction up the valley of the Sladen Beck to a point in the said beck 50·66 chains or thereabouts measured in a westerly direction from the said dam or embankment:

Work No. 2.—A diversion of the road across the Sladen Valley known as Waterhead Lane leading from Oxenhope to Stanbury commencing in the parish of Haworth at a point 11 yards or thereabouts south-east of the gateway at the head of Waterhead Lane and terminating in the parish of Stanbury at a point 100 yards or thereabouts east of the most northerly corner of the building in which the ordnance bench mark (835·4) is cut at the easterly end of the village of Stanbury:

Work No. 3.—An aqueduct or line or lines of pipes commencing in the parish of Haworth in the New Lower Laithe reservoir Work No. 1 and terminating in the parish of Oakworth at a point 10 yards or thereabouts north-west of the most southerly corner of the field or enclosure numbered 1035 on the  $\frac{1}{2500}$  Ordnance Survey map Yorkshire (West Riding) Sheet CC. 7 (edition of 1908):

Work No. 4.—A service reservoir situate in the parish of Oakworth in the fields or enclosures numbered 1035 and 1121 on the  $\frac{1}{2500}$  Ordnance Survey map Yorkshire (West Riding) Sheet CC. 7 (edition of 1908) extending from a point 60 feet or thereabouts north of the southerly side of the field numbered 1035 to a point 63 feet or thereabouts south of the northerly side of the field numbered 1121 and being 33·33 yards or thereabouts in width:

Work No. 5.—An aqueduct or line or lines of pipes commencing in the parish of Oakworth at a point 10 yards



or thereabouts south-west of the north-easterly corner of the field or enclosure numbered 1121 on the  $\frac{1}{2500}$  Ordnance Survey map Yorkshire (West Riding) Sheet CC. 7 (edition of 1908) and terminating in the parish and borough of Keighley by a junction with the existing distributing main belonging to the Corporation at a point in the Keighley Road 155 yards or thereabouts north-east of the most easterly corner of the house at the south-west angle of the junction of Keighley Road and Wheat Head Lane :

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Work No. 6.—An aqueduct or line or lines of pipes commencing in the parish of Oakworth at the point of intersection of the centre lines of Lord Lane and Tim Lane 63 yards or thereabouts from the centre of Lord Bridge and terminating in the parish and borough of Keighley by a junction with the existing distributing main belonging to the Corporation in Hog Holes Lane at a point 117 yards or thereabouts south-west of the south-west corner of the house known as Glen Lee :

Provided that the Corporation shall not be entitled to connect the above-mentioned Work No. 6 with the existing main leading from Denby Hill to the reservoir of the Haworth Urban District Council.

The Corporation shall make a connection at Lees or Cross Roads between Work No. 6 and the existing mains which supply the Lees and Cross Roads district in order that a better supply may be given to such district.

9. The Corporation in addition to the foregoing principal works may upon the lands delineated upon the deposited plans make and maintain all such cuts channels catchwaters aqueducts culverts tunnels adits shafts drains junctions sluices by-washes weirs gauges wells tanks basins filter beds filters embankments dams retaining walls bridges roads tramroads approaches telegraphic and telephonic apparatus engines pumps valves machinery buildings appliances apparatus and conveniences as may be necessary in connection with or ancillary to the said works or for inspecting maintaining repairing cleansing managing working or using the same.

Subsidiary waterworks.

10. In the construction of the works authorised by this Part of this Act the Corporation may deviate laterally to any extent not exceeding the limits of lateral deviation shown on

Power to deviate.

A.D. 1912. the deposited plans (and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits) and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding four feet upwards and to any extent downwards Provided as follows (that is to say):—

The Corporation shall not construct any embankment or dam of any reservoir by this Act authorised of a greater height above the general surface of the ground than that shown on the deposited sections in respect of the corresponding embankment or dam and three feet in addition:

Except for the purposes of crossing over a stream or railway no part of the aqueducts or conduits by this Act authorised shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

Period for completion of works.

11. If the works by this Part of this Act authorised and delineated on the deposited plans are not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for the making thereof or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as are then completed Provided that the Corporation may at any time lay down additional conduits or lines of pipes to form part of the aqueducts by this Act authorised.

Accommodation for workmen employed on construction of Work No. 1.

12.—(1) The Corporation shall erect fit up and maintain or provide—

(a) Such huts or buildings for the accommodation of the workmen employed in and about the construction of the reservoir Work No. 1 authorised by this Act;

(b) Such hospital accommodation for the treatment of cases of sickness or accident among such workmen including accommodation for dealing with infectious diseases;

as shall be reasonably necessary having regard to the accommodation available in the neighbourhood of or conveniently accessible from the said work and shall provide and maintain proper and sufficient sanitary accommodation in connection with every such building and hospital.

(2) The Corporation shall pay all reasonable costs and expenses incurred in respect of the medical and surgical treatment

of any workman employed on the construction of the said work who is treated in any hospital accommodation provided by them except in so far as such costs and expenses are payable under the provisions of the National Insurance Act 1911 or otherwise.

(3) The medical officer of health of the county council of the West Riding of Yorkshire (hereinafter called "the county council") and the medical officer of health and inspector of nuisances of the urban district councils of Haworth and Oakworth (as regards their respective districts) shall be entitled at any time to enter into and inspect and examine any accommodation afforded under this section in order to ascertain whether overcrowding exists therein and whether proper and sufficient sanitary arrangements are provided.

(4) The Corporation shall give every such officer all facilities and information which he requires for the purpose of the performance of his duties including the right to enter upon the said works and any person obstructing such officer in the performance of his duty under this section shall be liable on summary conviction to a fine not exceeding forty shillings.

(5) If at any time it appears to the county council that the Corporation have failed to afford or maintain accommodation in accordance with subsection (1) of this section the Corporation shall afford and maintain such accommodation as the county council may require. Provided that if within fourteen days after the receipt of notice of any requirement of the county council under this subsection the Corporation give notice to the county council that they dispute the reasonableness of any such requirement the difference shall be determined by the Local Government Board on the application of either of the parties to the difference and the Local Government Board may make such requirements (if any) in variation of the requirements of the county council as they may think fit.

(6) If the Corporation fail to afford and maintain accommodation in accordance with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and to a further daily penalty not exceeding five pounds for every day on which the offence is continued after conviction and such penalties may be recovered by the county council.

(7) Any expenses incurred by the county council in carrying out the provisions of this section shall be repaid to the county

A.D. 1912. council by the Corporation and shall be recoverable as a debt due from the Corporation to the county council.

(8) The Corporation shall pay to the Local Government Board any expenses incurred by that Board under this section including a sum not exceeding three guineas a day for the services of any inspector in connection with any local inquiry or investigation which they may consider necessary in the exercise of their powers under subsection (5) of this section and the expenses of any witnesses summoned by the inspector.

Power to take waters.

**13.** Subject to the provisions of this Act and notwithstanding anything contained in the Acts of 1869 and 1891 and other Acts of the Corporation the Corporation may for the purposes of their waterworks collect impound take use get and appropriate all the waters of the Sladen Beck and of all tributaries streams and springs of that beck which can or may be intercepted by the reservoir and the catchwaters conduits and other waterworks by this Act authorised Provided that the Corporation shall not under the powers of this Act take or intercept any waters which would naturally flow into the Sladen Beck below the embankment of the New Lower Laithe reservoir.

New works to form part of existing waterworks undertaking.

**14.** Subject to the provisions of this Act the waterworks to be constructed under the authority of this Part of this Act shall for all purposes whatsoever be deemed part of the waterworks undertaking of the Corporation.

Limiting powers of Corporation to abstract water.

**15.** The Corporation shall not construct any works for taking or intercepting water from any lands acquired by them unless the works are authorised by and the lands upon which the same are to be constructed are specified in this or some other Act of Parliament.

For protection of Charles Bairstow.

**16.** For the protection of Charles Bairstow or other the owner for the time being of the lines of pipes which convey water from a spring and cistern situate in the field known as Rushy Intake or Ing Meadow for the supply of the village of Stanbury or of the supply pipe for the time being connected with the new line of pipes hereinafter mentioned (in this section referred to as "the owner") the following provisions shall unless otherwise agreed between the Corporation and the owner apply and have effect (that is to say):—

(1) Before commencing the construction of any of the works by this Act authorised so as to affect the existing

lines of pipes or the access thereto the Corporation shall at their own cost to the reasonable satisfaction of the owner construct a new line of iron pipes with an internal diameter of not less than four inches in the position shown upon the plan signed by Holmes Wright on behalf of the owner and by William Bagshaw on behalf of the Corporation together with suitable and sufficient valves and other apparatus for connecting the supply pipe of the owner existing at the date of the passing of this Act in Stanbury with the said new line of pipes and the said existing lines of pipes shall not be interfered with or removed until the said new line of pipes is completed and ready to be brought into use:

- (2) The Corporation shall maintain the said new line of pipes and the cistern situate in the said field in perpetuity to the reasonable satisfaction of the owner:
- (3) The Corporation shall not under the powers of the section of this Act whereof the marginal note is "Subsidiary waterworks" make or construct any work or do any act or thing so as to affect or interfere with the waters of the said spring or cistern:
- (4) In the event of the said spring or cistern being interfered with or affected during and by the construction of the works by this Act authorised the Corporation shall make full compensation to the owner for such interference or affection:
- (5) Any difference which may arise under this section between the owner and the Corporation shall be determined by an engineer to be appointed failing agreement 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 arbitration.

**17.** For the protection of the Oakworth Urban District Council (in this section referred to as "the council") the following provisions shall unless otherwise agreed between the council and the Corporation apply and have effect (that is to say):—

For protection of Oakworth Urban District Council.

- (1) The Corporation shall construct a footpath in the parish of Haworth commencing at a point in the diversion of Waterhead Lane by this Act authorised at the

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southerly end of the embankment of the New Lower Laithe reservoir and passing thence in a westerly direction to the buildings numbered on the deposited plans 126 in the said parish and thence in a westerly direction to the buildings numbered on the said plans 141 in the said parish:

(2) Notwithstanding anything contained in this Act or shown on the deposited plans and sections the construction of the aqueduct or line of pipes (Work No. 3) by this Act authorised and the works connected therewith where the same shall cross or be situate within five yards of the sewer of the council situate in the field numbered on the deposited plans 258 in the parish of Oakworth and any works of maintenance repair and renewal of such portion of the said aqueduct or line of pipes (all of which works are hereinafter referred to as "the said works") shall be done under the superintendence and to the reasonable satisfaction of the surveyor of the council and according to plans sections and specifications to be submitted to and reasonably approved by him before any of the said works are commenced or in the event of any dispute or difference between the said surveyor and the engineer of the Corporation then in such manner as shall be settled by arbitration as hereinafter provided. Provided that if the said surveyor shall fail to superintend at the time specified in a notice to be given by the Corporation to the council of their intention to commence the said works (such time being except in cases of emergency arising from defects in the said aqueduct or line of pipes not less than twenty-one days from the giving of the notice) such works may be executed without his superintendence and if the said surveyor shall for a period of one month after such plans sections or specifications have been submitted to him neglect or refuse to approve the same or state his requirements with respect thereto he shall be deemed to have approved thereof:

(3) The said works shall be executed and maintained by and in all things at the expense of the Corporation and in such manner as not to cause any injury to the said

sewer of the council and if any such injury shall be caused the Corporation shall make compensation to the council in respect thereof: A.D. 1912.

- (4) If any difference shall arise under this section the same shall be referred to and determined by an engineer failing agreement to be appointed 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.

**18.** Nothing in this Act shall authorise the Corporation to construct on any part of Haworth Moor lying to the east of the road leading from Stanbury to Oxenhope or to the south of Cemetery Lane any works which may divert into the New Lower Laithe reservoir any waters from such part of Haworth Moor or which may interfere with the sources of water supply existing at the date of the passing of this Act to Haworth reservoirs. For protection of Haworth water supply.

**19.**—(1) The provisions of the Act of 1869 the Act of 1891 and other Acts of the Corporation relating to the making of the Lower Laithe reservoir for compensation water purposes and to the control of such compensation water at such reservoir are hereby repealed and as full compensation to all persons for taking diverting and appropriating all the waters of the Sladen Beck and its tributaries respectively which the Corporation are authorised to take by this Act and before they shall be entitled to take any such waters for supply they shall (subject to the provisions of this Act) commence to discharge and shall thenceforth cause to be discharged or permit to flow from the New Lower Laithe reservoir or works connected therewith to and into the Sladen Beck on and from the completion and filling for use of that reservoir within fifty yards from the embankment or dam of that reservoir not less than the several quantities of water during the respective periods hereinafter mentioned (that is to say):— Compensation water.

During the period from half-past five in the morning to half-past five in the afternoon of every day from Monday to Friday both inclusive a quantity of seven hundred thousand gallons;

During the period from half-past five to half-past eleven in the morning of every Saturday a quantity of three hundred and fifty thousand gallons;

A.D. 1912. and such compensation water shall be given in a regular and continuous flow throughout the respective hours of discharge.

(2) The Worth millowners may by rules to be made in accordance with the provisions of the Act of 1869 vary the hours at which the said flows shall respectively commence and terminate but so that on every day from Monday to Friday inclusive the hours of discharge shall not be less than twelve and on every Saturday shall not be less than six. Provided that the provisions of the Act of 1869 with respect to the payment of the expenses of the Worth millowners by the local board shall not apply to the rules which may be made under this subsection unless such expenses are incurred in consequence of alterations proposed by the Corporation in the hours at which the said flows shall respectively commence and terminate.

(3) The Corporation on every day on which there shall be not less than sixty feet of water in the said reservoir after reserving above such level such amount of water as will enable them thereout to appropriate for their own purposes during the next ensuing twenty-four hours one million gallons of water shall cause to be discharged or permit to flow during the hours on such day during which water shall not be required to be discharged or permitted to flow under subsections (1) and (2) of this section from the said point within fifty yards from the embankment or dam of the said reservoir water at the rate of eight thousand gallons an hour in a regular and continuous flow.

(4) The Corporation shall construct and for ever after maintain within fifty yards from the embankment or dam of the said reservoir a suitable gauge for measuring and recording the quantities of compensation water to be discharged or to flow from the reservoir or works and such gauge shall be open to the inspection and examination of any person appointed by the Board of Agriculture and Fisheries or the Worth millowners and of the several persons for the time being interested in the water so to be discharged or flow through or over the same and on Monday in each week a certified copy or abstract of the records for the previous week shall be delivered or forwarded by post in a letter by the Corporation to the clerk of the Worth millowners or to such other person as they shall from time to time appoint.

(5) If and whenever the said gauge is in a condition unfit for the purposes for which it is intended the Corporation shall forthwith put it into 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 the Worth millowners or any of them the Worth millowners or any of them may put the same into a proper state of repair and condition and may recover the expense thereof from the Corporation. A.D. 1912.

(6) In the event of any difference or disagreement between the Corporation and the Board of Agriculture and Fisheries the Worth millowners and the persons referred to in subsection (4) of this section or any of them with respect to the construction maintenance or use of the gauge such difference or disagreement shall be settled and determined by an engineer to be agreed upon by the parties in difference or failing such agreement by an engineer to be nominated on the application of either party after seven days' notice in writing to the other party by the President of the Institution of Civil Engineers in London.

(7) In case the Corporation shall omit or fail to discharge or permit to flow out of the New Lower Laithe reservoir or works into the Sladen Beck any quantity of water by this section required to be discharged or to flow in the manner and on the days and between the hours in this section specified they shall forfeit and pay to the Worth millowners the sum of twenty-five pounds for every day on which any such default shall occur and the Corporation shall also be liable to make compensation for any loss damage or injury sustained by any millowner or other person interested in any case where such loss damage or injury arises from any cause avoidable by or through the negligence of the Corporation.

(8) The Corporation shall not be required to discharge the compensation water by this section required to be discharged until the New Lower Laithe reservoir shall have been first filled for use Provided that until such reservoir shall have been first filled for use the Corporation shall not during the periods mentioned in subsection (1) of this section as varied under subsection (2) of this section impound any water therein except when and during such times as the quantity of water passing down the Sladen Beck immediately below the outlet for compensation water of such reservoir and works shall be equal to or in excess of the quantity of compensation water by this section required to be discharged from such reservoir and works after the construction thereof and the provisions of this section with respect to gauging and penalties shall apply to the water so passing down the said beck as if such water were compensation water.

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Compensation in respect of damage from bursting of reservoir.

**20.** The provisions of section 42 of the Act of 1869 (Local board to make compensation for all damages consequent on bursting &c. of any reservoir &c.) shall apply to the works by this Act authorised as if the Corporation were referred to therein in lieu of the local board 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.

Meetings of Worth mill-owners.

**21.** Meetings of the Worth millowners may from time to time be held for the purposes of this Act subject and according to the clauses and provisions contained in the Second Schedule to the Act of 1869 and anything to be done under this Act by the Worth millowners collectively may be done at meetings so held.

Temporary discharge of water into streams.

**22.**—(1) For the purpose of executing any necessary work of repair of cleansing or of examining any aqueduct conduit or reservoir authorised by this or any other Act relating to the water undertaking of the Corporation the Corporation may cause the water in any such aqueduct conduit or reservoir to be temporarily discharged into any available stream or watercourse.

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

For protection of West Riding of Yorkshire Rivers Board.

**23.** For the protection of the West Riding of Yorkshire Rivers Board (in this section referred to as "the board") the following provisions shall apply and have effect (that is to say):—

(1) The Corporation shall not in exercising the powers of the section of this Act of which the marginal note is "Temporary discharge of water into streams" cast or permit or suffer to pass or be cast or washed into any stream or watercourse passing through or by the West Riding of the county of York (including any county borough in the said West Riding) any mud or offensive matter or other deposit or materials contained in or taken out of or removed from any of the aqueducts conduits or reservoirs:

(2) The gauge referred to in the section of this Act of which the marginal note is "Compensation water" shall at all times be open to the inspection and examination of the board or any person appointed by them for the purpose of ascertaining that the Corporation are complying with the requirements of that section with respect to the discharge of compensation water. A.D. 1912.

**24.** The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets shall apply with the necessary modifications to the construction laying down erection and maintenance in any streets or roads of the aqueducts and conduits authorised by this Act and of any discharge pipes telephone or telegraph posts wires conductors or apparatus which the Corporation may and which they are authorised to erect or lay down for the purposes of their water undertaking. Application of Waterworks Clauses Act 1847 to aqueducts discharge pipes and telephones.

**25.** Any telegraphic or telephonic apparatus made maintained erected or laid down by the Corporation under the authority of this Act shall not be used for the purpose of transmitting telegrams which are within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869. For protection of Postmaster-General.

**26.** In executing and maintaining all works authorised by Part II. of this Act where the same will cross over or under or otherwise affect any railway or any part of the works or property of the Midland Railway Company (hereinafter 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:— For protection of Midland Railway Company.

(1) All such works shall be executed and maintained under the superintendence (if the same be given) and to the reasonable satisfaction of the principal engineer for the time being of the Midland Company and according to plans sections drawings and specifications 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 sections drawings and specifications 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:

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- (2) If within twenty-eight days after the receipt of any such plans sections drawings and specifications the Midland Company give to the Corporation notice that they themselves desire to execute any part of the work (other than the actual laying down of the mains which shall be done by the Corporation) which will cross over or under any railway or work belonging to them the Midland Company may themselves execute such part of the work and recover the reasonable costs thereof from the Corporation :
- (3) All works which the Corporation may execute under this section shall be so constructed and maintained as to cause no injury to the railways works and property of the Midland Company or interruption to the passage or conduct of traffic over the same and if in consequence of the execution maintenance or failure of such works any injury be caused to the said railways works and property or any interruption be caused to the traffic the Corporation shall make full compensation to the Midland Company in respect of such injury or interruption the amount of such compensation unless agreed upon to be determined by arbitration as hereinafter provided :
- (4) 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 affecting their railways 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 any such work 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 or any person in the employ of either of them :
- (5) 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 or other fit person to be appointed (in default of agreement) by the Board of Trade on the application of the Midland Company or the Corporation and the provisions of the Arbitration Act 1889 shall apply to any such arbitration. A.D. 1912.

**27.** Notwithstanding anything contained in this Act or shown upon the deposited plans Aqueduct No. 6 by this Act authorised shall not (unless otherwise agreed between the Corporation and the Great Northern Railway Company) be constructed at a greater depth than ten feet below the surface of the Halifax Road at the point where the said aqueduct crosses over the Lees Moor tunnel of the said Company. For protection of Great Northern Railway Company in respect of water pipes.

**28.** Immediately after the passing of this Act and until the completion of the road diversion by this Part of this Act authorised the Corporation may make and maintain a diversion of the existing footpath leading from Dale Moor Farm to Lower Laithe Farm in such line as may be agreed between the Corporation and the Oakworth Urban District Council and as soon as such diversion shall have been completed to the satisfaction of two justices and opened to the public the Corporation may stop up the portion of the existing footpath so diverted. Temporary diversion of footpath.

**29.**—(1) So soon as the road diversion by this Part of this Act authorised shall have been completed to the satisfaction of two justices and opened to the public the Corporation may stop up the several roads and footpaths in substitution for which the road diversion is made between the point of commencement of the said road diversion and the junction of Waterhead Lane with the footpath leading to the west end of the village of Stanbury north-west of Smith Bank Farm and so soon as the new footpath referred to in the section of this Act whereof the marginal note is "For protection of Oakworth Urban District Council" shall have been completed to the like satisfaction and opened to the public the Corporation may stop up the existing footpaths lying between the said new footpath and the New Lower Laithe reservoir and thereupon the rights of way in or over the same shall be and the same are hereby extinguished and the site and soil of the portions of the roads and footpaths stopped up and discontinued shall if and so far as the Corporation are the owners of the lands on both sides thereof be vested in them. Stopping up of roads and vesting of site and soil in Corporation.

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(2) Before applying to the justices for their certificate the Corporation shall give to the road authority of the district in which the said existing roads and footpaths are situate seven days' notice in writing of their intention to apply for the same.

(3) 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.

Maintenance  
of diverted  
road.

**30.** The road diversion by this Part of this Act authorised (except the portion hereinafter mentioned) shall be maintained in repair to the reasonable satisfaction of the surveyor of the local authority by and at the cost of the Corporation for seven years after the completion of all works authorised by this Act in connection with the construction of the New Lower Laithe reservoir and from and after the expiration of the said period of seven years such road diversion shall be maintained in repair by and at the expense of the authority or person by whom or at whose expense the roads and footpaths in substitution for which the road diversion is made were repairable except as regards such portion of the said road diversion as will be constructed upon the embankment of the New Lower Laithe reservoir which portion shall be maintained in repair in perpetuity by and at the expense of the Corporation.

Reservation  
of water  
rights &c.  
on sale.

**31.** The Corporation on selling any lands acquired by them in connection with their water undertaking and not required for the purposes of that undertaking 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 the 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.

Power to lay  
down sewers  
and drains in  
drainage  
areas.

**32.** The Corporation may in and upon the lands acquired by them within the drainage area of any of their reservoirs or other waterworks or in or upon any other lands within such drainage areas with the consent of the owners lessees or occupiers of such lands construct and lay down drains sewers watercourses 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 or impound from being polluted fouled contaminated or discoloured and the Corporation may for the purposes aforesaid carry any such drain sewer or watercourse under across or along any street or road in or adjoining such lands 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.

**33.** The Corporation may make and carry into effect agreements with the owners lessees and occupiers of any lands within the drainage area of any reservoir or other waterworks belonging to them with reference to the execution by the Corporation or such owners lessees or occupiers of such works as may be necessary for the 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 divert collect and appropriate flowing to upon or from such lands directly or derivatively into such reservoirs and works.

**34.** The Corporation may hold any lands acquired by them under the powers of this Act which they may deem necessary for the purpose of protecting their waterworks against pollution fouling and contamination and so long as such necessity shall continue such lands shall not be deemed to be superfluous lands within the meaning of this Act or the Lands Clauses Acts respectively but the Corporation shall not create or permit a nuisance on any such lands and shall not erect any buildings thereon other than offices and dwellings for persons in their employ gamekeepers' houses farm buildings and additions to existing farm buildings and such buildings and works as may be incident to or connected with their water undertaking.

**35.** All water supplied by the Corporation under this Act whether supplied in bulk or otherwise and used for dietetic purposes shall be properly and efficiently filtered or otherwise treated before delivery so as to prevent it from acting on lead in such manner as to endanger the health of the consumer:

Provided that in case the Corporation shall make default under this section they shall be liable to a penalty not exceeding

A.D. 1912. ten pounds for every day during which such default shall continue and such penalty shall be recoverable in any court of summary jurisdiction.

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

**36.** The Corporation may on the application of the owner or occupier of any premises within the limits of the Corporation for the supply of water abutting on or being erected in any street laid out but not dedicated to public use supply those premises with water and for that purpose the Waterworks Clauses Acts 1847 and 1863 shall apply as if the street were a street within the meaning of those Acts :

Provided that nothing in this section contained shall apply to any street belonging to and forming the approach to any station or depôt of the Midland Railway Company or the Great Northern Railway Company nor shall the Corporation in carrying out such works obstruct or interfere with the convenient access to any such street.

### PART III.

#### STREET WORK.

Power to construct street work.

**37.** Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the work hereinafter described in the borough together with all necessary or proper works and conveniences connected therewith or incident thereto.

The work hereinbefore referred to and authorised by this Part of this Act is as follows :—

An alteration and improvement of Church Street on the east side from the north side of St. Andrew's churchyard to Low Street.

Period for completion of street work.

**38.** The work authorised by this Part of this Act shall be completed within five years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Corporation for executing the said work or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Subsidiary works.

**39.**—(1) Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the Corporation may in connection with the work authorised by this Part of this Act and for the purposes thereof make junctions and communications with any existing streets which may be intersected



or interfered with by or be contiguous to such work and may make diversions widenings or alterations of the lines or levels of any existing streets for the purpose of connecting the same with such work or of crossing under or over the same or otherwise and may alter divert or stop up all or any part of any drain sewer channel or gas or water main or pipe wire or apparatus within the said limits the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer or of any gas or water in any main or pipe or of electricity or telephonic communication in any wire or apparatus and making compensation for any damage done by them in the execution of the powers of this section.

(2) Provided that nothing in this Act 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 Act of 1882 apply except in accordance with and subject to the provisions of that section.

(3) Provided also that the Corporation shall not alter divert or otherwise interfere with any pipe wire or apparatus belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

40. In the construction of the work authorised by this Part of this Act the Corporation may deviate from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of lateral deviation shown on those plans and from the levels thereof as shown on the deposited sections to any extent not exceeding two feet either upwards or downwards.

Limits of deviation.

41.—(1) The Corporation during the execution and for the purposes of any works authorised by this Act may break up and also temporarily stop up divert and interfere with any street and may for any reasonable time 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.

Temporary stoppage of streets.

(2) The Corporation shall provide reasonable access for persons bonâ fide going to or returning from any such house.

#### PART IV.

#### LANDS.

42. Subject to the provisions of this Act the Corporation may enter on take and use such of the lands delineated on the deposited plans and described in the deposited book of reference

Power to take lands.

A.D. 1912. as they may require for and in connection with the waterworks and street work by this Act authorised or (in the case of the street work) for the purpose of providing space for the erection of buildings adjoining or near to such work.

Acquisition of lands for filter beds &c.

**43.** Subject to the provisions of this Act the Corporation may purchase compulsorily or by agreement the lands next hereinafter described for the purposes of filter beds and other purposes connected therewith or incidental thereto (that is to say):—

The fields or enclosures situate in the parish of Haworth numbered 580 and 581 on the  $\frac{1}{2500}$  Ordnance Survey map Yorkshire (West Riding) Sheet CC. 10 (edition of 1908).

Period for compulsory purchase of lands.

**44.** The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease as regards lands for the purposes of Part III. after the expiration of four years from the passing of this Act and as regards lands for the other purposes of this Act after the expiration of five years from the passing of this Act.

Correction of errors in deposited plans and book of reference.

**45.** If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten' days notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county or borough in which such lands are situate for the correction thereof and if it appear to the justices that the omission misstatement 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 misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the West Riding of the county of York and a duplicate thereof shall also be deposited with the town clerk and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with such certificate.

Owners may be required to sell parts

**46.**—(1) 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 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:—

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—  
only of cer-  
tain lands  
and build-  
ings.

- (A) The owner of and persons interested in any of the properties whereof the whole or part is described in the 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 in this section included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":
- (B) 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:
- (C) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled properties 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:
- (D) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto

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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 :

- (E) If the tribunal determine that the portion of the scheduled properties 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 :
- (F) If the tribunal determine that the portion of the scheduled properties 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 :
- (G) If the tribunal determine that the portion of the scheduled properties 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.

(2) 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 (No party to be required to sell part of a house) of the Lands Clauses Consolidation Act 1845. A.D. 1912.

(3) The provisions of this section shall be stated in or endorsed upon every notice given thereunder to sell and convey any premises.

47. In determining any question of disputed purchase money or compensation payable in respect of lands taken in pursuance of this Act the tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or erected or in respect of any interest in the land created after the first day of January one thousand nine hundred and twelve if in the opinion of the 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 erected or created with a view to obtaining or increasing compensation under this Act. Provisions as to compensation.

48.—(1) 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 had been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant. Costs of arbitration &c. in certain cases.

(2) 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 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.

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(3) 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 to the effect of this section.

Power to purchase additional lands by agreement.

**49.** The Corporation in addition to any other lands acquired by them in pursuance of this Act may by agreement purchase take on lease acquire and hold further lands for the purposes of this Act but the quantity of lands held by the Corporation in pursuance of this section shall not at any time exceed twenty-five acres Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any such lands.

Corporation may acquire easements only in certain cases.

**50.—(1)** The Corporation may in lieu of acquiring any lands for the purposes of the waterworks authorised by this Act where the same are intended to be constructed underground acquire such easements only in such lands as they may require for such purposes and may give notice to treat in respect of such easements describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements as fully as if the same were lands within the meaning of those Acts.

(2) As regards any lands in respect of which the Corporation have acquired easements only under the provisions of this section the Corporation shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall subject to such easements have the same rights to use and cultivate (but not to build upon or otherwise obstruct the right of access of the Corporation to) the said lands at all times as if this Act had not passed.

(3) Provided always that nothing in this section contained shall authorise the Corporation to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Corporation to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement shall be endorsed with notice of this provision.

Persons under disability may grant easements &c.

**51.** Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the

Corporation any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and 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.

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**52.** Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Corporation may retain hold and use for such time as they may think fit or may 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 therein acquired by them under this Act or the other Acts of the Corporation relating to their water undertaking and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interests therein and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

Power to retain sell &c. lands.

**53.** So long as any lands remain to be acquired by the Corporation under the authority of this Act they may so far as they consider necessary apply any capital moneys received by them on resale or exchange or by leasing in pursuance of the powers of this Act in the purchase of lands so remaining to be acquired but as to capital moneys so received and not so applied the Corporation shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment provided by this Act except to such extent and upon such terms as may be approved by the Local Government Board Provided that—

Proceeds of sale of surplus lands.

- (1) The amount to be applied in the purchase of lands under this section shall not exceed the amount for the time being unexhausted of the borrowing powers conferred by this Act for the purpose of such purchase:

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(2) The borrowing powers conferred by this Act for the purpose of such purchase shall be reduced to the extent of the amount applied in the purchase of lands under the provisions of this section.

Repeal of section 15 of Act of 1908.

**54.** Section 15 (Power to sell &c. lands and works) of the Act of 1908 is hereby repealed.

PART V.

TROLLEY VEHICLES AND MOTOR OMNIBUSES.

Power to provide and work vehicles moved by electricity.

**55.**—(1) 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 hereinafter mentioned and may place erect and maintain in under and along the streets and roads forming such routes cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working trolley vehicles and may supply electrical energy by means of such apparatus and equipment outside the borough for that purpose.

(2) The routes hereinbefore referred to are as follows:—

- (a) From the tramway terminus of the Corporation at Utley along the Keighley and Kendal main road and the Blackburn Addingham and Cocking End Road to Crosshills thence along Holme Lane to Low Bridge Sutton:
- (c) From the tramway terminus of the Corporation at Ingrow along the Keighley and Halifax main road to Cross Roads thence along Haworth Road to Hebden Road and along that road and Station Road to Gate Lane Lower Town Oxenhope:
- (d) From the Cross in High Street along Church Green Cornmill Bridge South Street Goulbourne Street and Victoria Road to the Two Laws and Keighley branch of the Toller Lane Haworth and Bluebell Road and along that road to Lane Ends:
- (e) From the Cross in High Street along that street and Bridge Street to a junction with route (d) near Cornmill Bridge:



(f) From a point in route (d) at the junction of Fell Lane and the Toller Lane Haworth and Bluebell Road along Fell Lane to the borough boundary. A.D. 1912.

**56.**—(1) The Corporation shall not run trolley vehicles along any country or district road unless the carriageway shall be not less than fifteen feet in width. As to widening of roads for trolley vehicles.

(2) In the case of a district road upon a trolley vehicle route of the Corporation of which the carriageway is less than seventeen feet in width the road authority may determine that the road shall be widened so as to provide a carriageway not exceeding seventeen feet in width and a footpath or footpaths of the same width as the footpath or footpaths (if any) existing at the passing of this Act and (unless on the application of the Corporation within one month after they shall have received from the road authority notice in writing of such determination as aforesaid the Board of Trade after considering the circumstances of the case determine that the widening is unnecessary) upon the road authority carrying out such widening the Corporation shall contribute one-third of the cost thereof. The Board in giving their decision may determine that a width of more than fifteen feet but less than seventeen feet is necessary and in such case the Corporation shall pay one-third of the cost of widening the road to the width determined by the Board.

(3) In the case of a county road upon a trolley vehicle route of the Corporation of which the carriageway is less than twenty feet in width the road authority may determine that the road shall be widened so as to provide a carriageway not exceeding twenty feet in width and a footpath or footpaths of the same width as the footpath or footpaths (if any) existing at the passing of this Act and (unless on the application of the Corporation within one month after they shall have received from the county council notice in writing of such determination as aforesaid the Board of Trade after considering the circumstances of the case determine that the widening is unnecessary) upon the county council carrying out such widening the Corporation shall contribute one-third of the cost. The Board in giving their decision may determine that a width of more than fifteen but less than twenty feet is necessary and in such case the Corporation shall pay one-third of the cost of widening the road to the width determined by the Board.

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(4) The Corporation shall not be required to contribute to the cost of widening a bridge or to the cost of acquiring any building for the purpose of widening any road.

(5) If any widening carried out by a road authority or the county council under the provisions of this section involves an alteration of any telegraphic line belonging to or used by the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to any such alteration as aforesaid and the road authority or the county council (as the case may be) shall be deemed to be undertakers within the meaning of that Act.

Vehicles not to be deemed light locomotives or motor cars.

**57.**—(1) 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 any provisions of the Motor Car Act 1903 (except subsection (1) of section 1 of that Act and the provisions necessary for enforcing that subsection) and subject to that exception neither that Act, nor 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 (except section 12 thereof) shall apply to trolley vehicles.

(2) Nothing contained in this Act shall prejudice or interfere with the operation of section 23 of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 of the Locomotives Act 1898. Provided always that the trolley vehicles by this Act authorised 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.

Suspension of licence and disqualification.

**58.**—(1) Any court before whom a person is convicted of an offence under section 1 subsection (1) of the Motor Car Act 1903 in connection with the driving of a trolley vehicle—

(a) May if the person convicted holds any licence under this Act or any enactment incorporated with this Act suspend that licence for such time as the court thinks fit and if the court thinks fit also declare the person convicted disqualified for obtaining a licence for such further time after the expiration of the licence as the court thinks fit; and

(b) May if the person convicted does not hold any such licence as aforesaid declare him disqualified for obtaining a licence for such time as the court thinks fit; and

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(c) If the person convicted holds any such licence as aforesaid shall cause particulars of the conviction and of any order of the court made under this section to be endorsed upon any licence held by him and shall also cause a copy of those particulars to be sent to the authority by whom such licence has been granted.

(2) Any person who is by virtue of an order of the court under this section disqualified for obtaining a licence may appeal against the order in the same manner as a person may appeal who is ordered to be imprisoned without the option of a fine and the court may if they think fit pending the appeal defer the operation of the order.

**59.**—(1) Trolley vehicles and the electrical equipment thereof shall be of such form 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 and no such vehicle (including the weight of its load) shall exceed a weight of five tons.

Approval of vehicles by Board of Trade.

(2) 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.

**60.** No trailers shall be used in connection with the trolley vehicles without the consent of the Board of Trade and without the consent in writing of the county council of the West Riding of Yorkshire.

As to use of trailers.

**61.**—(1) Trolley vehicles may be used for the carriage of passengers and of parcels not exceeding fifty-six pounds in weight but the Corporation shall not be bound to carry parcels other than personal luggage not exceeding twenty-eight pounds in weight carried by passengers.

Fares rates and charges.

(2) The Corporation may demand and take in respect of the carriage of passengers upon the trolley vehicles fares rates and charges not exceeding the fares rates and charges which the Corporation could have charged under section 29 of the Keighley Corporation Tramways Order 1903 if the trolley vehicles had been carriages upon the Corporation tramways.

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(3) The Corporation may demand and take in respect of the carriage of parcels upon the trolley vehicles rates or charges not exceeding the rates and charges which the Corporation could have charged for the carriage of parcels under section 33 of the Keighley Corporation Tramways Order 1903 if the trolley vehicles had been carriages upon the Corporation tramways.

For further  
protection of  
Midland  
Railway  
Company.

**62.** For the further 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:—

(1) In this section the word "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 trolley vehicles and includes also any brackets for the purposes of such apparatus:

(2) All works by this Act authorised where the same shall be made upon across or over any bridge or the approaches thereto or other work belonging to or maintainable by the Midland Company or will otherwise affect the same shall be executed so as not to injuriously affect the structure of any such bridge approaches or other work and according to plans sections and specifications to be previously submitted to and reasonably approved by the Midland Company or in case of difference between them and the Corporation by an arbitrator to be appointed as hereinafter provided Provided that if the Midland Company do not within twenty-eight days after such submission signify their disapproval of such plans sections and specifications they shall be deemed to have approved thereof All such works shall be executed according to the plans sections and specifications so approved or determined by arbitration and under the superintendence if the same shall be given and to the reasonable satisfaction of the principal engineer for the time being of the Midland Company The Corporation shall so maintain and use the works and apparatus as not to injuriously affect any such bridge approaches or other work and in the event of any injury being occasioned to such bridge approaches or work by the construction maintenance

user or removal of the works and apparatus upon A.D. 1912.  
across or over the same the Midland Company may  
make good the injury and may recover from the  
Corporation the reasonable expense of so doing:

- (3) The Corporation shall on demand pay to the Midland Company the reasonable expense of lighting and watching the works of the Corporation during the execution or repair by the Corporation under this Act of any work or apparatus affecting any railway belonging to the Midland Company 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 or any person in the employ of either of them:
- (4) The Corporation shall not in any manner in the execution maintenance user or repair of any of their 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:
- (5) 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 intended works or apparatus or by reason of any act default or omission of the Corporation or of any contractors for the intended works or of any person in their employ 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:
- (6) If the Midland Company shall hereafter require under their existing powers to widen lengthen strengthen reconstruct alter or repair any such bridge upon which the works and apparatus are laid or the approaches thereto or to widen or alter any railway thereunder and it shall be necessary for such purpose

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that such works and apparatus be temporarily taken up diverted or removed and if the Midland Company give the Corporation twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such taking up diversion or removal then the working or user of such part of the apparatus shall be stopped or delayed or 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 apparatus shall be restored with all practicable dispatch and the Midland Company shall not be liable to pay compensation in respect of such stoppage delay or taking up diversion or removal:

- (7) If having regard to the proposed position of any works of the Corporation by this Act authorised when considered in relation to the position of the works of the Midland Company at any point where any works or apparatus will be constructed over the railway or other works of the Midland Company it becomes necessary in order to avoid danger from the breaking or falling of wires that the electric telegraphic telephonic or signal cabins posts wires or apparatus of the Midland Company shall be altered the Midland Company may execute any works 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 this Act make attachments to any part of any bridge without the consent in writing of the engineer for the time being of the Midland Company (which consent shall not be unreasonably withheld) such attachments if allowed to be in all respects subject to the approval of the said engineer and to be temporarily removed at any time when required by him in connection with the maintenance and reconstruction or alteration of such bridge:

- (9) Any dispute or difference which may arise under this section between the Corporation and the Midland Company 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. A.D. 1912.

**63.** For the further protection of the Great Northern Railway Company (hereinafter in this section referred to as "the company") the following provisions shall unless otherwise agreed between the Corporation and the company be observed and have effect in relation to the exercise of the powers of this Part of this Act (that is to say):— For further protection of Great Northern Railway Company.

- (1) The trolley vehicles by this Act authorised shall not be used for the carriage of animals (except dogs) minerals or goods other than parcels not exceeding fifty-six pounds in weight and personal luggage carried by passengers not exceeding twenty-eight pounds in weight:
- (2) In this section the word "apparatus" means and includes electric mains wires conductors posts brackets tubes boxes apparatus and any similar appliances to be used for the purposes of the supply of motive power for or in connection with the said trolley vehicles:
- (3) All works by this Act authorised where the same shall be made upon across under or over any bridge or the approaches thereto or other work belonging to or maintainable by the company or will otherwise affect the same shall be executed so as not to interfere with the structure of any such bridge approaches or other work and according to plans sections and specifications to be previously submitted to and reasonably approved by the company or in case of difference between them and the Corporation by an arbitrator to be appointed as hereinafter provided Provided that if the company do not within twenty-eight days after such submission signify their disapproval of such plans sections and specifications they shall be deemed to have approved thereof All such works shall be executed according to the plans sections and specifications approved as aforesaid or by an arbitrator as hereinafter provided and under the superinten-

A.D. 1912.

dence (if the same be given) and to the reasonable satisfaction of the company The Corporation shall so maintain and use the works and apparatus as not to injuriously affect any such bridge approaches or other work and in the event of any injury being occasioned to such bridge approaches or work by the construction maintenance user or removal of the works and apparatus upon across under or over the same the company may make good the injury and may recover from the Corporation the reasonable expenses of so doing :

- (4) The Corporation shall on demand pay to the company the reasonable expense of lighting and watching the works of the Corporation during the execution or repair by the Corporation under this Act of any work or apparatus affecting any railway belonging to the company 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 :
- (5) The Corporation shall not in any manner in the execution maintenance user or repair of any of their works or apparatus obstruct or interfere with the free uninterrupted and safe user of any railway belonging to the company or any traffic thereon :
- (6) The Corporation shall be responsible for and make good to the company all losses damages and expenses which may be occasioned to the 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 intended 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 intended works or any part thereof and the Corporation shall effectually indemnify and hold harmless the 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 :
- (7) If the company shall hereafter require under their existing powers to widen lengthen strengthen reconstruct alter or repair any such bridge under or upon



which the works or apparatus are laid or the approaches thereto or to widen or alter any railway thereunder or thereover and it shall be necessary for such purpose that the working or user of any apparatus under or upon such bridge or approaches be wholly or in part stopped or delayed or that any apparatus be temporarily taken up diverted or removed and if the company accordingly give to the Corporation twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such stoppage delay taking up diversion or removal then the working or user of such apparatus shall be stopped or delayed or such 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 necessary for effecting such purpose as aforesaid and such apparatus shall be restored with all practicable dispatch but the company shall not be liable to pay compensation in respect of such stoppage delay or taking up diversion or removal:

- (8) If having regard to the proposed position of any works of the Corporation by this Act authorised when considered in relation to the position of the works of the company at any point where any works or apparatus will be constructed over or under the railway or other works of the company it becomes necessary in order to avoid danger from the breaking or falling of wires that the electric telegraphic telephonic or signal cabins posts wires or apparatus of the company shall be altered the company may execute any works reasonably necessary for such alteration and the reasonable expense of executing such works shall be repaid to the company by the Corporation:
- (9) The Corporation shall not for the purposes of this Act make attachments to any part of the said bridges without the consent in writing of the engineer of the company which consent shall not be unreasonably withheld such attachments if allowed to be in all respects subject to the approval of the said engineer

A.D. 1912.

and to be temporarily removed at any time when required by him in connection with the maintenance and reconstruction or alteration of the said bridges :

- (10) If any difference arises under this section between the Corporation and the company or their engineer 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.

Board of  
Trade may  
authorise  
new routes.

**64.**—(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 hereinbefore 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 within the borough to which such application relates.

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

- (A) Have published once 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 borough ;
- (B) Have posted for fourteen consecutive days in the months of October or November in conspicuous positions in each of the several streets or 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 borough 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. A.D. 1912.

(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.

(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 Act shall be deemed a public general Act.

(7) The making of a Provisional Order under this section shall be *prima 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 connection with the preparation and making of any such Provisional Order and any expenses incurred by the Board of Trade in connection with any inquiry under this section shall be paid by the Corporation.

(9) Provided that any Provisional Order obtained by the Corporation under the Tramways Act 1870 authorising the construction of tramways in the borough 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 and pending the construction thereof.

**65.**—(1) The following provisions of the Keighley Corporation Tramways Order 1903 shall extend and apply to and for the purposes of this Part of this Act as if those provisions were with all necessary modifications re-enacted in this Part of this

Application of provisions of Keighley Corporation Tramways Order 1903.

A.D. 1912. Act Provided that in the application of such provisions the same shall be read and have effect as if trolley vehicles were carriages used on the Corporation tramways:—

The provisions hereinbefore referred to are

- Section 5 Lands ;
- Section 18 Tramways not to be opened until certified by Board of Trade ;
- Section 19 Provisions as to motive power ;
- Section 20 Mechanical power works ;
- Section 21 Mechanical power works to be subject to Tramways Act 1870 ;
- Section 22 Byelaws ;
- Section 23 Amendment of Tramways Act 1870 as to byelaws by local authority ;
- Section 24 Special provisions as to use of electric power ;
- Section 25 For protection of Postmaster-General ;
- Section 29 Passengers' fares ;
- Section 30 As to fares on Sundays and holidays ;
- Section 31 Passengers' luggage ;
- Section 32 Cheap fares for labouring classes ;
- Section 34 Payment of rates ;
- Section 35 Periodical revision of rates and charges ;
- Section 37 Regulations ;
- Section 39 Mortgages may include rents &c. ;
- Section 40 Orders &c. of Board of Trade ;
- Section 41 Recovery of penalties ;
- Section 45 Provisions as to arbitration ;

The schedule.

(2) The undertaking authorised by this Part of this Act shall be deemed to form part of the tramways undertaking of the Corporation Provided that in the accounts of the Corporation relative to their tramway undertaking the receipts and expenditure upon and in connection with trolley vehicles shall (as far as may be reasonably practicable) be distinguished from the receipts and expenditure upon or in connection with the remainder of such undertaking.

**66.**—(1) The powers and provisions contained in section 9 (Use of tramway posts by Postmaster-General) of the Keighley

Corporation Tramways Order 1909 shall apply to any posts standards or brackets erected in connection with the trolley vehicles provided under this Act. A.D. 1912.

(2) The Corporation shall perform in respect of the trolley vehicles provided under this Act 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.

**67.** 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. Duties on licences for trolley vehicles.

**68.** In addition to the powers contained in the Act of 1908 the Corporation may subject to the provisions of this Act run motor omnibuses outside the borough along the following routes:— Power to provide and run motor omnibuses on additional routes.

(A) From the termination of the existing motor omnibus route of the Corporation at Eastburn Bridge on the Keighley and Kendal main road along that road and the Blackburn Addingham and Cocking End Road to Crosshills thence along Holme Lane to Low Bridge Sutton;

(B) From the termination of the existing motor omnibus route of the Corporation at the borough boundary at Whins Wood along the Keighley and Halifax main road to Cross Roads thence along the Haworth Road to Hebden Road and along the latter road and Station Road to Gate Lane Lower Town Oxenhope;

and the provisions of Part V. (Motor Omnibuses) of the Act of 1908 as amended by this Act shall extend and apply to the running of motor omnibuses along these routes.

**69.**—(1) Where any tree overhangs any highway along their trolley vehicle or motor omnibus routes which may in any way interfere with the construction or working of the trolley wires or with the clear and safe passage of the trolley vehicles or motor omnibuses and the passengers thereon the Corporation may serve a notice on the owner of the tree or on the occupier of the premises on which such tree is growing requiring him to lop the tree within seven days so as to prevent such obstruction or interference and in default of compliance the Corporation Trees overhanging highways.

A.D. 1912. may themselves carry out the requisition of their notice doing no unnecessary damage.

(2) Any person aggrieved by any requirement of the Corporation under this section may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs.

(3) Notice of the right to appeal shall be endorsed on every requirement of the Corporation under this section.

Shelters or waiting-rooms.

**70.** The Corporation may erect and maintain within and with the consent of the local and road authority beyond the borough sheds or shelters or waiting-rooms for the accommodation of passengers and of the Corporation's servants on the trolley vehicle and motor omnibus routes and may use for that purpose portions of the public streets or roads.

For protection of railway companies.

**71.** Notwithstanding anything contained in the section of this Act the marginal note whereof is "Shelters or waiting-rooms" no sheds shelters or waiting-rooms 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 Railway Company or the Great Northern Railway Company Any difference arising between the Corporation and either of the railway companies shall be determined by an arbitrator to be agreed upon by both parties or failing such agreement to be appointed by the Board of Trade.

For protection of Skipton Rural District Council.

**72.** The following provisions for the protection and benefit of the Skipton Rural District Council (in this section called "the council") shall unless otherwise agreed between the council and the Corporation apply and have effect (that is to say) :--

(1) If at any time hereafter the council or any other local authority or company with the council's approval shall introduce a Bill into Parliament for an Act or apply for a Provisional Order or an Order under the Light Railways Act 1896 to empower them to run trolley vehicles or to construct tramways or light railways along a route or routes including the portion of Main Street Crosshills comprised within Route A or any

part thereof described in the section of this Act of which the marginal note is "Power to provide and work vehicles moved by electricity" but no other portion of that route the Corporation shall not without the consent in writing of the council oppose such Bill or application except as to details and for the purpose of securing any protective provisions which they may consider necessary but nothing contained herein shall prevent the Corporation from opposing in any manner they may think fit the promotion of any such Bill or the application for any such Provisional Order or Order if powers are sought thereby to run trolley vehicles or to construct or work tramways or light railways along any portion of Route A other than the portion thereof which is hereinbefore referred to:

- (2) It shall be lawful for the council or any company authority or person authorised to work a system of trolley vehicles in the Skipton Rural District upon the application of the council to the Corporation to use in Main Street Crosshills for the purpose of such trolley vehicle system any posts standards and apparatus (other than wires) erected in the said road by the Corporation in connection with the trolley vehicle system authorised by this Act:
- (3) In using such posts standards and apparatus no obstruction shall be caused by the council or any such company authority or person to the working or user of the trolley vehicle system of the Corporation and if any obstruction shall be caused the council or such authority company or person shall pay to the Corporation the sum of forty shillings for every day or part of a day during which such obstruction shall continue:
- (4) The council or such authority company or person as aforesaid shall give to the Corporation not less than twenty-eight days' notice in writing of their or his intention to exercise the powers of this section:
- (5) The council or such authority company or person as aforesaid shall pay the expense 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 for the unobstructed working or user of the

A.D. 1912.

trolley vehicles of the Corporation or in consequence of any regulations which may from time to time be made by the Board of Trade relating to the exercise of the powers conferred by this section and the council or such authority company or person as aforesaid shall make good to the Corporation and shall indemnify them against any loss or damage or expense which may be incurred by them through or in consequence of the exercise by the council or such authority company or person as aforesaid of the powers conferred by this section :

- (6) The council or such authority company or person as aforesaid shall make such contribution to the original cost of providing and placing any post standard or apparatus used by them or him and also to the annual cost of the maintenance and renewal of any such post standard or apparatus as the Corporation may reasonably demand and any question with regard to the reasonableness or otherwise of such demand shall be determined as hereinafter provided :
- (7) The Corporation shall not be liable for any interference with or damage or injury to the trolley vehicles of the council or such authority company or person as aforesaid or to their officers or servants or passengers carried in their trolley vehicles arising through the exercise by the council or by such authority company or person of the powers conferred by this section or caused by the maintaining and working of the trolley vehicles of the Corporation or by any accident arising thereon or by the authorised use by the Corporation of electrical energy for the purpose of working their trolley vehicle system :
- (8) If it should become necessary or expedient to alter the position of or remove any post standard or apparatus the council or any such authority company or person as aforesaid shall upon receiving twenty-eight days' notice thereof at their or his own expense alter or remove any appliances erected by them or him or at their or his option retain the post standard or apparatus and pay the Corporation the value of the same :
- (9) Any difference arising under this section shall be determined by an arbitrator to be appointed on the



application of either party by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such arbitration. A.D. 1912.

**73.** The following provisions for the protection of the urban district councils of Oakworth Haworth and Oxenhope and the rural district councils of Keighley and Skipton respectively (each of which councils is in this section respectively referred to as "the council") shall notwithstanding anything in this Act and unless otherwise agreed in writing between the council and the Corporation apply and have effect with respect to the use of trolley vehicles on any road under the jurisdiction and maintained at the cost wholly or in part of the council (which road is herein referred to as a "district road") (that is to say):— For protection of local authorities.

(1) If within three years from the passing of this Act the overhead equipment for the trolley vehicle routes is not substantially commenced or if within four years from the passing of this Act the same is not completed then the powers of constructing such overhead equipment and otherwise in relation thereto shall cease to be exercised (except with the consent of the council) except as to so much of the same as is then completed:

(2) If at any time after the opening for traffic of the trolley vehicle system in the district of the council the Corporation discontinue the running of the trolley vehicles in the district for the space of twelve calendar months (such discontinuance not being occasioned by circumstances beyond the control of the Corporation) the Corporation shall not resume the running of trolley vehicles in such district without the consent of the council and shall if required by the council so to do remove the posts standards section boxes overhead wires cables and other works of which the use has been so discontinued:

(3) All posts standards and section boxes erected or placed on any district road shall be erected or placed in such position in or at the side thereof and in the case of underground works at such depth as the council in writing under the hand of their surveyor may reasonably direct:

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- (4) No advertisements shall be exhibited on any post or standard of the Corporation but nothing in this subsection shall be deemed to prevent the Corporation from using the trolley cars for advertising purposes:
- (5) If any post standard or box interfere with the construction of any new road or footpath or the improvement of any road or footpath in the district of the council or becomes an obstruction the Corporation shall alter the position thereof in such manner as the council may reasonably direct:
- (6) If the Corporation in the execution of any works the construction of which is authorised by this Part of this Act in crossing or adjoining any district road shall cause any damage injury or disturbance to the same and shall fail to properly make good all such damage injury or disturbance in accordance with the provisions in that behalf contained in section 27 of the Tramways Act 1870 then it shall be lawful for the council after reasonable notice to the Corporation of the alleged failure and of the works which they propose to execute to do all works necessary for making good all such damage injury or disturbance and the Corporation shall repay to the council all costs charges and expenses which the council shall reasonably incur in carrying out such works:
- (7) All trolley vehicles shall be numbered with distinctive numbers and such numbers shall be displayed upon a conspicuous part of each trolley vehicle:
- (8) Whenever during the period of one hour after sunset and one hour before sunrise a trolley vehicle is used on a public highway a lamp shall be kept burning on such trolley vehicle so contrived as to illuminate by means of reflection transparency or otherwise and render easily distinguishable the number of such trolley vehicle:
- (9) The provisions of section 28 of the Town Police Clauses Act 1847 with respect to the side of the road at which a carriage or other vehicle is to be kept when meeting or passing any other carriage or vehicle shall apply to the driver of a trolley vehicle and for the purpose of this section the said provisions shall

be read as though horses and other beasts of burden and cattle were included therein: A.D. 1912.

- (10) The council shall be at liberty to use any posts poles or brackets erected under the powers of this Act for the purpose of affixing and maintaining thereon street name plates fire alarms and telephone wires in connection therewith and lamps and other attachments for public lighting provided that no damage be thereby done to the equipment or if done be made good by the council and that no interference with the trolley vehicle service be caused:
- (11) Any difference at any time arising between the council and the Corporation under this section shall be settled by an arbitrator to be agreed upon between the council and the Corporation or failing such agreement to be 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 arbitration:
- (12) The powers conferred upon the Corporation by this Act to run motor omnibuses shall not be exercised on any route while the Corporation provide and maintain a service of trolley vehicles over that route except for the purpose of enabling an emergency service of motor omnibuses to be run when from accidental circumstances the service of trolley vehicles shall be temporarily interrupted or suspended.

74. The following provisions for the protection of the county council of the West Riding of Yorkshire (in this section called "the county council") shall notwithstanding anything in this Act and unless otherwise agreed in writing apply and have effect with respect to the use of trolley vehicles on any main road maintained by or at the cost of the county council (that is to say):—

For protec-  
tion of West  
Riding  
County  
Council.

- (1) Subsections (6) and (9) of the section of this Act of which the marginal note is "For protection of local authorities" shall extend and apply for the benefit and protection of the county council as if those subsections were in terms enacted in this section with the substitution in the said subsection (6) of the expressions "the county council" and "main road"

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for the expressions "the council" and "district road" respectively :

- (2) If any post standard box or other mechanical power work ~~interfere with the construction of any new road or~~ footpath or the widening or improvement of any road or footpath or the reconstruction or alteration of any county or main road bridge or become an obstruction the Corporation shall at their own expense alter the position thereof in such manner as the county council may reasonably direct :
- (3) (A) The Corporation shall be responsible for and make good to the county council all losses damages and expenses which may be occasioned to the county council in relation to the structure of any county or main road bridge by or by reason of the execution or failure of any of the works authorised by this Part of this Act 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 intended works or any part thereof and the Corporation shall effectually indemnify and hold harmless the county council from all claims or demands upon or against them by reason of such execution or failure or of any such act default or omission :
- (B) If the county council find it necessary that the working of the trolley vehicles over any such bridge be wholly or in part stopped or delayed for the purposes of any repairs to or alteration of such bridge and if the county council accordingly give the Corporation twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such stoppage or delay the working of the trolley vehicles shall be stopped or delayed as required by such notice but no such working shall be stopped or delayed for a longer period or to a greater extent than may be absolutely necessary for effecting such purposes as aforesaid and in such case the county council shall not be liable to pay compensation in respect of such stoppage or delay as aforesaid :
- (C) The Corporation shall not without the consent in writing of the county council which consent shall not

be unreasonably withheld place erect or attach any post or other support for any wire or any feeder box on or to the structure of any bridge as aforesaid and shall on receiving three months' notice in writing remove any post support or box which shall with such consent have been so placed erected or attached: A.D. 1912.

- (4) Any difference at any time arising between the county council and the Corporation under this section shall be settled by an arbitrator to be agreed upon between the county council and the Corporation or failing such agreement to be 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 arbitration.

**75.** Section 21 (For protection of Midland and Great Northern Railway Companies) of the Act of 1908 is hereby repealed and the following provision shall be enacted in lieu thereof:— Repeal of section 21 of Act of 1908.

The trolley vehicles and motor omnibuses by the Act of 1908 and this Act authorised shall be used only for the conveyance of traffic arising at and destined for places on the routes authorised by the Act of 1908 and this Act or within the borough and shall not be used as part of a through route to or from any other places in competition with the Midland Railway or Great Northern Railway.

**76.** If any person wilfully does or causes to be done with respect to any apparatus used for or in connection with the working of any of the trolley vehicles anything which is calculated to obstruct or interfere with the working of such trolley vehicles 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 shall be liable to a penalty not exceeding twenty pounds. Penalty for malicious damage.

**77.**—(1) If after the expiration of a period of twenty years from the commencement of a service of trolley vehicles under the provisions of this Act the Oakworth Urban District Council the Haworth Urban District Council the Oxenhope Urban District Council the Skipton Rural District Council and the Keighley Rural District Council serve twelve months' notice on the Corporation requiring the Corporation to sell to them the part of the Future purchase of trolley vehicle undertaking outside borough.

A.D. 1912. trolley vehicle undertaking then outside the borough the Corporation shall at the expiration of such notice sell such part of the said undertaking to the said councils.

(2) The said councils shall be entitled to purchase the said part of the said undertaking on terms of paying a sum equal to the then value (exclusive of any allowance for past or future profits of the undertaking or any compensation for compulsory sale or other consideration whatsoever) of the said part of the said undertaking and all lands buildings works materials and plant of the Corporation suitable to and used by them for the purposes of such said part such value to be in case of difference determined by an engineer or other fit person nominated as referee by the Board of Trade on the application of either the Corporation or the said councils and the expenses of the reference to be borne as the referee directs.

#### PART VI.

#### ELECTRICITY.

Electrical fittings.

78.—(1) The Corporation may subject to the provisions of this section purchase sell let for hire and fix repair and remove but shall not manufacture lamps meters electric lines fuses switches lampholders motors and other electrical fittings for lighting motive power or other purposes and may provide all materials and work necessary or proper in that behalf and with respect thereto may make such charges and such terms and conditions as may be agreed upon.

(2) The Corporation shall not themselves execute the wiring of private property except between the main of the Corporation and the consumer's meter but they may enter into contracts for the execution of any of the powers of this section including the wiring of private property provided that the contractor acts as an independent sub-contractor of the Corporation in the execution of the contract The Corporation shall not sell any such electrical fittings except through a contractor carrying on his business independently of the Corporation.

(3) Any electrical fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or liable to be taken in execution under process of law or proceedings in bankruptcy against the person in whose possession the same may be Provided that such fittings are

marked or impressed with a sufficient mark or brand indicating the Corporation as the actual owners thereof. A.D. 1912.

(4) Provided as follows:—

(A) The Corporation shall so adjust the charges to be made by them for any such 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 section in connection therewith (including interest upon moneys borrowed for those purposes and all sums applied to sinking fund for repayment of moneys so borrowed):

(B) The sums properly chargeable and received by the Corporation in connection with the purposes in this section mentioned in each year (including interest and sinking fund) shall be separately shown in the published accounts of the electricity undertaking of the Corporation for that year:

(C) Every sum charged by the Corporation to a consumer in respect of the provision of such fittings or the fixing repairing or removal thereof shall be separately stated on every demand note delivered by the Corporation to the consumer.

(5) Section 26 (Electrical fittings) of the Act of 1908 is hereby repealed.

## PART VII.

### STREETS.

79.—(1) When any street or road repairable by the inhabitants at large is in the opinion of the Corporation narrow or inconvenient or without sufficiently regular line of frontage or where in their opinion it is necessary or desirable that the line of frontage should be altered the Corporation may from time to time prescribe and define what shall thereafter be the line of frontage to be observed on either side of such street or road. The line which in any case the Corporation propose to prescribe and define shall be distinctly marked and shown on a plan to be signed by the town clerk and deposited with the surveyor and such plan shall be at all reasonable times thereafter open for the inspection of the public without charge and one month at least before the Corporation formally prescribe and define the line they shall give notice in writing of the deposit of the said

Corporation may define future line of streets.

A.D. 1912. plan to every owner interested whose name and address they can ascertain No new building erection excavation or obstruction (being of a permanent character) shall be made nearer to the centre of the street or road than such line.

(2) The Corporation may and if required so to do by the owner shall purchase and the owner shall if required so to do by the Corporation sell the land for the time being unbuilt upon lying between any such line as aforesaid and the street or road and the same when purchased shall vest in the Corporation as part of the street or road.

(3) Whenever in any of the above cases the Corporation shall require the said line to be observed and kept they shall make full compensation to the owner and other persons interested in any land for any loss or damage they may sustain in consequence of the line of frontage being set back and the Corporation shall also make to the owner of any adjoining land or building and to all other persons interested in any such adjoining land or building full compensation in respect thereof for all damage loss or injury (if any) sustained by them to such land or building by reason of the Corporation requiring the said line to be observed and kept.

(4) The amount of compensation or purchase money to be paid by the Corporation under this section shall in case of difference be settled by arbitration under the Arbitration Act 1889.

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

(6) Section 21 (Corporation may define future line of streets) of the Act of 1891 is hereby repealed.

(7) The provisions of this Part of this Act shall not extend or apply to any building (not used solely as a dwelling-house) belonging to and used and occupied by a railway company as a part of or in connection with their railway under any Act of Parliament.

#### PART VIII.

##### SEWERS AND DRAINS.

Provisions as to house without water supply. **80.** The owner of any dwelling-house which is not provided with a proper and sufficient water supply who shall occupy or allow to be occupied such dwelling-house shall be liable to a



penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings unless the dwelling-house was erected before the passing of this Act and such supply is not available. A.D. 1912.

**81.**—(1) Wherever reasonably practicable every trader shall exclude from the trade refuse discharged from his trade premises and from any sewers (other than surface water sewers) of the Corporation all surface and condensing water springs of water the overflows from reservoirs of such water and all water used in or for the purposes of his trade which after being so used is not poisonous noxious or polluting within the meaning of the Rivers Pollution Prevention Act 1876 and shall cause all the said waters to be discharged from his trade premises into some proper and efficient outlet other than the first-mentioned sewers of the Corporation and for this purpose he shall where necessary provide and maintain at his own cost a separate system of drainage so far as his trade premises are concerned. Provided however that the trader shall be permitted to discharge the said waters so to be excluded as aforesaid into any existing surface water sewers of the Corporation.

Exclusion from sewers of surface and other waters.

(2) Any dispute or difference between the Corporation and a trader under the provisions of this section shall be settled by arbitration under the provisions of the Arbitration Act 1889.

(3) For the purposes of this section "trader" means an owner or occupier of trade premises as defined by this Act or any person carrying on any business thereon on any part thereof and discharging trade refuse therefrom. "Trade premises" means any mill factory or premises situate within the borough from which any trade refuse shall for the time being be discharged. "Trade refuse" means any liquid either with or without particles of matter in suspension therein which proceeds or results from any industry or trade within the borough. "Surface water sewers" means sewers the contents from which are not directly or indirectly discharged into sewage outfall works of the Corporation.

## PART IX.

### FINANCIAL.

**82.**—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they

Power to borrow.

[Ch. cvii.] *Keighley Corporation Act, 1912.* [2 & 3 GEO. 5.]

A.D. 1912. shall pay off all moneys so borrowed within the respective periods (each of which is in this Act referred to as "the prescribed period") mentioned in the third column of the said table (namely):—

1.	2.	3.
Purpose.	Amount.	Period for Repayment.
(A) For the purchase of lands and easements for and for and in connection with the construction of the reservoirs road diversion and filter beds and mains authorised by Part II. of this Act.	£ 195,200	Sixty years from the date or dates of borrowing.
(B) For the construction of the aqueducts authorised by Part II. of this Act.	13,550	Forty-five years from the date or dates of borrowing.
(C) For the purchase of lands for and for and in connection with the construction of the street work authorised by Part III. of this Act.	27,150	Sixty years from the date or dates of borrowing.
(D) For and in connection with the provision of trolley vehicles.	8,000	Ten years from the date or dates of borrowing.
(E) For the provision of electrical equipment and the construction of other works necessary for working trolley vehicles.	19,100	Twenty years from the date or dates of borrowing.
(F) For extinguishing the mortgage debt on the Keighley Institute and for and in connection with the extension and improvement of the Institute.	27,000	Forty years from the date or dates of borrowing.
(G) For paying the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) The Corporation may also with the consent of the Board of Trade borrow such further moneys as may be necessary for the purposes of the trolley vehicles undertaking and with the consent of the Local Government Board borrow such further moneys as may be necessary for any of the other purposes of this Act:

Any moneys borrowed under this subsection shall be repaid within such period (in this Act referred to as "the prescribed period") as may be prescribed by the Board of Trade or Local Government Board.

(3) In order to secure the repayment of the moneys borrowed under this section and the payment of the interest thereon the Corporation may mortgage or charge—

As regards moneys borrowed for the purposes (A) and (B) hereinbefore mentioned and any moneys borrowed for the purposes of the waterworks undertaking of the Corporation the revenue of that undertaking and the district fund and general district rate or either of those securities;

As regards moneys borrowed for the purposes (c) the district fund and general district rate; A.D. 1912.

As regards moneys borrowed for the purposes (D) (E) and (F) the borough fund and borough rate;

As regards moneys borrowed for the purpose (G) the district fund and general district rate;

As regards moneys borrowed with the consent of the Board of Trade and the Local Government Board such fund rate or revenue as those Boards may respectively prescribe:

The provisions of this subsection shall not limit the powers conferred upon the Corporation by section 57 (Power to use one form of mortgage for all purposes) of the Act of 1908.

Any moneys borrowed by the Corporation since the first day of January one thousand nine hundred and ten under former Acts shall be regarded as borrowed under the provisions of this Act so far as the same were borrowed for the purpose of the construction of the works authorised by this Act.

**83.** The borrowing powers for waterworks purposes authorised by the Act of 1891 the Act of 1898 and the Act of 1908 except so far as they have been exercised at the date of the passing of this Act are hereby repealed. Repeal of existing borrowing powers for waterworks purposes.

**84.** The following sections of the Act of 1891 the Act of 1898 and the Act of 1908 are incorporated with this Act and shall extend and apply thereto as if the same with any necessary modifications were re-enacted in this Act (namely):— Application of financial provisions of Acts of 1891 1898 and 1908.

The Act of 1891—

Section 84 Certain regulations of Public Health Act as to borrowing not to apply;

Section 85 Provisions of Public Health Act as to mortgages to apply;

Section 89 Protection of lender from inquiry;

Section 90 Application of money borrowed;

Section 91 Annual return to Local Government Board with respect to sinking fund:

The Act of 1898—

Section 69 Mode of payment off of money borrowed:

Act of 1908—

Section 52 Corporation not to regard trusts.

A.D. 1912.

Section 3 of  
Education  
Act 1902  
not to apply.

**85.** The sums raised in any year for the purpose of paying off any moneys borrowed under this Act or for paying interest thereon shall not be reckoned as part of the amount raised by the Corporation in any year out of rates for the purpose of supplying or aiding the supply of education other than elementary under the Education Acts 1870 to 1911.

Power to  
reborrow.

**86.**—(1) The Corporation shall have power—

- (A) To borrow for the purpose of paying off any moneys previously borrowed under any statutory borrowing power which are intended to be forthwith repaid; or
- (B) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

- (A) By instalments or annual payments; or
- (B) By means of a sinking fund; or
- (C) Out of moneys derived from the sale of land; or
- (D) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

(5) Section 53 (Power to reborrow) of the Act of 1908 is hereby repealed.

**87.** Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made shall 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.

A.D. 1912.  
Expenses of execution of Act.

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

Audit of accounts.

## PART X.

### MISCELLANEOUS.

**89.** The powers of the Corporation contained in section 13 (Vesting of certain allotted lands in Corporation) of the Act of 1898 are hereby extended so as to enable them to prevent the taking of stone gravel or soil from any of the lands or quarries referred to in the said section and for that purpose the Corporation may enclose or otherwise deal with the said lands and quarries or any of them. Provided that if the powers contained in the said section 13 are not exercised within seven years after the passing of this Act the powers contained in this section shall cease.

Prohibition of quarrying at Black Hill and other places.

**90.**—(1) Every undertaking or agreement under seal expressed to be made in pursuance of this section and given by or to the Corporation to or by the owner of property on the passing of plans or otherwise in connection with the property of such owner and registered by the Corporation both at the West Riding of Yorkshire Registry of Deeds and as hereinafter provided shall be binding upon the owner of the property for the time being and all persons claiming through or under him and upon the Corporation and such owner shall be entitled to require from the Corporation a copy of such undertaking or agreement.

Under-takings &c. to bind successive owners.

(2) The Corporation shall keep a register of such undertakings and agreements and within seven days after the date of any such undertaking or agreement an entry thereof shall be made by the Corporation at the West Riding of Yorkshire Registry of Deeds and in the said register showing the names

A.D. 1912. and descriptions of the parties thereto and the purport of the undertaking or agreement and the property in respect of which the same is given or entered into and such register shall contain a suitable index relating to such property.

~~(3) Every such register shall be open to inspection by any person at all reasonable times without charge and the Corporation shall furnish copies of any part of such register to any person applying for the same on payment of such reasonable sum as may be fixed by the Corporation and any sum received under this subsection shall be carried to the credit of the district fund.~~

(4) If the town clerk or other person having the custody of such register shall refuse to allow such inspection or to furnish such copies he shall be liable to a penalty not exceeding five pounds for each such refusal such penalty to be recoverable by the person aggrieved in a summary manner.

(5) Where at the time of such undertaking or agreement being given the legal estate in the property to which such undertaking or agreement relates is not vested in the owners thereof as defined by this section such undertaking or agreement shall not be binding upon the person in whom the legal estate in such property is at that date vested or upon his successors in title unless such person joins in such undertaking or agreement nor shall any undertaking or agreement relating to property to which the owner is entitled for a term of years only be binding upon any person for the time being entitled to such property in reversion immediate or otherwise unless such person joins in such undertaking or agreement.

Assistants to  
overseers of  
Keighley.

**91.**—(1) The Corporation may appoint and remove such officers as they may deem necessary to assist the overseers of the parish of Keighley in the discharge of their duties and the salaries and expenses of such officers shall be determined by the Corporation and the overseers shall pay to the Corporation out of the poor rate for the services of such officers in respect of such duties such annual or other sums as the Corporation and the overseers shall agree upon.

(2) All officers so appointed shall give security for the due performance of their duties as may be required by the Corporation and such security shall be deposited with the Corporation.

Further pro-  
vision with  
regard to  
rating of

**92.** Where under the provisions of section 62 (Owner may be rated instead of occupier in certain cases) of the Act of 1908 the owner of any dwelling-houses instead of the occupiers thereof

is rated in respect of such dwelling-houses to rates leviabie within the borough such owner shall be entitled to the deduction set forth in subsection (1) (a) of the said section unless he shall have given notice to the overseers claiming in respect of all the dwelling-houses for which he shall for the time being be rated as aforesaid the deduction set forth in subsection (1) (b) of the said section in which case and until such notice shall be withdrawn by him he shall be entitled to such last-named deduction upon any rates laid thereafter Provided that in either case the deduction to which an owner shall be entitled shall be the same in respect of all the dwelling-houses in respect of which he shall be rated for the time being and that he shall not be entitled thereto unless the rates in respect of which the same shall apply be paid within six months after the same shall have been demanded nor shall he be entitled to any deduction in respect of any dwelling-house of which he is also the occupier.

A.D. 1912.  
owners  
instead of  
occupiers in  
certain cases.

**93.** The following sections of the Act of 1908 are incorporated with this Act and shall extend and apply thereto as if the same with any necessary modifications were re-enacted in this Act (namely):—

Incorporation of certain further sections of Act of 1908.

- Section 64 Expenses may be declared private improvement expenses ;
- Section 65 Apportionment of expenses in case of joint owners ;
- Section 66 Evidence of appointments authority &c. ;
- Section 67 Recovery of penalties ;
- Section 68 Informations by whom to be laid ;
- Section 69 Penalties to be paid over to treasurer ;
- Section 70 Saving for indictments &c. ;
- Section 71 Judges not disqualified ;
- Section 72 Inquiries by Local Government Board ;
- Section 73 Powers of Act cumulative.

**94.**—(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 borough requires authentication by the Corporation the signature of the town clerk or other duly authorised officer of the Corporation shall be sufficient authentication.

Authentica-  
tion 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

A.D. 1912. Act Provisional Order or byelaw for the time being in force within the borough 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 registered office or at their principal office or place of business.

Consent of Corporation to be in writing.

**95.** All consents given by the Corporation under the provisions of this Act shall be given in writing and unless otherwise prescribed may be given under the hand of the town clerk.

As to appeal.

**96.** Any person deeming himself aggrieved by any order judgment determination 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 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 the Corporation may in like manner appeal.

Recovery of demands.

**97.** 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.

Crown rights.

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

Costs of Act.

**99.** The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the revenue of the water undertaking of the Corporation or out of the district fund and general district rate in such proportions as the Corporation may by resolution determine or out of moneys to be borrowed under this Act for that purpose.



[2 & 3 GEO. 5.] *Keighley Corporation Act, 1912.* [Ch. cvii.]

The SCHEDULE referred to in the foregoing Act. A.D. 1912.

PREMISES OF WHICH PARTS ONLY ARE REQUIRED.

Parish.	Numbers on Deposited Plans.
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