



## CHAPTER cxxiv.

An Act for enabling the Mayor Aldermen and Burgesses of the Borough of Bradford in the West Riding of the County of York to construct and maintain additional Waterworks; to effect public improvements; to make provision for the better protection of public health; and for other purposes. A.D. 1885.  
[22nd July 1885.]

**W**HEREAS by the Bradford Waterworks Act 1854 the Bradford Corporation Waterworks Act 1854 the Bradford Improvement Act 1850 the Bradford Corporation Waterworks Amendment Act 1855 the Bradford Corporation Waterworks Act 1858 the Bradford Waterworks Act 1862 the Bradford Corporation Act 1866 the Bradford Waterworks and Improvement Act 1868 the Bradford Waterworks Act 1869 the Bradford Improvement Act 1873 the Bradford Waterworks and Improvement Act 1875 the Bradford Water and Improvement Act 1878 and the Bradford Water and Improvement Act 1881 the mayor aldermen and burgesses of the said borough (herein-after called "the Corporation") are the owners of extensive works for collecting and impounding water and for supplying the same in the borough of Bradford (herein-after called "the borough") and a large number of surrounding districts for which purposes the Corporation are empowered to borrow money (including borrowing powers of the local board of Heaton at the time of incorporation with the borough) to the total amount of two million one hundred and fifty thousand nine hundred pounds:

And whereas it is expedient that the Corporation be empowered to construct additional waterworks and to lay down additional conduits mains and pipes:

And whereas the moneys authorised by the recited Acts for waterworks purposes are not sufficient and it is expedient that the Corporation should be enabled to raise further moneys for waterworks purposes:

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And whereas under the Bradford Corporation Gas and Improvement Act 1871 and the said recited Acts or some of them and the provisional order of the Local Government Board of the 12th of May 1884 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1884 the Corporation are the owners of gasworks within the borough and entitled to supply gas within those parts of the borough which are not within the limits of supply of the Shipley Gaslight Company the Clayton Allerton and Thornton Gas Company or the Pudsey Coal Gas Company respectively and such companies respectively are by virtue of their special Acts entitled to supply gas within those parts of the borough which are within their respective limits of supply and the total amount of money authorised to be borrowed by the Corporation for gas purposes including borrowing powers under the said provisional order is five hundred and twenty thousand pounds :

And whereas the existing gasworks of the Corporation require extension and enlargement but the moneys already authorised to be borrowed by the Corporation for gas purposes are insufficient and it is expedient that the Corporation should be enabled to raise further moneys for such purposes :

And whereas the Corporation are the urban sanitary authority of the borough and it is expedient that they should be enabled to make better provision for the protection of the public health and the prevention of nuisances in the borough to amend the building regulations and to obtain other powers for the good government of the borough :

And whereas disputes have arisen between the Corporation and the burial board for the district of Pudsey in the parish of Calverley in the said west riding and it is expedient that the same should be settled in manner herein-after mentioned :

And whereas plans and sections of the intended works aforesaid showing the lines and levels thereof and plans showing the lands which are intended to be purchased and taken for the purposes of this Act with a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of those lands respectively have been deposited with the clerk of the peace for the said west riding of the county of York which plans and sections and book of reference are herein-after referred to as the deposited plans sections and book of reference :

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

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And whereas estimates have been prepared by the Corporation for the purchase of lands and for the execution of the works hereinafter mentioned and such estimates are as follow : A.D. 1885

For waterworks	-	-	-	450,000 <i>l</i> .
For gasworks	-	-	-	150,000 <i>l</i> .

And whereas the several works included in such estimates respectively are permanent works within the meaning of section two hundred and thirty-four of the Public Health Act 1875 :

And whereas the Corporation forthwith after the council meeting at which the application to Parliament for this Act was agreed on did in pursuance of section thirty-seven of the Bradford Waterworks and Improvement Act 1868 publish a notice of such intended application as required by the Bradford Improvement Act 1850 and no remonstrance against such application has been presented to the Corporation :

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

PRELIMINARY.

1. This Act may be cited as the Bradford Waterworks and Improvement Act 1885. Title of Act.

2. The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 (hereinafter referred to as the Lands Clauses Acts) the Waterworks Clauses Act 1847 as altered by section 57 of the Public Health Act 1875 and (except the provisions thereof with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit) the Waterworks Clauses Act 1863 the Gasworks Clauses Act 1847 and the Gasworks Clauses Act 1871 shall (except where expressly varied by this Act and so far as such Acts are applicable to the purposes of this Act and are not inconsistent therewith) be incorporated with and form part of this Act. Incorporation of Acts.

3. 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 be something in the subject or context repugnant to such construction and in the Acts incorporated herewith the expression "the undertakers" or "promoters of the undertaking" shall mean the Corporation as herein defined. Interpretation of terms.

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Mode of  
execution of  
Act.

4. This Act shall be carried into execution by the Corporation acting by the town council (herein called "the council") and according to the Municipal Corporations Act 1882 and all other Acts for the time being affecting the Corporation as a municipal body and a sanitary authority respectively and with all the same rights powers duties privileges exemptions and authorities as are conferred or imposed by those Acts respectively on the Corporation and on the council.

ADDITIONAL WATERWORKS.

Power to  
make water-  
works.

5. Subject to the provisions of this Act the Corporation may make construct and maintain the several waterworks shown on the deposited plans and sections in the line and according to the levels shown on the said plans and sections and may alter and improve the line and levels of waterworks already authorised as shown on the said plans and sections and may enter upon take and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for that purpose The waterworks herein-before referred to and authorised by this Act are :

1. A reservoir for the storage and supply of water at Shady Bank in the hamlet of Far Oxenhope in the township of Haworth and parish of Bradford authorised by the said recited Act of 1869 but with such alteration and improvement of the lines and levels thereof as are shown on the deposited plans and sections :
2. A reservoir on Morton Moor in the hamlet of West Morton in the township of Morton and parish of Bingley :
3. An aqueduct or conduit in the hamlet of Brunthwaite in the township of Silsden and parish of Kildwick commencing near Cragg Top and terminating at the reservoir lastly herein-before mentioned :
4. An aqueduct or conduit in the said township of Morton commencing at the termination of the conduit being the work numbered 3 on the deposited plan under the said recited Act of 1881 and terminating at the commencement of the conduit being the work numbered 4 on the said deposited plan under the said last-mentioned Act :
5. An aqueduct conduit or water main commencing at East Morton in the said parish of Bingley and terminating at the north-west corner of the intended Chellow Heights Reservoir next herein-after mentioned :
6. A reservoir described as the Chellow Heights Reservoir in the township of Heaton in the parish of Bradford authorised by

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the said recited Act of 1878 being the work numbered 4 authorised by such Act: A.D. 1885.

7. An aqueduct conduit or main in the townships of Heaton and Manningham in the said parish of Bradford commencing at Daisy Hill Top and terminating at the said proposed Chellow Heights Reservoir being the work numbered 6 authorised by the said recited Act of 1878:

together with all necessary embankments roads sluices valves byewashes works and conveniences connected therewith:

Provided always that the Corporation shall interfere as little as practicable with any existing public or private roads in the construction and maintenance of the said work No. 5 and shall make to the owners lessees and occupiers for the time being of the several mills manufactories and other works in the township of Morton full compensation for all loss damage or injury which may be sustained by them respectively by reason of every such interference and the amount of such compensation shall be determined in the manner provided by and under and subject to the provisions contained in "the Lands Clauses Acts" with regard to compensation in respect of lands injuriously affected therein referred to.

6. The provisions of the Highways and Locomotives (Amendment) Act 1878 with regard to extraordinary traffic shall apply to any road and street repairable *ratione tenuræ* and the person upon whom the burden of repair rests shall be deemed to be for this purpose the highway authority and the person under whose control such road is placed.

Provisions of "the Highways and Locomotives Amendment Act" to apply to certain roads.

7. In order to provide protection and compensation to the Company of Proprietors of the Canal Navigation from Leeds to Liverpool (in this Act and in the said recited Act of 1881 called "the Company") and to the owners lessees and occupiers of mills manufactories and other works now erected or which may hereafter be erected on Morton Beck or any of its tributaries or any other stream or river into which the same may directly or derivatively flow (herein and in the said recited Act of 1881 called "the millowners") the following enactments shall take effect:—

For the protection of the Leeds and Liverpool Canal and the mill-owners.

- (1) The Corporation shall not make construct or maintain the Conduit Work No. 4 authorised by this Act as a pipe or by covered masonry or otherwise closed but shall make construct and maintain it as an open conduit throughout and shall connect it and always maintain and keep it connected with the Conduit Work No. 4 authorised by the said recited Act of 1881 in such manner and form and so that there shall not be

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and cannot be any additional head of water to or on the said Conduit Water No. 4 of the Act of 1881 or any pressure upon the water flowing along the same :

- (2) The Corporation shall not make construct or maintain the Reservoir Work No. 2 authorised by this Act or any part thereof on any part of the areas of gathering ground shown by blue and yellow colours on the map referred to in the said recited Act of 1881 (herein and in the Act of 1881 called "the compensation areas") or of either of such areas but shall make construct and maintain such reservoir wholly within the area of gathering ground shown in pink colour on the said map and herein and in the Act of 1881 called "the appropriated area" :
- (3) The Corporation shall within the limits of deviation prescribed by this Act make and complete and at all times thereafter cleanse and maintain a conduit or conduits (to be situate wholly within the appropriated area) around the Reservoir Work No. 2 authorised by this Act and as near thereto as practicable of a form level and capacity sufficient to collect all the springs streams and surface waters of the appropriated area which can be intercepted thereby and convey the same into the Conduit Work No. 3 authorised by the said recited Act of 1881 and shall not at any time permit or suffer any of such springs streams or surface waters to flow into the last-mentioned reservoir :
- (4) As full compensation to the Company and the millowners for the rainfall to which they are entitled upon the area of the said Reservoir Work No. 2 authorised by this Act and upon the area lying between such reservoir and the conduit or conduits which is or are to surround the same as aforesaid the Corporation shall within the limits prescribed by the said recited Act of 1881 make construct and maintain the compensation reservoir being the Work No. 2 in the said recited Act of 1881 of a capacity sufficient to contain above the level of the discharge pipe therefrom not less than six million forty thousand cubic feet of water instead of five million eight hundred thousand cubic feet as prescribed by the said Act :
- (5) The Corporation shall not (except with the consent in writing of the Company and of the owners lessees and occupiers of all mills manufactories and works which now are or hereafter may be situated upon the Morton Beck or any of its tributaries (herein called "the Morton millowners") or for the purpose of filling the compensation reservoir numbered 2 in the said

recited Act of 1881 as enlarged by this Act) use divert interfere with retain or appropriate for any purpose whatsoever any spring stream or other water arising or flowing within the appropriated area defined by the said last-mentioned Act unless and until the Corporation shall have made and completed in accordance with sub-sections 1 2 3 and 4 herein-before contained the conduits and reservoirs by those sub-sections directed to be made as aforesaid nor unless and until it be certified by some member of the Institution of Civil Engineers to be appointed by the Corporation and the Company and the Morton mill-owners or if they cannot agree then by the president for the time being of the said institution that such conduits and reservoirs as aforesaid have been made and completed by the Corporation in accordance with the said sub-sections 1 2 3 and 4 and that the said Reservoir Work No. 2 authorised by the said recited Act of 1881 of the increased capacity herein-before provided for is reasonably and sufficiently full of water and the Corporation before applying for such certificate shall give ten clear days' notice in writing to the Company and to the Morton millowners of such intended application to the intent that the Company and the Morton millowners may if they think fit appear and be heard thereupon before such engineer :

- (6) The costs and expenses of the Company and of the Morton millowners which may after the passing of this Act be incurred by them or either of them by reason of or consequent on any application for any purpose connected with any of the works by this Act directed or authorised to be made or with the supply of water therefrom or otherwise howsoever in relation thereto shall be borne and paid by the Corporation except the costs of any application to justices under the provisions contained in sections numbered two to eleven inclusive of the Waterworks Clauses Act 1863 with regard to which the provisions of those sections shall apply :
- (7) The Company and the Morton millowners by themselves and their agents and servants and every officer appointed by the Company or the Morton millowners shall at all times have free access to the said Conduit Work No. 4 authorised by this Act and to the said conduit or conduits which is or are to surround the said Reservoir Work No. 2 authorised by this Act as aforesaid for the purpose of inspecting and examining the same and the means for such access shall be obtained and secured for the persons entitled thereto under this Act by the Corporation :

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(8) After the compensation reservoirs and conduit and other works mentioned in sub-section three of section seven of the said recited Act of 1881 shall have been made completed and certified as in that section mentioned every person and every corporate body who shall divert abstract or interfere with any spring stream or surface water arising or flowing within the compensation areas or either of them otherwise than as in the last-mentioned Act or this Act provided so as to injure or prejudice the Company or the Morton millowners or any of them or to deprive them or any of them of the full benefit of the compensation intended to be provided for them respectively by the said recited Act of 1881 and this Act shall forfeit to the Company and also (as a separate forfeiture) to the Morton millowners any sum which shall be awarded by a court of summary jurisdiction not exceeding five pounds for every day during which any such spring stream or surface water shall be diverted abstracted or interfered with as aforesaid and every sum so to be forfeited and any costs of and attendant upon proceedings for the recovery thereof which shall be adjudged to be paid by the defendant shall be deemed to be money adjudged to be paid by a conviction on information and not a civil debt and any and every sum so forfeited shall be in addition to the sum which such person or corporate body may be lawfully adjudged liable to pay to the Company or to the Morton millowners or any of them for any damage which they respectively may sustain by reason of any such diversion abstraction or interference and the payment of any sum so forfeited shall not bar or affect the right of the Company or of the Morton millowners or any of them to bring any action against such person or corporate body for the damage so committed :

(9) The Morton millowners may sue and be sued in the name of their clerk to be appointed in pursuance of the provisions in that behalf contained in the said recited Act of 1881.

For protection of the  
Leeds and  
Liverpool  
Canal.

8. For the protection of the Company the following provisions shall have effect (to wit) :

(A) The aqueduct conduit or line of pipes No. 5 shall be carried under the canal and towing-path bridge works and lands of the Company in the township of Morton in the parish of Bingley in the county of York in the line and at the point of crossing shown on the deposited plans or at such other point within the limits of deviation shown on the deposited plans as may be agreed upon between the Company and the Corporation :

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- (B) In carrying the said aqueduct under the canal towing-path bridge works and lands of the Company the Corporation shall not otherwise than by agreement with the Company deviate from the levels or mode of construction shown on the deposited sections :
- (C) The Corporation shall not otherwise than by agreement purchase or take any land of the Company but the Corporation may purchase and take and the Company may and shall sell and grant accordingly an easement or right of using the land required for the construction and maintenance of the said aqueduct in accordance with this section :
- (D) The tunnel or pipes and any other work to be made for the purpose of carrying the said aqueduct under the bridge canal and towing-path of the Company shall be constructed according to plans sections and specifications (showing fully the mode of construction and materials to be used) which shall be submitted for the approval of the engineer of the Company not less than one month previous to the work being commenced and the same work shall not be commenced until the said engineer shall have approved thereof in writing under his hand :
- (F) The Corporation shall at their own expense maintain the said tunnel pipe or other works in perfect repair at all times unless they abandon the said aqueduct or the portion thereof which passes under the canal and in that case they shall (if required so to do by the Company but not otherwise) remove or fill up to the satisfaction of the engineer of that Company the said tunnel pipes and other works at their own expense :
- (G) The Corporation shall make good all damage that may be occasioned to the bridge or foundations thereof and works or property of the Company by the construction renewal or want of repair of any of the Corporation's works but—
- (1) In every case of pressing necessity ; and
  - (2) In every other case if for seven days after notice in writing thereof given to the Corporation by the Company the Corporation neglect to proceed with due diligence to make good such damage ;
- the Company may if they think fit make good the damage and the amount expended by them in so doing shall be repaid to them by the Corporation :
- (H) If and whenever by any act or omission of the Corporation any part of the canal or towing-path or bridge shall be obstructed or rendered impassable for or dangerous to boats barges or other vessels navigating or using the canal the

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Corporation shall pay to the Company as or by way of ascertained damages the sum of two hundred pounds for every day during which the obstruction shall continue and so in proportion for any less time than a day :

- (I) Provided that nothing in this Act contained shall prevent the Company or any owner of boats or barges from recovering from the Corporation any special damage that may be sustained by the Company or such owner in consequence of the works to be executed by the Corporation or by the Company for the Corporation under the provisions herein-before contained or by reason of any water oozing or escaping from the canal or on account of any other act or omission of the Corporation Provided that any sum of money paid or payable as or by way of ascertained damages shall be considered and allowed in determining the amount of special damage recoverable as aforesaid :
- (K) If and whenever any damages or other sums payable by the Corporation to the Company are not paid on demand made on the town clerk of the Corporation the same may together with costs of suit be recovered against the Corporation in any court of competent jurisdiction :
- (L) All questions and differences which may at any time arise between the Corporation and the Company as to the construction or effect of sub-sections A B C D or F of this section or the performance observance non-performance or non-observance of any of the provisions thereof or any matters connected therewith or consequent thereon shall be determined by an arbitrator to be appointed by the Corporation and the Company or (if for fourteen days after the question or difference arises the said two parties do not agree upon an arbitrator) by the Board of Trade upon the application in writing of both or either of the parties and the decision of every such arbitrator (by whomsoever appointed) shall be binding and conclusive upon both the parties in difference and the costs of the arbitration shall be in his discretion :
- (M) Except as is by this Act otherwise expressly provided nothing in this Act contained shall take away lessen prejudice alter or affect any of the rights privileges property powers or authorities of the Company.

For protection of Aire and Calder navigation.

9. Notwithstanding anything in this Act contained the Corporation shall continue bound to cause to flow from and out of the compensation reservoir and other works referred to in section one hundred of the Bradford Waterworks Act 1854 the quantity of

water in that section prescribed for the supply of mills and other works on the Silsden Beck and on the River Aire and for the supply of the navigable part of the said River Aire and of the several cuts and canals of or belonging to the undertakers of the navigation of the Rivers Aire and Calder in the county of York and all the rights and remedies by the said Act given or reserved to the said undertakers and all the provisions in the said Act contained for regulating and gauging the flow of water from any reservoir or from any of the becks or streams flowing into or towards the River Aire and for securing the right of access by the said undertakers at all times to any of the gauges for regulating and gauging the supply of water from any such reservoir beck or stream shall notwithstanding the passing of this Act remain in full force.

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**10.** The Corporation shall from time to time make full compensation to all persons for all damage and injury losses and expenses whatsoever (if any) as well immediate as consequential which they respectively from time to time incur or suffer by reason of the bursting or giving way of any of the waterworks by this Act authorised and such compensation shall be charged upon and be raised by and paid and satisfied out of the borough fund and borough rate of the borough.

Compensation for injury by waterworks.

**11.** If on the completion of the waterworks hereby authorised there shall not remain or flow to and through any lands situate below the said works or any of them which are now watered by any stream running through the same or adjacent thereto affected by the said works such a quantity of water as may be necessary for domestic and agricultural purposes the Corporation shall whenever it may be practicable so to do furnish from time to time and at all times so much water as may be necessary for such purposes free from all rates costs and charges in respect of such water and shall lay down at their own cost all such pipes conduits troughs cisterns taps and apparatus as may be requisite for conveying and continuing the same And in case the same shall not be practicable then the Corporation shall pay to the owners and occupiers of such lands full compensation for the loss and injury they may respectively sustain by reason of the diversion of such water.

Protection of land-owners in respect of water for agricultural and domestic purposes.

**12.** It shall be lawful for the Corporation in the construction of the said reservoirs and other works to deviate from the lines and levels delineated on the deposited plans and sections to the extent defined in such plans and sections Provided always that the Corporation shall not in exercise of the powers of lateral deviation

Power of deviation.

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A.D. 1885. hereby given make any embankment or wall of any of the reservoirs by this Act authorised of a greater actual height above the general surface of the ground than that shown on the deposited sections with reference to the corresponding embankment or wall and three feet in addition.

Corporation  
may acquire  
private  
springs by  
agreement.

**13.** The Corporation shall and may from time to time and at all times hereafter be at liberty by agreement to acquire on such terms and conditions as may be by them deemed proper and necessary for any of their waterworks purposes any private streams springs of water ponds rivulets or other watercourses or any rights therein And also by agreement to vary and extinguish all rights and privileges connected with such streams springs of water ponds rivulets and watercourses or which would or might impede or interfere with the waterworks purposes of the Corporation with powers to expend and apply any waterworks funds of the Corporation for any of the purposes aforesaid Provided always that the Corporation shall not divert or appropriate any waters which flow into or but for such diversion or appropriation would flow into the Bradford Canal or any pond or ponds connected therewith.

Provisions  
of recited  
Acts as to  
waterworks  
to extend to  
this Act.

**14.** Such of the powers and provisions of the recited Acts relating to the construction of waterworks and the taking and user of land for the purposes thereof the supply of water by the Corporation the protection of the waters and waterworks of the Corporation the prevention of waste of water the dealing summarily with persons wrongfully wasting or improperly taking water the opening of streets and laying down of mains pipes apparatus and works for supplying water within the Corporation limits of supply and the application of such penalties as are in force at the passing of this Act and are not repealed or varied by this Act shall extend and apply to this Act and to the waterworks by this Act authorised and the supply of water therefrom as if they were waterworks by the recited Acts respectively authorised to be executed within the period limited for the completion of the waterworks by this Act authorised.

Limit of time  
for com-  
pulsory  
purchase and  
execution of  
waterworks.

**15.** The powers of the Corporation under this Act for the compulsory purchase of land for the purposes of the waterworks authorised by this Act shall not be exercised after the expiration of five years from the passing of this Act And the powers of the Corporation for the execution of such waterworks shall not be exercised after the expiration of ten years from the passing of this Act.

**16.** Subject to the provisions of this Act the Corporation may stop up the following streets and places or parts thereof in the borough (that is to say) :

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Stopping up  
public  
streets.

1. Gaisby Lane from the eastern end of Frizinghall Mill in the township of Bolton to the eastern end of the bridge of the Midland Railway at Frizinghall Road in the said township of Heaton :

2. A footpath in Gaisby Lane aforesaid commencing at the western end of Frizinghall Mill extending thence in a south-easterly direction to and terminating at Stanley Road in the said township of Bolton :

3. A footpath in Frizinghall Road in the said township of Heaton commencing near the " Black Swan Inn " and terminating at Gaisby Lane aforesaid :

4. Low Level Road from Gaisby Lane to Valley Road in the said township of Heaton :

but neither of the streets or places or parts thereof in this section named shall be stopped up until it shall be certified by two justices that the following roads have been made by the Corporation and opened for traffic, viz. :—

A continuation of Canal Road from Stanley Road in the township of Bolton to Dumb Valley Road in the township of Heaton :

A new road commencing in the last-mentioned road at Gaisby Lane and terminating in Frizinghall Road.

**17.** The Corporation shall not under the powers of this Act without the consent of the Local Government Board purchase or acquire in any borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers :

Restriction  
on taking  
houses of  
labouring  
class.

For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

#### GASWORKS.

**18.** The Corporation may alter enlarge and extend their present gasworks and manufacture residual products of every kind and any

Enlargement  
of present  
works.

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ADDITIONAL SANITARY PROVISIONS.

Further provisions as to public health.

**19.** The provisions contained in sections one hundred and sixteen to one hundred and nineteen (both inclusive) of the Public Health Act 1875 shall extend and apply to all articles intended for the food of man sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale within the borough :

For the purpose of enabling the medical officer of health or inspector of nuisances of the borough to effectually inspect and examine under the provisions of section one hundred and sixteen of the Public Health Act 1875 any article sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale within the borough and intended for the food of man such medical officer of health or inspector of nuisances may subject to the provisions of section three hundred and eight of the Public Health Act 1875 open any box or other receptacle in which any such article may be contained and any person who shall obstruct any such officer or inspector in the execution of this section shall be liable to a penalty not exceeding ten pounds :

Section one hundred and seventeen (power of justice to order destruction of unsound meat &c.) of the Public Health Act 1875 shall extend and apply to every diseased unsound or unwholesome article of food sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale as human food whether such article be or be not seized and carried away to be dealt with by any justice or ordered by any justice to be destroyed or disposed of as mentioned in such section Provided that the justice before whom any complaint with respect to such article of food is made be satisfied on the evidence laid before him that such article of food was diseased or unsound or unwholesome or unfit for the food of man.

Detention of infected person without proper lodging in hospital by order of justice.

**20.** The provisions of the said Public Health Act 1875 respecting infectious diseases and hospitals shall in like manner be and are hereby extended so as to authorise any justice of the peace acting in and for the borough upon proper cause shown to him to make an order directing the detention in hospital of any person in the borough infected with dangerous disorder and not provided with proper lodging or accommodation Any order so to be made by any such justice may be limited to some specific time but with full power to any justice if he shall see necessary to enlarge such time as often as may be necessary It shall be lawful for any sanitary

officer or inspector of police of the borough on any such order being made to take all necessary measures and do all necessary acts for enforcing the execution thereof. A.D. 1885.

**21.** No person shall without the sanction in writing of the medical officer of health or of a legally qualified medical man retain unburied elsewhere than in a mortuary for more than forty-eight hours the dead body of any person who has died of any infectious disease and any person offending against this enactment shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings. Prohibiting the retention of dead bodies in certain cases.

**22.** If any person shall die from any infectious disease in any hospital or place of temporary accommodation provided by the Corporation and the medical officer of health certifies that in his opinion it is desirable in order to prevent the risk of communicating any infectious disease or spreading infection that the dead body shall not be removed from such hospital or place except for the purpose of being forthwith buried it shall not be lawful for any person or persons to remove such dead body from such hospital or place except for the last-mentioned purpose and when the dead body is taken out of such hospital or place for that purpose it shall be forthwith carried or taken directly to some cemetery or place of burial and shall be forthwith there buried and any person wilfully offending against this section shall be liable to a penalty not exceeding fifty pounds. Bodies of persons dying in hospital, &c. of infectious diseases to be removed only for burial.

**23.** Where the dead body of any person who has died of any infectious disease remains unburied elsewhere than in a mortuary for more than forty-eight hours after death without the sanction of the medical officer of health or of a legally qualified medical practitioner or is retained in a room in which persons live or sleep or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or of any adjoining or neighbouring house or building and there shall be a certificate thereof signed by a legally qualified medical practitioner any justice may order the body to be removed at the cost of the Corporation to any mortuary provided by the Corporation and direct the same to be buried within a time to be limited in the order or may in the case of the body of a person who has died of any infectious disease or in any case in which he shall consider immediate burial necessary direct such body to be so buried without requiring the same to be removed to a mortuary and unless the friends or relatives of the deceased undertake to bury and do bury the body within the time limited by such order it shall be the Justices may in certain cases order dead bodies to be buried.

[Ch. cxxiv.] *Bradford Waterworks and Improvement* [48 & 49 VICT.]  
Act, 1885.

A.D. 1885. — duty of the relieving officer to bury such body at the expense of the poor rate but any expense so incurred may be recovered by the relieving officer in a summary manner from any person legally liable to pay the expense of such burial Any person obstructing the execution of an order made by a justice under this section shall be liable to a penalty not exceeding five pounds.

Cowkeepers  
and others  
to furnish  
lists of  
customers in  
certain cases.

**24.** Every cowkeeper or milk dealer who may supply milk to be sold or used in the borough shall on written request from the medical officer of the borough furnish him with a list giving the names and addresses of all the customers of such cowkeeper or milk dealer within the borough The person from whom such list is required shall be paid for the same by the Corporation at the rate of one shilling for every twenty names and addresses If such list be not furnished within a reasonable time the person in default shall be deemed guilty of an offence against this Act and shall on summary conviction be liable to a penalty not exceeding forty shillings for such offence and to a further penalty of forty shillings during every day such offence shall continue.

Medical  
officer may  
inspect  
dairies, &c.  
beyond  
borough in  
certain cases.

**25.** In case the medical officer of health of the borough shall have reasonable cause to believe that any person in the borough is suffering from disease attributable to milk supplied from any farmhouse dairy cowshed milkshop or place situate beyond the borough boundary or that the consumption of milk from such farmhouse dairy cowshed milkshop or place is likely to cause disease to any person residing in the borough such medical officer shall have power to inspect such farmhouse dairy cowshed milkshop or place and if on such inspection he shall be of opinion that disease is caused or is likely to arise from consumption of the milk supplied therefrom he shall report thereon to the Corporation who may thereupon give notice to the occupier of such farmhouse dairy cowshed milkshop or place not to supply any milk therefrom within the borough until such notice has been withdrawn by the Corporation and the Corporation shall forthwith give notice of the facts to the local authority of the district acting in execution of the Contagious Diseases (Animals) Act 1878 in which such farmhouse dairy cowshed milkshop or place is situate in order that such further measures may be adopted in relation thereto as may be considered proper and as may be within the province of such local authority Any person refusing to permit the medical officer of the borough to inspect any such farmhouse dairy cowshed milkshop or place or after any such notice has been given by the Corporation supplying any milk therefrom within the borough or selling it for consumption therein until such notice has been withdrawn shall be deemed guilty of an offence

[48 & 49 VICT.] *Bradford Waterworks and Improvement* [Ch. cxxiv.]  
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against this Act and shall on summary conviction be liable to a penalty not exceeding forty shillings for such offence and to a further penalty of forty shillings during every day such offence shall continue. Provided that proceedings for the recovery of any penalty under this enactment shall be taken before the justices of the peace having jurisdiction in the place where the said farmhouse dairy cowshed milkshop or place is situate. A.D. 1885.

**26.** The two preceding sections shall not apply to any cowkeeper or milk dealer residing in any place which may now or hereafter be within the area of the jurisdiction of any municipal corporation acting under the powers of the Municipal Corporations Act 1882. Saving as to municipal corporations.

**27.** Nothing in or done under this Act shall interfere with the operation or effect of the Contagious Diseases (Animals) Act 1878 or of any order license or act of Her Majesty's Privy Council made granted or done or to be made granted or done thereunder or of any order regulation license or act of a local authority made granted or done or to be made granted or done under any such order of the Privy Council or exempt the dairies cowsheds or milkshops to which this Act relates or any of them or any building or thing whatsoever or any body or person from the provisions of any general Act relating to dairies or milk or animals already passed or to be passed in this or any future session of Parliament. Saving for general Acts relating to dairies animals &c.

**28.** No person shall cause or permit to pass into any public sewer directly or indirectly any matter or substance which would interfere with the free flow of the sewage or which would be injurious to the construction of the sewers or cause injury to or decay of the materials thereof or generate noxious or offensive gases. Every person offending against this enactment shall be liable to a penalty not exceeding five pounds for every offence. Prohibition of misuse of sewers.

**29.** When the Corporation are of opinion on the certificate of the medical officer of health or of any other legally qualified medical practitioner that the cleansing and disinfecting of any house or part thereof or of any articles therein likely to communicate any infectious disease or to retain infection would tend to prevent or to check infectious disease and that such cleansing and disinfection would more effectually be carried out by the Corporation than by the owner or occupier of such house or part thereof the Corporation without requiring such owner or occupier to carry out such cleansing and disinfection as aforesaid may if they think fit but at their own cost themselves cleanse and disinfect such house or part thereof and articles and may for that purpose remove any such articles and shall make compensation to such owners or Further powers in relation to disinfection of premises.

[Ch. cxxiv.] *Bradford Waterworks and Improvement* [48 & 49 VICT.]  
Act, 1885.

A.D. 1885. occupiers for all property or articles destroyed or injured by the  
--- exercise of the provisions of this section And any person who shall obstruct any duly authorised officer of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding five pounds and to a further penalty not exceeding forty shillings for every day during which the obstruction continues.

ADDITIONAL BUILDING REGULATIONS.

For better protection of the public in reference to buildings within the borough.

**30.** The regulation numbered 3 in the Second Schedule to the Bradford Water and Improvement Act 1878 directing that approved plans for new streets shall cease to be of any effect unless such streets shall be wholly or partially made within the period thereby prescribed shall extend and apply to and include plans for buildings which have been approved by the council subject to the following limitation (that is to say) That such approved plans of buildings shall cease to be of any effect unless such buildings shall be wholly or partially erected within three years from the date of approval thereof :

The proviso contained in the regulation numbered 6 in the Fourth Schedule to the Bradford Corporation Gas and Improvement Act 1871 giving discretionary power to the council to authorise the erection of certain buildings as dwelling-houses within a quarter of a mile of the Exchange shall be altered amended and enlarged so as to confer on the Corporation the like discretionary power in reference to buildings of the character specified in such regulation to be erected within half a mile of the Exchange.

MISCELLANEOUS MATTER.

Amendment of power to make bye-laws as to plumbers.

**31.** In addition to the provisions of the 45th section of the recited Act of 1881 the Corporation may include in any byelaws to be made thereunder provisions for the laying and fixing of service-pipes taps fittings junctions connexions chandeliers brackets syphons tubes meters regulators cisterns waterclosets water waste-preventers and other appliances connected with the supply by the Corporation of gas and water at houses and other buildings and places in the borough and for regulating the size and quality thereof.

Power to arrange with trustees of Wesleyan burial ground to deal with Corporation in respect thereof.

**32.** It shall be lawful for the Corporation and the trustees of the Kirkgate Wesleyan Chapel in the borough or other the persons legally entitled to the site of the disused burial ground situate at James Street in the township and parish of Bradford to enter into and carry into effect such contracts as they may deem proper for enabling the Corporation to acquire all the right title and interest of such trustees and other persons in such disused burial ground

and to appropriate the same for public purposes so far as the said ground may be dealt with subject to the provisions of the Disused Burial Grounds Act 1884 and for that purpose the said parties may execute any deed and do all such things as they may deem necessary.

A.D. 1885.

**33.** Whereas the Corporation are or claim to be owners in fee of surplus lands at Bradford Moor in the borough parts whereof consist of strips of frontage abutting on public highways and other parts whereof are inconveniently situated for effecting public improvements and it is desirable that the Corporation should be empowered to make and carry into effect contracts and agreements with owners of adjacent lands Therefore it shall be lawful for the Corporation from time to time to purchase or take on lease any pieces or parcels of land belonging to any such owner and adjacent to such strips of frontage and also for the Corporation to sell or lease any lands belonging to them or to make exchanges of any such lands for other lands belonging to any of such owners as aforesaid and for the purposes aforesaid to execute deeds and do all things which the Corporation may deem necessary for more effectually developing such surplus lands and effecting public improvements.

For facilitating arrangements in respect of surplus lands of the Corporation at Bradford Moor.

**34.** So much of the hamlet or district of Tyersall in the township of Pudsey in the parish of Calverley in the said west riding as lies within and forms part of the borough shall from and after the passing of this Act be dissevered and excluded from the area subject to the jurisdiction of the Pudsey Burial Board for all purposes whatsoever and thenceforth the said hamlet or district or such part thereof as aforesaid shall be solely and entirely within the area subject to the jurisdiction of the Corporation for all burial board purposes On the application of the Corporation or the said board or any mortgagee of the said board the Local Government Board may by order settle any doubt or difference and make any adjustment of accounts or apportionment of assets and liabilities that may become necessary in consequence of the operation of this section Every order of the Local Government Board shall be binding and conclusive on all parties.

Exclusion of Tyersall from jurisdiction of Pudsey Burial Board.

**35.** The provisions contained in the recited Act of 1854 so far as relates to the scale of charges therein prescribed for the supply of water by the Corporation and the periods for which water rents may be demanded charged and enforced shall be and are hereby altered and amended as follows:—

Amendment of Acts as to water rates and charges.

1. It shall be lawful for the Corporation to make demand declare and enforce payment of a rate charge or demand for the

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supply of water for domestic purposes for an entire year payable in advance to commence on any day named for the purpose by a resolution of the council but every occupier of a dwelling-house or tenement or part thereof liable to the payment of such rate charge or demand who shall give notice of his intention to discontinue the use of the water supplied by the Corporation or any occupier liable to such payment who shall remove from his dwelling or tenement during any part of the year for which such rate charge or demand is made shall not be liable for any portion of such rate charge or demand after the day on which he shall have so ceased to use the water or have quitted the said premises. If such person has paid for the whole year he shall be entitled to a return by the Corporation of such sum as shall be proportionate to the period of such disuse of water :

2. The scale of charges for the supply of water authorised by the said Acts for domestic purposes (other than for waterclosets or baths) shall be and is hereby altered so that from and after the passing of this Act the following scale of charge for such supply shall take effect and be in force in the borough in respect of any building tenement or premises used and occupied for business purposes including premises occupied by bankers but not for the purposes of ordinary habitation other than by a caretaker (that is to say) :

Where the annual rackrent or value does not exceed sixty pounds the annual water rate or charge shall be fourpence in the pound on such rent or value but in no case shall the charge be less than eight shillings per annum ;

Where such rent or value exceeds sixty pounds the annual water rate or charge shall be threepence in the pound on such rent or value but in no case shall the charge be less than one pound per annum. All the other provisions relating to the charge for supply of water in the said recited Acts contained shall be and remain in full force and virtue ;

Where any building or tenement used and occupied for business purposes is sub-let or divided into smaller tenements the owner shall be liable for all water rates rents and charges in respect of the whole building or tenement but a deduction of ten per cent. from the gross amount thereof shall be made by the Corporation provided the owner makes the payment within two months from the day whereon the demand note in respect thereof is delivered in any year. The word owner

in this section shall include the person entitled to receive the rent whether as lessee agent or otherwise. A.D. 1885.

**36.** Every building for public resort shall be supplied with sufficient ingress and egress for the protection of the public in cases of emergency to be approved by the Corporation. The Corporation shall be at liberty to prescribe any alterations they may deem necessary in order to make such ingress and egress efficient and shall in the case of any existing building prescribe a reasonable period within which such alterations shall be made. Any order prescribing such alteration shall be made on the occupier of the building or where such building is let for any period less than one year shall be on the owner thereof as well as the occupier. If any such order shall not be effectually complied with within such prescribed period such default shall be deemed to be an offence against the provisions of this section. In this and the next following section the expression "building for public resort" shall mean a building used or constructed or adapted to be used either ordinarily or occasionally as a church chapel or other place of public worship or as a college or school (not being merely a dwelling-house so used) or any theatre public hall public concert room public ball room public lecture room or public exhibition room or as a public place of assembly for persons admitted thereto by tickets or by payment or used or constructed or adapted to be used either ordinarily or occasionally for any other public purpose. Every person offending against the provisions of this section shall for every such offence be liable to a penalty not exceeding five pounds and a further penalty of five pounds for every day during which the default shall continue.

For securing proper means of ingress and egress in public buildings.

**37.** Every building for public resort shall be supplied with sufficient ventilation and drainage to the satisfaction of the Corporation or their medical officer of health. Every person offending against the provisions of this section or permitting such building to be used without such sufficient ventilation and drainage shall for every such offence be liable to a penalty not exceeding five pounds and a further penalty of five pounds for every day during which the default shall continue.

For securing proper ventilation and drainage in public buildings.

**38.** With respect to the fixing placing or attaching of wires tubes or other apparatus across over or along but not under any public street for telegraphic telephonic or any electrical purpose (all and every of which are and is in this section included under the word "apparatus") the following provisions shall have effect (that is to say):

Better protection against accidents to public from wires carried over streets.

1. No such apparatus shall after the passing of this Act be so fixed placed or attached as to cross over or pass along any

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public street except with the previous license in writing of the Corporation under the hand of the town clerk which license shall not be unreasonably refused and subject to such terms and conditions as they may from time to time prescribe so as to prevent danger annoyance or obstruction to passengers or traffic passing over or along or being in or upon such street Any person who offends against this enactment or who fails to observe and perform any of such terms and conditions shall be liable for each offence to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings for every day during which the offence shall continue after notice thereof in writing under the hand of the town clerk and the Corporation may cause such apparatus to be removed or altered and may recover the expense of and incidental thereto in any court of competent jurisdiction :

No license granted as aforesaid shall be revocable except by notice in writing under the hand of the town clerk and upon some ground in the interest of the public to be stated in the notice :

2. Where such apparatus has been placed over or along a street before the passing of this Act or in pursuance of a license under this Act the following provisions shall have effect (that is to say) :

(a) The owner or lessee of such apparatus shall always keep the same in repair and good condition and in default thereof the Corporation may serve notice on him to put the same into repair and good condition and if he fail to do so the Corporation may remove the same and may recover from him the expenses of so doing :

(b) If in the opinion of the Corporation any such apparatus is so placed as to be or to be likely to become a cause of danger obstruction or annoyance to passengers or traffic in the street the Corporation may serve notice on the owner or lessee thereof to remove the same and if he fails to do so the Corporation may remove the same subject to the appeal herein-after provided and may recover from him the expenses of so doing :

3. If the Corporation refuse the application for a license or attach thereto any terms or conditions which the applicant deems unreasonable or revoke the same for any reason which the licensee deems to be not in the interest of the public or

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to be unreasonable or where the Corporation serve notice on the owner or lessee of such apparatus to remove the same in cases in which such apparatus has been placed over or along a street before the passing of this Act or in pursuance of a license under this Act or in any case in which any question shall arise whether any or if any what amount of compensation should be paid in respect of such removal the applicant or licensee or such owner or lessee or the Corporation (as the case may be) may apply to a court of summary jurisdiction under the Summary Jurisdiction Acts for an order in the premises including any order for a license or for a modification of the terms or conditions upon which the license has been granted or against the revocation of the license or against the removal of the apparatus (as the case may be) and the court may make such order thereon as they think fit and may direct by whom the cost of the application and of such removal shall be borne. If the order be for a modification of the terms or conditions upon which a license has been granted the license shall continue in force until lawfully revoked in accordance with this section subject only to the modified terms and conditions specified in the order. If the order be against the revocation of a license the revocation shall be to all intents and purposes null and void :

4. The Corporation may from time to time upon giving reasonable notice to the owner or lessee thereof inspect and examine any such apparatus in order to ascertain whether it is so fixed placed or attached and is generally of such description and in such condition as not to be productive of such danger annoyance or obstruction :
5. The Corporation by their officers and servants may at all reasonable times (but in case of an occupied building only between the hours of nine in the morning and four in the afternoon and after twelve hours' notice to the occupier of such building) enter upon any lands or buildings in upon or to which any such apparatus is for the time being fixed placed or attached for the purpose of making such examination and inspection or of doing or executing any work under this section without being deemed trespassers or liable to any action indictment or other proceeding on account thereof :
6. Any expenses or compensation payable under the provisions of this section may be recovered in a county court or any court of competent jurisdiction :

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— Provided always that nothing in this Act shall be construed to apply to any telegraphic line of Her Majesty's Postmaster-General or to any apparatus or works connected therewith constructed under or by virtue of the Telegraph Acts 1863 to 1878 and notwithstanding anything contained in this Act or in any Act for the time being affecting the Corporation the Corporation shall in executing any work authorised by an Act of Parliament which involves or is likely to involve an alteration either temporarily or permanently in any telegraphic line of the Postmaster-General be subject to the provisions of the Telegraph Act 1878 :

Provided also that the foregoing provisions of this section shall not apply to or include any such wires or appliances which shall belong to any railway or canal company or which shall be used by them in connexion with their business and which now are or hereafter shall be fixed upon posts or supports upon any railway or the towing-path of any canal provided that such wires or appliances do not project or are not stretched or placed beyond such railway or towing-path over any public street or be not stretched or placed over any public street crossing over such railway :

Provided that nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Act 1882 to which the provisions of the said Act apply.

Provisions  
with respect  
to disorderly  
houses.

**39.** It shall be lawful for the chief constable with the sanction of the watch committee of the borough to institute and prosecute proceedings against the occupier of or other person keeping or occupying any brothel or house of ill-fame or any lewd or disorderly house which is a nuisance or annoyance to the persons residing in the neighbourhood thereof :

The court competent to hear and determine any such complaint shall be the court of quarter sessions of the borough and the proceedings shall be by indictment preferred at such sessions and the said court shall have power to impose such fine or penalty not exceeding fifty pounds in addition to the costs of the prosecution or may order the imprisonment of the offender for such period not exceeding twelve months as the court may deem expedient Provided that in any such prosecution a copy of the indictment to be preferred against any such person as aforesaid shall be supplied to such person at least seven days prior to the holding of the court at which such indictment is intended to be preferred.

Prevention  
of publica-  
tion of  
offensive  
bills, &c.

**40.** If any person affixes to any house building wall fence hoarding board or convenience or delivers or exhibits to any inhabitant or passenger in or near to any street any bill or printed

or written paper (whether enclosed in a sealed or other envelope or not) of an obscene or indecent nature or referring to any disease of a loathsome or secret kind or to any cure for any such disease he shall for every such offence be liable to a penalty not exceeding forty shillings or in the discretion of the justice before whom he is convicted to imprisonment for any term not exceeding one month with or without hard labour. A.D. 1885.

**41.** In order to enable the owners of houses buildings and tenements who under any of the said recited Acts or any Act incorporated therewith or by arrangement with the Corporation pay the Corporation for gas or water supplied to the tenants of such houses buildings or tenements and where the tenants agree to repay the said owners in respect thereof to recover the payments so made it shall be lawful for any owner of any house building or tenement in the borough who has paid the Corporation for supplying gas or water to such house building or tenement and whose tenant is under agreement to repay the owner the amount so paid by him or any fixed sum per week or otherwise for gas or water so supplied to recover such amount by summary process in the same manner and with all the like powers and incidents as the Corporation may enforce payment of gas rents or water charges For this purpose the thirty-eighth section of the recited Act of 1871 shall be deemed and taken to apply and extend to and include for all intents and purposes gas and water rent so due to any such owner as aforesaid and any money so payable shall be recoverable as if the owner were named in such enactment instead of the Corporation and water charges were therein included as well as gas rents :

The term owner shall include the person with whom any such tenant has made agreement as aforesaid whether agent or otherwise.

**42.** For the purpose of the waterworks gasworks and other works authorised by this Act the Corporation may by agreement take use and hold any lands hereditaments and premises required for the purposes of this Act not exceeding five acres other than those delineated on the deposited plans and described in the deposited book of reference. Taking of additional lands.

**43.** All the powers and provisions contained in the recited Acts or any of them relating to the sale by the Corporation of any lands acquired by them and not required for public purposes or to the leasing or letting thereof and to the sale of any reversionary interest of the Corporation shall extend to and include all surplus lands now or at any time hereafter held by the Corporation and not so required as aforesaid So long as any properties remain to be acquired by the

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A.D. 1885. — or poration under the authority of Parliament the Corporation may so far as they consider necessary apply moneys received by them on resale or by leasing or letting as aforesaid in the purchase of properties so remaining to be acquired but as to moneys so received and not required as aforesaid the same shall be applied in the extinguishment of any loan borrowed by the Corporation but in every such case the power of the Corporation to borrow shall be extinguished to the extent of the sums so applied.

Consent of  
Treasury not  
to be dis-  
pensed with.

44. Where the consent of the Commissioners of Her Majesty's Treasury would if this Act had not passed have been required for the sale mortgage or alienation of any land belonging to the Corporation nothing in this Act shall dispense with such consent.

Registration  
of charge in  
respect of  
private  
improvement  
expenses.

45. Nothing in the Yorkshire Registries Act 1884 shall prevent the registration by the Corporation in the registry office for the west riding of Yorkshire of a memorandum of charge relating to moneys due to them as or in respect of private improvement expenses under and for the purposes of and in the form prescribed by section thirty-five of the recited Act of 1875 Provided that every such registration shall be effected so far as may be in like manner and subject to the payment of the same fees as though such memorandum were a memorandum of charge within the meaning of the said Registries Act.

FINANCIAL MATTERS.

Borrowing  
and other  
powers.

46. The several powers and provisions of the Local Acts now in force in the borough with respect to the borrowing of moneys at interest by the Corporation for the purposes of those Acts or any of them the re-borrowing of moneys the securities to be given for moneys borrowed and interest thereon the giving of notices for the repayment of moneys borrowed the paying off of the same the payment of interest by coupons and the appointment of a receiver shall extend and apply to all moneys borrowed by the Corporation under this Act and the interest payable thereon as if those moneys were part of the moneys by the said Acts authorised to be borrowed by the Corporation Provided that the equal annual sums to be set apart for sinking fund shall be sufficient to pay off the principal moneys borrowed under this Act as follows (that is to say):

As to moneys borrowed for waterworks purposes in sixty years from the time of borrowing:

As to moneys borrowed for gasworks purposes in thirty years from the time of borrowing:

Provided also that the power of re-borrowing may be exercised so as to provide beforehand for moneys about to fall due to and required to be repaid by the persons lending the same so long as the moneys thus re-borrowed will not exceed after the aforesaid repayment shall have been made the full amount of the authorised borrowing powers of the Corporation.

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47. In addition to the moneys which the Corporation are already authorised to borrow the Corporation may from time to time borrow for the purposes of this Act on the security of the borough fund and borough rate the further sum of four hundred and fifty thousand pounds for the purpose of waterworks and the further sum of one hundred and fifty thousand pounds for gasworks purposes. All moneys borrowed under the powers of this Act shall be applied only to purposes to which capital is properly applicable.

Power to  
raise additional  
moneys.

48. All expenses and other moneys by this Act directed to be charged upon or paid out of the borough fund and borough rate of the borough and all moneys borrowed under this Act on the credit of the borough fund and borough rate and the interest thereon shall be raised by and paid and satisfied out of the borough fund and borough rate of the borough as if the same were expenditure necessarily incurred in executing with reference to the borough the Municipal Corporations Act 1882. Provided always that as regards all rates to be laid for all or any of the purposes of this Act the occupiers of any land used as a railway constructed under the powers of any Act of Parliament for public conveyance and of any land used as arable meadow or pasture ground only or as woodlands market gardens or nursery grounds and of any land covered with water or used only as a canal or towing-path and the owners of any tithes or tithe commutation rentcharge shall be assessed to such rates in respect of the same in the proportion of one-fourth part only of the net annual value thereof.

Power to  
levy rates.

49. All mortgages and debentures granted by the Corporation before the passing of this Act in pursuance of any Act of Parliament subsisting at the passing of this Act shall during the continuance thereof have priority over all mortgages debentures and annuities granted under this Act.

Existing  
mortgages to  
have  
priority.

50. The town clerk shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund under this Act transmit to the Local Government Board a return in such form as may be prescribed by

Annual re-  
turn to Local  
Government  
Board with  
respect to  
sinking fund.

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Taxation of  
costs.

**51.** The costs charges and expenses of and relating to the passing of this Act shall before payment be taxed by the taxing officer of one of the Houses of Parliament.